

# UNIVERSITÀ DEGLI STUDI DI MILANO-BICOCCA

## **COURSE SYLLABUS**

## **Public and Economic Law - 1**

2526-1-E3305M001-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.

This teaching aims to stimulate knowledge of the topics covered and their understanding, also for the purposes of their application.

#### **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. In this way the teacher contributes to stimulate and consolidate the critical and judgmental skills of the topics covered. The constant interaction favors the ability to communicate in a large group. The invitation to keep up to date through the mass media helps students to study autonomously, also drawing inspiration from concrete institutional and political events.

#### **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