



Syllabus

Academic Year	2021/2022
Program	Politics: Philosophy and Economics
Course	Public Law
Term	II semester
Year	1
SSD	IUS/09 - Istituzioni di diritto pubblico
Credits	8

INSTRUCTIONAL GOALS

The course is designed both to provide students with a basic knowledge and understanding of the main framework of the public law, also as a premise for the further legal courses that the students will attend in their subsequent career and in order to realize the relevance of the legal dimension in the political systems. After a general introduction to some fundamental concepts of the discipline, the students will be stimulated on two national experiences, one of civil law (the Italian system) and one of common law (the UK system), being asked to deal with first-hand material and case-law, in order to widen their practical knowledge of the subject, too.

INTENDED LEARNING OUTCOMES

They describe what a learner is expected to know, understand and be able to demonstrate after completion of a learning path.

Knowledge and understanding:

General knowledge of the principles of constitutionalism and of the basic features of UK and Italian legal order.

Applying knowledge and understanding:

Application of the Public Law principles to common law and civil law systems.

Making judgements:

Critical assessment of the compliance of a legal order with the principles of constitutionalism.

Communications Skills:

Usage of the legal terminology and jargon, with reference to different legal orders.

Learning skills:

Ability to understand the institutional and legal sides of political facts.

Pre-requisites

Though no formal prerequisites are required to attend the course, a basilar knowledge of the constitutional framework of the country of the origin of the student will surely help in the understanding and in participating to the lessons.



Course content	<p>The Course is divided into three sections.</p> <p>The first section is devoted to an illustration of the principles of Constitutionalism and Public Law in the modern era; the second and the third sections are focused on two specific constitutional experiences, the British and the Italian cases, respectively.</p> <p>The United Kingdom is almost unique in having an "uncodified" constitution which has gradually evolved into liberal democratic system of government. This program of lectures provides a critical discussion of the ideas underpinning the constitution and of the institutional framework of the original Westminster model constitution. As well as outlining the main contours of the constitution and referring to relevant legislation and case law the focus will be on examining key questions relating of check and balances and to the effectiveness of the various types of constitutional accountability. While glancing back to the historical roots of the constitution, ranging from Magna Charta to the ideas of AV Dicey and Walter Bagehot, these lectures are also be concerned with current debates and the perceived challenges that lie ahead.</p> <p>The completion with the Italian Constitution facilitates a comparison between civil law and common law legal orders, giving also a broader perspective on the institutional and constitutional pluralism reached within the European Union. Moreover, the Italian case is presented also with references to the current political and legal debate, allowing the students to reach a deeper awareness of the country in which they are studying.</p> <p>Additional seminars are organised on "Parliaments in the Composite European Constitution", within the Jean Monnet chair on "Understanding European Representative Democracy"</p>
Reference Books	<p>Leyland P., <i>The Constitution of the UK: A Contextual Analysis</i> (3rd ed., Hart 2016).</p> <p>Ferrari G.F. (ed.), <i>Introduction to Italian public Law</i> (Giuffrè, II edition, 2018).</p>
Teaching Methods	<p>Being a first-year course, traditional lectures are the main teaching method. Some case studies and first hand materials (Constitutional provisions, legislative texts and judicial decisions) are used in class.</p>
Assessment	<p>Two written tests (for the first two sections) and an oral exam (for the third part and also for the whole content of the course in case of non-satisfaction, failure or no-show in one or both written tests).</p>
