UNIVERSITÀ
DEGLI STUDI DI MILANO-BICOCCA

COURSE SYLLABUS

Constitutional Law - M-Z

2526-1-LMG01A003-MZ

Learning objectives

- Knowledge and Understanding
  The course aims to provide students with an in-depth knowledge of the Italian constitutional system, with particular focus on: the protection of fundamental rights; the system of legal sources; the functioning of the form of government; the organization of public powers. By the end of the course, students will also be able to critically understand the historical and jurisprudential evolution of constitutional law, also in light of the European legal system and its interactions with the domestic legal order.

- Applying Knowledge and Understanding
  Students will be able to locate and interpret legal norms, as well as the most relevant decisions of the Constitutional Court, particularly those concerning fundamental rights and the organization of public powers. They will thus be capable of analyzing and resolving both simple and relatively complex legal cases related to these topics; they will also be able to assess the constitutional legitimacy of legislative acts.

- Making Judgements
  Students will be able to critically and consciously evaluate the adequacy of legislative and jurisprudential solutions to constitutional issues and will acquire the ability to form independent and well-reasoned opinions. They will be able to distinguish between alternative interpretations, arguing for the most appropriate choice in light of constitutional principles, also taking into account possible ethical implications.

- Communication Skills
  Students will acquire the specific terminology of constitutional law and will be able to clearly and accurately express the fundamental concepts of the subject. They will be able to present, both in written and oral form, the content and purpose of constitutional norms, the most relevant ordinary legislation concerning constitutional law matters, and the most significant jurisprudence of the Constitutional Court, with the ability to adapt their language to the intended audience.

- Learning Skills
  Students will possess the necessary tools to study constitutional law issues independently and effectively,

particularly with regard to legal sources, fundamental rights, and the organization of public powers. They will also be able to independently understand the scope of proposed constitutional amendments, as well as other ordinary legislative reforms with constitutional relevance (e.g., proposals for electoral reform, amendments to legal institutions concerning rights protection, social benefits, etc.). Students will be capable of updating their knowledge independently on aspects of constitutional law relevant to their future professional and civic life.

Contents

The course covers the entirety of Italian constitutional law, which is essential for understanding the foundations of law and serves as a prerequisite for the study of other legal disciplines. The main focus of the course is the study of the constitutional system, through an examination of the Italian Constitution in its textual form and the interpretations developed by legal scholarship and case law. Particular attention will be given to its historical evolution, comparisons with other democratic systems, fundamental principles, individual freedoms, sources of law, forms of government, the role of the judiciary and the Constitutional Court, as well as the relationship between the Italian legal system and the European legal order.

Detailed program

Introduction to the course.
The fundamental features of the legal phenomenon.
Forms of state and forms of government in their historical evolution.
The constitutional state.
The transformation of public institutions from the Albertine Statute to the Republican Constitution.
Italy and the European Union.
The electorate.
Parliament.
The President of the Republic.
The Government of the Republic.
The organization of state administrative bodies.
Regions and local authorities.
The Constitutional Court.
The judiciary.
Rights and freedoms.
The system of legal sources.
Special focus will be dedicated to aspects of Italian constitutional and institutional history and to the most recent developments in the system of sources of law.

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 will be conducted in oral form and will consist of an interview on the topics covered in the course as presented in the textbook. To be admitted to the oral exam, each student must first pass a written pre-selection, consisting of thirty multiple-choice questions, which will take place on the same day as the exam. For each question in the test, only one answer will be correct, while the other two will be incorrect.

Textbooks and Reading Materials

Direct knowledge of the Italian Constitution and its fundamental implementing laws is required, as well as the study of the following textbook:
R. Bin – G. Pitruzzella, Diritto costituzionale, Giappichelli, latest edition.

Sustainable Development Goals

PEACE, JUSTICE AND STRONG INSTITUTIONS