UNIVERSIDADE LUSÍADA
LISBOA

Course Unit Program
Constitutional Law

Academic Year 2024/2025

1. Organic Unit

Faculty of Law

2. Course

SECURITY POLICIES

3. Cycle

1st

4. Course Unit

Constitutional Law (L7012)

5. Scientific Area

6. Curricular Year

2nd

7. Type of Curricular Unit / Semester

2nd 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. Doutor LUIS MANUEL BARBOSA RODRIGUES

12. Assistants

13. Teaching Language

Portuguese

14. General Objectives

In-depth knowledge of the general theory of the Constitution.
Exhaustive analysis of the current Portuguese Constitution.
Summary study of some foreign Constitutions.

15. Specific Objectives

Initial identification of the characteristics of the current State and the current Constitution.
Supervening study of the model of legal-public acts and the respective inspection.
Approach to the right of exception, and final examination of constitutional revision and transition.

16. Skills to be acquired

Ability to qualify, interpret, infer, integrate, apply, and revise, or even create, constitutional norms.

17. Teaching Methodology

Theoretical sessions of synthetic and systematic exposition of the entire program of the curricular unit.

Practical sessions aimed at resolving practical cases on subjects that assume this vocation.

18. Course Unit Program

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I - GENERAL CONSTITUTIONAL LAW

1. Constitution
1.1. Concept and nature of Constitution
1.2. Formation and changes of Constitution
1.3. Constitution models
1.4. constitutional norms
1.5. Garantiee of constitutionality

2. Government systems
2.1. Concept of government system
2.2. Typology of government systems

3. Electoral systems
3.1. Concept of electoral system
3.2. Typology of electoral systems

II - PORTUGUESE CONSTITUTIONAL LAW

1. Homeland constitutional memory
1.1. Old constitution
1.2. Modern constitution
1.2.1. Liberal period
1.2.2. Anti-liberal period
1.2.3. Post-liberal period
1.2.3.1. Constitution of 1982
1.2.3.1.1. Constitutional revisions

2. Current constitutional homeland
2.1. State
2.1.1. Semi-sovereign
2.1.2. Unitary
2.1.3. Rule of Law
2.1.4. Personalist
2.1.5. Democratic
2.1.6. Republican
2.1.7. Post social
2.2. Constitution
2.2.1. Written constitution
2.2.1.1. Material
2.2.1.2. Formal
2.2.1.3. Rigid
2.2.1.4. Agreed

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2.2.1.5. Committed
2.2.1.6. Democratic
2.2.1.7. Governmental
2.2.1.8. Programmatic
2.2.1.9. Normative
2.2.2. Unwritten Constitution
2.2.2.1. Preliminary
2.2.2.2. Admissibility
2.2.3. Written/unwritten hierarchy
2.3. National political organization
2.3.1. Indirect bodies
2.3.1.1. Government
2.3.1.1.1. Prime Minister
2.3.1.1.2. Vice Prime Minister
2.3.1.1.3. Ministers
2.3.1.1.4. Council of Ministers
2.3.1.2. President of the Republic
2.3.1.3. Assembly of the Republic
2.3.2. Direct body People

2.4. Regional political organization
2.4.1. Regional autonomy
2.4.2. Regional self-government bodies
2.4.2.1. Legislative Assemblies
2.4.2.2. Regional Governments
2.4.2.2.1. Presidents of Regional Governments
2.4.2.2.2. Councils of Regional Governments
2.4.3. Representatives of the Republic

2.5. Legal-public acts
2.5.1. Indirect acts
2.5.1.1. Constitutional
2.5.1.2. Constituted
2.5.1.2.1. National
2.5.1.2.1.1. Governmental
2.5.1.2.1.1.1. Directive
2.5.1.2.1.1.2. Controlers
2.5.1.2.1.2. Legislative
2.5.1.2.1.2.1. Common
2.5.1.2.1.2.1.1. Laws
2.5.1.2.1.2.1.2. Decree-laws
2.5.1.2.1.2.2. Strengthened
2.5.1.2.1.2.2.1. Laws

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2.5.1.2.1.2.2.2. Decree-laws
2.5.1.2.1.2.2.3. Atypical
2.5.1.2.1.3. Regulatory
2.5.1.2.2. Regional
2.5.1.2.2.1. Regional legislative decrees
2.5.1.2.2.2. Regional regulatory decrees
2.5.2. Direct acts
2.5.2.1. Election
2.5.2.2. Referendum
2.5.2.3. Referendum popular initiative
2.5.2.4. Legislative popular initiative
2.5.2.5. Popular petition
2.5.2.6. Political recall

2.6. Governative systems

2.7. Electoral systems

2.8. Jurisdictional organization
2.8.1. Acts
2.8.2. Courts
2.8.2.1. Constitutional Court

2.9. Constitutionality and legality
2.9.1. Object
2.9.2. Bodies
2.9.3. Effects
2.9.4. Law suit
2.9.4.1. Types
2.9.4.1.1. Non-normative
2.9.4.1.2. Normative
2.9.4.1.2.1. Successive
2.9.4.1.2.2. Preventive
2.9.4.1.2.2.1. Referendary
2.9.4.2. By default

2.10. Right of exception
2.10.1. Concept
2.10.2. Nature
2.10.3. Typology
2.10.4. Regime
2.10.5. Suspension
2.10.6. Garantee

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2.11. Constitutional review and constitutional transition
2.11.1. Constitutional review
2.11.1.1. Notion
2.11.1.2. Procedure
2.11.1.3. Limits
2.11.1.4. Effects
2.11.2. constitutional transition

III - COMPARATIVE CONSTITUTIONAL LAW

1. Comparative analysis
1.1. United Kingdgom
1.2. Germany
1.3. Spain
1.4. France
1.5. Italy
1.6. United States of America
1.7. Switzerland

2. Comparative synthesis

19. Assessment Methods

Two mandatory written tests.

20. Didactic Resources

All existing in the University Library

21. Sustainability Objectives

Uncompromising defense of study, effort, work. merit, rigor and demand, as essential values for a sustainable knowledge.

22. Keywords

State
Constitution
Political organization
Government system
Legal public acts
Legal public acts

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23. Main Bibliography

Author(s):	L. Barbosa Rodrigues		
Title:	Manual de Direito Constitucional		
Edition:	1ª	Year:	2023
Local:	Lisboa		
Publisher:	Quid Juris		

Author(s):	L. Barbosa Rodrigues		
Title:	O Primeiro-Ministro - no sistema de governo (...) português		
Edition:	1ª	Year:	2011
Local:	Lisboa		
Publisher:	Universidade Lusíada		

Author(s):	L. Barbosa Rodrigues		
Title:	Semi-presidencialismo português. Autópsia de uma ficção		
Edition:	1ª	Year:	2017
Local:	Lisboa		
Publisher:	Quid Juris		

24. Complementary Bibliography

Author(s):	J.J. Gomes Canotilho		
Title:	Direito Constitucional e Teoria da Constituição		
Edition:	7ª	Year:	2018
Local:	Coimbra		
Publisher:	Almedina		

Author(s):	Marcello Caetano		
Title:	Manual de Ciência Política e Direito Constitucional		
Edition:	6ª	Year:	2015
Local:	Coimbra		
Publisher:	Almedina		

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Ficha técnica MIP / MIP Datasheet	
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Autor / Author	Prof. Doutor LUIS MANUEL BARBOSA RODRIGUES
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