UNIVERSITÀ
DEGLI STUDI DI MILANO-BICOCCA

COURSE SYLLABUS

Public and Economic Law - 2

2324-1-E3303M005-T2

Learning objectives

This teaching intends to offer a reasoned recognition of the institutions of public law more directly related to economic dynamics. The "economic constitution" is the framework within which the multiple and varied intervention strategies of the State and other public bodies in the economic field are developed. A careful look also at the European and supranational dynamics will allow to intercept the implications of the public law of the economy in a global perspective.

Contents

The course will be structured in three main parts. The first part includes the reconstruction of the Italian constitutional order, starting from the system of sources of law and analyzing the form of government and the guarantee institutions. The second part is dedicated to the "economic constitution", ie the principles and rules that the Constitution, within the framework of the European Treaties, dedicates to the economic factor understood in its complexity. Finally, the third part focuses on administrative action, with particular reference to the various dimensions in which the State interacts with the economic sphere: producer of services or economic activities; financier; regulator of private economic activity.

Detailed program

First part: Sources of law, form of government, guarantee institutions

1. The basic notions of law.
2. The sources of law and the criteria for resolving antinomies.
3. The fundamental principles of the Italian Constitution.

4. Democracy and electoral systems
5. Parliament: organizational profiles
6. The ordinary and constitutional legislative function
7. The abrogation referendum
8. The Government: organizational profiles and functioning
9. The regulatory activity of the Government
10. The President of the Republic: role and functions
11. The judicial system
12. The Constitutional Court

    Part Two: The Economic Constitution
13. Introduction to fundamental rights
14. The sense of the economic Constitution
15. The freedom of private economic initiative
16. Property in the Constitution
17. Work and union organization
18. Substantial equality and social rights
19. The budget cycle between Parliament, Government and European institutions
20. The independent administrative authorities

    Third part: The administrative action
21. The public administrations
22. The principles of administrative activity within the framework of European constraints
23. Administrative power, procedures and measures
24. Legitimate interest and its protection
25. The consensual activity of the public administration
26. Economic public services: organization and regulation

Prerequisites

None.

Teaching methods

Lectures with analysis of concrete cases, through the direct participation of students.

Assessment methods

The exam is oral.
Attending students will be offered the opportunity to participate in two written tests (one intermediate, the other at the end of the course).

Textbooks and Reading Materials

Q. Camerlengo, F. Furlan, Lezioni di diritto costituzionale vivente, seconda edizione, Cedam, Padova, 2023

or alternatively:

S. Civitarese, P. Bilancia, Il diritto pubblico nella società contemporanea, Giappichelli, Torino, 2023

Semester

Second Semester

Teaching language

Italian

Sustainable Development Goals

SUSTAINABLE CITIES AND COMMUNITIES | PEACE, JUSTICE AND STRONG INSTITUTIONS