UNIVERSITÀ
DEGLI STUDI DI MILANO-BICOCCA

SYLLABUS DEL CORSO

Diritto Costituzionale - M-Z

2627-1-LMG01A003-MZ

Learning objectives

- Knowledge and understanding: The course aims to provide students with a basic yet critical understanding of the main categories of constitutional law (the State, the Constitution, fundamental rights, sources of law, form of government, and the relationships among constitutional bodies, regions, and local authorities, as well as sources of law and relationships with external legal systems), with particular attention to current political events.
- Ability to apply 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 political processes.
- Independent judgment: Students will develop critical skills in interpreting laws and institutions, assessing the constitutional compatibility and effectiveness of public decisions in light of constitutional principles and the social contexts in which they occur. Students will also be able to apply these principles to the specific context of legal relationships in the context of employment.
- Communication skills: Students will be able to express fundamental legal concepts clearly and coherently, using appropriate language in both oral and written form, and to present structured arguments in interdisciplinary contexts.
- Learning skills: Students will develop the ability to independently learn legal concepts and stay up to date on changes in legislation or case law, while learning to integrate legal skills into their future education.

Contents

The course focuses on Italian constitutional law, which is fundamental to understanding the foundations of law and serves as a prerequisite for the study of other public law disciplines. The main focus of the course is the study of the constitutional system, through an examination of the Italian Constitution both in its textual form and in its application (living constitutional law). Particular attention will be given to the historical evolution of constitutionalism, comparisons with other democratic legal systems, fundamental principles, fundamental freedoms, forms of government, the separation of powers, the role of safeguard institutions (the President of the Republic and the Constitutional Court), the sources of law, and the relationships between the Italian legal system and external legal

systems, particularly the EU..

Detailed program

Extended Syllabus
Introduction to the Course

Part I. The Constitutional State and the Italian Constitution of 1948
The State as a Legal System and Forms of Political Participation
The Development of Modern Constitutionalism Through Revolutions and the Evolution of Forms of Government (Absolute, Liberal, Social-Democratic)
Italian Institutions from the Albertine Statute (1848) to the Constituent Assembly (1946–48)
The Birth, Implementation, and Amendments of the Italian Constitution
The Fundamental Principles of the Constitution
Constitutional Rights and Duties
Forms of Political Participation: Direct Democracy and Representative Democracy
The Repeal Referendum
Electoral Systems and Italian Electoral Law

Part II. The Separation of Powers and the Italian Constitutional Organization
Forms of Government and Their Historical Evolution
The Government
The President of the Republic
Parliament
Public Administration
The Judiciary
The Constitutional Court
The Regions and Local Authorities

Part III. The System of Legal Sources and the Relationship Between the Italian Legal System and the European Union Legal System
Criteria for Resolving Conflicts Among Sources of Law in the Constitutional System
Primary Sources and the Reserve of Law
Secondary Sources

Part IV. The Relationship Between the Italian Legal System and the Foreign Legal Systems
International Openness: Articles 10 and 11 of the Constitution
nternational Organizations: the UN, NATO, and the ECHR
International Treaties and Their Relationship to Domestic Law
Italy’s Participation in the EEC and Later in the EU
The Form of Government of the EU
The Sources of EU Law and Their Relationship to Italian Law

Prerequisites

Knowledge of the Italian language. No prerequisites.

Teaching methods

Lectures. The course will consist of 36 sessions, each lasting 2 hours, delivered in-person. If necessary, 2 sessions, each lasting 2 hours, may be delivered remotely in an asynchronous format (recorded lectures), at the instructor's discretion, to address exceptional circumstances and ensure the continuity of instruction.
Further details will be provided during the semester.

Assessment methods

The exam will be administered orally and will consist of an interview on the topics covered in the course.
To be eligible for the oral exam, each student must pass a written preliminary screening consisting of fifteen multiple-choice questions, which will take place on the same day as the exam. For each question on the test, only one answer will be correct, while the other three will be incorrect.

Assessment Criteria:
• Knowledge and understanding of the topics: Students must be familiar with the fundamental concepts of constitutional law, acquiring basic knowledge regarding the history of constitutionalism, the principles and organization of the Italian constitution, civil liberties, the sources of law, and relations with foreign legal systems
• Ability to apply knowledge and understanding: Students must understand and correctly use legal language
• independent judgment: students must develop critical thinking skills in analyzing issues of constitutional and labor law significance
• communication skills: students must express themselves clearly and precisely using appropriate legal language.
• ability to learn: students must demonstrate the ability to study independently and keep up to date, and acquire a study method useful for tackling other legal courses.

Textbooks and Reading Materials

Direct knowledge of the Italian Constitution and its fundamental implementing laws is required.
For those who plan to attend classes regularly, we recommend the following textbook:

- Q. Camerlengo and F. Furlan, Diritto costituzionale vivente, 3rd ed., Wolters Kluwer, Milano, 2026
  For those who do not plan to attend classes regularly, we recommend studying one of the following textbooks:
- A. Pisaneschi, Diritto costituzionale, Giappichelli, Torino, 2026
- R. Bifulco, Diritto costiruzionale, Giappichelli, Torino, 2024

Sustainable Development Goals

GENDER EQUALITY | PEACE, JUSTICE AND STRONG INSTITUTIONS