UNIVERSITÀ
DEGLI STUDI DI MILANO-BICOCCA

COURSE SYLLABUS

Supranational Integration and National Identities

2223-4-A5810270

Learning objectives

The European Union is facing new challenges within itself.

The emergence of nationalist and populist movements, the exaltation of sovereignty and the national dimensions are the representation of a common approach that questions the process of integration. The localist and secessionist pressures within some States, the denial of the rule of law and the common heritage of principles connected to it, are the manifestations of the current pathology of the EU institutions which affects the concept of European citizenship.

Each of the issues mentioned, at the heart of the process of European Union integration and public debate within the member countries will be deepened through a study conducted according to an interdisciplinary method that combines doctrinal, legal and political analysis, in addition to the study of institutions, their main provisions, the jurisprudence of the Court of Justice and the European Court of Human Rights, also through the support of an indispensable historical approach.

The ultimate aim is to deeply analyze the European instruments and strategies to face this contemporary issue.

Contents

The course consists of 42 contact hours (21 lessons) focusing on one of the most challenging issue at stake for European integration, i.e. the supranational integration bearing in mind the different trends on the issue across the Europe.

In order to address some highly debated issues – from nationals, European and ECHR perspective - the course has been designed to cover three main topics:

Part 1: Sovereignty and Nation such as an idea between historical approach and constitutional law;

Part 2: European integration and national identities;

Part 3: National sovereignism and supranational policies of the European Union.

Detailed program

_ The general framework of Supranational integration and national identities

_ The sovereignty concept in the constitutionalism’s history

_ The idea of nation between political thought and constitutional law

_ Sovereignty and Nation in the contemporary constitutions of the European states

_ History of the European integration’s process

_ Community method, intergovernmental method and principle of subsidiarity

_ The general framework of Sub-nationals territorial Autonomies within European union

_ Brexit and European Institutions

_ The Catalan and Scotland issues

_ The rule of law backsliding in the European Union and illiberal democracies

_ The Hungarian case

_ The Poland case

_ The Romanian case

_ The political approach by EU Institutions (Art. 7 TEU and the Rule of Law Framework)

_ The Rule of Law Conditionality (Regulation 2020/2092)

_ The primacy of European law and the national law

_ The role of supranational courts (European Court of Justice and the European Court of Human Rights) and the clash with the Constitutional Courts

_ The role of international institutions (the Council of Europe and the Venice Commission)

Prerequisites

Basic knowledge of Italian Constitutional Law, Comparative Public Law as well as European Union Law.

Teaching methods

The main feature that characterize the 42-hour teaching module is the innovative multidisciplinary approach: lectures and discussions will be held also by Italian and foreign experts.

Assessment methods

Oral exam

For attending students, the oral exam will be aimed at verifying learning of the topics covered in class and the content of the reference texts provided by the teacher.

For non-attending students, the oral exam will be aimed at verifying learning of the content of the reference texts.

Textbooks and Reading Materials

Reference texts for attending students only:

The preparation of the exam presupposes a solid knowledge of the contents of the lessons (the result of assiduous participation in the same), in addition to the study of the materials provided during the lectures (reports, documents, readings, sentences and case law) and uploaded on the e-learning website

Reference texts for not attending students: The preparation of the exam presupposes the study of the material (reports, documents, reading, sentences and case law) available on the e-learning. ***In any case, non-attending students are asked to contact the teacher via e-mail (simone.gianello@unimib.it) for the precise definition of the material***.

Sustainable Development Goals

PEACE, JUSTICE AND STRONG INSTITUTIONS