# Public Law and Economic Institutions

## Prof. Serena Fausta Manzin

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

The course aims to give students a general understanding of the fundamental elements of public law and economic law.

The course intends, particularly, to achieve the following joint objectives:

a) knowledge of the notions and institutions of public law, paying particular attention to the discipline of freedoms and rights and to the structure of public powers outlined in the Italian Constitution;

b) an in-depth look at the relations between institutions, law and economics, including in light of the European Union order.

Beginning with an analysis of the fundamental norms of the order, the aim of the course is thus to describe the current developmental lines of the constitutional system, of relations between directing bodies and citizens, of the system of autonomies, and of the State's intervention in the economy.

Through a descriptive-theoretical approach, accompanied by the illustration of jurisprudential cases, the course aims to provide students with a general understanding of the discipline, including in the context of their economic studies.

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

1. know and understand the main features of public law and economics.

2. apply their knowledge based on their understanding of course topics, in order to also correctly interpret the evolution of the regulatory system and of jurisprudential applications.

3. collect and interpret data, and process independent judgments on legal, political-institutional, economic and social issues related to the subject.

4. communicate information, ideas, problems and solutions (in written or oral form) to both specialist and non-specialist interlocutors, using the technical language of the public disciplines.

5. study further, with a high degree of autonomy, even complex issues of public law and economics, and of Italian and European institutional dynamics.

***COURSE CONTENT***

1. The system of sources of law.

2. Forms of State and forms of government.

3. The constitutional organs of the Republic: Parliament, Government, the President of the Republic, the Constitutional Court.

4. The judicial system.

5. The system of autonomies.

6. The general principles of public administrations.

7. Rights, duties and freedom.

8. The economic constitution and economic freedoms. State intervention in the economy.

9. Independent administrative authorities and market regulation.

10. Basic concepts of community institutions and their relationship with the Italian legal system.

***READING LIST***

A. Barbera-C. Fusaro, *Corso di diritto pubblico,* Il Mulino, latest edition. The chapters to be studied will be indicated on the Blackboard.

G. Di Gaspare, *Diritto dell’Economia e dinamiche istituzionali,* CEDAM, 2017, limited to the following chapters: Part 1, Chapter three - Le costituzioni economiche dello Stato democratico di diritto; Part 2, Chapters one (La costituzione economica italiana) and two (Integrazione comunitaria e costituzione economica).

Please refer to Blackboard for indications on recommended readings and jurisprudential case studies.

***TEACHING METHOD***

Frontal lectures, case study discussions

***ASSESSMENT METHOD AND CRITERIA***

There is an optional interim written test for all students, comprising multiple-choice questions and open-ended questions on the topics covered in the first half of the course.

Please refer to Blackboard for the interim test syllabus.

For those students who pass the interim test, the final mark will be based on the average between the mark obtained in the interim test and that obtained in the final oral exam. The exam must be completed by the June - July 2022 exam session.

Assessment is based on a final oral exam based on three questions.

Knowledge of normative-constitutional data, ability to link the different topics, and an appropriate use of language all contribute equally to the formulation of the mark.

A full command of the topics covered, an ability to critically apply this knowledge, and a command of the specific juridical-constitutional language will earn students an excellent mark, with a possible distinction (lode), if they demonstrate an extraordinary degree of preparation.

A capacity for analysis and synthesis that is not comprehensively articulated and/or where the language used is not entirely appropriate will earn students a moderate to good mark.

The presence of learning gaps or the use of partially incorrect language, alongside a merely basic knowledge of the course syllabus will earn students a pass mark.

The presence of serious learning gaps and evidence of having neglected a part of the course syllabus will result in failing the exam.

***NOTES AND PREREQUISITES***

Attendance and active participation at lectures are strongly recommended.

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