



UNIVERSIDADE LUSÍADA
LISBOA

Course Unit Program
Penal Law (Advanced)

Academic Year 2026/2027

1. Organic Unit

Faculty of Law

2. Course

LAW

3. Cycle

2nd

4. Course Unit

Penal Law (Advanced) (71622)

5. Scientific Area

6. Curricular Year

1st

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	15,00
Tutorial Guidance:	20,00

9. ECTS Credits

7,50

10. Scientific Area Coordinator

11. Regent

Prof. Doutora ANA BARBARA PINA DE MORAIS DE SOUSA E BRITO

12. Assistants

13. Teaching Language

Portuguese

14. General Objectives

The course aims to introduce students to the field of scientific research in Criminal Law. The research experience, grounded in legal texts and materials from the cognitive sciences, will help prepare students for the monographic research required for their Master's thesis.

15. Specific Objectives

The course aims to: provide systematic engagement with key issues relating to the subjective elements of a crime; encourage critical evaluation of doctrinal and case-law positions; develop the ability to undertake a monographic Master's research project; and foster dialogue with related subjects.

16. Skills to be acquired

Skills to be acquired: to reconstruct and critically discuss legal doctrine and case law on the subjective elements of crime; to identify the factual and cognitive premises underpinning legal theories; to critically integrate findings from psychology and neuroscience into criminal law discourse; to critically examine the use of classic experiments (Libet, Wegner, Damasio); to develop advanced research skills applicable to a Master's thesis.

17. Teaching Methodology



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The course is taught over one semester and assessment focuses on active participation in seminars, including the preparation, presentation and discussion of a written research paper, developed under individual supervision. The oral presentation subjects the research carried out to critical scrutiny and enables the assessment of students' independent mastery of content and sources. The initial sessions explore the syllabus in depth, define lines of research and clarify the rules for the use of

18. Course Unit Program

****Subjective Elements of Crime from an Interdisciplinary Perspective****

I ? Personalist and normative perspectives in the theory of crime

II ? Which sciences are relevant to Criminal Law? (Cognitive sciences: psychology; neuroscience; sociology; philosophy)

III ? The relevance of neuroscience, in particular the neuroscience of action, for the study of the subjective elements of the offence:

1. Neuroscience of action according to leading authors in the field (Benjamin Libet, Daniel Wegner and others)
2. Neuroscience of consciousness (Christof Koch and António Damásio)
3. The importance of studying action and consciousness, from the standpoint of neuroscience, for the subjective elements of crime:
 - i) Intention (dolo)
 - ii) Conscious negligence
 - iii) Unconscious negligence
 - iv) Explanation of mistakes under Article 16 of the Criminal Code
 - v) Subjective elements of justificatory grounds and grounds excluding culpability

IV ? Case studies on the subjective elements of crime

1. Integrated analysis of concrete cases in the light of criminal law doctrine and findings from the cognitive sciences.

19. Assessment Methods

Continuous assessment is based on active participation in the seminar (10%), the preparation of a written research paper (40%), its oral presentation and discussion (40%), and the supervision of the research process through individual tutorials (10%). Together, these components allow for an integrated evaluation of the student's autonomous command of the material, the quality of their research, and their written and oral argumentative skills.

20. Didactic Resources



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Constitution of the Portuguese Republic
Penal Code
Manuals and other doctrinal texts
Penal Jurisprudence
PowerPoint
Internet

21. Sustainability Objectives

General Objectives

1 - Ensure equal opportunities in education, including for people in vulnerable situations.

Specific Objectives

Legal area: To contribute to responsible, inclusive, participative, and representative decision making at all levels.

Economic area: To raise awareness of the need to protect workers' rights and to promote safe and secure work environments for all.

Environmental area: Calling for useful resource management.

22. Keywords

Criminal law
Cognitive sciences
Neuroscience
Action
Mens rea



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23. Main Bibliography

Author(s): Dias, Jorge de Figueiredo
Title: Direito Penal. Parte Geral. Tomo I. Questões Fundamentais. A Doutrina Geral do Crime
Edition: 3ª Year: 2019
Local: Coimbra
Publisher: Gestlegal
ISBN Code:

Author(s): Roxin, Claus, Greco, Luís
Title: Strafrecht - Allgemeine Teil, Bd.I (tradução português, Direito Penal: Parte Geral: Tomo I, São Paul
Edition: Year: 2020
Local: München
Publisher: Beck
ISBN Code:

Author(s): Brito, Ana Bárbara de Sousa e Brito
Title: A Negligência Inconsciente: entre a Dogmática Penal e a Neurociência.
Edition: Year: 2016
Local: Coimbra
Publisher: Almedina
ISBN Code:

24. Complementary Bibliography

Author(s): AAVV (ed. Walter Sinnott-Armstrong e Lynn Nadel)
Title: Conscious Will and Responsibility
Edition: Year: 2011
Local: New York
Publisher: Oxford University Press
ISBN Code:

Author(s): Libet, Benjamin
Title: Mind Time. The Temporal Factor in Consciousness.
Edition: Year: 2004
Local: Cambridge, Massachusetts
Publisher: Harvard University Press



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Ficha técnica MIP / MIP Datasheet	
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Autor / Author	Prof. Doutora ANA BARBARA PINA DE MORAIS DE SOUSA E BRITO
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