



UNIVERSITÀ
DEGLI STUDI DI MILANO-BICOCCA

COURSE SYLLABUS

Public and Economic Law - 1

2324-1-E3303M005-T1

Learning objectives

This course 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 system, 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", i.e. the principles and rules that the Constitution dedicates to the economic factor understood in its complexity. Finally, the third part focuses on administrative action as a side that more than others sees the State as the protagonist in its operational dimension in the economic sphere.

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 basic notions: power, public administration, "interesse legittimo"
22. The administrative procedure
23. Defects of administrative acts and remedies
24. The consensual activity of the public administration
25. Public services

Prerequisites

A good knowledge of the Italian political and institutional framework is useful, without neglecting the historical dimension at least referring to the republican experience. The same goes for Italy's involvement in the European integration process and for the constantly evolving international scenarios.

Teaching methods

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

Assessment methods

The exams will take place in oral form. However, a first written test is foreseen, approximately halfway through the course, consisting of three open-ended questions on the topics covered up to that moment in class. At the end of the course, for those who have passed the ongoing test, there will be another written test in the same way. The weighted average of the two outcomes will be the vote proposal which can be accepted (exam passed) or rejected (need to take the oral exam: the proposed vote can be improved or worsened).

Textbooks and Reading Materials

Italian Constitution and Q. Camerlengo, F. Furlan, Lezioni di diritto costituzionale vivente, II ed., Cedam, Padova, 2023.

Semester

Second semester

Teaching language

Italian

Sustainable Development Goals

NO POVERTY | GENDER EQUALITY | DECENT WORK AND ECONOMIC GROWTH | REDUCED INEQUALITIES
