

Duty Of Fatherhood From The Viewpoint Of The Timorese Lawful Classification

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ABSTRACT

Introduction: Frequently the word duty has to do with the act performed by a person who is conflicting to the law, that is, the unlawful act; the duty we can consider it as an obligation of a person to do or not to do an act. The swim we can say is the set of facts that give rise to the obligation to recompense the damage suffered by others, so there are five expectations of responsibility such as conduct, causal ity, injury and fault.

Research Objective: To investigate and examine fatherhood duty from the viewpoint of the legal system from the standpoint of the Timorese lawful classification.

Research Method: We are using the inductive methodology is based on the discussion of reference books, articles publications in my author published principal the library, and in this elaboration is also used the Internet as and supplementary resources.

Discussion: The achievement of decopyrighting the child (fact), is the defilement of art.2023 and 2024 of the CCT, (unlawfully), this defilement takes place by will (fault), which causes the child to lose his correct to succeed (injury) however this conduct of decopyrighting the child through the will caused loss of the correct to succeed (fundamental link).

Conclusion: Caws persuaded that, with the presentation of some essential elements linking the duty of fatherhood in a Timorese lawful viewpoint, based on the analysis of legislation and textual research, they show that the duty of fatherhood is a lasting duty and that responsibility commences at the moment as soon as the child is in the mother's womb until the demise of the father and continuation cited by (Corte Real AG & Tilman CB., at al, 2024).

KEYWORDS: Duty Fatherhood and Timorese lawful classification.

INTRODUCTION

Concept of Duty

Frequently the word duty has to do with the act performed by a person who is conflicting to the law, that is, the unlawful act; duty we can regard it as an obligation for a person to do or not to do an act. Though, "responsibility as a means or an obligation for persons who commit the illicit act"; thus, it is not only the unlawful act that is required for liability, but also the "lawful act"; this, occurs when a person has practiced a lawful act but has married compensations; example a was on the balcony of the shop of C with seven floors and sees B (a emotionally handicapped) who was inside the store with the glass door that was closed and wants to practice self-destruction. E A broke the door and enters to save B. In this case, he acted it out of a state of need (Art. 330 CCT); but, as there is injury to the C here so it is necessary to repair those compensations, even if the action of A is litic. Consequently, we can say that the duty is, focusing too much on the action or omission of a person, which in the end produces a fact and legal effect, and that action or oversight that produces the fact and legal effect is an illicit or perhaps lawful action that produce results for costs or injury cited by (Corte Real AG & Tilman CB., 2024).

Objective: To investigate and examine fatherhood duty from the viewpoint of the legal classification from the perspective of the Timorese permissible classification.

THEORETICAL FRAMEWORKS

Sympathetic of Duty

Typically, the duty is Permissible or other (moral, social or political); in legal obligation, it can be of two varieties i.e., civil responsibility and criminal liability, these two everyday jobs have to do with

the illegal or legalized act dedicated by a individual.

Public Obligation

Public legal responsibility follows, as seen, the concern to overhaul property a injury suffered by a individual. What we are worried with is to restore individuals harmed to the benefit of their affronted interests or equivalent welfares, so we can say is the set of facts that give rise to the obligation to reimburse for the injury suffered by others, so there are five expectations of responsibility such as conduct, fundamental link, injury and fault. The conduct of the agent can be one of achievement or assignment, action when he performs correctly, the mission when there is a lack of practice that wedded compensations (417 CCT). Fault such as the oversight of assiduousness which would be owed to the agent in accordance with the standard of conduct compulsory by the law (421 CCT). The injury is the decrease and distruiation of the other's properties. Consequently, the injury can be classified into substantial injury and moral harm, the duty for material injury " is the one that affects the assets that are part of the prey's property, that is, the set of their appreciable legal relationships in money" dai we call property damage, while the responsibility for moral damage " is the one that reaches the very personal rights of the human person that integrate their personalities, that is, that they achieve value attributes or virtue of the person as a social one." (Art. 430 combines with Art. 67 CCT).

The fundamental link is linked to the go-between's conduct, practice and the result, that is to say, the agent's practice or conduct is the result, i.e., the underlying link is a link between the conduct and the fault (498 CCT). Therefore, under the heading of civil liability, charge arising from the disappoint-

ment to comply with the obligations arising from the contract, independent occupational or the law, and the result of violation of absolute rights or the practice of sure acts which, although limits reason harm to others. And on the other hand, "Public legal responsibility may be classified as liability by fault, risk or sacrifice, depending on the title of accusation to which it is used to transfer the injury from the sphere of the injured get-together to another." So, in cut, in civil obligation, there are two types. They are civil liability for unlawful acts, where a being has unlawfully infringed with deceit or mere fault the right of another person or any legal provision designed to protect the interests of others art. 471 CCT and the other is responsibility for danger, when in the absence of legal precepts to the different, the necessities leading responsibility for dishonest performances art. 433 CCT.

Wrong Responsibility

Wrong obligation is of a different countryside. It supposes the offense of interests that by its importance are considered as its own community. There is a social defense objective there however illegal responsibility is the accountability that is in the common interest, that is, when it disrupts, the consequence is responsibility to the State, on the other hand it is the branch of public law. Thus, are expectations of the "constitutive fundamentals of de facto concepts or the notion of crime as Characteristic, Illicit, Guilt and punitive". The typical fact is human behavior, which produces a result that violates wrong law. Illegality is a material category, which comprises, in itself, the idea of the value, of expropriation of the legal order. Guilt, establishes a decision of the value or suppression that others can make about legal-criminal behavior when the agent could and should have acted or else. Punitive is an effect of the practice of the crime, that is, it is

the consequence of the act performed by a individual, and this power of sentence belongs to the state.

Conception of Fatherhood

When we hear the word fatherhood, we soon think that the feminised is motherhood, then we can say that fatherhood refers to the father while parenthood refers to the mother. However according to Ana Prata "parenthood is a legal link that binds the father to his son" por another considers that "fatherliness is the concept that comes from the Latin paternites is that it concerns the condition of being a father so if we talk about fatherhood we are talking about the father and his children, but it is not simple to say and recognize that that child is his, that is, and legal the father of that person but fatherhood represents the obligation of a father before his child, that is, association between the father and his child, what are the obligations that parents must have before their children. Scientific and psychologically fatherhood comprises several aspects, among them; to have specialist, to establish limits, to transmit liking, to be a model of masculinity, to be a model of a couple relationship, to show paths to life, to indicate potentials for growth, to be an agent of difference between mother and child, which function as a model for healthy relationships through life. In Synthesis, we can say that fatherhood is a affiliation between father and his soon, and the father is like an model agent in the education, love and stability of a family cited is very fundamental role in the family custom and principles cited by (Corte Real AG & Tilman CB., 2024).

RECONSIDERATION OF LITERATURE

Meanwhile antiquity fatherhood is a very difficult thing to prove, there are many people who take fatherhood test through the gravidity of the lady.

During Greek times philosophers and physicians such as " Aristotle, Plato, and Pythagoras knew that the minimum duration of pregnancy should be established in six full months and that the maximum duration could be fixed ten months" , so the way of meaningful a woman's pregnancy, to establish or recognize that the child who was in the mother's womb is his soon, or on the other hand so that the woman who is divorced from her husband can not marry before six or ten months in order to identify certainly fatherhood. There is great controversy between the establishment of parenthood compared to the proof of motherhood, because a baby when it is inside the womb of the mother proves that that baby is the son of that mother, no longer need to do any test, such as the blood test, procedure process and etc.

Compared to fatherhood, it is so difficult to prove, in the sense that two married people have a child sometimes that son is not the biological son of that father, so there are modalities of establishing fatherhood for a man. Those modalities can be seen in the psychological, sociological and biological aspects. In the sociological aspect, in the presence of people being a father is the one who lives with the woman and then a child is born, while in the psychological aspect there is not only the analysis of the union of two people, but also the analysis of the days, months that the two join with the conception of the child, while in the biological characteristic only have to do with a test that we usually call the DNA test. Through these three aspects, or viewpoints, legislators soon analyze and highlight in their state the modalities of parenthood, through their own standpoints in relation to their civilizations.

Sensory system of fatherhood in the Timorese

Permissible Classification

According to Article 1706 of the CCT on the establishment of fatherhood which provides for parenthood belief, and paragraph 1 states that 'it is presumed that the child born or conceived in the constancy of the mother's marriage has as the father the husband of the mother". In this article, the law establishes a person as the father when they marry the child is born, that son is the one of the two, so that means one of the modalities that the law establishes for fatherhood is through marriage. (Example A married B in the year 2017 and in 2020 the C is born; however, the law assumes that C is the son of A and B, i.e., B is the father of C). The law also establishes paternity by recognition, Art. 1727 CCT, states that "the acknowledgement of a child born or conceived out of wedlock is effected by pertination or judicial decision in an investigation action". We know that to prove that a person is the father of a child is not only to say that that individual is the father of that child, because to be a parent of a person is through a process, and those process have already been mentioned or recognized by regulation.

Consequently, the law establishes fatherhood for a individual who has not yet constituted marriage, but because of a woman's pregnancy, the law establishes a means of investigation to find the paternity of that child, or a person who comes to recognize that he is the father of that child. In this sense, the establishment of fatherhood can occur from recognition, that is acknowledgement can be done by investigation, when the father does not come to say that the son is his. (Example today is born A, and to make the birth certificate of A is also needed the name of the father, but as the mother of A has not yet married and on the other hand no one comes to recognize that he is the father of A, then the Public

Ministry has the competence to investigate through the mother's declaration by biological examination or other scientifically proven methods (art. 1681); or recognition by clarification of the father, it means that a person comes to say that A is his son so you don't have to do more research to know fatherhood. In addition, the law also provides that the parenthood of a individual may be established by adoption, and this founding must be done by means of a judicial decision (Art.1467 CCT). Though, we conclude that our Timorese Civil Code considers three modalities to be a parent; that is; fatherhood is first established through marriage, and second/ established through recognition, and thirdly is established through adoption process permissible classification cited by (Corte Real AG & Tilman CB., 2024).

Power-Duty of Fatherhood

As soon as we talk about power-duty we are talking about the duty and authority of something, and when we talk about father-to-child parenthood, so the power-duty of parenthood is the obligation and authority of the father before the children. However, we can classify the power-duty of fatherhood into two parts that is overall power-duty and special power-duty.

Power-General Duty

The general power-duty is in relation to the time of the establishment of paternity, that is to say when the father assumes the function of fatherhood soon, he also assumed that power-duty, and that power duty is provided for in Art. 1754 of the CCT, which is a power-duty of respect, assistance and assistance. The power-duty of respect " obliges each subject of the relationship of affiliation not to violate the individual rights of the other", The power-duty of assistance is the power-duty " in this arise

obligations of aid and protection, relating both to the person and to the patridation". The power-duty of assistance "is a structuring duty of assets, which enforces services accomplished of financial evaluation. It is the obligation to provide maintenance and to contribute to the weights of family life"

Superior Power-Duty

The superior power of duty of fatherhood, provided for in paragraph 1 of Art. 1758 CCT, states that " it is for parents, in the interests of their children, to ensure for their safety and health, to provide for their living, to direct their education, to represent them, even if they are unborn, and to administer their property, and that power-duty is in relation to the paternal power, as art. 1757 CCT says, "children are subject to paternal power until maturity, or emancipation" and this power-duty sucks as a means of supplementing the incapacity of the minor. We call it special power because it is specific to the father who exercises the function of parental power, and these special powers can be confidential in power-duty relative to the person and power-duty relating to goods applications in family.

Power-Duty fatherhood relating to the individual

And individual, when born, still does not know how to walk, communicate and live independently, so he needs help so that he can care for, educate and protect him. So, the parents are the ones who have these powers and duties. Parents have the power-duty to educate their children, to decide where the child should stay. To promote the intellectuality of children, so that children have good communication and good contact with another person in a society, the father has the power to educate his child, prepare his child, direct his education,

have the power to correct the child when the child is on the wrong path that can harm his life or society, all this is provided for in the first part 2 of Article 1758 CCT in which it states that: 'children must obey their parents'. However, we can classify the power-duty of fatherhood into power-duty to educate, power-duty to ensure, power-duty in relation to the health of the child, power-duty of nourishment, these powers and duties are under parental authority, when the father exercises the function of supply of the minor, but does not limit that fatherhood performs these purposes even if he does not exercise paternalistic power.

Power-Duty of Fatherhood in the Schooling of Children

The father has parental power but he does not apply that power-duty, does not prepare the child so that he can enter and contact society, does not prepare the child with formal education. In this respect, Article 1765 CCT obliges parents to promote the physical, intellectual and moral development of their children with their ability, as the father has an obligation in the education of children, in the sense that parents have the possibility to educate their children in formal teaching at least until presecondary schooling and if the parents do not do so, children may require parents to take responsibility for it, and parents have an obligation to do so. Parents this means that children must do all things in accordance with the father, that is, the father has absolute power in the split over the children, but the two should be caught to each other in the sense that parents must also respect the decisions of the children when those decisions are sensible.

Power-duty of parenthood in the security of children

A youngster needs protection from some people

older than him, because those people have experience that those children don't yet have. Therefore, the father has the concern for the child, has the responsibility to keep his child so that he does not fall into temptations or learn bad things, that is, to keep the children in a place that can prevent him from danger, so that responsibility relates to the safety of the children, as article 1767 CCT says, "minors cannot leave the father's house or the one that the parents have intended for them, nor be taken from it." Thus, we have the authority of the parents to establish the residence of the children and to oblige the children to remain there. Therefore, the power-duty to ensure the safety of children is an assignment of power to the father, to keep his child in his company, has the right to supervise and control the relationship of children with others, that is, children have a duty to report to parents about their daily activities when parents need to know. Though, we can say that the father has the power-duty and that power-duty is a means of protecting the child from danger.

Power-Duty of Fatherhood in the Sustenance of Children

Human beings to live need food, food is important for the life of living beings, in addition to food rational human beings also need garments and other basic necessities to live in society, so it is up to parents in their responsibilities, the food of children with capacity that they can do, as the paragraph of Art. 1758 says.

Power-Duty of Fatherhood in children's health

Health is very important for the belief of a person, or the preparation of a child so that he can live independently, paragraph 1 of Art. 1758 gives that responsibility, both parents, to compete to ensure the safety and health of their children, so that par-

ents have a responsibility to protect their child so that the child does not suffer physically, that is, to have in question the damage of their life or health, then we talk about the health of the child has the relationship with food and safety that the father should do. Parents have the power to administer their children's property when they are still minors, i.e., they do not yet have legal capacity, and that administration, in some cases, as provided for in Art. 1770 CCT, is also watched by the courts, in addition, Article 1778, requires parents to take care of the children's property as cited by those cited by (Corte Real AG & Tilman CB., 2024).

Fatherhood Responsibility for Defilement of Power-Duty

The defilement of the power-duty of fatherhood happens when a father assumed his title of fatherhood; such defilement may occur in violation of the general and superior powers-duties, by accomplishment or oversight.

Parenthood Obligation for Abuse of Overall Power-Duty

The power-General Duty has the effect at the time of the conception of the child, Art. 1769, at the time when the child is documented by investigation or pereration, of course, the child and the father, have assumed the mutuality of the powers-duties of admiration, assistance and support the children.

Responsibility in violation of the Power-Duty of respect and assistance through the absence of fatherhood

Responsibility for the nonappearance of fatherhood is a abuse of the power-duty of respect and assistance. This happens at the moment when the child is still in the mother's womb, that is, considered unborn, then " in the strict sense, unborn is one

who, having already been conceived, has not yet been born", in this sense, we can link to the Right to acquire legal personality where there are three theories about the commencement of legal personality, that is, Christmas theory, Conception theory and conditional theory. These three theories create disagreement about the personality of the considered unborn, because in the Christmas theory to have legal personality needs the birth of a person; in the theory of conception, they consider that personality acquires itself at the moment of conception; while conditional release considers that the personality of the unborn is pending until birth, however it is difficult for legislators to use one of these philosophies.

In our Timorese legal organization, especially in the civil code in general paragraph 1 of Article 63, it adopts the Christmas theory, because this article considers that legal personality can only be acquired at the time of complete birth and with life, but the law also considers some rights of unborn children as the right to life in formation, physical integrity and health or food therefrom as provided for in Art 141, 142 of the PC and Art 1764 of the CC. Therefore, we can say that our permissible system applies the Birth theory but, in some cases, it also applies the conceptualist and conditioning theory. However, if we return to our issue of responsibility of fatherhood by nonappearance, this happens when the father and mother do not come together by marriage, then it is necessary to investigate by summarizing or by judicial decision (paragraph 1 of Art. 1727 CCT), however this issue is related to our problem which has already been mentioned in the introduction in which there are many babies that have been uncontrolled in the trash or on the street, in which a psychiatrist also said that, this is caused by the in responsibility of paternity and the

pressure of the family. Therefore, we can say that in this case the woman is uncomfortable when her child is born without an identified father. This can happen by two hypotheses, one by oversight of fatherliness and the other by will ingness to not take responsibility by obligation need cited by (Corte Real AG & Tilman CB., 2024).

Recklessness by oversight happens when the father does not know that he has a child and has not provided him with maintenance or has not fulfilled his obligation as a father (no. 1 arts. 1764 and 1754 CCT). While the carelessness of his own will of fatherhood where the father does not want to take responsibility, in the sense that the father knows that the woman was pregnant, but he does not want to assume the type of parenthood. The consequences of absence of paternity may cause a breach of general and special power of duty, so Article 1744 CCT is a means of preventing the absence of paternity, and that article provides at the time of birth registration, then that child is reborn, that is to say that during the time of the lady's pregnancy the father did not provide maintenance, then, in accordance with Art. 1764, the mother may seek an action for investigation before birth, in order for the mother to have provisional upkeep rights. In this case there are food losses in relation to the mother who caused by the child during the mother's gestation. Because the absence of the father and an omissive conduct (fact), which dishonored Art. 1754 CCT, (illegality), for not providing food during pregnancy, which caused the loss of the mother's food because of the presence of the child, and psychological weight (hereditary and moral injury), however, this absence caused the loss of food by part and the mother and psychological weight (sex of connection), of being human must respect each other mentioned cited by (Corte Real AG & Tilman CB.,

2024).
RESEARCH METHODOLOGICAL
We use inductive methodology is based on the consultation of reference books articles relates of myself and other in the library, and in this elaboration the Internet is also used as an auxiliary medium. Throughout the research paper and documentary analysis of the interpretation of sciences and application the argumentative both permissible and literary users in the implementation the methodology investigation is fundamental.

DISCUSSION
Giving to subsection 1 of Art 2023, he gave the children in agreement with the spouse of the two-thirds of the estate tester while in section 2 he gave the children half the inheritance when there is no married person of the testate and other children, if there is more than one child, that is, if there is competition of the inheritance, then the legacy of which the tester cannot have and two thirds. Envision that the father infringed that right by having his son decoprighted, the child may seek the challenge to demand his right to succeed through Article 2031 CCT. Because the action of decoprighting the child (fact), is the violation of Art. 2021 and 2023 of the CCT, (illegally), that defilement takes place by will (guilt), which causes the child to lose his right to succeed (injury) however that conduct of decoprighting the child through the will caused loss of the right to succeed (fundamental link). It is therefore for Art. 471 CCT to reintegrate the loss of the right which the son misplaced through that will.

Fatherhood obligation for defilement of special power-duty
The singular power-duty, can be assumed by the father oub by other people, according to the condi-

tion of the father, this state we will see it deeply in non-intellectual, moral, spiritual, and mental development of the child (causal link). the part of the responsibility of fatherhood for not assuming parental power, the defilement of the special power-duty, that is, fatherhood violated the duties of humanizing, of guarding/safety, sustaining, of taking care of health and administration of good implementation cited by (Corte Real AG., et al, 2022).

Duty for defilement of the power-duty to educate

The duty in desecration of the duty power to educate comes at a time when the father has not fulfilled his responsibility to school, his child, as well as the current problem in which there are " Many children aged between five and seventeen years, who represent 16.1% of the total in Timor-Leste, are economically active" this is all a means that harms children in teaching and learning that " almost 17% of children do not attend the school", therefore, this is one of the examples of the defilement of the power-duty to educate (article 1758 CCT(1) and that power-duty to educate instrumentalises the other mechanisms given its neuralgic role in the content of parental everyday jobs, however, that act of rape committed by the father may lose its title of assuming parental power by claiming of the mother, because that parental power may be expected by both parents (art.1782 CC(1) CC) or by one of them (art. 1782(3), arts 1783, 1784, 1793 CC). Therefore, in that case, the father's conduct of not educating his child in formal education (fact), encroach upon Art. 1758 CCT, and al. b) of article 155 CPT (unlawfulness), that oversight means that the child's education (guilt) does not result in impanation, which may cause the child's intellectual, moral, mental and spiritual non-development (non-patrimonial injury), thus this conduct, of not educating the child, can cause the

Legal responsibility for breach of The Power-Duty of Guard/Security

The defilement of the power of keeping, we can say that it is like the desertion of parental power, that the father daz to his child, this desertion can cause damage, those injury can be moral injury and property injury, in addition, also causes bodily injury. If the father has breached that power of duty to keep and in the end the child has dedicated damage, the father is responsible for the damage under Article 425 CCT " persons who, by law or legal business, but are obliged to monitor others, by virtue of their natural incapacity, are in charge for the injury they cause to the third party, unless they show that they have fulfilled their duty of vigilance or that the injury would have been produced even if they had", so if the father lacks vigilance reveals the injury caused by children to third parties, who has civil duty to prepare is the father, while in criminal obligation when abandonment causes injury, such as putting the child in danger of harming the child's life, or an offense to the serious physical integrity, or the death of the child because of such desertion, may be punishable by 1 to 15 years art. 143 CPT. So, if we go back to our case of the mother who put her son in the garbage man who ultimately caused death, or bodily injury, then the father's charge may be civil and criminal. Because the conduct of the father with the knowledge of not providing respect, help and assistance during pregnancy (fact), dishonored the arts. 1754 CCT, and 143CPT (illegally), as the mission of not fulfilling its obrition, causing depression to the mother (guilt), and the result is death (injury), but this through an investigation (to know whether the father knows that the child is his, that he has not

complied with Art. 1754 CCT, or he does not know), if he knows the guilt covers him too, because logically a woman who has a child but has no father can have a lot of pressure because of culture, family and religion, also society causes pressure. Consequently, then the life of the son (conceived unborn child), is in danger. Therefore, the oversight of the father is what caused the depression i.e., the oversight of the father is that put the life of the son at risk and in the end caused death. (Fundamental link). Thus, the father replies civilly with the compensation of subsection 2 arts 430 in conjunction with Article 67 CCT. In illegal obligation, the father can be sentenced to incarceration from 5 to 15 years, and as the father is dominant of the son a bear a grudge up another third this is the rules is valid cited by (Corte Real AG & Tilman CB., 2024).

Responsibility for destruction of the Power-duty of nourishment

The control of nourishment in the lives of minors is very important, because a person to grow needs food. If the father violates the duty to support the minor child, the consequence is connected to the powers-duties of health and safekeeping, because the defilement of this power-duty equal to stroking the health of the child at risk that can also cause harm when the child has diseases, caused by food that he has expended. In calculation, it also covers the formal education of the child when he has illness. However, we conclude that the power-duty of nourishment is the rudimentary power-duty of the gaining of the other powers-duties (education, health and safekeeping), furthermore, that power-duty is not only in the special power-duty, but also in the universal power-duty, which in subsection 2 of Art. 1754 CCT states that " the duty of assistance includes the obligation to provide mainte-

nance and to contribute, during family life", so if the father were to violate that power-duty of maintenance, the consequence of civil legal responsibility is the payment of the child in the hospital (425 CCT), in addition, the father may lose his special duty (paternal power) as he says in the part of the defilement of education, when the mother protested.

Responsibility for defilement of the Power-Duty to Take Care of Health

The defilement of the power duty of caring for health, is equal or has the connection with the abuse of the duty of surveillance or safekeeping, that is, the father must keep well the child, take good care of the child sustains him well, in this way he is more registente the diseases, therefore, in summary we can say that this defilement of the power-duty of caring for health depends on the abuse of the powers-duties of sustenance and custody. If the father does not keep the child well, then there may be injury or bodily injury, if the bodily injury is connected to health, thus the father responds unlawfully under Art.143 CPT; for payment of hospitals because of this disease. You may still lose parental power because of the inability to keep the child, by the mother's action, so if we go back to our problem of the mother who put her son in the garbage man, but we envisage otherwise. The mother has no possibility to support and care alone, so it can cause malnutrition, that is, the father did not provide food, so in this case the omission of the father not to provide food (fact), encroach upon art.1758 CCT (illegality), by that omission (guilt), caused damage as a disease of malnutrition (connection nexus).

Duty not to assume parental power

The barring of parental power occurs for two rea-

sons, incapacity of paternity, that is when fatherhood has been banned or disabled (Art. 130 CCT and Art. 144 CCT), or for a serious breach of the superior power-duty (Education, care, health, sustenance and administration of property) by complaint of the mother as that which we saw in explaining the defilement of the power-duty to educate. Because the serious violation of power-duty especially we regard it as the father's inability in relation to the child, because of this is that the law gives way for a parent to take up parental power singularly. The father also has an obligation not to have the assets intended for the heirs. In swift even if the father does not take the paternal power, still has a promise linking his son is the general power-duty (respect, assistance and care).

CONCLUSION

It was decided that, with the presentation of some essential elements linking the duty of fatherhood in a Timorese legal viewpoint, based on the analysis of legislation and textual research, they show that the duty of paternity is a lasting responsibility and that obligation begins at the instant when the child is in the mother's womb until the death of the father. There are two everyday jobs of paternity i.e., general and special duty, special concern can be assumed by the father or another creature and is extinguished in time when the minor acquires legal capacity, while the over-all cannot be assumed by another person and quenched by death. Consequently, with documentary research and legislation, linking with the current problem in which 17% of children do not attend school, the mother suffers depression and lays child p in the garbage man, parents who give more priority to some children in sharing the legacy according to their culture. This research showed that these acts encroach upon the power-duty of fatherhood. The mother can avoid

depression by recognizing fatherliness by investigation, in relation to education the father may lose his special power-duty in civil responsibility when he intrude upon the power of schooling the child and respond stumours feloniously (art.155 CPT), and in sharing, the child may challenge to request the inheritance which he have its place to (2031 CCT), all this is on condition that for in the laws cited by (Corte Real AG & Tilman CB., 2024).

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