UNIVERSIDADE LUSÍADA
LISBOA

Course Unit Program
General Theory of Public Power

Academic Year 2023/2024

1. Organic Unit

Faculty of Law

2. Course

LAW

3. Cycle

1st

4. Course Unit

General Theory of Public Power (02303)

5. Scientific Area

6. Curricular Year

1st

7. Type of Curricular Unit / Semester

1st Semester

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Rua da Junqueira, 188 a 198 - 1349-001 LISBOA - Telefone 213 611 500 - Fax 213 638 307 - e-mail: info@lis.ulusiada.pt - https://www.lis.ulusiada.pt

8. Class type and workload (work time)

Theoretical classes:	
Practical classes:	15,00
Theoretical-Practical Classes	30,00
Tutorial Guidance:	20,00

9. ECTS Credits

6,00

10. Scientific Area Coordinator

11. Regent

Prof. Dr. JOSE MANUEL DE MATOS CORREIA

12. Assistants

Prof. Doutor JORGE TIAGO VEIGA QUARESMA VIANA BARRA

13. Teaching Language

Portuguese

14. General Objectives

The curricular unit of General Theory of Public Power (TGPP) is part of the 1st year of the Law Degree with the aim of providing the student with mastery of the principles, rules, norms, institutions and practices associated with internal Public Law whose essential manifestations are located in the current State as a legal-political reality and as a collective.

15. Specific Objectives

The General Theory of Public Power (TGPP) course aims to provide the student with essential information about the main manifestations of current state political power and the structure and functioning of the contemporary Constitutional State, having as an exemplary reference the framework of the political power of the Portuguese State, allowing the transition to the curricular unit of Constitutional Law in the 2nd Semester.

16. Skills to be acquired

Upon completion of the TGPP course, the student should be able to identify the structure of the modern Constitutional State, explain how it operates (forms of government) in relation to its main functions, analyze the dynamics of its vertical and horizontal organization and justify the relationships between the citizen and political power, giving examples taken from the Portuguese political and legal reality or from regimes with democratic traditions (Great Britain, France and the USA).

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17. Teaching Methodology

Oral presentation in theoretical classes (with student involvement and participation) of the main points of the program, using audiovisual media and complementary supporting documentation (documents, doctrinal texts).

18. Course Unit Program

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Introduction
1. Politics and politics: vocabulary uses
2. The political fact
3. The power
4. Types of power
5. Power, domination, influence and authority
6. Power: constituent elements
7. Political Power and Public Power
8. The General Theory of Public Power and Related Disciplines
9. The Object of the General Theory of Public Power

Chapter I - Introduction to the General Theory of the State
10. The State
11. Historical State Types
12. State and related figures
13. State and Nation
14. Elements of the State
15. The People
16. The Territory
17. Political Power

Chapter II - Legality and Legitimacy
18. Legitimacy of Political Power
19. Legality and Legitimacy
20. Conceptions about the Legitimacy of Power

Chapter III - Purposes and Functions of the State
21. Purposes of the State
22. Purposes of the State in the 1976 CRP
23. State Functions and State Powers: the separation of powers
24. Typology of State Functions
25. Functions of the State in the 1976 CRP

Chapter IV - State Bodies
26. Definition of State body
27. Typology of State bodies
28. State Bodies in the 1976 CRP

Chapter V - The Political Structure of the Contemporary Constitutional State

29. Political representation
30. The Right of Suffrage
31. Electoral systems

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32. Majority electoral systems
33. Proportional electoral systems
34. Mixed electoral systems
35. The referendum and the popular initiative
36. Political parties
37. Origin, history, types and functions
38. Party systems
39. Parties, party systems and electoral systems in the contemporary Portuguese constitutional and legal framework

Chapter VI - Forms of the State
40. Concept of State form
41. Simple state and complex state
42. The Unitary State with administrative decentralization
43. The Regional Unitary State
44. The Composite or Complex State: The Federal State
45. The Form of the State in the 1976 CRP

Chapter VII - Forms of Government: Political Regimes and Systems of Government
46. Typologies on Forms of Government
47. Classic Typologies
48. Modern Typologies
49. Political Regimes
50. Democratic Political Regime
51. Dictatorial Political Regime
52. Government Systems
53. Division of Powers and System of Government
54. Parliamentary Government System
55. Presidential Government System
56. Directorial Governance System
57. Semi-Presidential Government System
58. Form of Government under the 1976 CRP

Chapter VIII - Current Political Regimes with Democratic Traditions
59. United Kingdom
60. France
61. United States of America

19. Assessment Methods

Continuous assessment, using student attendance and participation. Carrying out individual or group work, commenting on texts, carrying out practical cases,
simulation of guided debates in the class on certain topics, participation in study visits with the preparation of reports on them, bibliographic and documentary research on the Internet, completion of points and written tests

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20. Didactic Resources

Reference manuals in Political Science and Constitutional Law. Essays and academic theses on program points. Critical reading of the written media. Databases and resources available on the "internet". Journals of Political Science and Constitutional Law.

21. Sustainability Objectives

General
1 - Ensure equal access to education.
2 - Substantially increase the number of young people and adults with relevant qualifications.
3 - Ensure equal opportunities in university education.
4 - Promoting the gradual dematerialization of the teaching/learning process.
Specific
1 - Promote the rule of law.
2 - Contribute to responsible decision-making.

22. Keywords

State
Political Power
Citizen
Constitution

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23. Main Bibliography

Author(s):	Ricardo Leite Pinto, José de Matos Correia, Fernando Roboredo Seara		
Title:	Ciência Política e Direito Constitucional		
Edition:	5.ª	Year:	2013
Local:	Lisboa		
Publisher:	Universidade Lusíada Editora		

Author(s):	Jorge Miranda		
Title:	Manual de Direito Constitucional - Tomo III		
Edition:	5.ª	Year:	2004
Local:	Coimbra		
Publisher:	Coimbra Editora		

Author(s):	José de Matos Correia e Ricardo Leite Pinto		
Title:	Lições de Ciência Política e Direito Constitucional		
Edition:	1.ª	Year:	2018
Local:	Lisboa		
Publisher:	Universidade Lusíada Editora		

24. Complementary Bibliography

Author(s):	Manuel Caminal Badia (ed.)		
Title:	Manual de Ciencia Politica		
Edition:	4.ª	Year:	2006
Local:	Madrid		
Publisher:	Tecnos		

Author(s):	Jorge Miranda		
Title:	Manual de Direito Constitucional - tomo VII		
Edition:	1.ª	Year:	2007
Local:	Coimbra		
Publisher:	Coimbra Editora		

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Ficha técnica MIP / MIP Datasheet	
Título / Title	Course Unit Program 'TEORIA GERAL DO PODER PÚBLICO': Academic Year 2023/2024
Autor / Author	Prof. Dr. JOSE MANUEL DE MATOS CORREIA
Classificação / Classification	-
Descritores / Descriptors	-
Colaborador(es) / Colaborator(s)	-
Data Hora / Date Time	
Formato de dados / Data Format	Texto / Text, PDF
Estatuto de utilização / Usage	Acesso público / Public Access
Relação / Relation	Version 1,0

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11. Regent

Prof. Doutor MANUEL FERNANDO DA SILVA MONTEIRO

12. Assistants

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13. Teaching Language

Portuguese

14. General Objectives

The general objectives of this discipline are to study Public Power (political power), not only in its formal dimension but also in its real dimension. This plural understanding will contribute to a solid comprehension of future Jurists regarding what Public Power is and its relevance within the framework of the Rule of Law.

15. Specific Objectives

With the general objectives defined, the specific objectives of this discipline are to transmit knowledge about the manifestations of political power of the State and how these manifestations arise and materialize. In this regard, it is also essential to understand both Power in its Form and Power in its Seat, meaning it is crucial to distinguish formal power from real power.

16. Skills to be acquired

By taking this course, students will be able to identify and differentiate:
1. Political Power from Social Power.
2. Types of State from the Ends of the State and the Functions of the State.
3. Form of the State from Form of Government.
4. Political Regime from Political System.
5. Political System from System of Government.

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17. Teaching Methodology

The TGPP (Theories and Practices of Public Governance and Policy) classes comprise:

a) Theoretical/Practical classes, where principles and concepts will be presented while emphasizing their practical application.

b) Practical classes, where students will be guided to address specific problems.

c) Tutorial Guidance classes, where both students' readings and joint reflection on specific cases in national and international political life will be followed.

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Introduction:
1. The purpose of the TGPP (Theories and Practices of Public Governance and Policy) course within the framework of the Law Program.

2. The particular relationship of the course with Constitutional Law.

Part I
Politics, Political Science, and Political Power

1. What is Politics?
2. Political Science and its object
3. The Political Fact
4. Political Power and Sovereignty
4.1. Political Power with and without Sovereignty
5. Forms of Power
6. Legality and Legitimacy of Power
7. Form and Seat of Power

Part II
The State

1. The State and the Nation
2. The State in the context of International Organizations
3. Types of State
4. Constituent Elements of the State
5. Forms of State
6. Ends and Functions of the State
7. State Organs
7.1. The classical typology of state organs
7.2. State Organs in the context of the Portuguese Constitution
7.3. State Organs vis-à-vis the European Union

Part III
Forms of Government, Political Regimes, and Political Systems

1. Form of Government
2. Political Regimes
3. The Political System and its elements:
3.1. The system of government
3.2. The party system
3.3. The electoral system
4. Types of government systems

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Part IV
Democratic Regimes and Systems of Government (some examples)

1. The United Kingdom
2. The United States of America
3. France

19. Assessment Methods

Continuous assessment, in accordance with the current University regulations, will include:

1. Two mandatory written tests.

2. An optional written assignment with an oral presentation.

20. Didactic Resources

- Textbooks on Political Science and Constitutional Law (available at the University Library).

- All other necessary resources deemed relevant and available at both the University's IT Services and Media Center.

21. Sustainability Objectives

Assuming that sustainable education goes beyond the mere presentation of curriculum content, we define here three main objectives:

1. Promotion of critical analytical thinking

2. Continuous distinction between mere information and education

3. Education aimed at the free determination of future choices

22. Keywords

Politics
Political Science
Power
State
Citizenship

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23. Main Bibliography

Author(s): CORREIA, José de Matos, PINTO, Ricardo Leite
Title: Lições de Ciência Política e Direito Constitucional - Teoria Geral do Estado e Formas de Governo
Edition: 1ª Year: 2020
Local: Lisboa
Publisher: Universidade Lusíada Editora

Author(s): CORREIA, José de Matos, PINTO, Ricardo Leite
Title: Lições de Ciência Política e Direito Constitucional
Edition: 1ª Year: 2018
Local: Lisboa
Publisher: Universidade Lusíada Editora

Author(s): MOREIRA, Vital
Title: Elementos de Ciência Política
Edition: Policopiado Year: 2022
Local: Universidade Lusíada (Porto)
Publisher:

24. Complementary Bibliography

Author(s): MIRANDA, Jorge
Title: Teoria do Estado e da Constituição
Edition: 1ª Year: 2002
Local: Coimbra
Publisher: Coimbra Editora

Author(s): ZIPPELIUS, Reinhold
Title: Teoria Geral do Estado - Ciência Política
Edition: 16ª Year: 2016
Local: São Paulo
Publisher: Saraiva

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Estatuto de utilização / Usage	Acesso público / Public Access
Relação / Relation	Version 1,0

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