



Italian Code: IUS/21 – GIUR-11/B (new)

Credits: 9

Course: Comparative Constitutional Law

Main language of instruction: Italian

Other language of instruction: English

Head instructor:

Professor Cristina Gazzetta – cristina.gazzetta@unicusano.it

Objectives of the Course:

The *Comparative Constitutional Law* aims to provide the student with:

1. The adequate knowledge to understand and describe the rules that govern the functioning of the State in point of comparative view;
2. The ability to understand and adequately use a legal public vocabulary;
3. The ability to understand and consult the main legislative texts of constitutional law;
4. The ability to use the legal instruments required to access international careers, as well as public administrations or private companies with a public projection.

Course Structure:

The Course is organized as follows:

- The Method of Comparative Science,
- The Organization and frame of government, the Constitutional concepts (constitution; rule of law; presidentialism, parliamentarism),
- The organs and powers of sovereignty,
- The distribution of political and governmental authorities and functions,
- The fundamental principles which are to regulate the relations of government and subject, and which prescribes generally the plan and method according to which the public affairs of the state are to be administered,
- The legal systems,
- The judicial review,
- The Constitutionalism,
- The Multiculturalism and the Democracy.

Competencies:

At the end of the course, students must have achieved the following skills, knowledge and competencies:

Knowledge and understanding:



- Students are expected to acquire the ability to analyze and understand the dynamics and rules regulating the Comparative Constitutional Law.

Applied knowledge and understanding:

- Students are expected to acquire the ability to apply the institutions and principles of Constitutional Law to current public dynamics.

Autonomy of judgment:

- Through the tools of general theory and methodology provided, students will be able to strengthen their capacity for legal analysis of the relations and to express a free and informed opinion on constitutional matters.

Communication skills:

- At the end of the Course, students will have enriched their legal vocabulary with the specific terminology of Constitutional Law; they will have acquired the ability to communicate their knowledge and to support their critical assessments with solid legal argumentations.

Learning skills:

- Students will be capable of applying the knowledge and skills acquired throughout the Course in an integrated manner. They should be able to complement this with knowledge from other courses in the program and develop methodological competencies that allow them to independently undertake new learning paths in the field of Law.

Syllabus:

Programme of the course:

Part I: The Method of Comparative Science

Part II: The Organization and frame of government, the Constitutional concepts (constitution; rule of law; presidentialism, parliamentarism)

Part III: The organs and powers of sovereignty

Part IV: The distribution of political and governmental authorities and functions

Part V: The fundamental principles which are to regulate the relations of government and subject, and which prescribes generally the plan and method according to which the public affairs of the state are to be administered

Part VI: The legal systems

Part VII: The judicial review

Part VIII: The Constitutionalism

Part IX: The Multiculturalism and the Democracy

Evaluation system and criteria:

The assessments of course is based on the following criteria:

Final exam (100% of grade): The exam in English for Erasmus+ incoming students consists of an **written exam** held with the Professor in charge of the Course, in person at the Rome headquarter of Unicusano University, with the Examination Commission assembled, on the dates scheduled for the oral exams.

(Erasmus students are reminded of the need to book for the chosen exam session via the University teaching platform "Sophia" when the dates are available).

Bibliography and resources:

1. Materials to consult:

It is necessary to make constant reference to the sources of Constitutional Law and the Constitutions, which can be found only on institutional websites.

2. Recommended bibliography:

Erasmus students are encouraged to contact the professor to agree on a customized syllabus. Study materials (available in both Italian and English) will be provided directly by the professor if not available in the library.

Volume: **Advanced introduction to comparative constitutional law / Mark Tushnet 2014**

(Available at Unicusano Library: Biblioteca "Ferdinando Catapano")

Volume: **The Oxford handbook of comparative constitutional law / edited by Michel Rosenfeld and András Sajó Rosenfeld, 2013**

(Available at Unicusano Library: Biblioteca "Ferdinando Catapano")