

COURSE OF STUDY: LAW

ACADEMIC YEAR: 2024-2025

ACADEMIC SUBJECT: COMPARATIVE PUBLIC LAW

General information	
Year of the course	3rd year of the course (Fundamental course) / from the 1st year of the course (student's free choice course) / 5th year of the course (optional course)
Academic calendar (starting and ending date)	First Semester (09.09.2024 – 06.12.2024)
Credits (CFU/ETCS):	9/6
SSD	Comparative Public Law – IUS/21
Language	Italian
Mode of attendance	NO Compulsory attendance

Professor/ Lecturer	
Name and Surname	PAMELA MARTINO
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Department and address	Jonic Department – Via Duomo 259, Taranto
Virtual room	<i>Teams (teams code: y2ql30e)</i>
Office Hours (and modalities: e.g., by appointment, online, etc.)	Tuesday-Wednesday – to be agreed with the professor by e-mail

Work schedule			
Hours			
Total	Lectures	Hands-on (laboratory, workshops, working groups, seminars, field trips)	Out-of-class study hours/ Self-study hours
225/150	72/48		153/102
CFU/ETCS			
9/6			

Learning Objectives	The course aims to illustrate the methodology of comparative law. The basic knowledge of the comparative law method provides an in-depth study of the historical and constitutional development of foreign and Italian legal systems, particularly concerning the analysis of constitutionalism, the concept of constitution, the formulas for guaranteeing fundamental rights, the forms of state and government, and the constitutional jurisdiction.
Course prerequisites	Constitutional Law

Teaching strategies	Conventional teaching methodology (lectures, monothematic seminars with participation of Italian/foreign teachers to deepen current topics, case studies); use of multimedia tools (PowerPoint, etc.). For the case studies and the seminar activities, the teacher will provide additional material to be made available on the e-learning platform.
Expected learning outcomes in terms of	
Knowledge and understanding on:	This course aims to make familiarize students with the fundamental aspects of comparative law methodology and the basic aspects of contemporary

	constitutionalism in Western democracies, countries transitioning to democracy and beyond.
Applying knowledge and understanding on:	Students shall be able to understand the notions acquired during the course and to apply them to the current issues and ongoing case law from 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.
Soft skills	<ul style="list-style-type: none"> • <i>Making informed judgments and choices</i> Students shall be able to accurately judge 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 vital understanding of the strengths and limits of constitutional law in regulating social and political processes. • <i>Communicating knowledge and understanding</i> Students shall be able to express notions and opinions correctly, using the appropriate terminology. • <i>Capacities to continue learning</i> Students must demonstrate their ability to rigorously apply the comparative method for critically analyzing the constitutional provision and jurisprudence.
Syllabus	
Content knowledge	The teaching program addresses the following topics: <ul style="list-style-type: none"> - Comparative methodology; - History of comparative law; - Forms of State; - Federalism and regionalism; - Sources of Law and comparative legal systems; - Constitutions and constitutionalism; - Forms of government: vertical and horizontal separation of powers; electoral systems; political parties' system; - Comparative case law and cross-fertilization; - Fundamental rights' guarantees.
Texts and readings	<p>Course unit - Credits 9: Giuseppe MORBIDELLI, Mauro VOLPI, Ginevra CERRINA FERONI, <i>Diritto costituzionale comparato</i>, Torino, Giappichelli, 2024, pp. 512.</p> <p>Course unit - Credits 6: T.E. Frosini (a cura di), <i>Diritto pubblico comparato. Le democrazie stabilizzate</i>, Bologna, il Mulino, 2022, pp. 368.</p>
Notes, additional materials	For the in-depth study of some topics, the teacher will provide additional in-depth material in class mainly available in legal journals (also in electronic format).
Repository	The in-depth teaching material will be made available on the e-learning platform.
Assessment	
Assessment methods	The final exam will be oral
Assessment criteria	<ul style="list-style-type: none"> • <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 in an effective way. • <i>Applying knowledge and understanding</i>

	<p>Students must be able to interpret and comment on contemporary constitutional chronicles 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.</p> <ul style="list-style-type: none"> • <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. • <i>Communication skills</i> Students will communicate the acquired knowledge clearly and exhaustively and they will illustrate with methodological rigor the functioning of the forms of government and the transformations of the forms of state. • <i>Capacities to continue learning</i> Students must demonstrate their ability to understand the rationale of the constitutional dynamics in progress.
Final exam and grading criteria	<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"> - critically analyse legal doctrine and case-law - to make connections between different parts of the program - to develop critical thought, the accuracy in the exposition - to use legal language properly. <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>
Further information	<ul style="list-style-type: none"> - The final examination consists of producing a dissertation on a topic consistent with the course's learning objectives, drafted in an original manner under the professor's guidance. Students must apply at least six months before the final examination. Knowledge of at least one foreign language is desired. - Students could choose and insert the course unit in the Learning Agreement.