

## Syllabus

### Course description

<b>Course title</b>	European Public and Administrative Law
<b>Course code</b>	27602
<b>Scientific sector</b>	IUS/09
<b>Degree</b>	Master Degree in Public Policy and Innovative Governance
<b>Semester and academic year</b>	1st semester 2024-2025
<b>Year</b>	1
<b>Credits</b>	8
<b>Modular</b>	No

<b>Total lecturing hours</b>	48
<b>Total exercise hours</b>	10 (preparatory course) + 12
<b>Attendance</b>	suggested, but not required
<b>Prerequisites</b>	-
<b>Course page</b>	<a href="https://www.unibz.it/en/faculties/economics-management/master-public-policies-administration/">https://www.unibz.it/en/faculties/economics-management/master-public-policies-administration/</a>

<b>Specific educational objectives</b>	<p>The course refers to the typical educational activities and belongs to the scientific area of Law.</p> <p>The course gives a general overview of scientific contents and is partially designed for acquiring professional skills and knowledge.</p> <p>The course is designed to enhance problem-solving skills within the framework of current legislation, especially to safeguard the public interest. It also emphasizes innovative government practices, including e-government, and promotes the exploration and discussion of solutions that are both citizen-friendly and sustainable, grounded in fundamental principles.</p> <p>This course examines the principles of public law in Italy alongside other forms of governance. It introduces students to the key aspects of administrative law from both constitutional and legal perspectives. The curriculum emphasizes concepts such as efficiency, efficacy, transparency, and accountability while simultaneously exploring innovative approaches to administrative procedures aimed at serving the public interest and protecting the environment. Additionally, the course includes a laboratory component, where legal sources are analyzed from a practical standpoint to empower students with the skills to apply these sources effectively in real-</p>
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	world situations.
<b>Lecturer</b>	Stefania Baroncelli office SER E506 <a href="mailto:stefania.baroncelli@unibz.it">stefania.baroncelli@unibz.it</a> Tel: 0471/013120 <a href="https://www.unibz.it/en/faculties/economics-management/academic-staff/person/981-stefania-baroncelli">https://www.unibz.it/en/faculties/economics-management/academic-staff/person/981-stefania-baroncelli</a>
<b>Scientific sector of the lecturer</b>	IUS/09
<b>Teaching language</b>	Italian
<b>Office hours</b>	24 hours MySNS – My timetable Webpage: <a href="https://www.unibz.it/en/timetable/?sourceId=unibz&amp;department=26&amp;degree=13543%2C13723">https://www.unibz.it/en/timetable/?sourceId=unibz&amp;department=26&amp;degree=13543%2C13723</a>
<b>Lecturing assistant (preparatory course)</b>	TBA
<b>Lecturing assistant (laboratory)</b>	TBA
<b>List of topics covered</b>	The structure and the functioning of the States, the protection of fundamental rights, environment and discrimination, the government, principles on the administration and the procedures, federalism and governments in a comparative perspective, regions and autonomy. Innovative forms of decision-making. Interpretation and general principles applied in order to achieve socially and environmentally positive results. Sources of law: State law, delegated legislation, EU law, ministerial decrees, regional law, regulations, regulations enacted by various independent authorities, customs. How to solve conflicts of law. Instead of Interpretation.
<b>Teaching format</b>	Frontal lectures, lab and group work.
<b>Learning outcomes</b>	<u>Knowledge and understanding:</u> Students will gain the legal knowledge required to comprehend the decision-making processes of public policies, the dynamics between public entities, citizens, and the environment, as well as innovative decision-making and administrative forms. The course covers the organizational structure of the state and foundational administrative principles in Italy and other Western countries. Participants will explore the contents of the Italian Constitution alongside those of other nations. They will also learn about the functioning of national and

European law sources within these states, including their interactions and overlaps. Additionally, the concept of autonomy as it applies to Italian Regions will be elucidated.

Applying knowledge and understanding:

Students will gain the ability to navigate and address complex issues within a multi-level governance system, encompassing European, national, and local legal frameworks. They will also develop analytical and interpretive skills to understand economic phenomena from a legal standpoint, recognizing the primary tools of public intervention in economic and social domains. Furthermore, students will learn how to effectively search for and utilize legal materials, including statutes and case law, appreciating their regulatory significance and legal value. They will be equipped to critically read, comprehend, and discuss case law and the Italian Constitution, employing a comparative approach when necessary. Students will be able to use logic and margin of interpretation to find efficient and citizen friendly solutions balancing various interests with precision.

Making judgments

Students will cultivate the skill to collect, interpret, and critically assess relevant legal data, enabling them to make informed judgments that consider social, political, and organizational factors. They will become proficient in reading and evaluating information presented in journals, newspapers, and other media sources through the lens of general legal principles. They will develop the ability to employ logical reasoning, utilize legal sources, integrate scientific data, and leverage e-government tools to make well-informed decisions.

Communication skills:

Students will learn to present legal concepts acquired during the course using appropriate technical language. Their analytical, grammatical, and logical writing skills will be enhanced. They will also gain the ability to interact effectively in intercultural and multilingual settings using English, develop oral communication skills, and express opinions within groups. Additionally, they will learn methodologies for conveying legal issues to non-lawyers.

Learning skills:

Students will develop the ability to apply legal reasoning to future challenges, enabling them to identify and solve issues of priority. Additionally, they will acquire the skills of interpretation and evaluation necessary for pursuing further studies with a high degree of independence in

	both national and international environments.
<b>Assessment</b>	<p><b>Attending students:</b></p> <ol style="list-style-type: none"> <li>1. Mid-term written or oral examination accounting for 1/4 of the classes' program;</li> <li>2. A group work on innovative governance solutions</li> <li>3. A final written examination on the remaining program. Lab consists of questions centered on practical issues on sources of law; they are evaluated separately 20% of the final mark</li> </ol> <p><b>Non-attending students</b> A final written examination consisting of multiple choice and review questions and lab questions + group work on innovative governance solutions</p> <p>Laboratories consist of activities evaluated separately (also for attendance). However, the final exam covers both lectures and lab.</p>
<b>Assessment language</b>	English (B1 level is required to sit the exam)
<b>Evaluation criteria and criteria for awarding marks</b>	<p>Assessment criteria for review questions: clarity of answers, mastery of language (both legal appropriateness, grammar and logic), ability to summarize, evaluate, and establish relationships between topics, ability to comment a legal text and case law.</p> <p>Assessment criteria for group work on innovative governance solutions: capability to think out of the box and find efficient and legal solutions based on evidence.</p> <p>Assessment criteria for Lab: ability to appropriately intervene during debates; knowledge of previously discussed topics; ability to critically assess and evaluate legal issues; writing and presentation skills.</p>
<b>Required readings</b>	<ul style="list-style-type: none"> <li>- M. Cartabia – N. Lupo, <i>The Constitution of Italy. A Contextual Analysis</i>, Hart, Bloomsbury, 2022</li> <li>- United Nations, <i>Good practices and innovations in public governance</i>. United Nations public service awards winners and finalists 2012-2013 <a href="https://www.un-ilibrary.org/content/books/9789210541930#chapters">https://www.un-ilibrary.org/content/books/9789210541930#chapters</a></li> <li>- United Nations, <i>Compendium of Innovative Practices in Public Governance and Administration for Sustainable Development</i>, 2016 <a href="https://www.un-ilibrary.org/content/books/9789210587099">https://www.un-ilibrary.org/content/books/9789210587099</a></li> </ul>

	<p>Some parts of the following books (the exact pages will be indicated in the detailed Exam Instructions in Reserve Collection)</p> <ul style="list-style-type: none"> <li>- Werner Heun, <i>The Constitution of Germany. A Contextual Analysis</i>, Hart, Bloomsbury, 2010</li> <li>- Mark Tushnet, <i>The Constitution of the United States of America. A Contextual Analysis</i>, Hart, Bloomsbury, 2015</li> <li>- Arun K Thiruvengadam, <i>The Constitution of India. A Contextual Analysis</i>, Hart, Bloomsbury, 2017</li> <li>- Peter Leyland, <i>The Constitution of the United Kingdom. A Contextual Analysis</i>, Hart, Bloomsbury, 2012</li> <li>- Manfred Stelzer, <i>The Constitution of the Republic of Austria. A Contextual Analysis</i>, Hart, Bloomsbury, 2011</li> <li>- Sophie Boyron, <i>The Constitution of France. A Contextual Analysis</i>, Hart, Bloomsbury, 2012</li> </ul> <p>In addition, case-law and legal texts published in the Reserve collection</p>
<p><b>Supplementary readings</b></p>	<p>The consultation of the text of the Italian and other States' Constitutions</p>

**Commented [GD1]:** Manca sillabo in italiano

