Contents

Introduction and Acknowledgements 1

1 Populist Constitutionalism: An Oxymoron? 10
   1.1 The Many Faces of the Populist Challenge: A Conceptual Clarification for the Purpose of the Book 10
   1.2 Constitutionalism and Populism: Between Mimetism and Parasitism 16
   1.3 The Constitution as a Straitjacket 20
   1.4 Some Guidelines to Challenge the Populist Constitutional Counter-Narrative 22
   1.5 Final Remarks 26

2 Italy and Post–World War II Constitutionalism 29
   2.1 Italy and Populism(s) 29
   2.2 Constitutionalism and Memory of Horror 30
   2.3 Italy and Post–World War II Constitutionalism 38
   2.4 The Resistance as a Constituent Moment 40
   2.5 Italian Populisms: An Overview 49

3 Mimetism and Parasitism in Action: Sovereignism and Identity Politics versus Post–World War II Constitutional Openness 63
   3.1 Sovereignism, Sovereign Democracy and Identity Politics 63
   3.2 The EU and the New Wave of Populisms 66
   3.3 European Law in Sovereignist Times 70
   3.4 Openness and Italian Constitutional Law 77
   3.5 Openness and Post–World War II Constitutionalism 90

4 Mimetism and Parasitism in Action: Politics of Immediacy and the Case of the Referendum 99
   4.1 The Perils of the Politics of Immediacy 99
## Table of Contents

4.2 The Referendum and Constitutional Law: An Instrument to Handle with Care  
4.3 How Constitutions Coordinate Referendums and Representative Democracy  
4.4 How Populists Understand the Referendum  
4.5 The Italian Debate from a Comparative Perspective  
4.6 What Comparative Constitutional Law Can Teach Us  

5 The Assault on Representative Democracy as the Other Side of the Politics of Immediacy  
5.1 Anti-parliamentarism and Populism: An Introduction  
5.2 Representative Democracy and the Five Star Movement  
5.3 A First Assessment of the Impact of the Five Star Movement on the Activity of the Italian Parliament  
5.4 Final Remarks  

6 The Return of the Imperative Mandate?  
6.1 Objectocracy and Political Mediation  
6.2 A ‘Cornerstone of European Democratic Constitutionalism’  
6.3 Article 67 of the Italian Constitution: Genesis and Current Issues  
6.4 A Party in Disguise: How to Understand the Five Star Movement from a Legal Point of View  

7 Filtering Populist Claims to Fight Populism: Final Remarks  

Bibliography  
Index