



# Faculdade de Direito da UFMG

## Programa de Pós-Graduação em Direito

### PLANO DE ENSINO

ANO E SEMESTRE

2022/2

<b>PROFESSOR(ES)</b>					
TÍMEA DRINÓCZI					
<b>CÓDIGO DA DISCIPLINA</b>					
DIR873					
<b>TEMA</b>					
TEMAS DE DIREITO CONSTITUCIONAL					
<b>SUBTEMA</b>					
COMPARATIVE LEGISLATIVE STUDIES					
<b>AUTORIZA OFERTA DE MATRÍCULA NA MODALIDADE DISCIPLINA ISOLADA?</b>					
(+) Sim (..) Não					
<b>AUTORIZA OFERTA DE MATRÍCULA DE GRADUANDO NA MODALIDADE DISCIPLINA ELETIVA?</b>					
(+) Sim ( ) Não					
<b>DIA DA SEMANA</b>	<b>HORÁRIO</b>	<b>CARGA HORÁRIA</b>	<b>CRÉDITOS</b>	<b>VAGAS</b>	<b>TIPO DA DISCIPLINA</b>
Segunda-feira	18.30	60	4	20	REGULAR
<b>A DISCIPLINA É MINISTRADA EM IDIOMA ESTRANGEIRO: CASO SIM, QUAL IDIOMA?</b>					
( ) Não ( X ) Sim Qual: INGLÊS					

<b>PARTICIPAÇÃO DE PROFESSOR(ES) CONVIDADO(S)?</b>		
( ) Sim ( X ) Não		
<b>NOME(S) DO(S) PARTICIPANTE(S)</b>	<b>CPF</b>	<b>INSTITUIÇÃO</b>

<b>EMENTA</b>
<p>1. Introduction. 2. Legislation and regulation. 3. Legislative process. 4. Management of legislation. 5. Participation. 6. Ex-ante evaluation of laws. 7. Ex-post evaluation of laws. 8. Legislative drafting, language, and style of drafting. 9. Publication and accessibility to laws. 10. Maintenance of rules. 11. Measuring the quality of legislation and the role of international and other actors in this process. 12. Emergency legislation during COVID-19 crisis. 13. Emerging trends in legislation in Europe and elsewhere. 14. Consultation for finalizing the paper. 15. Final debate. Feedback from students.</p>

<b>BIBLIOGRAFIA</b>
<p>All literature will be available/provided by the lecturer.  Core literature:  Ulrich Karpen, Helen Xanthaki, eds, Legislation and Legisprudence in Europe. A comprehensive guide for scholars and legislative practitioners. Hart Publishing, 2017  Helen Xanthaki and Ulrich Karpen, eds, Legislation in Europe-A Country to Country Guide. Bloomsbury, Hart Publishing 2020  The Theory and Practice of Legislation, Volume 8, 2020 - Issue 1-2: Legislatures in the Time of Covid-19  The Theory and Practice of Legislation, Volume 9, Issue 1 (2021) Regulating Diversity  The Theory and Practice of Legislation, Volume 10, Issue 3 (2021) Illiberal tendencies in legislation  Tímea Drinóczi, Quality control and management in legislation: a theoretical framework. KLRI Journal of Law and Legislation 2017/1. 57-86  The Theory and Practice of Legislation, Volume 5, Issue 1 (2017) Crowdsourcing Legislation: New Ways of Engaging the Public</p> <p>Recommended literature:</p>



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The Theory and Practice of Legislation, Volume 9, Issue 2 (2021) Parliamentary scrutiny of the quality of legislation  
Tímea Drinóczi, Concept of quality in legislation – revisited: matter of perspective and a general overview. 3 Statute Law Review 2015, 36: 211-227

Fabiana de Menezes Soares, Thaís de Bessa Gontijo de Oliveira, Caroline Stéphanie Francis dos Santos Maciel, eds, Regimentos Parlamentares do Mundo. Sistemas Jurídicos e Ação Legislativa, Assembleia Legislativa do Estado de Minas Gerais, Belo Horizonte, (2018)

Fabiana de Menezes Soares, Cristiane Silva Kaitel, Esther Külkamp Eyng Prete Estudos em legística, Tribo da Ilha, Florianopolis (2019)

More literature will be indicated for individual research topics, if needed.

### TEXTOS E DOCUMENTOS DISPONÍVEIS NA WEB

### INFORMAÇÕES ADICIONAIS

All students must be able to read all the bibliography, participate in the debates and make their presentations in English. Methodology: the students shall make presentations of the selected bibliography, critically analyze them, and compare them with the Brazilian theory and practice.

Exam: one paper submission: 50%. It consists of i) Presentation of the (preliminary) research results (20 mins; slides; 20%), and submission of the finalized paper based on the discussion (no more than 5000 words; 30%). Papers should be sent to drinoczi.timea@gmail.com by 12/12/2022.

Individual notes (at least two Notes; opinion on the presentation in advance; using bullet points; focusing on the strength and weaknesses of the presentation of own opinion): 30%

Participation: 20%

Total: 100%

Students are invited to

- lead the discussion on their selected topic
- finalize and submit their paper by the end of the semester
- evaluate the presentation of fellow students in advance
- participate in the discussions

Assessment criteria

- demonstrated comprehension of minimum reading material and other reading material;
- ability to criticize, compare, evaluate, justify and/or dispute
- quality of the paper, the presentation and individual notes
- participation: evaluation of works of others, offering their own views, participation in the discussion part of classes

### PLANO DE CURSO



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The aim of the course is to discuss the state of the art of legislative studies (legistics) from a comparative perspective and assess the quality of legislation in the Brazilian context. Therefore, students are asked to do their own research, critically analyse the literature, present their preliminary findings, discuss them with others, and after considering the feedback, finalise their research paper.

The week-by-week breakdown of the course is as follows.

5/9/2022

1. Introduction; About the class; requirements; Assignments; Introductory questions and answers session

Literature for next week: Relevant chapters from the Books (Core literature)

Deadline for submission of the presentations: Friday

Deadline for submission of Individual notes: before the next class

12/9/2022

2. Legislation and regulation

Presentation of the main findings of the literature, their critical analyses, and discussion of the preliminary research results

Literature for next week: Relevant chapters from the Books (Core literature)

Deadline for submission of the presentations: Friday

Deadline for submission of Individual notes: before the next class

19/9/2022

3. Legislative process

Presentation of the main findings of the literature, their critical analyses, and discussion of the preliminary research results

Literature for next week: Relevant chapters from the Books (Core literature)

Deadline for submission of the presentations: Friday

Deadline for submission of Individual notes: before the next class

26/9/2022

4. Management of legislation

Presentation of the main findings of the literature, their critical analyses, and discussion of the preliminary research results

Literature for next week: Relevant chapters from the Books (Core literature)

Deadline for submission of the presentations: Friday

Deadline for submission of Individual notes: before the next class

3/10/2022

5. Participation



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Presentation of the main findings of the literature, their critical analyses, and discussion of the preliminary research results

Literature for next week: Relevant chapters from the Books (Core literature)

Deadline for submission of the presentations: Friday

Deadline for submission of Individual notes: before the next class

10/10/2022

6. Ex-ante evaluation of laws.

Presentation of the main findings of the literature, their critical analyses, and discussion of the preliminary research results

Literature for next week: Relevant chapters from the Books (Core literature)

Deadline for submission of the presentations: Friday

Deadline for submission of Individual notes: before the next class

17/10/2022

7. Ex-post evaluation of laws.

Presentation of the main findings of the literature, their critical analyses, and discussion of the preliminary research results

Literature for next week: Relevant chapters from the Books (Core literature)

Deadline for submission of the presentations: Friday

Deadline for submission of Individual notes: before the next class

24/10/2022

8. Legislative drafting, language, and style of drafting.

Presentation of the main findings of the literature, their critical analyses, and discussion of the preliminary research results

Literature for next week: Relevant chapters from the Books (Core literature)

Deadline for submission of the presentations: Friday

Deadline for submission of Individual notes: before the next class

31/10/2022

9. Publication and accessibility to laws.

Presentation of the main findings of the literature, their critical analyses, and discussion of the preliminary research results

Literature for next week: Relevant chapters from the Books (Core literature)

Deadline for submission of the presentations: Friday

Deadline for submission of Individual notes: before the next class

7/11/2022



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### 10. Maintenance of rules.

Presentation of the main findings of the literature, their critical analyses, and discussion of the preliminary research results

Literature for next week: Tímea Drinóczi, Quality control and management in legislation: a theoretical framework. KLRI Journal of Law and Legislation 2017/1. 57-86

Deadline for submission of the presentations: Friday

Deadline for submission of Individual notes: before the next class

14/11/2022

### 11. Measuring the quality of legislation and the role of international and other actors in this process.

Presentation of the main findings of the literature, their critical analyses, and discussion of the preliminary research results

Literature for next week: Relevant volume(s) of The Theory and Practice of Legislation (Core literature)

Deadline for submission of the presentations: Friday

Deadline for submission of Individual notes: before the next class

21/11/2022

### 12. Emergency legislation during COVID-19 crisis.

Presentation of the main findings of the literature, their critical analyses, and discussion of the preliminary research results

Literature for next week: Relevant volume(s) of The Theory and Practice of Legislation (Core literature)

Deadline for submission of the presentations: Friday

Deadline for submission of Individual notes: before the next class

28/11/2022

### 13. Emerging trends in legislation in Europe and elsewhere.

Presentation of the main findings of the literature, their critical analyses, and discussion of the preliminary research results

5/12/2022

### 14. Consultation for finalizing the paper.

12/12/2022

### 15. Submission of finalized papers

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