UNIVERSITÀ
DEGLI STUDI DI MILANO-BICOCCA

COURSE SYLLABUS

Constitutional Law - A-L

2425-1-E1401A005-AL

Learning objectives

A) Knowledge and understanding

Students are expected to know and understand the main normative elements regarding fondamental rights, relationship between citizens and institutions, as well as the organization of the Italian Republic.

B) Applying knowledge and understanding

Students will be able to find, interpret and apply the legal rules regarding fundamental rights and the organization of public authority at State or regional or local level, to solve any possible contradictions between applicable provisions, and to understand the different legislative, executive and judicial functions belonging to various national, regional and local bodies.

C) making judgements

Students will acquire independence of judgment about finding and evaluating the possible legal solutions in solving issues concerning relationship between citizens, as individuals and as groups, companies and public authority, as well as the legitimacy of the norms and the administrative acts to be applied and of the actions to be taken.

D) Communication skills

Students will be able to communicate both the legal problems and the main regulatory elements involved to public and private entities and to those who design or adopt administrative acts.

E) Learning skills

Students will be able to independently find and evaluate any legal rule regarding any other subject, and to evaluate the constitutional basis and the constitutional legitimacy of any Italian regulation.

Contents

General constitutional law and all constitutional law in Italy: components and functions of the State, state forms and forms of government, the Italian Constitution, sources of Italian law, the organization of the Italian Republic.

Detailed program

The relationship between citizens and institutions: legal and social standards, interpretation and application of legal standards, components and functions of the State, state forms and forms of government, the Italian Constitution (Fundamental principles and characteristics), the individual in constitutional system and the fundamental rights (freedom and social rights), the sources of Italian law (criteria authorizing the system of sources and examination of each source of law in its process of training), direct democracy and representative democracy, electoral systems.

The organization of the Republic: structure and functions of Parliament, state legislative process, President of the Republic, Government of the Republic, general principles of organization of the public administration and the administrative activity, regions and local authorities and their autonomy: statutory, legislative, regulatory, administrative, financial. Judiciary, legal and judicial function, Constitutional Court and constitutional justice.

Prerequisites

None

Teaching methods

All lessons are held in presence in delivery mode: 36 2-hour lessons held (in Italian in the 2nd semester), in delivery mode in presence.

The teacher carries out some lessons in which he begins with a first part in which concepts are exposed (delivery mode) and then opens an interaction with the students which defines the next part of the lesson (interactive mode).

- 30 2-hour lessons held in presence mode;
- 6 2-hour lessons carried out in delivery mode in the initial part which is aimed at involving students in an interactive way in the subsequent part, also with illustration of sentences by students, assigned to the previous lesson. All activities are carried out in person.

The teacher gradually publishes the slides of his lessons on the e-learning page (available to all), together with useful diagrams and materials.

The lessons are video-recorded and made available on the e-learning page of those students who have DSA certification or belonging to the dual career categories for athletes or to the 110 cum laude call for public administration student workers.

The teacher will also hold 5 meetings dedicated to student workers on the teacher's webex platform, during which any doubts raised by the slides or lessons can be discussed.

The lessons are held in Italian, including the reading and commenting on norms and the discussion of cases and current topics.

Constitutional law is a fundamental subject preparatory to any other teaching of the degree course from the second year onwards.

Therefore, attendance at all lessons is highly recommended.

Tutoring to help students study will be activated in parallel from the second half of the course.

Assessment methods

There are no intermediate tests.

The final exam consists of two parts and covers the entire program: compulsory written test and compulsory oral test, both in Italian:

1. written test covering the entire programme, aimed at extensively checking preparation for the exam programme: test with 30 multiple choice questions; for each question only one answer will be correct; the test lasts 60 minutes (90 minutes for students with DSA certification). The written test constitutes a preliminary test: the student who gives at least 18 correct answers out of the 30 closed-ended questions will certainly be able to take the oral test. Any answer not given to the closed-ended questions is equivalent to an incorrect answer. Those who make more than 12 errors in the closed questions of the written test demonstrate insufficient preparation and are therefore strongly advised against appearing for the oral test.

2. oral test which takes place immediately after the correction of the written test and in the same day. The oral test consists of an interview with the teacher's collaborators and a subsequent interview with the teacher in charge of the course. The oral test covers topics from the entire program, in particular those parts that are more in-depth during the lessons, and is aimed at verifying the ability to understand and explain all the topics and fundamental aspects of the subject in a clear and personal way.

Since Constitutional Law teaches a fundamental and preparatory subject to every other subject from the second year onwards, it is essential that each student has a solid and complete preparation on the entire programme.

For every student, the essential thing is first of all to study the entire program well, starting from its fundamental concepts: it is not necessary to study the rules by heart, but to **study the entire manual carefully**, which coincides entirely with the program, always referring to the practical application of the rules and current events.

It is important to attend tutoring to repeat and clarify all the material with the tutor.

It takes at least 2 and a half months dedicated every full day just to studying this subject to be able to master it completely and satisfactorily and to pass the exam.

If possible, every student starts studying right from the start of lessons.

In any case, it is essential that for at least a week before the exam each student meets (even electronically) with one or two other students who are preparing the same exam like him and repeats the entire subject together with him, in order to question and correct himself. each other on all topics.

Those who have not prepared or have studied little or partially or have not even repeated with other classmates (not even electronically) think again if they are really prepared.

As long as the possibility to register for the exam is open (a few days before the exam), any student registered for the exam who does not intend to appear can cancel his registration.

Textbooks and Reading Materials

1) One of thise handbooks:

a) A. Barbera, D. Fusaro, C. Caruso, Corso di diritto costituzionale, VII ed., Il Mulino, 2024;

b) P. Caretti - U. De Siervo, Diritto costituzionale e pubblico, V. ed, Giappichelli, Torino, ed. 2023 or next.

c) G. De Vergottini, Diritto costituzionale, Walters Kluwer CEDAM, Padova, X^ ed., 2023 or next

d) R. Bifulco, Diritto costituzionale, III^ ed., 2024 Giappichelli ed. Torino

2) The student must study lessons published on e-learning page of lessons and must retrieve the following normative collection and is expected to draw on and comment texts of the main laws: Mattioni A., Il codice costituzionale, La Tribuna, Piacenza, ed. 2024.

Sustainable Development Goals

NO POVERTY | GOOD HEALTH AND WELL-BEING | GENDER EQUALITY | DECENT WORK AND ECONOMIC GROWTH | REDUCED INEQUALITIES | PEACE, JUSTICE AND STRONG INSTITUTIONS