# Constitutional Law

## Prof. Giuseppe Monaco

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

The course aims to provide students with a knowledge of the fundamentals of constitutional law, in their developing and historical stratification process.

At the end of the course, students will have a broad legal culture and the tools for a basic understanding of the functioning of the State, in its various articulations and in its relations with Regions, local authorities, religious confessions and other supranational systems. So, they will also be able to better understand the most significant moments of national policy. Students will be able to recognize the fundamental rights of the individual and their main forms of protection and will also have obtained the knowledge necessary for reading a legal text and recognizing a normative source.

As regards the ability to apply knowledge and understanding, students will be familiar with the complex system of sources of law, being provided with the necessary tools to interpret a legal provision or an administrative act and to solve any potential antinomies. Students will also be able to critically read a decision of the Constitutional Court, distinguishing the different types of rulings and their effects.

***COURSE CONTENT***

The course focuses on the main institutions of constitutional law. The course is structured into: the analysis of formation of the modern State, of main government forms and especially of the Italian parliamentary government, with special reference to the evolution of the concept of political representation; the analysis of jurisdiction powers and of local authorities; the explanation of the system of sources of law and of the composition criteria of the system sources; the analysis of constitutional justice as a closing mechanism of the public law system and finally the analysis of the constitutional rights and freedoms, also through the examination of particularly significant case law.

***READING LIST***

R. Bin-G. Pitruzzella, *Diritto costituzionale,* Giappichelli, Turin, latest available edition

***TEACHING METHOD***

The course will mainly consist of frontal lectures. As regards specific topics, the course may also include the participation of external experts and/or seminars to complete the regular cycle of lectures.

***ASSESSMENT METHOD AND CRITERIA***

The exam will follow different procedures for attending and non-attending students.

- For attending students there is the possibility of an intermediate written test in presence designed to assess knowledge achieved after participating in about half of the course lectures. The test will consist of some open-ended questions. In the final exam, students who have passed the interim test, within a year of its date, will not be examined on the part already studied for the interim test. The final exam is oral.

The final mark will result from the average between the intermediate test mark and the oral test mark. Students who failed the intermediate test, or do not wish to make use of the mark obtained in it, will take the oral exam on the entire course syllabus, as specified in the reading list above.

-  Non-attending students will have to take an oral exam on the entire course syllabus as specified in the reading list above.

During the oral exam, students will have to demontrate their familiarity with the main constitutional law institutions included in the exam and to be able to create the requireed connections among them. Assessment will also be based on students’ argumentation, analysis and presentation skills.

***NOTES AND PREREQUISITES***

It is certainly useful for the student to have a basic knowledge of contemporary history.

***SCHEDULE AND PLACE OF OFFICE HOURS***

Information on office hours available on the teacher's personal page at http://docenti.unicatt.it/.