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# Principles of Public Law

## Prof. Barbara Boschetti (40 hours); Prof. Nicola Berti (20 hours)

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

The course aims to provide students with the tools to interpret (theoretically and applicatively) the legal system and fundamental structures and principles in contemporary democracies, starting from the multilevel recognition and protection of rights and freedoms, the dynamics of sources, forms of state and government, principles governing the functioning of democratic participation, public administration and justice.

***COURSE CONTENT***

Prof. Barbara Boschetti (semester 1 and 2)

The state in the supranational, international and global dimension.

State and sovereignty.

Federalism and autonomy.

Forms of state and forms of government.

Comparison with other forms of government.

The powers of State, division and balance.

The sources of the system.

The constitution, multilevel constitutionalism. Counter-limits.

Rights and freedoms in the multi-level system.

Courts in the multilevel system of the protection of rights.

Constitutional principles on judicial power.

Prof. Nicola Berti (semester 2)

The parliamentary system and trust.

The structure of Parliament.

Government.

Public administration: structure and evolution.

The constitutional principles of administration and administrative action.

Organisation and procedure.

Independent administrative authorities.

Court structure. Ordinary judge, special judge, administrative judge. Superior Council of the judiciary. Constitutional Court.

***READING LIST***

Attending students: A selection of chapters taken from the volume by Bin-Pitruzzella, *Diritto pubblico,* Giappichelli, Turin, latest edition; specific pages will be indicated in the course syllabus.

Non-attending students: Bin-Pitruzzella, *Diritto pubblico,* Giappichelli, Turin, latest edition, (whole)

In addition to the textbook, a selection of supplementary readings and case studies made available on Blackboard for attending and non-attending students.

***TEACHING METHOD***

Classroom lectures, practical case studies, case-law decisions, group seminars, experts’ talks, and *moot* *court*.

***ASSESSMENT METHOD AND CRITERIA***

Attending students: 75% of the assessment is based on the result of the written test (and possibly of an interim test as well) on the selection of chapters from the textbook and 25% is based on active participation in class and work at home (for example, class presentation on specific assigned topics, discussion of case studies and juridical issues and other activities where students are required to collaborate).

Non-attending students: the assessment will be based 100% on the result obtained in the written exam on the textbook.

***NOTES AND PREREQUISITES***

As this is an introductory course, there are no prerequisites in terms of contents.

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

# Seminar cycle: Rights in the European Constitutional Process

## Prof. Ruben Razzante

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

The course aims to analyse the content of the most important rights of freedom and their definition in European treaties and in the Italian Constitution. It will also examine the historical evolution of rights regarding freedom in Italy and Europe as well as the factors that have hindered or delayed their implementation. In particular, the course will focus on the protection of rights and freedoms online, in a context of digital revolution.

At the end of the course, students will be able to elicit the content of the rights of freedom guaranteed by the Constitution and the European Treaties and understand elements of novelty brought by globalization.

***COURSE CONTENT***

– Human rights and fundamental freedoms in Europe: historical evolution.

– Rights of freedom and State forms.

– The Italian Constitution: birth and development of the rights of freedom in constitutional law and in the present laws.

– Civil relationships, ethical and social relationships, economic relationships, political relationships in the Italian Constitution.

– The protection of rights of freedom in the globalisation era and the role of technology. Digital citizenship. The freedom of information on the Internet and the balance between digital rights on the Web and on social networks.

***READING LIST***

R. Razzante, *I (social) media che vorrei. Innovazione tecnologica, igiene digitale, tutela dei diritti*, FrancoAngeli Editore, Milano, 2023.

***TEACHING METHOD***

Lectures.

***ASSESSMENT METHOD AND CRITERIA***

Oral exam. Students will be assessed through a number of questions aiming to check their understanding of the historical evolution of the concept of freedom, of the content of articles 13 to 54 of the Constitution and the dynamics behind the implementation of freedom rights. The proper use of legal language will be also taken into consideration. Students will be asked to apply theoretical knowledge acquired in class to practical case studies.

***NOTES AND PREREQUISITES***

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.