

Course Unit	General Principles of Law		Field of study	-	
Bachelor in	Languages for International Relations		School	School of Education	
Academic Year	2023/2024	Year of study	1	Level	1-1
Type	Semestral	Semester	1	ECTS credits	6.0
Code	8374-767-1206-00-23				
Workload (hours)	162	Contact hours	T -	TP 54	PL -
			TC -	S -	E -
			OT 18	O -	

T - Lectures; TP - Lectures and problem-solving; PL - Problem-solving, project or laboratory; TC - Fieldwork; S - Seminar; E - Placement; OT - Tutorial; O - Other

Name(s) of lecturer(s) Orlando Miguel Pina Gonçalves Martins Gama

### Learning outcomes and competences

At the end of the course unit the learner is expected to be able to:

1. Understand the basic concept of The Rule of Law and be aware of its importance in society
2. Know the different kind of judicial systems
3. Identify the organization structure of political power within the juridical national system
4. Point out the fundamental rights clarifying its legal regime
5. Comprehend the sources of law concept pointing the legal rule as the decisive instrument within the legal framework
6. Identify the law branches establishing the relationship between the several areas
7. Know the basic concepts of rights in the legal relationship naming its elements
8. Discuss the contemporary perspectives concerning law, justice and values

### Prerequisites

Before the course unit the learner is expected to be able to:

### Course contents

- Law, Society, and State - State structure and political power - Fundamental rights - Sources of law - Law branches - Law and legal relationships - Law, values, and justice

### Course contents (extended version)

1. Law, State and Society
  - Concept of law
  - Law and Society: categories of social rules
  - Law and State: the function of State
  - Constitutional law: the essence of law
  - The structure of the Republic Portuguese Constitution
2. The State
  - State concept and sovereignty
  - State elements: people, territory and political power
  - Constitutional principles: the rule of law principle, democracy, republica and unitary State
3. State organization and political power
  - Sovereignty organs
  - The Presidente: functions and duties
  - The Parliament: functions and duties
  - The Government: functions and duties
  - The Courts: functions and structure
  - Prosecutor's Office
  - The Ombudsman
  - The autonomous regions
  - Public administration
4. Fundamental rights
  - The enforcement of fundamental rights
  - Specific enforcement for rights, liberty and guarantees
  - Economic, social and cultural rights
  - Personal rights
  - The protection of fundamental rights within the international law system
5. Sources of law
  - The law and juridical rules - broad sense and strict sense
  - The legislative procedure in general
  - The review procedure of the constitutional law
  - Normative acts and categories
  - Term of law validity
6. Law branches
  - National law and international law
  - Public law and private law - ramifications
7. Law and social relation
  - The legal relationship: concept and elements
  - The legal persons - individuals and corporations
  - Legal personality: beginning and term
  - Legal capacity: exercise rights and legal obligations
  - The legal incapacities
  - Brief reference to subject, juridical fact and guarantee
8. Law, values and justice
  - Justice and natural law
  - Law, internal and external security
  - Law and the welfare State
  - Law and the economic system
  - Contemporary tendencies in the 21st Century

### Recommended reading

1. Cotterrell, R. (2006). Law, culture and society: Legal ideas in the mirror of social theory. Ashgate.
2. Dworkin, R. (2013). Taking rights seriously. Bloomsbury Academic.
3. Gouveia, J. B. (2014). Manual de Direito Constitucional (Volume I). Almedina.

**Recommended reading**

4. Miranda, J. (2014). Manual de Direito Constitucional (Volume I). Coimbra Editora.
5. Silva, G. M. (2015). Introdução ao estudo do Direito. Universidade Católica.

**Teaching and learning methods**

- Discussion - Debate - Group work - Texts analysis - Pratical cases resolution

**Assessment methods**

1. Continuous assessment - (Regular, Student Worker) (Final)
  - Practical Work - 40%
  - Intermediate Written Test - 60%
2. Appeal evaluation moment - (Regular, Student Worker) (Supplementary, Special)
  - Final Written Exam - 100%

**Language of instruction**

Portuguese

**Electronic validation**

Orlando Miguel Pina Gonçalves Martins Gama	Paula da Felicidade Ferreira Martins	Carla Sofia Lima Barreira Araujo	Carlos Manuel Costa Teixeira
13-02-2024	17-02-2024	18-02-2024	18-02-2024