UNIVERSITÀ
DEGLI STUDI DI MILANO-BICOCCA

SYLLABUS DEL CORSO

Diritto Pubblico e dell'Economia - 2

2526-1-E3305M001-T2

Learning objectives

Knowledge and understanding

Provide a good knowledge of the institutions of public law most directly related to economic dynamics, with a careful look also at European and supranational dynamics

Applying knowledge and understanding

Develop the approaches and methodologies of legal analysis of public economic law

Making judgements

During the lessons, students will be gathered in groups to discuss cases. This will allow to develop the critical and judgment skills of the students, called to verify the concrete application of the theoretical institutions

Communication skills

The stimulus to comparison and the organization in groups to examine the cases will facilitate the ability to communicate what has been learned

Learning skills

During the lessons, students will be called to study some cases discussed in class, in order to enhance their learning ability and to continue studying independently

Contents

The course will be structured in three main parts. The first part includes the reconstruction of the Italian constitutional order, 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", ie the principles and rules that the Constitution, within the framework of the European Treaties, dedicates to the economic factor understood in its complexity. Finally, the third part focuses on administrative action, with particular reference to the various dimensions in which the State interacts with the economic sphere: producer of services or economic activities; financier; regulator of private economic activity.

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 public administrations
22. The principles of administrative activity within the framework of European constraints
23. Administrative power, procedures and measures
24. Legitimate interest and its protection
25. The consensual activity of the public administration
26. Economic public services: organization and regulation

Prerequisites

None.

Teaching methods

The course consists of 72 hours, of which:

- DE: 51 hours consisting of face-to-face lessons and 9 hours remote
- DI: 12 hours of case discussions, in person, through the formation of student groups, and in-depth seminars

Assessment methods

The exam is oral, on the topics covered in class and in the textbook.
Attending students will be offered the opportunity to participate in two written tests (one intermediate, the other at the end of the course).
The commission will evaluate the degree of knowledge, appropriate use of legal language, critical capacity in the esxposition of issues.

Textbooks and Reading Materials

Q. Camerlengo, F. Furlan, Lezioni di diritto costituzionale vivente, seconda edizione, Cedam, Padova, 2023

or alternatively:

S. Civitarese, P. Bilancia, Il diritto pubblico nella società contemporanea, Giappichelli, Torino, 2023

Semester

Second Semester

Teaching language

Italian

Sustainable Development Goals

SUSTAINABLE CITIES AND COMMUNITIES | PEACE, JUSTICE AND STRONG INSTITUTIONS