UNIVERSITÀ
DEGLI STUDI DI MILANO-BICOCCA

COURSE SYLLABUS

Diritto Regionale

1819-4-A5810044

Learning objectives

The student will acquire a solid knowledge of the founding principles of the Italian Regional law through a deeper understanding of sources oflaw, the regional form of state and constitutional bodies. On the basis of the given criteria the student will be able to distinguish regional form of state from federal, confederate or unitary experiences, also referring to historical and comparative data.

Secondly, the student will obtain the ability to comprehend normative texts, including the Constitution, and primary and secondary sources of law. Along with the juridical theory and method, the student will also learn the constitutional practices, above all through the development of the capacity to interpret and utilize constitutional case law. At the end of the Course the student will be able to develop in an autonomous way research aimed at finding and application of regional law and case law.

Contents

The course will address the study of Italian regional and local legal system through the knowledge of the structure and functions of Italian territorial authorities, in the perspective of the constitutional model and its changes introduced with constitutional statutes n. 1/1999, n. 2/2001, n. 3/2001.

Detailed program

The syllabus includes:

1. General concepts: unitary State, federal State, regional State and confederations.

2. The evolution of the Italian regionalism from constitutional models to the reform of Title V, Part II of the Constitution.

3. The unity of the Republic and institutional pluralism. The regional constitutional autonomy.

4. Sources of law. Regional statutes. Legislative power at the regional and state level. Executive orders.

5. The regional political system: constitutional models and regional variations.

6. Fundamental regional bodies: The president and the executive power; the Regional Assembly, the local authorities council.

7. Legislative autonomy of the Regions (art. 116 and 117 Cost.)

8. Administrative autonomy and the new article 118 of the Constitution.

9. Financial autonomy and fiscal federalism (art. 119 Cost.)

10. The relationship beetween Regions and UE

11. The Regional federative power

Prerequisites

Basic knowledge of the italian Constitutional law

Teaching methods

Lectures

Assessment methods

The exam consists of an oral interview. The final grade will also be basedon the active participation during lectures.

Textbooks and Reading Materials

All students will have to prepare the exam on the following text:

1. P. CARETTI, G. TARLI BARBIERI, Il diritto regionale, Torino, Giappichelli, most recent edition .

2. R. BIN, G. FALCON, Diritto regionale, Bologna, Il Mulino, most recent edition.

In order to prepare the exams is important to refer to the main decisions taken by the Italian Cosntitutional Court, discussed during lectures, reachable on the following website:

1. www.cortecostituzionale.it

2. www.giurcost.it

Please refer also to the data base:

http://www.dirittoregionale.it/regioneemiliaromagna/index.php