



UNIVERSIDADE LUSÍADA
LISBOA

Course Unit Program
History of Portuguese Law

Academic Year 2024/2025

1. Organic Unit

Faculty of Law

2. Course

LAW

3. Cycle

1st

4. Course Unit

History of Portuguese Law (02307)

5. Scientific Area

6. Curricular Year

1st

7. Type of Curricular Unit / Semester

2nd Semester



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8. Class type and workload (work time)

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

9. ECTS Credits

6,00

10. Scientific Area Coordinator

Prof. Doutor JOSE ARTUR ANES DUARTE NOGUEIRA

11. Regent

Prof. Doutor PEDRO MIGUEL MARTINS GONÇALVES CARIDADE DE FREITAS, Prof. Doutora ISABEL MARIA DOS SANTOS GRAES, Prof. Doutor MIGUEL JOSÉ LOPES ROMÃO

12. Assistants

13. Teaching Language

Portuguese

14. General Objectives

Expose the historical-legal evolution of Portuguese law, as well as peninsular law in what is closely related to it.

15. Specific Objectives

Provide fundamental juridico-political frameworks for the western peninsular and Portuguese space since antiquity, focusing on the sources, content, knowledge and application of law.

16. Skills to be acquired

Acquire the understanding that contemporary Portuguese law is, to a large extent, the result of a long historical evolution and thus maintains important common features with other European laws, as a result of common historical-legal factors. Acquire the realisation that, while most legal rules are transitory, there are legal values and principles that have strong stability over time.

17. Teaching Methodology

Presentation of the topics in class. Discussion in class. Formation of working groups to deepen certain aspects of the theme.

18. Course Unit Program



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INTRODUCTION

§1 - Object and method.

§2 - Periodisation.

PART I - THE ANCIENT ORDER (1143-1820)

TITLE I - MEDIEVAL PLURALISM (1143-1446)

§3 - Full legal pluralism.

CHAPTER I - POLITICAL AUTONOMISATION OF THE STATE (1143-1211)

§4 - Historical-political framework. Justice and Law

§5 - Sources of law.

§6 - Knowledge of law.

CHAPTER II - LEGAL AUTONOMISATION OF THE STATE (1211-1446)

§7 - Historical-political framework.

§8 - Sources of law.

§9 - Knowledge of law.

TITLE II - MODERN PLURALISM (1446-1820)

§10 - Mitigated legal pluralism.

CHAPTER I - LEGAL CONSOLIDATION OF THE STATE (1446-1820)

§11 - Historical-political framework.

§12 - Sources of law.

§13 - Knowledge of the law.

PART II - THE CONTEMPORARY ORDER (1820 - present)

TITLE I - CONTEMPORARY MONISM (1820-1982)

§14 - Legal monism

CHAPTER I - LEGAL SYSTEMATISATION OF THE STATE (1820-1888)

§15 - Historical-political framework.

§16 - Sources of law.

§17 - Knowledge of law.

CHAPTER II - LEGAL SOCIALISATION OF THE STATE (1888-1982)

§18 - Historical-political framework.

§19 - Sources of law.

§20 - Knowledge of the law.

TITLE II - THE RETURN TO PLURALISM (1982-present)

§21 - The return to legal pluralism.

CHAPTER I - LEGAL INTEGRATION OF THE STATE

§22 - Historical-political framework.

19. Assessment Methods

Written work done in groups and individually. Oral presentations made in groups and individually. Attendance in class. Written tests. Participation in discussions. Initiative in research and class participation.

20. Didactic Resources

Books. Library. Internet. Power point.



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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 the knowledge of the specificities of the Portuguese legal system

22. Keywords

History of Portuguese Law. History of Legal Institutions.



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23. Main Bibliography

Author(s): Ruy de Albuquerque e Martim de Albuquerque
Title: História do Direito Português,
Edition: 20^a Year: 2022
Local: Associação Académica da Faculdade de Direito de Lisboa
Publisher: AAFDL

Author(s): Nuno Espinosa Gomes da Silva
Title: - História do direito português
Edition: 7^a Year: 2015
Local: Lisboa
Publisher: Gulbenkian

Author(s): Mário Júlio de Almeida Costa
Title: História do Direito Português,
Edition: 7^a Year: 2022
Local: Coimbra
Publisher: Almedina

24. Complementary Bibliography

Author(s): Marcelo Caetano
Title: História do Direito Português,
Edition: 4^a Year: 2000
Local: Lisboa
Publisher: Verbo

Author(s):
Title:
Edition: Year:
Local:
Publisher:



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Autor / Author	Prof. Doutor JOSE ARTUR ANES DUARTE NOGUEIRA
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