UNIVERSITÀ
DEGLI STUDI DI MILANO-BICOCCA

SYLLABUS DEL CORSO

Pluralismo Religioso e Integrazione Europea Mod. A

2526-4-A5810215-A581021501

Learning objectives

The course "Religious Pluralism and European Integration" - originally funded by the European Union as a Jean Monnet module (2015–2018) - aims to achieve the following learning objectives:
a) Acquire conceptual and analytical tools to analyze the evolution of the protection of religious pluralism in the European context, with particular attention to the issue of multilevel protection.
b) Strengthen the ability to interpret the regulatory and jurisprudential framework of the member states of the European Union and the European Convention on Human Rights regarding religious pluralism, with particular focus on the case law of the relevant courts.
c) Consolidate critical evaluation skills in identifying and analyzing the various legal options applicable to issues related to religious pluralism, taking into account the complexity of the multilevel protection system.
d) Develop communication skills through the formulation of solid and persuasive legal arguments concerning freedom of religion, demonstrating the ability to effectively support both the prosecution and the defense positions.
e) Understand and interpret relevant rules within a multilevel legal context; identify the dynamics between different legal systems and how they function; critically assess the interrelations between international human rights charters and national constitutions regarding religious pluralism.

Contents

The course "Religious Pluralism and European Integration" deals with the issue of coexistence of diverse religious, ethnic and cultural identities in plural European societies. The most sensitive and recent issues will be interpreted and reconsidered in the light of the principle of non-discrimination and its various applications. Starting from the normative data of both the ECHR and the EU on the principle of non-discrimination, a series of highly topical cases from the European Courts (European Court of Human Rights and Court of Justice) will be specifically analysed.

Detailed program

1. The protection of multi-level rights in the European legal space: problems and perspectives
2. Open questions on the concept of national and European constitutional identity
3. Article 9 ECHR and Article 10 EU Charter of Fundamental Rights (freedom of thought, conscience, and religion)
4. The principle of non-discrimination in the EU and the ECHR legal orders.
5. Judicial trends of the Court of Justice and the European Court of Human Rights in this matter
6. Discussions and critical remarks on sensitive and recent cases

Prerequisites

Knowledge of constitutional law and, preferably, law and religion, and European Union law

Teaching methods

The course consists of lectures; case-studies analysis; working groups; students' presentations; seminars with Italian and international guests.

More specifically the course will includes:
5 face-to-face erogative lectures of two hours each
4 distance erogative lectures of two hours each
12 face-to-face interactive lectures

Assessment methods

For students attending the course, the final exam will be in written form: it will consist of the writing of a case note, which will involve solving legal problems related to the course material.
The specific details will be explained in class.
It is also possible to take an oral exam to assess the student's understanding of the theoretical issues covered in class, the issues raised in the legal disputes and the critical thinking skills developed in relation to these issues.

For non-attending students, the exam will be oral and based on texts provided by the professor via e-mail. It will include open-ended questions on the assigned readings.

Textbooks and Reading Materials

For the students attending classes, articles and essays to study for the exam will be suggested during the course.

For the students not attending classes, they have to study materials suggested by prof. Marchei and prof. Ninatti: Please, send a mail to natascia.marchei@unimib.it or Stefania.Ninatti@unimib.it in order to receive them.

Sustainable Development Goals

GENDER EQUALITY | REDUCED INEQUALITIES | PEACE, JUSTICE AND STRONG INSTITUTIONS