



UNIVERSITÀ  
DEGLI STUDI DI MILANO-BICOCCA

## COURSE SYLLABUS

### Constitutional Law

2021-1-E1401A005

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#### Learning objectives

This course aims at giving the students a first approach to the Italian Constitution and the basic constitutional principle.

#### Contents

The knowledge of Constitutional Law is essential to understand the foundations of the Italian Law and it is the introduction to the are juridical subjects.

Constitutional law is focused on the Italian Constitution of 1948, its text, its legal developments and the case-law of the Constitutional court enforcing its provisions.

The Italian Constitution will be studied in a historical context, starting with the origin of the modern state, up to the contemporary constitutional legal systems of the second part of the XX century. Attention will be paid

to other legal systems, inside and outside Europe, in order to provide a comparative prospective, as well as the fundamental rights.

#### Detailed program

*Part I. The contemporary constitutional state between sovereignty and globalization*

1. The State as a legal system
2. Historical developments of the modern States and Constitutions
3. The contemporary State and the sovereignty
4. The Italian Constitution: from Fascism to the Constituent Assembly; the implementation; contents and fundamental principles. The constitutional revision procedure.
5. The Law's Sources
6. The Constitution and the international law
7. The Italian legal system and the European Union

*Part II. The Italian constitutional government*

8. The political system and its evolution
9. The Electoral Systems and political parties. Deliberative democracy and referendum
10. The Cabinet Government and the Public Administration
11. The Parliament
12. The President
13. The Constitutional Court
14. The Judiciary
15. The Italian way to the regionalism

*Part III. The constitutional rights and the economic Constitution*

16. The constitutional rights
17. The economic Constitution

**Prerequisites**

None

## Teaching methods

Lectures, unless otherwise prescriptions in order to fight with the SarsCov2 health epidemic

## Assessment methods

Written (quizzes + open questions) with optional oral (only for those who have achieved a pass in the written paper) on two different days.

COVID EMERGENCY : Due to the prolonged emergency, exams are held remotely via the *webex* platform (oral) and via *esamionline* (written).

In any case, in order to take the exam, it is necessary to register through the online secretariat.

## Textbooks and Reading Materials

For the comprehension of Constitutional Law it is essential to study the text of the Italian Constitution. The main issues are discussed in many textbooks. Therefore, the study shall be made with any up-to-date book.

For the academic year 2020-2021 the recommended books are the follows:

1. A. BARBERA - C. FUSARO, Corso di diritto pubblico, Il Mulino, Bologna, 2020
  2. T. GROPPI - A. SIMONCINI, Introduzione allo studio del diritto pubblico e delle sue fonti, Giappichelli, Torino, 2020
  3. V. SCIARABBA, Compendio di diritto costituzionale, Piacenza, La Tribuna, 2018 (disponibile anche in e-book)  
Documents, texts and slides will be published on the e-learning platform by the lecturer.
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