



UNIVERSITÀ DEGLI STUDI DI PALERMO

DEPARTMENT	Culture e società
ACADEMIC YEAR	2022/2023
BACHELOR'S DEGREE (BSC)	SOCIAL WORK
SUBJECT	PUBLIC LAW
TYPE OF EDUCATIONAL ACTIVITY	A
AMBIT	50224-Discipline giuridiche
CODE	02549
SCIENTIFIC SECTOR(S)	IUS/09
HEAD PROFESSOR(S)	DI PRIMA FABIANO Professore Associato Univ. di PALERMO
OTHER PROFESSOR(S)	
CREDITS	6
INDIVIDUAL STUDY (Hrs)	120
COURSE ACTIVITY (Hrs)	30
PROPAEDEUTICAL SUBJECTS	
MUTUALIZATION	
YEAR	1
TERM (SEMESTER)	2° semester
ATTENDANCE	Mandatory
EVALUATION	Out of 30
TEACHER OFFICE HOURS	DI PRIMA FABIANO Monday 09:00 11:00 DIPARTIMENTO DI GIURISPRUDENZA, Via Maqueda 172, primo piano, stanza dell'ex Direzione della Biblioteca

PREREQUISITES	Presentation and Analysis Skills: Basic level. Adequate knowledge of general notions concerning the modern and contemporary history as well as the major legal concepts
LEARNING OUTCOMES	Knowledge and understanding of the delineation of the State legal system, with particular reference to regulatory sources, institutions and their function/organization, with reference also to the European Union and constitutional guarantees. Knowledge and understanding of the basic peculiarities of regulatory production centers, with reference to the domestic and supranational/international order, as well as the need to compose and resolve conflicts between different sources. Knowledge and understanding of primary and secondary sources, including in light of the interventions of the constitutional court. Knowledge and understanding of the dialectic between the domestic and European (and international) legal system, with particular reference to the role played by the Consulta and the "dialogue between the Courts." Ability to apply knowledge and understanding Ability to apply knowledge and understanding of state and European Union institutions in relation to different legal sources. Ability to apply knowledge and understanding of the effects of Constitutional Court decisions on the system; as well as the impact on it of the sources as a whole; ability to apply knowledge and understanding of the function of the institutions and the prerogatives vested in them. Ability to evaluate the role and functions of the constitutional organs of the State and public administration. Autonomy of judgment Ability to analyze, on the basis of the knowledge and skills acquired and in an autonomous and critical manner, the institutions of the State and the EU and the different types of normative sources, identifying the basic characteristics, and the main issues of interpretation/application. Ability to analyze the role and relationship of state and EU institutions.
ASSESSMENT METHODS	FINAL ORAL TEST - EVALUATION GIVEN IN THIRTIETHS - The student's evaluation involves an oral examination, consisting of an interview in which questions are proposed on topics included in the course syllabus. The questions will tend to assess whether the student has knowledge and understanding of the topics, has acquired interpretive competence and autonomy of judgment of concrete cases, and has acquired possession of adequate expository skills. .The examination consists of an interview designed to ascertain:a) the candidate's level of knowledge of the program topics and ability to develop reasoning aimed at applying theoretical knowledge to specific cases. b) the learning (knowledgeable and critical) of the salient features of the constitutional system and normative sources, their concrete operation, and their configuration in the light of the decisions of the Constitutional Court and the inter-ordinal dialectic (with the supranational/international level); c) the ability to develop the acquired knowledge, also in the perspective of post-graduate training and specialization. The interview consists of a minimum of three questions. The evaluation will take place in accordance with the following evaluation grid: - Excellent outcome 30-30 cum laude: very good knowledge of the topics, very good ownership of language, very good analytical ability; the student is able to apply theoretical knowledge to concrete cases whose solution is proposed, even assuming multiple alternatives; -very good outcome 26-29: good knowledge of topics, good ownership of language, good analytical ability; the student is able to adequately apply theoretical knowledge to concrete cases whose solution is proposed; -good outcome 24-25: basic knowledge of main topics, fair ownership of language, the student shows limited ability to apply theoretical knowledge to concrete cases whose solution is proposed; -satisfactory outcome 21-23: the student does not show full mastery of the main topics of the teaching, although he/she possesses the basic knowledge of them; however, he/she shows satisfactory properties of language although with a limited ability to adequately apply the theoretical knowledge acquired; - Sufficient Outcome 18-20: The threshold of sufficiency will be reached when the student shows knowledge and understanding of the topics at least in general outlines and has minimal applicative skills with regard to solving concrete cases; he/she must equally possess expository and argumentative skills such as to enable the transmission of his/her knowledge to the examiner. Below this threshold, the exam will be insufficient; - insufficient result: the student does not possess acceptable knowledge of the contents of the various topics in the syllabus.
EDUCATIONAL OBJECTIVES	To provide the student with knowledge/skills necessary to: a) identify the sources, constitutional principles and institutions operating in the legal system; b) understand the basic dynamics that connote the legal system of the State, the constitutional order and the system of sources, as they unfold in concrete experience. To provide the student with the knowledge and skills necessary to focus on the meaning and scope of the relationships between institutions, in the Public Administration, between internal and external sources; and to grasp the crucial role played by the constitutional judge in various respects
TEACHING METHODS	Lectures - classroom exercises
SUGGESTED BIBLIOGRAPHY	G. Lauricella, Fondamenti di diritto pubblico, ed. Giuffrè, (ISBN 9788828821533), 2020

SYLLABUS

Hrs	Frontal teaching
30	<p>Public law: definition and scope of interest.</p> <p>The legal system: definition and content.</p> <p>The legal rule: nature and function in the application of law.</p> <p>The sources of law: character, nature, meaning and definitions. The system of sources in Italian law.</p> <p>The Constitution: origin and nature. Fundamental norms, organization of the state, autonomies and constitutional guarantees. Constitutional revision laws and other constitutional laws.</p> <p>Primary sources and secondary sources: the force of law.</p> <p>The ordinary law, decree-laws and legislative decrees.</p> <p>The abrogative referendum.</p> <p>The secondary sources: government regulations and Law No. 400 of 88.</p> <p>The sources of the European Union: the relationship between domestic and EU sources. The criterion of application by the courts and by the P.A.</p> <p>Regional and local authority sources.</p> <p>The distribution of State-Region legislative power.</p> <p>Regional laws and statutes.</p> <p>Regional regulations.</p> <p>Local sources in the system of sources: municipal statutes and local government regulations.</p> <p>Constitutional guarantees: the Constitutional Court.</p> <p>The judgment on the legitimacy of laws and acts having the force of law. The conflict of attribution between the powers of the State and between State and Region (and between Regions).</p> <p>Constitution, State and economy.</p>