UNIVERSITÀ
DEGLI STUDI DI MILANO-BICOCCA

COURSE SYLLABUS

Constitutional Law - A-L

2526-1-LMG01A003-AL

Learning objectives

Learning Objectives of the Course in Constitutional Law

1. Knowledge and understanding
   By the end of the course, students will have acquired a solid knowledge of the Italian constitutional system, with particular reference to the structure of the Constitution, the form of government, the protection of fundamental rights, and the organization of public powers. They will also be able to critically understand the historical and jurisprudential development of the subject, including in light of European Union law and its interaction with the national legal order.

2. Applying knowledge and understanding
   Students will be able to analyze and resolve both simple and complex legal cases related to constitutional law, including through the interpretation of legal texts and decisions of the Constitutional Court. They will be able to apply theoretical knowledge to assess the constitutional legitimacy of legal acts and to construct coherent legal reasoning.

3. Making judgements
   Students will develop the ability to formulate autonomous and well-reasoned judgments on constitutional issues, critically assessing the adequacy of legislative and jurisprudential solutions. They will be able to distinguish between alternative interpretations, arguing their preference based on constitutional principles, and understand the ethical and institutional implications of normative choices.

4. Communication skills
   Students will be able to clearly and accurately express the fundamental concepts of constitutional law, using appropriate legal terminology. They will be able to present complex legal arguments both orally and in writing, adapting their communication style to different audiences (academic, professional, institutional).

5. Learning skills
   Students will develop the methodological tools necessary to independently study and deepen their

understanding of constitutional sources, case law, and legal scholarship. They will gain awareness of the need for continuous updating and will be able to pursue further study of the subject independently, including in advanced academic or professional contexts.

Contents

The knowledge of Constitutional Law is essential to understanding the foundations of the Italian Law and it is the introduction to the are juridical subjects.

The course has the main purpose the study the constitutional system, through the examination of the Italian Constitution in its wording and interpretations developed by the case law and practice.

Particular attention will be paid to the historical evolution, in comparison with other democratic systems, the fundamental principles, freedoms of individuals, the sources of law, the Government, the role of the Judiciary and of the Constitutional Court and the relations between the Italian legal system and the European legal system.

Detailed program

1. The State.

2. Historical developments of the modern States and Constitutions

3. Fundamental rights and freedoms

4. The Italian Constitution: origin, contents and fundamental principles. The constitutional revision procedure.

5. The political system and its evolution

6. The Electoral Systems and political parties. Deliberative democracy and referendum

7. The Parliament

8. The Head of State

9. The Government

10. The Constitutional Court

11. The Judiciary

12. Regional and local governments.

13. The Sources of law

14. The Italian Constitution and the European Union

The examination program for students attending the lessons will be given during the course, considering the topics discussed during the lessons.

Prerequisites

None

Teaching methods

Lectures. The course will be delivered in 36 lectures of 2 hours each delivered in face-to-face delivery mode. If necessary, 2 lectures of 2 hours each may be delivered in asynchronous remote delivery mode (recorded lectures), at the discretion of the lecturer, to cope with exceptional situations and in order to ensure the continuity of teaching activities. More details will be provided during the semester.

Assessment methods

The exam is oral
Before the oral exam, a test of thirty multiple choice questions will be held. For each question, only one answer will be correct, while the other two will be incorrect.

Textbooks and Reading Materials

For the comprehension of Constitutional Law it is essential to study the text of the Italian Constitution. The main issues are discussed in many textbooks. Therefore, the study shall be made with any up-to-date book. For the academic year 2022-2023 the recommended books are the follows:

A. BARBERA e C. FUSARO, Corso di diritto costituzionale, Il Mulino, Bologna, last ed.

R. BIN - G. PITRUZZELLA, Diritto costituzionale, Giappichelli editore, Torino, last ed..

A. PISANESCHI, Diritto costituzionale, Giappichelli, Torino, last ed.

For the comprehension of the text of the Constitution, F. Clementi, L. Cuocolo, F. Rosa, G.E. Vigevani, La Costituzione italiana: commento articolo per articolo, Bologna, Il Mulino, 2018.

Students should not be limited to the study of the textbook, but to understand the political and legislative events reported by newspapers and other media, and to take account of normative data and jurisprudence.

The Italian Constitution and the National and Regional Acts are published at: www.parlamento.it , www.gazzettaufficiale.it , www.normattiva.it.

The European Convention on Human Rights, the European Treaties and the European Charter of Fundamental Rights at the websites of the supranational organizations

The Constitutional Court decisions at: www.cortecostituzionale.it and www.giurcost.org.

Among the others, see the following sites: www.associazionedeicostituzionalisti.it , www.forumcostituzionale.it , www.costituzionalismo.it , www.federalismi.it.

Sustainable Development Goals

PEACE, JUSTICE AND STRONG INSTITUTIONS