UNIVERSITÀ
DEGLI STUDI DI MILANO-BICOCCA

SYLLABUS DEL CORSO

Diritto Regionale e degli Enti Locali

2627-2-FSG02A008

Learning objectives

- Knowledge and Understanding
  The course aims to provide students with a solid understanding of the Italian regional system, with particular reference to: the evolution of regionalism within the constitutional framework; the structure and functions of Regions and local authorities; the distinction between ordinary and special statute Regions; and the principles of legislative, statutory, and administrative autonomy. Students will also be able to understand the institutional dynamics of Italian regionalism from a comparative and European perspective.

- Applying Knowledge and Understanding
  Students will be able to: interpret and apply constitutional and legislative provisions concerning Regions and local authorities; analyze case law (particularly from the Constitutional Court) relating to conflicts of jurisdiction between the State and the Regions; and understand the issues related to differentiated regionalism (Art. 116, paragraph 3, of the Constitution).

- Making Judgements
  The course aims to develop students' independent judgment regarding: the balance between the principles of unity of the Republic and the autonomy of local authorities; the effectiveness of regional and local forms of government; and the impact of constitutional and legislative reforms on the system of autonomies.
  Students will be able to formulate critical reflections and arguments based on the analysis of legal and jurisprudential sources.

- Communication Skills
  Students will acquire the specific legal and technical language of regional and local constitutional law, and will be able to: clearly and rigorously present the concepts learned; argue theses and solutions in academic and professional contexts; and competently participate in debates on institutional and territorial governance issues.

- Learning Skills
  By the end of the course, students will have developed the methodological tools to: independently update

their knowledge in a constantly evolving legal field; explore specific topics in regional and local government law; and face exams and competitive selections requiring expertise in the law of autonomies.

Contents

The course will address the study of Italian regional and local legal system through the knowledge of the institutional organisation and functions of Italian regions, in the perspective of the constitutional model and its changes introduced with constitutional statutes n. 1/1999, n. 2/2001, n. 3/2001. Part of the course is also assigned to the law of local authorities.

Detailed program

The syllabus includes:

1. Forms of State: centralized; confederal; federal; regional.
2. Municipalities and Provinces in Italian constitutional history: from the Kingdom of Italy to the 1948 Constitution.
3. The Regions in Italian constitutional history: from statistical aggregations to autonomous entities with legislative powers.
4. Unity of the Republic and institutional pluralism: the Regions and the local authorities (Provinces and Metropolitan Cities, Municipalities) from the 1948 Constitution to the reform of Title V.
5. The special statute regions.
6. The statutory autonomy and the electoral legislation of the Regions. The statutes of local authorities and the electoral system for local entities.
7. The neo-parliamentary form of government of ordinary Regions and Municipalities. The form of government of Provinces and Metropolitan Cities.
8. Governing bodies of the Regions (president, regional executive, council) and of local authorities (mayor/president, executive committee, council).
9. The legislative autonomy of the Regions (Article 117 of the Constitution)
10. The differentiated regionalism (Article 116, paragraph 3, of the Constitution).
11. The regulatory autonomy of local authorities and the mayor's ordinance power.
12. The administrative autonomy and the new article 118 of the Constitution.
13. The relationship beetween Regions and UE.
14. The Regional federative power
15. Cooperative connections and the Conference system

Prerequisites

Basic knowledge of the italian Constitutional law

Teaching methods

Classes are conducted as follows:

- 18 two-hour lessons in the delivery mode (DE) in presence;
- 2 two-hour lessons in interactive mode (DI) in presence;
- 1 two-hour lesson delivered remotely

Assessment methods

The exam consists of an oral interview based on the topics covered in the lessons.
For those who actively participate in the lessons by submitting the required reports to the professor for evaluation, the final grade will consist of the overall assessment of the exam taken and their active participation.

Textbooks and Reading Materials

Students will have to prepare the exam on one of the following text:

- B. Caravita, F. Fabrizi, A. Sterpa, Lineamenti di diritto costituzionale delle regioni e degli enti locali, Giappichelli, 2019
- E. Carloni - F. Cortese, Diritto delle autonomie territoriali, WoltersKluvers, 2025; tutta la prima parte ed i capitoli 2 (rapporti Regioni/UE), 6 (Amministrazione periferica dello Stato) e 9 (Sindaco ufficiale di Governo) della seconda parte

In order to prepare the exams is important also to refer to the main decisions taken by the Italian Constitutional Court, discussed during lectures, reachable on the following website:

1. www.cortecostituzionale.it
2. www.giurcost.org

The slides presented during the course will be made available to all studentson the e-learning platform, and the video recordings of the lectures will be provided to those students who submit a justified request

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