UNIVERSIDADE LUSÍADA
LISBOA

Course Unit Program
CONSTITUTIONAL LAW

Academic Year 2024/2025

## 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. Doutora FILIPA MARIA DE A. MARQUES PAIS D´AGUIAR

## 12. Assistants

## 13. Teaching Language

Portuguese

## 14. General Objectives

The general objectives of the Constitutional Law course unit are:
- Identify and analyse the fundamental principles and rules contained in the Constitution, as a fundamental norm of the legal order;
- Evince the aforementioned principles and rules regulate both the legal relationship between the State and its citizens, and the formation, composition, competence and functioning of State bodies; and determine the political, economic, social order and cultural aspects of this political community.

## 15. Specific Objectives

Endow students with the following abilities:
- Know the content, sources, rules and the interpreting methodology of the Portuguese Constitution;
- Understand the Portuguese constitutional reality and its historical path;
- Ponder the 1976 Constitution systematic approach.

## 16. Skills to be acquired



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Endow students with the following skills at the completion of the curricular unit:
- Interpret and apply the 1976 Constitution concerning: its fundamental structuring principles; concerning the standards for the protection of fundamental rights; concerning the 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 regarding the mechanisms for monitoring constitutionality and legality.

## 17. Teaching Methodology

Adoption of affirmative, demonstrative and active pedagogical methods, through:
- Professor's lectures on the themes of the course unit program (theoretical-practical classes);
- Analysis of normative texts, jurisprudence and other documents, as well as the resolution of practical cases to promote the usage of the Constitution (theoretical-practical classes);
- Clarifying doubts and deepening the course unit program subjects (tutorial classes).

## 18. Course Unit Program

Chapter I - Introduction to the Theory of the Constitution
1. Constitutional Law and the state legal organisation
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. Systematisation and fundamental principles
13. Fundamental rights and duties
14. The sovereign bodies in the Constitution of the Portuguese Republic; the President of the Portuguese 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; the constitutional review.

## 19. Assessment Methods

Continuous assessment methodology consisting of two mandatory written tests.



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## 20. Didactic Resources

Bibliography: main and complementary bibliography;
Legislation: Constitution of the Portuguese Republic, codes and other relevant diplomas;
Digital resources: computer, web, teaching resources made available on the Moodle/b-learning platform.

## 21. Sustainability Objectives

General (SGD 1,4,10,12,13,16):
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 (SGD 1,4,8,10,16):
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: | Almedina | | |

| | | | |
|---|---|---|---|
| Author(s): | Jorge Miranda | | |
| Title: | Manual de Direito Constitucional, tomos I, II, V e VI | | |
| Edition: | 10.ª, 7.ª, 4.ª, 4.ª | Year: | 2014 |
| Local: | Coimbra | | |
| Publisher: | Coimbra Editora | | |

| | | | |
|---|---|---|---|
| Author(s): | Jorge Bacelar Gouveia | | |
| Title: | Manual de Direito Constitucional, 2 volumes | | |
| Edition: | 7.ª | Year: | 2021 |
| Local: | Coimbra | | |
| Publisher: | Almedina | | |

## 24. Complementary Bibliography

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

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|---|---|---|---|
| Author(s): | J. J. Gomes Canotilho e Vital Moreira | | |
| Title: | Constituição da República Portuguesa Anotada, 2 volumes | | |
| Edition: | 4.ª | Year: | 2010 |
| Local: | Coimbra | | |
| Publisher: | Coimbra Editora | | |



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| Autor / Author | Prof. Doutora FILIPA MARIA DE A. MARQUES PAIS D´AGUIAR |
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