UNIVERSITÀ
DEGLI STUDI DI MILANO-BICOCCA

SYLLABUS DEL CORSO

Fondamenti di Costituzione Economica

2526-3-E1601N101

Learning objectives

The course aims to provide students with the basic notions and methodological tools to understand the basic features of the economic constitution, the main theories relating to state intervention in economic matters, as well as, most recently, the practical arrangements for implementation of constitutional principles, in particular in the framework of the decentralized organization of the Italian public system, as well as in the comparative field. It is conceived for students of non legal faculty.

- Knowledge and Ability to Understand
  The course aims to provide specific and in-depth knowledge regarding the fundamental features of the Italian and European economic constitution.

- Applied Knowledge and Ability to Understand
  The interdisciplinary approach of the course (history of economic thought, public, european and comparative law) and the analysis of the issues in their different dimensions are intended to enable the student to acquire a critical awareness in order to master the complexity of the problems related to the regulation of the economic factor in our legal system and in the European one.

- Autonomy of judgment
  The course aims to provide the student with a critical awareness useful for understanding the public regulation of the economy in our legal system and in the European one, as well as for interpreting regulations and solving practical issues.

- Communication Skills
  Students will acquire an adequate command of economic-legal terminology and the ability to communicate the knowledge learned.

- Learning skills
  Upon completion of the course, students will be able to integrate the knowledge acquired in other courses in the fields of economics and law.

Contents

The course focuses on the theme of the relationship between the state system and the economy through a multidisciplinary approach and according to different points of view: the transition from the liberal state to the social democratic one and the different way of conceiving state interventionism in economic matters from a national and comparative point of view; the analysis of the main economic theories; from the idea of minimum state with the protection of liberty rights to the guarantee of social rights and the principle of substantive equality; the role of the European Union, in particular on the issues of competition and the public debt conteinment; regional decentralization and "fiscal federalism"; the distribution of competences between the State and the Regions and the principle of subsidiarity; the implementation of the principles of differentiated regionalism.

Detailed program

In the first part the course will focus on the following issues:

- The history of economic thought.
- The transition from the liberal state model to the social democratic one ... up to the present day.
- The economic matter within the constitutional processes of the second half of the twentieth century from a comparative point of view.
- The European conditionality, the Next Generation EU and the Recovery Plan

In the second part the course will examine:

- Economic relations in the Italian Constitution (the right to work, the protection of property, economic initiative and its limits, etc.)
- The role of the state in promoting social rights, competition, privatization, the principle of horizontal subsidiarity.
- The limits and control of public spending (art. 81 of the Constitution) and the relationship with the European Union.

Finally, in the third part, the following will be addressed:

- The distribution of competences between the State and the Regions in the economic sphere (Article 117 of the Constitution)
- The c.d. fiscal federalism (Article 119 of the Constitution)
- The differentiated regionalism (Article 116 of the Constitution)

Prerequisites

Knowledge of Italian constitutional law

Teaching methods

Lectures

Assessment methods

Oral exam consisting of an interview on the topics covered in class and/or on the text indicated for the exam.

During the exam, the ability to present and use language, the understanding and application of historical-legal-economic concepts, as well as the autonomy of judgment will be assessed.

Textbooks and Reading Materials

S. GIANELLO (a cura di), *Lineamenti di Costituzione Economica*, Giappichelli editore, Torino, 2024

Sustainable Development Goals

PEACE, JUSTICE AND STRONG INSTITUTIONS