UNIVERSITÀ
DEGLI STUDI DI MILANO-BICOCCA

COURSE SYLLABUS

Constitutional Law - M-Z

2122-1-A5810227-MZ

Learning area

Learning objectives

This course aims at providing students a first approach to the Italian constitution and the basic constitutional principles. Learning constitutional law and the constitutional approach to legal issues represents the formative basis for all the other law courses and political studies. It aims at providing students with appropriate tools of analysis and argumentation in order to address the main debated issues of constitutional law

Contents

The knowledge of Constitutional Law is essential to understanding the foundations of the Italian Law and it is the introduction to the are juridical subjects.
The course has the main purpose the study the constitutional system, through the examination of the Italian Constitution in its wording and interpretations developed by the case law and practice. Particular attention will be paid to the historical evolution, in comparison with other democratic systems, the fundamental principles, freedoms of individuals, the sources of law, the Government, the role of the Judiciary and of the Constitutional Court.

Detailed program

The course of constitutional law will deal with the following topics:

1. The State.
2. Historical developments of the modern States and Constitutions

3. Fundamental rights and freedoms
4. The Italian Constitution: origin, contents and fundamental principles.
The constitutional revision procedure.
5. The political system and its evolution
6. The Electoral Systems and political parties. Deliberative democracy
and referendum
7. The Parliament
8. The Head of State
9. The Government
10. The Constitutional Court
11. The Judiciary
12. Regional and local governments.
13. The Sources of law
14. The Italian Constitution and the European Union
A detailed exam program for students attending the lessons will be given during the course, considering the topics discussed in class.

Prerequisites

none

Teaching methods

The course will be held through lectures, use of the e-learning platform and powerpoint presentations. The analysis of the current debate on constitutional problems as well as the analysis of relevant judgments of the Constitutional Court and other European Courts will constitute part of the teaching methods.

Accordingly, students should not be limited to the study of the textbook, but to understand the political and legislative events reported by newspapers and other media, and to take account of normative data and jurisprudence.

The Italian Constitution and the National and Regional Acts are published at: www.parlamento.it , www.gazzettaufficiale.it , www.normattiva.it.
The Constitutional Court decisions at: www.cortecostituzionale.it and www.giurcost.org.
Among the others, see the following sites: www.associazionedeicostituzionalisti.it , www.forumcostituzionale.it , www.costituzionalismo.it , www.federalismi.it.

Assessment methods

For students attending the course, it will be possible to divide the exam in two parts: the first part of the exam will consist of multiple-choice questions and open-ended questions. It will be held about halfway through the course and it will deal with the first part of the program. The second part of the exam will be held after the end of the course and will consist of an oral exam on the part not covered by the first exam.

For non-attending students and for attending students who do not intend to divide in two parts the program, the

exam is oral on the entire program.

Before the oral exam there will be a questionnaire test of thirty multiple choice questions. For each question, only one answer will be correct.

Connect at the time of the exam to the e-learning platform and take the questionnaire. The time available is 20 minutes. Those who answer at least 18 questions correctly will be eligible for the oral.

The orals will begin immediately after the publication of the results of the questionnaire.

Textbooks and Reading Materials

For the comprehension of Constitutional Law it is mandatory to study the text of the Italian Constitution. The main issues are discussed in the handbooks. Therefore, the study shall be made with any up-to-date book.
The recommended book for this course is the following:
1. A. PISANESCHI, Diritto costituzionale, Giappichelli, Torino, last edition.
As an alternative:
1. R. BIN e G. PITRUZZELLA, Diritto costituzionale, Giappichelli, Torino, last edition.
2. A. BARBERA e C. FUSARO, Corso di diritto costituzionale, Il Mulino, Bologna, last edition.
3. P. CARETTI e U. DE SIERVO, Diritto costituzionale e pubblico, Giappichelli, Torino, last edition.