



<b>Name</b>	CONSTITUTIONAL LAW
<b>Component Modules</b>	
<b>Subject area</b>	IUS/09
<b>Academic year and semester</b>	1st year – 2nd semester
<b>Language of instruction</b>	English
<b>ECTS</b>	7
<b>Number of hours of lectures</b>	42
<b>Teachers</b>	Prof. Antonello Tarzia
<b>Expected learning outcomes</b>	<p>Knowledge and understanding of the Italian constitutional order, placed within the framework of the institutional arrangements of the European Union.</p> <p>Ability to apply knowledge and understanding. By acquiring a sound knowledge and understanding of the dynamics of the functioning of the main institutions of constitutional law (the State, the State and the international community, the Italian Republic and the European Union, forms of state and forms of government, the sources of law, constitutional guarantees, constitutional justice, constitutional organization, the judiciary, constitutional principles on administration, territorial autonomy, freedoms and rights), students will be able to construct more complex concepts in order to arrive at an overall vision of the constitutional order in the EU and international context.</p> <p>Making judgements. The student will be stimulated to achieve his/her own autonomy of evaluation and judgment on legal problems and to master the methodological tools useful for the collection, interpretation and application of regulatory sources, in order to apply them in an independent and original way to the analysis of the problems that he/she will face in the work context.</p> <p>Ability to analyze the various issues related to public law. The student will be able to analyze the transformations of the constitutional structure and of the national and supranational political direction.</p> <p>Communication skills. The student will be led to develop and use proficiently the legal vocabulary of the constitutional area, with terminological precision and appropriate rhetorical and argumentative skills.</p> <p>Learning skills. The student will develop the ability to identify and interpret regulatory changes and as well as new doctrinal and jurisprudential orientations.</p>



<b>Syllabus</b>	<p>The State: Introductory Notions (Political Power, The State and Its Constituent Elements) Forms of State "Forms of State", Political Representation, Separation of Powers, Majority Rule, Unitarian/Regional/Federal State; European Union The Constitution Meaning, constituent/constituted power, classification of constitutions Forms of Government in the Liberal State Constitutional organization in Italy The Government (definition, formation, organization) The Parliament Structure and functioning The functions of the parliament The President of the Republic in the Italian form of government The responsibility of the President of the Republic Regions and local government Jurisdiction Legislative procedures Parliament and the European Union Sources of law: general notions Act/Fact Sources, Production/Production/Cognition Sources Criteria for resolving antinomies between norms The sources of the Italian legal system The sources of territorial autonomy The European sources Constitutional justice Constitutional Court, composition and functions Project work</p>
<b>Teaching and learning methods</b>	<p>Teaching is mainly delivered through lectures. In addition to lectures, the course also involves a number of hours of interactive teaching (at least one hour for each ECTS). Classes will also focus on in-depth studies of regulatory and jurisprudential case studies that are also functional to the realization of the project work.</p>
<b>Evaluation methods</b>	<p>Attending students</p> <p>There will be two tests: an intermediate mid-term written test and a final oral exam. Both tests, along with the practical cases developed during the lessons, contribute to the final evaluation.</p> <p>The mid-term exam will be carried out in written form and consists of 3 open-ended questions to be answered within 90 minutes. The test will focus on the topics of the first part of the program, namely: the State, the Forms of State, the Constitution, the forms of Government in the liberal State, the constitutional organization. in Italy, the Government (definition, formation, organization), the Parliament (structure, functioning, functions).</p> <p>The exam is oral and focuses on the project work as well as on the remaining part of the program not included in the written test. It consists of an interview aimed at verifying the achievement of the general and specific training objectives, the correct use of legal terminology, as well as the candidate's ability to operate distinctions between legal model and evolution of practice. The duration of the exam interview cannot be less than 10 minutes, unless it is verified in advance that the minimum references for achieving a sufficient grade are completely lacking. Consultation of regulatory texts or other material will not be allowed, in order to be able to assess the ability to independently elaborate the contents of the study. The exam interview is also aimed at verifying the candidate's ability to be able to provide concrete examples or summaries of theoretical models that demonstrate the achievement of the training objectives. The interview may be partially or totally taken with one of the professor's collaborators, without prejudice to the possibility for the candidate to request to finish the exam with the course holders.</p>



	<p>Non-attending and attending students who have not taken or passed the written test</p> <p>Non-attending students and attending students who have not taken or passed the mid-term exam will take a single final oral exam on the entire program, according to the evaluation methods and criteria specified above.</p>
<b>Assessment methods</b>	<p>For students who have taken the mid-term exam, the assessment of learning involves the assignment of a final grade expressed in thirtieths, and calculated as the arithmetic average of the evaluations obtained in the two tests. For all other students, the final grade is determined 100% by the outcome of the exam interview and the presentation of the project work.</p> <p>With respect to both tests, in order to determine the grade, the candidate's ability to be able to offer a definition of the object of the questions asked, and then drop the definition into the overall theoretical framework, i.e. the specificity of its implementation within the Italian constitutional system, will be taken into consideration. References to practical or jurisprudential cases will also be appreciated, where appropriate, pertinent and functional to the answer to the questions asked.</p> <p>Sufficiency cannot be achieved if the candidate demonstrates that he or she does not know the foundations of the constitutional system, also with reference to the main institutional events of the most recent period. Equally, the lack of a minimum awareness of the constitutional rigidity and of what it entails on the limits of the discretion of the legislator will not allow the passing of the examination.</p> <p>In order to obtain the maximum vote, it is necessary for the candidate to show a complete mastery of the institutional dynamics, including the fundamental features of the contemporary constitutional state in comparison with the forms of patrimonial, feudal, police, liberal and totalitarian states.</p> <p>With specific reference to the mid-term written test, failure to answer or insufficient answers to one of the 3 open-ended questions will result in the candidate failing the test.</p>
<b>Prerequisites</b>	None
<b>Teaching materials</b>	<p>Stone, G. R., Seidman, L. M., Sunstein, C. R., Tushnet, M. V., Karlan, P. S., Huq, A., &amp; Litman, L. M. (2023). <i>Constitutional Law</i>. Aspen Publishing.</p> <p>The study of the handbook must be accompanied by a constant reference to the text of the Constitution.</p>