



UNIVERSITÀ DEGLI STUDI DI PALERMO

DEPARTMENT	Giurisprudenza		
ACADEMIC YEAR	2016/2017		
MASTER'S DEGREE (MSC)	LAW		
SUBJECT	CONSTITUTIONAL JUSTICE		
TYPE OF EDUCATIONAL ACTIVITY	D		
AMBIT	20016-A scelta dello studente (dm270)		
CODE	16927		
SCIENTIFIC SECTOR(S)	IUS/08		
HEAD PROFESSOR(S)	CAVASINO ELISA	Professore Ordinario	Univ. di PALERMO
OTHER PROFESSOR(S)			
CREDITS	6		
INDIVIDUAL STUDY (Hrs)	102		
COURSE ACTIVITY (Hrs)	48		
PROPAEDEUTICAL SUBJECTS	02431 - CONSTITUTIONAL LAW		
MUTUALIZATION			
YEAR	2		
TERM (SEMESTER)	2° semester		
ATTENDANCE	Not mandatory		
EVALUATION	Out of 30		
TEACHER OFFICE HOURS	CAVASINO ELISA Wednesday 09:00 - 12:00 Dipartimento di giurisprudenza, Via Maqueda, 172 - Il pianocorridoio a destra salendo dalle scale. Si prega di prenotare il ricevimento attraverso il portale studenti o inviando una e-mail ad elisa.cavasino@unipa.it		

PREREQUISITES	<p>Prerequisites</p> <p>Presentation and Analysis Skills: Basic level. Adequate knowledge of modern and contemporary history as well as of fundamental legal concepts</p>
LEARNING OUTCOMES	<p>Knowledge and Understanding Knowledge and understanding of the structure and functioning of the judicial guarantee of the Constitution within the political regime and in the interplay between Italian constitutional legal order, EU law and international law. Ability to make connection between the different topics of the course.</p> <p>Applying Knowledge and Understanding Ability to use and implement legal knowledge focusing on the position of individuals within the constitutional, EU and international legal order.</p> <p>Making Judgements Evaluate and analyze on the basis of acquired legal knowledge structural and dynamics characters of the functioning of the judicial guarantee of the constitution also within the interplay between these three legal orders.</p> <p>Communication Consciously and clearly express acquired knowledge, acquiring logic and understandable technique of expression of legal topics using proper legal terminology.</p> <p>Lifelong Learning Skills Acquiring the ability to develop new learning skills, useful to consolidate comprehension and usage of legal knowledge and to learn new aspects related to the evolution and changements of the normative framework. In particular, it will be of the utmost importance the use of logic and technologic tools and of doctrine, legislation and case-law. This aims at helping each student in the acquisition of skills helpful in deepening the analysis and understanding of legal-social topics and at preparing the student for a post-graduate learning pattern.</p>
ASSESSMENT METHODS	<p>The required knowledge and skills will be ascertained during the examination process. In particular, it will be assessed if the candidate reaches the learning targets.</p> <p>The examination process comprehends written and oral examinations. The written one is not mandatory but it is highly recommended and is scheduled during mid-term course program, the oral and final one is scheduled at the end of the term.</p> <p>The written examination aims at verifying the possession of the required knowledge and skills. Written questions submitted during the exam will be clearly drafted and requires the candidate to manage independently their resolution. The structure of the proof will be like to help comparison. The written examination will be a comprehensive set of open-ended questions. Questions will be drafted as to help in comparing results with the evaluation grid here attached. The result of the written examination will be taken into account in scoring the final result of the examination process but will not preclude in any way the admission to the oral examination.</p> <p>The oral examination will be an interview of a minimum of three questions on the topics described in the course programme. The evaluation of the oral examination will be made on the basis of the grid here attached.</p> <p>The final evaluation of each candidate will take into account both the results of the written and oral examination and grades on a scale between 18 and 30 cum laude.</p> <p>Evaluation grid</p> <p>-Excellent 30 -30 cum laude: good knowledge of the topics, excellent property 'language, excellent capacity of analysis ; the student is 'able to apply theoretical knowledge to real cases which are proposed to be analyzed. He/she is also able to properly argue possible solution, including multiple alternatives</p> <p>- Very good 26-29: good knowledge of the topics, good properties 'of language, good capacity' analytical; the student is 'able to apply theoretical knowledge to real cases which are proposed to be analyzed. The students is able to adequately apply theoretical knowledge to real cases which are proposed to be analyzed</p> <p>- Good 24-25: Basic knowledge of the main topics, good property of language, the student shows limited ability' to apply theoretical knowledge to real cases which are proposed to be analyzed</p> <p>- Satisfactory 21-23: the student does not show that complete command of the</p>

	<p>main teaching topics, although showing to know the basic knowledges; he/she shows satisfactory property of language albeit with a poor ability' to adequately apply theoretical knowledge to real cases which are proposed to be analyzed</p> <p>- Sufficient 18-20: minimal knowledge of the main teaching and technical language issues, limited or no capacity to adequately apply theoretical knowledge to real cases which are proposed to be analyzed</p> <p>- Insufficient outcome: the student does not have an acceptable knowledge of the contents of the various scheduled topics.</p>
EDUCATIONAL OBJECTIVES	<p>The course provides adequate knowledge of the models of constitutional judicial control and of possible alternative regulation of it.</p> <p>Give knowledge and skills necessary to challenge actual regulation of the Italian model of judicial guarantee of the constitution, especially focusing on the protection of freedom and dignity of human being, as individual, as member of a social group; on conflicts between powers and territorial entities; and the interplay between other legal orders.</p> <p>The course provides adequate knowledge and skills to critically analyze of the most relevant sources of Italian, EU and international law and case law for each topic.</p>
TEACHING METHODS	Lectures
SUGGESTED BIBLIOGRAPHY	Vittoria Barsotti - Paolo Carozza - Marta Cartabia - Andrea Simoncini, ITALIAN CONSTITUTIONAL JUSTICE IN GLOBAL CONTEXT, Oxford, Oxford University Press, 2015

SYLLABUS

Hrs	Frontal teaching
48	<p>Part I</p> <ol style="list-style-type: none"> 1.The historical development of italian constitutional adjudication 2.The constitutional court: rules and model 3.Forms and methods of judicial reasoning <p>Part II</p> <ol style="list-style-type: none"> 1.Key rights and freedoms 2.Powers and conflicts 3.Regionalism <p>Part III</p> <ol style="list-style-type: none"> 1.The Italian Constitutional Court and EU legal order 2.The Italian Constitutional Court and ECHR 3.The Italian Constitutional Court and international law