



UNIVERSIDADE LUSÍADA
LISBOA

Course Unit Program
CONSTITUTIONAL LAW

Academic Year 2023/2024

1. Organic Unit

Faculty of Law

2. Course

INTERNATIONAL RELATIONS

3. Cycle

1st

4. Course Unit

CONSTITUTIONAL LAW (07419)

5. Scientific Area

6. Curricular Year

2nd

7. Type of Curricular Unit / Semester

1st Semester



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8. Class type and workload (work time)

Theoretical classes:

Practical classes:

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

13. Teaching Language

Portuguese

14. General Objectives

The curricular unit of Constitutional Law has the general objective of making the student aware of the fundamental principles and rules contained in the Constitution as a fundamental norm of the Legal Order. The aforementioned principles and rules regulate (i) the legal relationship between the State and its citizens, (ii) the formation, composition, competence and functioning of State bodies and (iii) determine the political, economic, social order and cultural aspects of this political community.

15. Specific Objectives

The student should become familiar with the content, sources, rules and ways of interpreting the Constitution, following the Portuguese constitutional reality and its historical course. The systematic approximation to the 1976 Constitution will be specifically considered.

16. Skills to be acquired

After completing the curricular unit, the student must know how to interpret and apply the 1976 Constitution (i) in terms of its fundamental structuring principles, (ii) in terms of the standards for the protection of fundamental rights, (iii) in terms of formation, composition, competence and functioning of State bodies, as well as the relationships between them, regarding the way in which legal norms are produced and (iv) regarding the mechanisms for monitoring constitutionality and legality.



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17. Teaching Methodology

The teaching of Constitutional Law comprises the teacher's lectures on the themes of the curricular unit's program (theoretical classes), the analysis of normative texts, jurisprudence and other documents, as well as the resolution of practical cases with the aim of stimulating the handling of the Constitution (practical classes) and clarifying doubts and deepening the subject (tutorials).

18. Course Unit Program

Chapter I - Introduction to the Theory of the Constitution

1. Constitutional Law and state legal organization
2. Constitutional Law: concept and content
3. Constitution and constitutionalism
4. Constitution Classifications
5. Sources of the Constitution
6. Interpretation of the Constitution
7. Constitutional principles and norms

Chapter II- Portuguese Constitutional History

8. The monarchical Constitutions: 1822, 1826, 1838
9. The Republican Constitution of 1911
10. The 1933 Corporate Constitution

Chapter III - The 1976 Constitution

11. The constituent phase and the seven constitutional revisions
12. Systematization and fundamental principles
13. Fundamental rights and duties
14. The sovereign bodies in the Constitution of the Portuguese Republic; the President of the Republic: election and status
15. The Assembly of the Republic: formation, composition, competence and functioning
16. The Government and Public Administration
17. The courts, especially the Constitutional Court
18. The Government system
19. The normative structure and the legislative process
20. Autonomous Regions and Local Government
21. Defense of the Constitution: the system for monitoring constitutionality and legality
22. The constituent power and the power of constitutional review; constitutional review.

19. Assessment Methods

The continuous evaluation will be done through two tests.

20. Didactic Resources



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- 1) Constituição da República Portuguesa;
- 2) CARDOSO, José Lucas; Colectânea de Legislação de Direito Constitucional, Universidade Lusíada Editora, Lisboa, 1.^a edição, 2.^a série, vol. I, Outubro de 2006, 300 p., vol. II, Fevereiro de 2007, 180 pp., e vol. III, incorporada na colecção Textos de Apoio, Série Licenciatura em Direito, sob os n.ºs 49, 50 e 51, respectivamente.
- 3) Utilização da internet para acesso às páginas web da Assembleia da República e do Tribunal Constitucional.

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

Constitution
Rule of law
Human rights
separation of powers
Unconstitutionality



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23. Main Bibliography

Author(s): J.J. Gomes Canotilho
Title: Direito Constitucional e Teoria da Constituição
Edition: 7.^a Year: 2003
Local: Coimbra
Publisher: Livraria Almedina

Author(s): Jorge Miranda
Title: Manual de Direito Constitucional, tomos I, II, V e VI
Edition: 7.^a, 6.^a, 3.^a, 3.^a Year: 2008
Local: Coimbra
Publisher: Coimbra Editora

Author(s): Jorge Bacelar Gouveia
Title: Manual de Direito Constitucional, 2 volumes
Edition: 5.^a Year: 2013
Local: Coimbra
Publisher: Livraria Almedina

24. Complementary Bibliography

Author(s): Paulo Otero
Title: Direito Constitucional Português, 2 volumes
Edition: 1.^a Year: 2010
Local: Coimbra
Publisher: Livraria Almedina

Author(s): J. J. Gomes Canotilho e Vital Moreira
Title: Constituição da República Portuguesa Anotada, 2 volumes
Edition: 4.^a Year: 2007
Local: Coimbra
Publisher: Coimbra Editora



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Autor / Author	Prof. Dr. JOSE MANUEL DE MATOS CORREIA
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Colaborador(es) / Colaborator(s)	-
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