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## PUBLIC LAW

IUS/09 - 8 CFU - 1° Semester

### Teaching Staff

#### FRANCESCO PATERNITI

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### LEARNING OBJECTIVES

**1. knowledge and understanding:** Learning Public Law will allow the student to develop the ability to understand the law and to mature in terms of civic consciousness and awareness of their role in the society. The student in addressing the issue of fundamental human rights and the mandatory duties of political solidarity, economic and social, will acquire a greater sensitivity to social issues great importance. Through the study of the sources of law, however, the student will demonstrate that he has acquired the necessary tools to understand a legal text and its potential applications. Finally, the student will be able to know in depth both the national institutions and the relative distribution of power, both the territorial articulation of the Republic.

**2. applying knowledge and understanding:** The student must be able to distinguish if a source of law is national, EU or international level. Referring to concrete cases, the student will understand which of these norms should be applied, taking into account the rank of which is provided the norm. In addition, the student must be able to interpret the meaning of a provision, capturing whether the same is or is not coherent with the Constitution. He should also have the tools to guess the "destination" of a legislative act, in the event that this were to be unconstitutional or contrary to a source of equal rank. The student must be able to describe the powers of the state, the relations between them and with the social body, not limiting to the Italian regime, but also with reference to other legal systems.

**3. making judgements:** The student must have the ability to criticize legislation arguing their views, making reference to the first of the Italian Constitution and the values contained in it. The student will not only highlight the "pars destruens," but also the "pars costruens", proposing one or more alternative rules. In addition, the student must develop a special sensitivity and attention than issues of social interest.

**4. communication skills:** The student must know legal terminology and should not have difficulty in understanding a regulatory act. He must be able to communicate clearly the object of a legal text. In addition, the student must be able to compare the texts with those outside of our national legal system. These skills will be useful to graduate for future working relationships. To this end, it will be particularly

useful with European Union law. For this purpose, in the context of teaching activities, it makes extensive use of integrative seminars relating to these issues.

**5. learning skills:** The student must have acquired learning skills such that they can pursue independently the study of legal subjects, even at the highest levels. The Public Law, in fact, guarantees the knowledge of the fundamental principles of the legal system and the relationships among public institutions.

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## **DETAILED COURSE CONTENT**

The course consists of 24 lessons of lectures of two hours each, for a total of 48 hours of lessons.

Along with usual lessons conducted by the teacher, will be held some seminars held by external lecturers. Additionally, during the course, we will be organized "study groups", participation in which will be completely optional. Each group, based on a topic agreed with the teacher, will receive the specific training materials aimed at specializing in a subject. Based on that, the students who have joined the "study group" will endeavor to analyze the chosen topic and, at the end of this study work, to explain to the class the outcome of their depth activities.

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## **TEXTBOOK INFORMATION**

### **BOOK**

For the study of the discipline we recommend the adoption of the following book:

**I. Nicotra, *Diritto Pubblico e Costituzionale*, 3<sup>a</sup> edizione, Giappichelli, 2017, pp. 472** (the following Chapter should not be studied: "La Magistratura", pp. 281-297)

Alternatively, students can use the following book:

R. Bin-G. Pitruzzella, *Diritto Pubblico*, 15<sup>a</sup> edizione, Giappichelli, 2017, pp. 566

### **COLLECTION OF LEGISLATION OF PUBLIC LAW**

For the preparation of the subject it is essential to read and study the legal rules that concern the discipline and which can be consulted by the following collection of laws:

**AA. VV., *Leggi fondamentali del diritto pubblico e costituzionale*, 41<sup>a</sup> edizione, Giuffré, 2017**

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