



Universidade Presbiteriana

Mackenzie

Programa de Pós-Graduação em Direito Político e Econômico

Course Syllabus Template

Department/Faculty: Law School
Graduate Program: Political and Economic Law
Degree <input checked="" type="checkbox"/> Academic Master's <input checked="" type="checkbox"/> Doctorate (PhD) <input type="checkbox"/> Professional Master's
Course Name Political Democracy and Other Democracies
Professor(s) Dr. Cláudio Lembo / Dr. Monica Herman S. Caggiano
Office hours: 48 class hours
Course Overview The course examines the democratic politic power and analyses the possibility of dealing with economic, industrial and social democracy.



Topics outline

1. Political Power and the State.

The notion of State.

Elements of the State. (Conditions of Existence).

Political Power.

The individual, group, social and economic relations – dimensions of Power.

The formulas of organization of Power.

The constitutional state.

Origin and evolutionary line of the Constitution.

The Positive Constitutional Order.

Legality and Legitimacy.

Constitutional Mutability.

2. The Power Allocation Formulas Proposals and Classification Systems.

Forms, Regimes and Systems of Government.

3. Interpersonal Democratic concept and diversity.

The search for a definition.

Elements.

The relationship governed/rulers.

Democracy and its etymological sense.

The people.

The power of the people and the power over the people.

Criticism and Limits of Democracy: Criticism of Republicans.

4. Other Democracies

Political Democracy: Types of Democracy.

Semi-direct Democracy.

Techniques of Popular Intervention.

Industrial Democracy.

Social Democracy.

Economic Democracy.

Subspecies of democracy: nature, products.

5. Industrial Democracy.

Social Democracy.

Economic Democracy

Subspecies of democracy: nature, products.

6. Democracy and its Elements.

The relationship governed / rulers.

Democracy and its etymological sense.

The people.

The power of the people and the power over the people.

Criticism and Limits of Democracy: Criticism of Republicans.



7. Liberalism and Democracy

Democracy in liberal terms.

Democracy without liberalism.

8. Democracy and Market.

Classic Problems II Market mechanisms, capitalism, planning and technocracy.

9. The Economic in Brazilian Constitutional History

10. The 1988 Constitution.

The economic element.

Preliminary analysis of the economic elements present in the Constitution.

The principles of economic order and purpose.

11. The Constitution of 1988.

The Role of the State Public Initiative and Private Initiative.

The Regulation.

12. Public Policies.

The role of government in the economy.

Letter Grade Assignment

Grade A (Excellent) - Grade points between 9 and 10

Grade B (Good) - Grade points between 8 and 8.9

Grade C (Satisfactory) - Grade points between 7 and 7.9

Grade D (Unsatisfactory) - Grade points between 0 and 6.9

Methodology: classes; seminars and research laboratory.



Texts, Materials, and supplies

- **Caggiano**, Monica Herman, *O desenho econômico na Constituição brasileira de 1988. O Direito de Concorrência e o CADE*.
- **Caggiano**, Monica Herman Salem, *Sistemas Eleitorais x Representação Política*, Brasília, Ed. Senado Federal, 1990.
-, *Oposição na Política*, S. Paulo, Angelotti, 1995.
-, *Direito Parlamentar e Direito Eleitoral*, Barueri, SP, Manole, 2004.
-, *O Controle do Mercado por Via de Tabelamento*, in RDP 100/41.
-, **Democracia X Constitucionalismo. Um navio à derriwa?**, in Cadernos de Pós-Graduação em Direito, Faculdade de Direito – USP, n.1.2011.
-, **É possível reinventar o Partido? O Partido Político no século XXI.**, in **Direito Constitucional. Estado de Direito e Democracia**, homenagem ao Prof. Manoel Gonçalves Ferreira Filho, São Paulo, Quartier Latin, 2011, ISBN 85-7674-575.1.
- **Elster**, Jon y **Slagstad**, Rune, *Constitucionalismo Y Democracia*, Mexico, Fondo de cultura Económica, 1999.
- **Ferreira Filho**, Manoel Gonçalves, *Direito Constitucional Econômico*, São Paulo, Saraiva, 1989.
- **Ferreira Filho**, Manoel Gonçalves, *Princípios Fundamentais do Direito Constitucional*, São Paulo, Saraiva, 2009.
- **Lembo**, Cláudio, *O Futuro da Liberdade*, São Paulo, Loyola, 1999.
- **Lembo**, Cláudio. *A pessoa. Seus direitos*. Barueri, Manole, 2007
- **Sartori**, Giovanni, *Teoria de la Democracia*, Madrid, Alianza Editorial S/A, 1988.