# Principles of Public Law (Curriculum in Institutions and International Relations; Institutions, Governance, and Public Governance)

## Prof. Nicoletta Marzona; Prof. Maria Agostina Cabiddu

Module I: *Prof. Nicoletta Marzona*

***COURSE AIMS AND INTENDED LEARNING OUTCOMES***

The course aims to analyse the Italian public law as it is stated in the European Union and international law. It provides students with basic notions of our public law system. In addition, the course aims to illustrate the modifications, adjustments, and alterations of public law that have been recently introduced in the attempt to provide an answer to various emergencies in recent years (environmental, health and war emergencies).

*Knowledge and understanding*

At the end of the course, students will be able to describe all the specific aspects of our democratic system, understand its break with the previous institutional set-up (liberal, monarchy, regime), and master the juridical jargon.

*Applying knowledge and understanding*

Lectures will be held in an interdisciplinary perspective as much as possible, taking into account the political, historical and economic context in addition to law). At the end of the course, students who have attended lectures will be able to navigate the world of sources, to measure the evolution or involution of the European system s well as the current condition of progress or regression of the international legal system.

***COURSE CONTENT***

Main doctrines on law and State. Social order and political-legal order. Different branches of law: private law, public law, constitutional law, international law. Constitutional State, liberal State, democratic State, social State. Forms of State (unitary, regional, federal) and forms of government (Monarchy, Republic). The crisis of sovereignty and the legitimacy of the State. Globalisation and anti-globalization. Formal and substantial regulations. The interpretative process. Subject prospect and object prospect. Analysis of the Italian Constitution: analysis of the second part, the regulation of the Republic, preceding the first one, rights and duties of citizens.

**READING LIST**

R. Bin – G. Pitruzzella, *Diritto pubblico*, Giappichelli editore, Torino, last edition.

***TEACHING METHOD***

Lectures and practical exercises.

***ASSESSMENT METHOD AND CRITERIA***

Students will be assessed through an oral exam that they can also take through two separate interim tests on the first and on the second part of the course content, respectively.

***NOTES AND PREREQUISITES***

Further details on the reading list and on jurisprudential (especially on Constitutional Court rulings) and normative material will be provided in class.

Further information can be found on the lecturer’s webpage at http://docenti.unicatt.it/web/searchByName.do?language=ENGor on the Faculty notice board.

Module II: *Prof. Maria Agostina Cabiddu*

***COURSE AIMS AND INTENDED LEARNING OUTCOMES***

The course aims to explore the constitutional foundations of the Italian law, with a focus on the type of State and government, constitutional guarantees, administration and jurisdiction, and citizens’ rights and obligations. In particular, it will analyse the Italian regulations from the point of view of international relations, in order to help students get a better understanding of the trends related to globalisation and the management of migration flows.

*Knowledge and understanding*

At the end of the course, students will be able to:

– orient themselves among the sources of the Italian law, starting from the Constitution and its regulations (either national or regional), and the legal practice;

– identify and understand the trends and the processes at the basis of the current political and institutional situation;

– recognise the role played by the Italian legislation in the context of the current international relations;

– understand the complex interests and values on which civil society is based, also from a conflict-resolution perspective;

– use an appropriate terminology.

***COURSE CONTENT***

* The type of government and the power balance
* The Parliament
* The Chambers; Legislative drafting.
* The Government
* The Italian Council of Ministers; The Public Administration; The auxiliary bodies
* The Judiciary
* The Legal System; Jurisdiction Rules
* Title V
* Regions, Provinces, Municipalities
* Title VI
* Constitutional Warranties

Powers and procedures: legislative, administrative, judicial.

Italy in Europe and the limitations to its sovereignty; Citizens and foreigners; Regulation and management of migration flows.

***READING LIST***

R. Bin-G. Pitruzzella, *Diritto pubblico*, Giappichelli, Turin, latest ed.;

P. Caretti-U. de Siervo, *Diritto costituzionale e pubblico*, Giappichelli, Turin, latest ed.;

A. Barbera-C. Fusaro, *Corso di diritto pubblico*, Mulino, Bologna, latest ed.

***TEACHING METHOD***

Frontal lectures, practical activities based on case studies and case-law, and seminars***.***

***ASSESSMENT METHOD AND CRITERIA***

Assessment method:

an optional interim test (addressed exclusively to attending students), whose nature (either oral or written) will be defined in collaboration with students;

a final oral test.

Assessment criteria: the knowledge of the topics explained during the course, the use of an appropriate terminology, and the ability to identify the principles and the concepts behind the law institutions and the discipline under analysis.

The final mark will be expressed in thirtieths.

***NOTES AND PREREQUISITES***

There are no prerequisites for attending the course, except the prerequisites regarding the first module.

During the course, additional teaching material will be made available on UCSC online channels

Further information can be found on the lecturer's webpage at http://docenti.unicatt.it/web/searchByName.do?language=ENG or on the Faculty notice board.