



UNIVERSITÀ DEGLI STUDI DI PALERMO

DEPARTMENT	Giurisprudenza		
ACADEMIC YEAR	2020/2021		
MASTER'S DEGREE (MSC)	LAW		
INTEGRATED COURSE	CONSTITUTIONAL LAW - INTEGRATED COURSE		
CODE	02432		
MODULES	Yes		
NUMBER OF MODULES	2		
SCIENTIFIC SECTOR(S)	IUS/08		
HEAD PROFESSOR(S)	LORELLO LAURA	Professore Ordinario	Univ. di PALERMO
OTHER PROFESSOR(S)	LORELLO LAURA	Professore Ordinario	Univ. di PALERMO
	CAVASINO ELISA	Professore Ordinario	Univ. di PALERMO
CREDITS	12		
PROPAEDEUTICAL SUBJECTS			
MUTUALIZATION			
YEAR	1		
TERM (SEMESTER)	Annual		
ATTENDANCE	Not mandatory		
EVALUATION	Out of 30		
TEACHER OFFICE HOURS	<p>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</p> <p>LORELLO LAURA Thursday 8:30 11:00 Dipartimento di Giurisprudenza, via Maqueda, 172, secondo piano, stanza n. 10. English spoken here! Foreign Students are welcome! Friday 8:30 11:00 Dipartimento di Giurisprudenza, via Maqueda, 172, secondo piano, stanza n. 10. English spoken here! Foreign Students are welcome!</p>		

PREREQUISITES	Presentation and Analysis Skills: Basic level. Adequate knowledge of modern and contemporary history as well as of fundamental legal concepts
LEARNING OUTCOMES	<p>Knowledge and Understanding</p> <p>Knowledge and understanding of the structure and functioning of the Italian constitutional legal order with special attention to its actual dynamics and its functioning within the European geopolitical context. Ability to make connection between the different topics of the course.</p> <p>Applying Knowledge and Understanding</p> <p>Ability to use and implement legal knowledge focusing on the position of individuals within the constitutional legal order and the European geopolitical and legal order.</p> <p>Making Judgements</p> <p>Evaluate and analyze on the basis of acquired legal knowledge structural and dynamics characters of the functioning of the constitutional legal order in its relations with the European integration process.</p> <p>Communication</p> <p>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</p> <p>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 changes 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.</p> <p>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> <ul style="list-style-type: none"> - 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 - 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 student is able to adequately apply theoretical knowledge to real cases which are proposed to be analyzed - 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 - Satisfactory 21-23: the student does not show that complete command of the 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 - Sufficient 18-20: minimal knowledge of the main teaching and technical language issues, limited capacity to adequately apply theoretical knowledge to real cases which are proposed to be analyzed - Insufficient outcome: the student does not have an acceptable knowledge of the contents of the various scheduled topics.
TEACHING METHODS	Lectures, classroom exercises, seminars

MODULE CONSTITUTIONAL LAW - MODULE I

Prof.ssa ELISA CAVASINO

SUGGESTED BIBLIOGRAPHY

Lo studio della disciplina puo' avvenire utilizzando un manuale di diritto costituzionale aggiornato. In particolare si consiglia: - R. Bin- G. Pitruzzella, Diritto costituzionale, edizione piu' recente, Giappichelli, Torino
A scelta, lo studente approfondira' una parte del programma attraverso uno dei seguenti testi:
Guido Calabresi, Philip Bobbit, Scelte tragiche, Milano, Giuffre, 2006.
Cass R. Sunstein, A cosa servono le Costituzioni. Dissenso politico e democrazia deliberativa, Bologna, Il Mulino, 2009.
Cass R. Sunstein, #Republic. La democrazia nell'epoca dei social media, Bologna, Il Mulino, 2017.
Jeremy Waldron, Principio di maggioranza e dignita' della legislazione, Milano, Giuffre, 2001.

AMBIT	20001-Costituzionalistico
INDIVIDUAL STUDY (Hrs)	102
COURSE ACTIVITY (Hrs)	48

EDUCATIONAL OBJECTIVES OF THE MODULE

To provide the student with the knowledge and skills necessary to understand the size and forms of manifestation political power, the transformations of the state and its possible articulation in different forms.
To provide the student with the knowledge and skills necessary to identify limits to the exercise of sovereign powers, with specific reference to respect for the freedoms and dignity of the human person, both as an individual and in social formations.
To equip the student with the knowledge and skills necessary to understand the dynamics and functioning of contemporary political systems, with specific reference to the Italian constitutional system.
To equip the student with the knowledge and skills needed to understand the main training procedures taking into account their relationships (chronological, hierarchical, speciality and competence).
To equip the student with the knowledge and skills to understand the ability to interpret a text deducing its meaning from a systematic perspective, both internal, European and international.
To equip the student of the knowledge and skills necessary to understand to assess the conformity of acts and behaviors constitutional principles and to understand and classify the decisions taken by the constitutional court in the exercise of its different functions.

SYLLABUS

Hrs	Frontal teaching
48	Nozioni di diritto pubblico generale. L'ordinamento giuridico. La Costituzione e il problema della sua interpretazione. Diritti e liberta' fondamentali: struttura, interpretazione, garanzie, diritti, liberta, organizzazione costituzionale e vincoli di bilancio: il funzionamento effettivo della forma di Stato. Lo Stato. Forme di Stato e forme di governo. Sistemi elettorali. Diritto internazionale, diritto dell'Unione Europea e ordinamento costituzionale (rapporti fra ordinamenti, fonti del diritto). Le fonti del diritto in generale. Il sistema delle fonti nell'ordinamento italiano. Le fonti delle autonomie. Concepts of general public law. The legal order. The Constitution and the problem of its interpretation. Fundamental rights and freedoms: structure, intepretation, guarantees, rights and freedoms, political regimes and public budget constraints: political regime and the problem of its effectiveness. The State. Political regimes. Electoral systems. International law, European Union law and constitutional order (interactions, sources of law). The sources of law in general. Sources of Law within the Italian legal order. The sources of laws bewteen State and territorial autonomies.
Hrs	Others
10	During classes there will be proposed further activities aiming at linking the program of the course with on-going socio-economic and politic on-going problems.

MODULE
CONSTITUTIONAL LAW - MODULE II

Prof.ssa LAURA LORELLO

SUGGESTED BIBLIOGRAPHY

Lo studio della disciplina può avvenire utilizzando un manuale di diritto costituzionale aggiornato. In particolare si consiglia:
- R. Bin- G. Pitruzzella, Diritto costituzionale, edizione più recente, Giappichelli, Torino

Si ricorda che per lo studio del diritto costituzionale è necessario avere conoscenza dei contenuti della Costituzione, delle leggi costituzionali e delle principali leggi di diritto pubblico. A tale scopo si consiglia la consultazione di un codice di diritto costituzionale aggiornato.

Tra i tanti si consiglia:

- M. Bassani. G. Bottino, M. Della Torre, V. Italia, G. Ruggeri, A. Zucchetti, Leggi fondamentali del diritto pubblico e costituzionale. Giuffrè, Milano, edizione più recente

AMBIT	20001-Costituzionalistico
INDIVIDUAL STUDY (Hrs)	102
COURSE ACTIVITY (Hrs)	48

EDUCATIONAL OBJECTIVES OF THE MODULE

Knowledge and Understanding

Knowledge and understanding of the structure and functioning of the Italian constitutional legal order with special attention to its actual dynamics and its functioning within the European geopolitical context. Ability to make connection between the different topics of the course.

Applying Knowledge and Understanding

Ability to use and implement legal knowledge focusing on the position of individuals within the constitutional legal order and the European geopolitical and legal order.

Making Judgements

Evaluate and analyze on the basis of acquired legal knowledge structural and dynamics characters of the functioning of the constitutional legal order in its relations with the European integration process.

Communication

Consciously and clearly express acquired knowledge, acquiring logic and understandable technique of expression of legal topics using proper legal terminology.

SYLLABUS

Hrs	Frontal teaching
16	The Italian Constitutional Regime: Structure, Bodies and their relations: The Government, the Parliament, the Head of the State. Territorial autonomies. The Judiciary
16	The Constitutional Justice
16	Fundamental Rights and Freedoms