



## Ordine internazionale e diritti umani

International Legal Order and Human Rights  
Ordenamiento Jurídico Internacional y Derechos Humanos  
Ordre Juridique International et Droits de l'Homme  
Diretta da Claudio Zanghi, Lina Panella, Carlo Curti Gialdino

EDITORIALE  
SCIENTIFICA

### THE STATE OF EXCEPTION IN LIGHT OF THE POST-COVID-19

The contribution addresses the issue of the state of exception following the COVID-19 pandemic. Facing exceptional situations, the regulatory frameworks undergoes inevitable upheavals that affect several areas and the right to emergency involves far-reaching interventions that also affect the system of sources. Having resumed the theoretical elaborations of Romano and Schmitt and considering that various EU countries have included provisions on the matter in their Charters, in the Italian case the limitation of exceptional powers to a state of war does not allow the suspension of constitutional rights, nor the redefinition of internal structures both centrally and peripherally. The question whether it is appropriate to think of one or more constitutional norms that provide for the state of exception is therefore legitimate. However, the emergency cannot be dispel denying it, but by appreciating it as an extraordinary and endogenous phenomenon in which new and extraordinary skills can be defined to deal with it, also and above all by enhancing the principle of loyal collaboration between the State and the Regions.