## Contents

Preface

Preface by Franco Modugno	15
Notes	19
I. The constitutional programme for the effective social inclusion of persons with disabilities	
1. The "recognition" and the "guarantee" of the rights of persons with disabilities to achieve the "equal social dignity" that allows the "complete development of the person"	
	21
,	28
4. From insertion, to integration, towards the	35
social inclusion of persons with disabilities	40
II. THE MULTILEVEL PROTECTION	
The normative framework of social inclusion policies in the logic of multilevel protection	49
2. The evolutionary process of international	
protection	51

3.	The strategy of the institutions of the	
	European Union	58
4.	The Italian constitutional system of law:	
	persons with disabilities in the scope of the	
	constitutional program in favor of weak people	65
5.	The position of persons with disabilities	
	within the constitutional framework	74
	III. THE BASIS OF THE RIGHT TO SOCIALIZATION	ON
1.	The protection of persons with disabilities	
	in constitutional jurisprudence	81
2.	The empowerment of the purposes of the	
	law 5 February 1992, n. 104	82
3.	The traditional right to assistance with the	02
э.	related economic provisions	85
4	The right to study	92
4.	The right to work	102
5.	The right to work	102
	N/ Tree "arms proves" no construction	
	IV. THE "META-RIGHT" TO SOCIALIZATION	
1.	The "new right" to socialization	115
2.	Accessibility and quality of relationship life	116
	The central role of the family	
3.		110
$4\cdot$	The protection of the rights of persons with	
	disabilities between Constitutional Court,	0
	Legislator and budgetary constraints	128

## V. DISCRIMINATION AGAINST PERSONS WITH DISABILITIES AND SCHOOL INCLUSION

1. 2.	The effective protection of a fundamental right The Joint Chambers and the discrimination	139
	against persons with disabilities	142
3.	A right "totalmente conformato"	147
4.	A "double track" protection	$^{154}$
$5 \cdot$	Inclusion $v$ . discrimination	161
VI	. The double judicial protection of the	STU-
	ENTS WITH DISABILITIES FOR A SCHOOL "APER" TUTTI"	
1.	The Plenary Assembly and the disputes	
	"afferenti alla fase che precede la	
	formalizzazione del PEI"	165
2.	The "piena" jurisdiction of the administrative	
	courts overcomes the "tirannia del danaro"	$^{172}$
3.	Different cases, different jurisdiction	179
4.	The school inclusion between due	
	maintenance and confirmation of the	0
	"double track"	184
A	PREMISE IN PLACE OF A CONCLUSION: THE (PREJ-	
	ICIAL) RIGHT TO ENJOY RIGHTS IN ORDER TO	
	ERCOME THE SOCIAL EXCLUSION OF PERSONS	
WI	TH DISABILITIES	199
Rih	nliography	215
200	wog. aproj	5
Abs	stract	240