



UNIVERSITÀ
DEGLI STUDI DI MILANO-BICOCCA

SYLLABUS DEL CORSO

Istituzioni di Diritto Pubblico

2526-1-E4002N008

Learning objectives

Knowledge and understanding: The course aims to provide students with a basic yet critical understanding of the main categories of public law (State, Constitution, fundamental rights, sources of law, constitutional bodies and their relationships) and labor law, with particular attention to the interactions between the legal system and social phenomena.

Applying knowledge and understanding: Students will be able to apply fundamental legal concepts to analyze the functioning of public institutions and the role of law within social, cultural, and political processes.

Making judgments: Students will develop critical skills in interpreting legal norms and institutions, assessing the constitutional compatibility and effectiveness of public decisions in light of constitutional principles and the social contexts in which they are implemented.

Communication skills: Students will be able to clearly and coherently express fundamental legal concepts using appropriate language, both orally and in writing, and to argue in a structured manner within interdisciplinary contexts.

Learning skills: Students will develop the ability to independently learn legal concepts and stay up to date on legislative or jurisprudential changes, being able to integrate legal and sociological knowledge into their future education.

Contents

The constitutional law component focuses on the organization of public powers, the protection of fundamental rights, and the basic principles of the legal sources system, also in the context of European integration.

The part of labour law takes into account the rules of the employment contract.

Detailed program

Constitutional law: Introduction. 1. The State as a legal system and the forms of the modern state (absolute, liberal, democratic-social). 2. The Italian Constitution: origin, implementation, revision, fundamental principles. 3. Fundamental rights: historical development; Articles 2 and 3 of the Italian Constitution; individual civil rights (personal, domicile, freedom of movement, freedom of expression, freedom of religion) and collective rights (freedom of assembly, freedom of association). 4. Social rights and constitutional duties. 5. Forms of exercising popular sovereignty: representative democracy (electoral system) and direct democracy (abrogative referendum). 6. The forms of government (parliamentary, presidential, semi-presidential) and the Italian parliamentary form of government. 7. The constitutional organization of Italy: Government, President of the Republic, Parliament, Constitutional Court, Judiciary. 8. The system of legal sources and the criteria for resolving legal conflicts (antinomies). 8. The international and European dimension of the system of legal sources.

Labour Law: 1. Subordinate and autonomous works. 2. Employees' duties. 3. Employer's powers. 4. Working time. 5. The wage. 6. Dismissal and redundancies. 7. Atypical work. 8. Non-discrimination legislation.

Prerequisites

Knowledge of the Italian language.

Teaching methods

For the constitutional law module:

- 20 2-hour lectures conducted in delivery mode (DE) in presence;
- 1 2-hour lecture conducted in interactive mode (DI) in-person.

For the labor law module:

- 10 2-hour lectures conducted in dispensing mode (DE) in presence;
- 1 1-hour lecture conducted in interactive mode (DI) in-person.

Assessment methods

Two mandatory written exams (one for each of the two modules), consisting of open-ended questions (very short essays); an additional oral exam may be requested only by students who have passed the written part and will necessarily cover both modules. The two written exams may be taken during different examination sessions.

The final grade will be the weighted average of the grades obtained in the two modules, with the grade in Constitutional Law accounting for two-thirds of the total.

An in-term written test on the first part of the course (Constitutional Law) will also be held, using the same format of open-ended questions.

Final assessment format: final grade expressed in thirtieths (out of 30).

Evaluation criteria:

- Knowledge and understanding of the subjects: the student must demonstrate knowledge of the fundamental concepts of Public Law, including basic notions related to the history of constitutionalism, the principles and structure of the Italian constitutional system, civil liberties, sources of law, and labor law.
- Ability to apply knowledge and understanding: the student must be able to understand and correctly use

legal terminology.

- **Autonomy of judgment:** the student must develop critical thinking skills in analyzing issues of constitutional and labor law relevance.
- **Communication skills:** the student must be able to express themselves clearly and precisely using appropriate legal language.
- **Learning ability:** the student must demonstrate the ability to study and update independently, and acquire a study method suitable for addressing other legal subjects.

Textbooks and Reading Materials

For Constitutional Law it is requested the direct knowledge of Italian Constitution and the study of the following textbook: Camerlengo Q. - Furlan F., *Lezioni di diritto costituzionale vivente*, II ed. WoltersKluwers, Padova, 2023; Chapters IX, XIII e XV are not to be studied cause not in the program.

For Labour Law it is requested the study of the textbook: Mariella Magnani, *Diritto del lavoro*, Giappichelli, last edition. Chapters X (protection of workers' rights), XII (Protections in the labor market), XIII (Non-entrepreneurial employers), as well as the second section of Chap. VIII (company-dependent suspensions), are not compulsory. It is requested to study non-discrimination legislation using the file uploaded on the e-learning webpage.

Sustainable Development Goals

DECENT WORK AND ECONOMIC GROWTH | REDUCED INEQUALITIES | PEACE, JUSTICE AND STRONG INSTITUTIONS
