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Nota di contenuto	Cover -- Endorsements -- Half Title -- Series -- Title -- Copyright -- Dedication -- Contents -- Foreword -- Acknowledgments -- Introduction: From minorities to diversity: a global inquiry -- Diversity and constitutionalism: an introduction -- A snapshot of the trends and innovations in the Global North: between macro- and micro-perspectives -- The inclusion of the Global South: methodological issues and its theoretical and practical contribution -- The theoretical aims of the study -- Overview of the chapters -- Methodological issues -- 1 The growing significance of diversity for constitutionalism -- Liberal constitutionalism and the centrality of equality -- The emerging nation-states: equality, citizenship, and majority rule -- Recognition of the legal significance of diversity through treaty mechanisms and federalism -- The path toward greater equality and the consolidation of the concepts of minority and indigenous peoples at the international and domestic levels -- The emergence of diversity/1: the interwar period, the international minority rights system, its demise, and experiments of non-territorial autonomy -- The emergence of diversity/2: the extension of rights in the domestic and international domains and diversity protection through non-discrimination -- The emergence of diversity/3: multiple constitutional ideal-typical models for the accommodation of diversity within the framework of democratic

constitutionalism -- The emergence of diversity/4: minority and indigenous peoples' rights law -- 2 Models for the accommodation of diversity from liberal and democratic constitutionalism -- Models for the accommodation of diversity in the liberal epoch and their targets -- An overview of the models for the accommodation of diversity stemming from the democratic turn of constitutionalism.

International law as the source of a general right to existence and survival -- Equality and non-discrimination as essential guarantees (also) for minorities -- Minority rights and instruments -- Indigenous peoples' rights law: some distinctive aspects -- 3 Innovative macro-perspectives of diversity accommodation -- The premises for the evolution of the models for the accommodation of diversity -- Innovative macro-perspectives -- A Global South macro-perspective to diversity accommodation: emerging constitutional frameworks and their instruments for the accommodation of diversity -- The European macro-perspective -- Convergences and divergences between the Global North and Global South -- 4 Innovative instruments for the accommodation of diversity -- From theory to practice: emergent instruments for the accommodation of diversity in the Global North -- Emerging governance forms of autonomy -- A shift toward governance -- Functional non-territorial autonomy -- Institutional completeness and administrative autonomy in Canada and beyond -- Nested federalism(s) -- Revitalized inclusive forms of territorial and non-territorial subnational autonomy for diversity accommodation -- Legal pluralism as a form of autonomous self-governance -- Participatory democracy and democratic innovations: consultative bodies and inclusive, participatory practices between reality and potential -- Some preliminary conclusions and open questions on the structure of the emerging instruments -- 5 Building the "Law of Diversity" -- The evolving position of diversity -- Diversity and liberal constitutionalism: diversity as a derogation from the constitutional order -- Diversity and democratic constitutionalism: diversity as a legitimate exception to the ordinary rule -- Diversity and plural constitutionalism: diversity as the general rule.

The concurrent paradigms underlying the treatment of diversity -- The notion of paradigm as a guide -- The mono-national and the multi-national paradigms: rigidity and homogeneity -- The plural paradigm -- The "Law of Diversity" as a gate-opener: why a renovated conceptual framework -- The "Law of Diversity" as an enabling theoretical standpoint -- The "Law of Diversity" as a gate-opener: support for the theoretical proposal from Diversity Studies -- The "Law of Diversity" applied: a proposal to classify the instruments for the accommodation of diversity -- 6 Can federalism help frame the emergent models for the accommodation of diversity? -- Main assumptions -- Theoretical references: the emergence of a meta-theoretical approach to federalism and its applications -- Four approaches to federalism in recent literature -- Feder(ation)alism v the meta-theoretical potential of federalism: general overview and first connections with the "Law of Diversity" -- Trying to structure the analytical or meta-theoretical perspective of federalism -- The "fathers" of the meta-theoretical perspective in the modern literature -- Recent accounts dealing with the meta-theoretical perspective explicitly -- Federalism and the federal phenomenon: why another definition is not needed and how the concept can be theoretically employed -- Federalism and the "Law of Diversity": initial thoughts on the theoretical potential of federalism -- Negotiation and asymmetry: a federal model for the "Law of Diversity" -- Complex decision-making processes -- Definition of areas of jurisdiction in complex policy areas: coordination over division --

Conflicts of jurisdictions: Trends and tools for their resolution -- Conclusions -- The path of the study -- A global comparative perspective unveils the variety of legal responses to diversity within the constitutional tradition(s).

Main theoretical proposals and contributions -- Federalism and the "Law of Diversity": in search of appropriate concepts for contemporary times -- Limitations of the study and points in need of further research -- Index.

Sommario/riassunto

This book provides a global perspective on the accommodation of diversity within constitutional traditions, considering the most innovative approaches and legal instruments of the Global North and Global South. The introduction of the concept "Law of Diversity" is proposed as a theoretical framework to grasp ongoing developments in the area.
