

Course Unit	Constitutional Law	Field of study	Law
Bachelor in	Law for Solicitors	School	School of Public Management, Communication and Tourism
Academic Year	2023/2024	Year of study	1
Type	Semestral	Semester	1
Workload (hours)	162	Contact hours	T - , TP 60, PL - , TC - , S - , E - , OT 20, O -
Level	1-1	ECTS credits	6.0
Code	9242-317-1102-00-23		

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) Eduardo Augusto da Igreja Firmino

Learning outcomes and competences

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

1. Know and understand the normative, organizational and control structures in Portuguese constitutional law.
2. Identify the fundamental rights and duties enshrined in the Constitution of the Portuguese Republic.
3. Apply constitutional concepts and regulations to practical situations.

Prerequisites

Before the course unit the learner is expected to be able to:
without prerequisites

Course contents

1. Science of Constitutional Law, Political Science and related disciplines; 2. The modern state as a political community; 3. The Constitution as a source of Law and fundamental legal status of the State; 4. The fundamental principles of the constitutional state; 5. The systems of government.

Course contents (extended version)

1. Science of Constitutional Law, political science and related disciplines.
 - Constitutional Law as public law: Related disciplines and historical evolution.
 - Constitution theory and constitutional forms: Constitution in the modern sense.
2. The modern state as a political community.
 - The birth of the modern state: a process of concentration and institutionalization of power.
 - The elements of the State: the people and the territory; The sovereign power.
 - The current understanding of the State: a community of people; a plural unity, a global order.
3. The Constitution as a source of Law and fundamental legal status of the State.
 - The legal-constitutional order (general characteristics, types of norms, normative system).
 - The interpretation of the constitution (method, elements and principles of interpretation).
 - The current functions or tasks of the Constitution.
 - Inspection of constitutionality and constitutional review.
4. The fundamental principles of the constitutional state.
 - The principle of the rule of law: Essential dimensions and densifying principles.
 - The principle of pluralist democracy: Popular and unitary sovereignty; Majority representation.
 - The principle of social solidarity: Workers' rights; economic, social and cultural rights.
 - The principle of European integration and openness to international law.
5. Government systems.
 - Democratic government systems: parliamentary, presidential and semi-presidential systems.
 - The Portuguese system of government: Organs of sovereignty; Bilateral relations; Current practice.

Recommended reading

1. Canotilho, J. G. (2018). Direito constitucional e teoria da constituição (7.ª edição – reimpressão 2021). Coimbra: Almedina. ISBN 9789724021065.
2. Andrade, J. C. (2019). Os direitos fundamentais na constituição portuguesa de 1976 (6.ª edição – reimpressão 2023). Coimbra: Almedina. ISBN 9789724021065.
3. Gouveia, J. B. (2021). Manual de direito constitucional – volume I (7.ª edição – reimpressão 2023). Coimbra: Almedina. ISBN 9789724098494.
4. Gouveia, J. B. (2021). Manual de direito constitucional – volume II (7.ª edição – reimpressão 2019). Coimbra: Almedina. ISBN 9789724098838.
5. Miranda, J. (2020). Direitos fundamentais (3.ª edição - reimpressão 2023). Coimbra: Almedina. ISBN 9789724086811.

Teaching and learning methods

Presentation and oral debate of the syllabus. Resolution of practical cases, with application of concepts and legal regulations.

Assessment methods

1. Final evaluation - (Regular, Student Worker) (Final, Supplementary, Special)
 - Final Written Exam - 100%
2. Final evaluation - (Regular, Student Worker) (Final)
 - Intermediate Written Test - 40% (Minimum grade for access to the 2nd midterm test: 7.0 points)
 - Final Written Exam - 60%
3. Exchange Students - (Regular) (Final, Supplementary, Special)
 - Development Topics - 100% (Development Topics - 60% (Written work - 15 pages) - Presentations - 40% (Defense of written work))

Language of instruction

Portuguese, with additional English support for foreign students.

Electronic validation

Eduardo Augusto da Igreja Firmino	Susana Isabel Pinto Ferreira dos Santos Gil	Catarina Alexandra Alves Fernandes	Luisa Margarida Barata Lopes
10-10-2023	10-10-2023	13-10-2023	15-10-2023