

**COURSE OF STUDY:** SOCIAL INNOVATION AND INCLUSION POLICIES – ISPI (LM-87)  
Common course with the SA Course (LM-63)

**ACADEMIC YEAR:** 2023/2024

**ACADEMIC SUBJECT:** LAW OF TERRITORIAL AUTONOMIES

General information	
Year of the course	I - first
Academic calendar (starting and ending date)	I semester (18/09/2023- 07/12/2023)
Credits (CFU/ETCS):	8
SSD	IUS/09
Language	Italian
Mode of attendance	Attendance optional, but strongly recommended

Professor/ Lecturer	
Name and Surname	Maria Grazia Nacci
E-mail	Mariagrazia.nacci@uniba.it
Telephone	Use the "call" function of Microsoft Teams /
Department and address	Palazzo del Prete, Piazza Cesare Battisti n.1, VI Piano
Virtual room	Microsoft Teams platform
Office Hours (and modalities: e.g., by appointment, on line, etc.)	The professor receives on Mondays at 8.30, preferably by making an appointment fixed by e-mail or the 'message' function within the Microsoft Teams platform. To respond to specific student needs, it is possible to meet remotely, using the 'calls' function within the Microsoft Teams platform. Consult the web page: <a href="http://www.uniba.it/it/ricerca/dipartimenti/scienze-politiche/docenti">www.uniba.it/it/ricerca/dipartimenti/scienze-politiche/docenti</a>

Work schedule			
Hours			
Total	Lectures	Hands-on (laboratory, workshops, working groups, seminars, field trips)	Out-of-class study hours/ Self-study hours
200	64		136
CFU/ETCS			
8	8		

<b>Learning Objectives</b>	The course intends to offer an in-depth knowledge of the system of territorial autonomy in the Italian legal system. In particular, the student will be provided with tools suitable for understanding the dynamic functioning of central-periphery relations within the context of the republican constitutional order, having particular regard to the implications of the division of State/region functions on welfare systems.
<b>Course prerequisites</b>	Since this is a first year and first semester exam, there are no specific prerequisites different from those required for access to the degree course.

<b>Teaching strategie</b>	Frontal teaching will be the main teaching method. During the frontal lessons, the topics referred to in the published program will be analytically exposed and texts and teaching materials will be indicated for further insights into the numerous problematic profiles of the division of competences between the State, Regions and local bodies in the Italian legal system, having particular regard to what happens in the health and social welfare sector. In class, the active participation of the audience in the discussion of the individual issues addressed will be constantly stimulated, especially through the analysis of the most significant jurisprudence of the Constitutional Court.
<b>Expected learning outcomes in terms of</b>	<i>The learning outcomes expected for this course, i.e. "the set of knowledge, skills and competences (cultural, disciplinary and methodological) that the student must possess at the end of the training course, are as follows:</i>
<b>Knowledge and understanding on:</b>	Students should be able to understand: <ul style="list-style-type: none"> <li>○ the theoretical and applicative elements inherent to the system of territorial autonomy in the Italian legal system;</li> <li>○ regulatory texts, in the light of the most recent trends in doctrine and jurisprudence;</li> <li>○ the contents of the most significant sentences of the Constitutional Court submitted to their attention.</li> </ul>
<b>Applying knowledge and understanding on:</b>	The trainees will be able to: <ul style="list-style-type: none"> <li>○ dealing with a series of problems inherent in the organizational and functional structure of the Regions and local authorities, their mutual relations and those with the State;</li> <li>○ analyze concrete cases brought to their attention by the professor;</li> <li>○ analyze and interpret regulatory and jurisprudential texts.</li> </ul>
<b>Soft skills</b>	<ul style="list-style-type: none"> <li>• <i>Making informed judgments and choices</i> At the end of the course the student must be able to: <ul style="list-style-type: none"> <li>○ investigate, on the basis of the cognitive tools acquired, the application outcomes of the constitutional reforms of the Italian autonomies system;</li> <li>○ autonomously elaborate a critical evaluation in this regard, legally supported, also using a comparative perspective with the models of regionalism and federalism present on the international scene;</li> <li>○ develop original ideas based on a systematic and critically aware understanding of the acquired knowledge.</li> </ul> </li> <li>• <i>Communicating knowledge and understanding</i> At the end of the course the student should be able to: <ul style="list-style-type: none"> <li>○ demonstrate the ability to articulate and organic exposure of the elements acquired;</li> <li>○ demonstrate the ability to clearly communicate the personal reflections gained;</li> <li>○ master the legal vocabulary</li> </ul> </li> </ul> <p>To this end, students will be offered the opportunity to improve the aforementioned skills through discussions in the classroom on the most relevant constitutional jurisprudence on Title V of the Constitution, in the</p>

	<p>selection of which particular space will be given to decisions concerning the problematic delimitation of the areas of state and regional intervention in terms of social rights (essential levels of services, education, health protection, social security).</p> <ul style="list-style-type: none"> <li>• <i>Capacities to continue learning</i></li> </ul> <p>At the end of the course the student should be able to:</p> <ul style="list-style-type: none"> <li>○ deal with the analysis of legal texts (regulatory acts, sentences, etc.);</li> <li>○ systematically understand and interpret texts and documents in the light of the elements of knowledge and evaluation acquired.</li> </ul>
<b>Syllabus</b>	
<b>Content knowledge</b>	<p>The course will focus on the study and in-depth analysis of the following topics, which will basically be addressed in the order set out below:</p> <p><b>First part:</b> Italian regionalism and its evolution. Title V of the Constitution and the problematic profiles of the related legislative implementation. The ordinary and special statutory power before and after the constitutional reform laws. The organization of the Regions. The form of regional government. Regional Council. President. The regional executive. The local autonomy Council. The functions of the Regions. regulatory functions. Administrative functions. Financial autonomy. Differentiated regionalism. Participation in state functions. The powers of the State vis-à-vis the Regions. The constitutional dispute. The judgment of legitimacy directly before and after the reform. Conflicts between State and Regions.</p> <p><b>Second part:</b> Origin and evolution of local autonomies. The statutory and regulatory power. Bodies and functions of the Municipality. The Provinces and Metropolitan Cities after the Delrio Law. The connection tools between Regions and local authorities. The control system. The system of responsibilities (civil, criminal and administrative, with particular regard to the health sector).</p>
<b>Texts and readings</b>	<p><b>First part:</b> D'ATENA A., <i>Diritto regionale</i>, Giappichelli, Torino, ult. ed.</p> <p><b>Second part:</b> VANDELLI L., <i>Il sistema delle autonomie locali</i>, Il Mulino, Bologna, ult. ed.</p> <p><u>Oppure</u> STADERINI F., CARETTI P., MILAZZO P., <i>Diritto degli enti locali</i>, Cedam, Padova, ult. ed.</p> <p><u>Oppure</u> DI MARIA R., NAPOLI C., PERTICI A., <i>Diritto delle autonomie locali</i>, Giappichelli, Torino, ult. ed.</p>
<b>Notes, additional materials</b>	<p>For the second part, the student must choose ONLY one of the three texts indicated. Attending students may be indicated and possibly distributed additional teaching material, the study of which will allow them to reach a broader and more critical level of knowledge.</p>
<b>Repository</b>	<p>Any additional learning material will be made available through the Microsoft Teams platform.</p>
<b>Assessment</b>	

Assessment methods	The method of verifying the expected learning outcomes is represented by the oral exam, which consists of a minimum of three questions on the teaching program. The vote is expressed in thirtieths. If the candidate does not demonstrate knowledge, at least sufficient, of basic topics in the teaching area, it will not be possible to proceed with the subsequent questions.
Assessment criteria	<ul style="list-style-type: none"> <li>• <i>Knowledge and understanding</i> <ul style="list-style-type: none"> <li>○ ability to discursively organize knowledge</li> <li>○ <i>Applying knowledge and understanding</i></li> <li>○ Ability to analyze concrete cases proposed by the professor</li> </ul> </li> <li>• <i>Autonomy of judgment</i> <ul style="list-style-type: none"> <li>○ critical reasoning skills on the study carried out</li> </ul> </li> <li>• <i>Communicating knowledge and understanding</i> <ul style="list-style-type: none"> <li>○ quality of presentation, competence in the use of legal vocabulary</li> </ul> </li> <li>• <i>Communication skills</i> <ul style="list-style-type: none"> <li>○ ability to deal with the analysis of legal texts, effectiveness and linearity of reasoning</li> </ul> </li> <li>• <i>Capacities to continue learning</i> <ul style="list-style-type: none"> <li>○ systematically understand and interpret legal texts and documents in the light of the elements of knowledge and evaluation acquired</li> </ul> </li> </ul>
Final exam and grading criteria	<p>The criteria followed for the evaluation of the learning outcomes expressed out of thirty are:</p> <p>Insufficient: 0-17 Lack, incomplete and inadequate knowledge of the topics contained in the program, use of non-legal vocabulary by candidates.</p> <p>Sufficient: 18-20 Sufficient knowledge of the topics contained in the program and overall adequacy of the legal vocabulary used by the candidates.</p> <p>Fair: 21-23 Discreet knowledge of the topics contained in the program, discrete ability to argue and connect the various topics, through the use of adequate legal vocabulary by candidates.</p> <p>Good: 24-26 Good knowledge of the topics contained in the programme, good in-depth analysis and critical skills, through the use of adequate legal vocabulary by candidates.</p> <p>Distinguished: 27-28 More than good knowledge of the topics contained in the program, more than good ability to study, to connect the different topics, to criticize and mastery of the legal vocabulary by the candidates.</p> <p>Great: 29-30 Excellent knowledge of the topics contained in the program, excellent in-depth analysis, connection between the various topics, as well as criticism and mastery of the legal vocabulary by the candidates.</p> <p>Excellent: 30L Excellent knowledge of the topics contained in the program, excellent ability to deepen, link between the different topics, to criticize and mastery of the legal vocabulary by the candidates.</p>

<b>Further information</b>	<p>Examination board.</p> <p>President: Maria Grazia Nacci.</p> <p>Members: Francesco Gabriele, Anna Maria Nico, Giovanni Luchena, Vittorio Teotonico, Luca Grimaldi, Gaetano Bucci, Annamaria Bonomo, Cecilia Pannacciulli, Andrea Bonomi, Antonio Gusmai, Stefania Cavaliere, Giuseppe Chiarelli, Franco Sicuro.</p>
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