

General information	
Academic subject	Comparative Public Law
Degree course	Law
Academic Year	2022-2023
European Credit Transfer and Accumulation System (ECTS)	9/6
Language	Italian
Academic calendar (starting and ending date)	First semester (12.09.2022-07.12.2022)
Attendance	NO Compulsory attendance

Professor/ Lecturer	
Name and Surname	Pamela Martino
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Telephone	
Department and address	Ionic Department –Via Duomo 259, Taranto
Virtual headquarters	Microsoft teams – code: <b>y2q130e</b>
Tutoring (time and day)	To be agreed by email with the professor

Syllabus	
<b>Learning Objectives</b>	The course aims to illustrate the methodologies of legal comparison. The basic knowledge relating to the comparative method will be provided through an in-depth study of the historical and political-constitutional evolution of foreign and Italian legal systems, with particular reference to the analysis of constitutionalism, the notion of the Constitution, the formulas for guaranteeing fundamental rights, forms of state and government and constitutional justice.
<b>Course prerequisites</b>	Constitutional Law
<b>Contents</b>	The teaching program addresses the following topics: <ul style="list-style-type: none"> <li>- Comparative methodology; <ul style="list-style-type: none"> <li>- History of comparative law;</li> <li>- Forms of State;</li> <li>- Federalism and regionalism;</li> <li>- Sources of Law and comparative legal systems;</li> <li>- Constitutions and constitutionalism;</li> </ul> </li> <li>- Forms of government: vertical and horizontal separation of powers; electoral systems; political parties' system;</li> <li>- Comparative case law and cross-fertilization;</li> <li>- Fundamental rights' guarantees.</li> </ul>
<b>Books and bibliography</b>	<p><b>Course unit - Credits 9:</b> Giuseppe MORBIDELLI, Mauro VOLPI, Ginevra CERRINA FERONI, <i>Diritto costituzionale comparato</i>, Torino, Giappichelli, 2020, pp. 496.</p> <p><b>Course unit - Credits 6:</b> T.E. Frosini (a cura di), <i>Diritto pubblico comparato. Le democrazie stabilizzate</i>, Bologna, il Mulino, 2019, pp. 344.</p>
<b>Additional materials</b>	

Work schedule			
Total	Lectures	Hands on (Laboratory, working groups, seminars, field trips)	Out-of-class study hours/ Self-study

			hours
<b>Hours</b>			
225/150	72/48	18/12	135/90
<b>ECTS</b>			
9/6			
<b>Teaching strategy</b>	Conventional teaching methodology (lectures, monothematic seminars and analysis and debate on sentences and practical cases); use of multimedia tools (powerpoint, etc.); classroom distribution (i.e. uploading to an e-learning platform) of materials useful for the lesson or seminar activities		
<b>Expected learning outcomes</b>			
<b>Knowledge and understanding on:</b>	This course aims to make students familiar with the fundamental aspects comparative law methodology and the basic aspects of contemporary constitutionalism in Western democracies, countries in transition to democracy and beyond.		
<b>Applying knowledge and understanding on:</b>	Students shall be able to understand the notions acquired during the course and to apply them to the current issues and ongoing case law in a comparative law perspective. This course aims to show them that, by revealing how other systems address similar problems, comparative constitutional law gives us a better purchase on our own legal system and legal culture. This course aims to push them to evaluate the foundations of individual legal systems.		
<b>Soft skills</b>	<ul style="list-style-type: none"> <li>• <i>Making informed judgments and choices</i> Students shall be able to make accurate judgments on the main comparative constitutional law issues. Students shall be able to assess the importance, but also the critical points, of the comparative methodology. This course aims to provide them with a critical understanding of the strengths and limits of constitutional law in regulating social and political processes.</li> <li>• <i>Communicating knowledge and understanding</i> Students shall be able to express notions and opinions correctly, using the appropriate terminology.</li> <li>• <i>Capacities to continue learning</i> Students must demonstrate their ability to rigorously apply the comparative method for a critical analysis of the constitutional provision and constitutional jurisprudence.</li> </ul>		

<b>Assessment and feedback</b>	
Methods of assessment	The final exam will be oral
Evaluation criteria	<ul style="list-style-type: none"> <li>• <i>Knowledge and understanding</i> Students are required to demonstrate the ability to discursively and critically organize the acquired knowledge and to expose it with language properties and in an effective way</li> <li>• <i>Applying knowledge and understanding</i> Students must be able to interpret and comment on contemporary constitutional chronicle by applying the comparative method and the comparative public law with properties of language and critical approach, and to foreshadow the evolutionary hypotheses of constitutional systems.</li> </ul>

	<ul style="list-style-type: none"> <li>• <i>Autonomy of judgment</i> During the assessment, the student's ability to anticipate the impact of constitutional reforms, multilevel jurisprudence and legislative changes on the overall constitutional structures will be measured.</li> <li>• <i>Communication skills</i> Students are asked to communicate the acquired knowledge in a clear and exhaustive way and to illustrate with methodological rigor the functioning of the forms of government and the transformations of the forms of state.</li> <li>• <i>Capacities to continue learning</i> Students must demonstrate their ability to understand the rationale of the constitutional dynamics in progress.</li> </ul>
Criteria for assessment and attribution of the final mark	<p>The evaluation will take into account, in addition to the acquisition of the contents of the teaching, the ability to</p> <ul style="list-style-type: none"> <li>- critically analyse legal doctrine and case-law</li> <li>- to make connections between different parts of the program</li> <li>- to develop a critical thought, the accuracy in the exposition</li> <li>- to use legal language properly.</li> </ul> <p>Attending Students can also prepare brief research in groups of 3 or 4, on topics suggested by the professor and then orally explained in the classroom. The evaluation will take into account this activity.</p>
<b>Additional information</b>	<ul style="list-style-type: none"> <li>- The final examination consists in producing a dissertation on a topic that is consistent with the learning objectives of the course, drafted in an original manner under the guidance of the professor.</li> <li>Students are urged to submit application at least six months before the final examination.</li> <li>Knowledge of at least one foreign language is desired.</li> <li>- Students could choose the course unit and insert it in the Learning Agreement.</li> </ul>