



UNIVERSITÀ
DEGLI STUDI DI MILANO-BICOCCA

SYLLABUS DEL CORSO

Diritto Pubblico Generale

2627-3-E1805M016

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 law

Making judgements

During the lessons, students will be called to verify the concrete application of the theoretical institutions

Communication skills

The stimulus to comparison 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 aims to provide students with a solid understanding of the fundamental principles of the Italian constitutional system, the organization of the institutions of the Republic, regional and local authorities, and the European Union. Particular attention is devoted to the relationship between individuals and public institutions, the system of fundamental rights and freedoms, and the legal mechanisms established for their protection.

The course also focuses on the constitutional framework governing economic activity, examining the constitutional and European principles that shape the relationship between public authorities and the economy.

Detailed program

Part I – Foundations of Public Law

1. Law and the legal system.
2. The State: constituent elements, forms of State and forms of government.
3. The Constitution: characteristics, structure and fundamental principles.
4. Sources of law and the criteria for resolving conflicts between legal norms.
5. The relationship between the Italian legal system, European Union law and international law.

Part II – The Constitutional Organisation of the Italian Republic

6. Parliament: composition, organisation and functions.
7. The legislative process and other primary sources of law.
8. The Government: composition, formation, functions and responsibility.
9. The President of the Republic.
10. The Judiciary and the principles governing the administration of justice.
11. The Constitutional Court: composition, powers and constitutional review.
12. Regional and local authorities: autonomy, functions and relations with the State.

Part III – Fundamental Rights and Public Administration

13. Fundamental rights and the principle of equality.
14. Constitutional freedoms and duties of solidarity.
15. Social rights and the principles of the welfare state.
16. Public administration: organisation and constitutional principles.
17. Administrative action: administrative procedure, administrative measures, and the principles of legality, impartiality and good administration.
18. Judicial protection against public administration.
19. Democratic participation: elections, referendums and other instruments of direct democracy.
20. The evolution of the constitutional State in the context of European integration, globalisation and new challenges to the protection of fundamental rights.

Prerequisites

none

Teaching methods

Face-to-face and online lectures will be delivered, where possible, as follows:

Face-to-face lectures (on campus): 24 hours

Online asynchronous lectures (via Webex/e-learning platform): 12 hours

Teaching activities will be delivered through a combination of instructor-led and interactive learning methods, with the proportion of each to be determined during the course.

Assessment methods

The examination is normally conducted orally and covers the topics discussed during the course as well as the prescribed reading materials. Depending on the number of students registered for a particular examination session, the instructor reserves the right to replace the oral examination with a written examination. The assessment is designed to evaluate the student's knowledge and understanding of the course contents, their ability to analyse legal institutions within their constitutional framework, their appropriate use of legal terminology, and their capacity for critical reasoning and clear legal argumentation.

Textbooks and Reading Materials

Q. Camerlengo, F. Furlan, Diritto costituzionale vivente, Cedam, last edition

or, alternatively

P. Caretti, U. De Siervo, G. Tarli Barbieri, Diritto costituzionale e pubblico, last edition

Sustainable Development Goals

GENDER EQUALITY | REDUCED INEQUALITIES | SUSTAINABLE CITIES AND COMMUNITIES | PEACE,
JUSTICE AND STRONG INSTITUTIONS
