

Aristotle University of Thessaloniki

Faculty of Law

Bachelor of Laws (LL.B.)

Course Syllabus

1. Course Information

- **Title:** Constitutional Theory and General Principles of Public Law
- **Code:** LLB2
- **ECTS:** 8
- **Hours per week:** 6
- **Academic Year:** 1st
- **Teaching Period:** Winter Semester
- **Mode of Delivery:** Face-to-Face
- **Language of Instruction/Assessment:** English
- **Course Type:** Mandatory

2. Course Description

This course provides a systematic introduction to the general theory of the state, situating constitutional law within the broader framework of public law and political science. It examines the state as a legal and political order, focusing on its defining characteristics, constituent elements, and institutional structures. Key themes include the concepts of sovereignty, territory, people, and public authority, as well as the forms of state and government through history and across legal traditions. Students will explore foundational principles such as the rule of law, separation of powers, and democratic legitimacy, while also considering the relationship between the state and the individual through citizenship, rights, and duties. Special attention is devoted to the challenges faced by modern states in times of crisis, and to the impact of supranational integration

and international law on statehood and constitutional development. Greek public law provides a reference point within a wider comparative and theoretical framework, enabling students to understand both the continuity and the transformation of the state in contemporary governance.

3. Keywords

Constitutionalism, Separation of Powers, Rule of Law, Comparative Public Law, General Theory of State, Sovereignty, Citizenship

4. Learning Outcomes

Upon successful completion of this course, students will be able to:

1. **Define** the constituent elements of the state—territory, population, and public authority—and their significance in public law. (*Remembering*)
2. **Explain** the principal theories of statehood and sovereignty, and their relevance for modern governance. (*Understanding*)
3. **Analyse** the organisation of public authority through different forms of state and government across legal traditions. (*Analysing*)
4. **Apply** the principles of the rule of law and separation of powers to evaluate institutional arrangements in both national and supranational contexts. (*Applying/Evaluating*)
5. **Assess critically** the challenges to state authority arising from emergencies, supranational integration, and international law, with reference to Greek public law and comparative examples. (*Evaluating*)

5. General Skills to Be Acquired

- Apply knowledge in practice
- Retrieve, analyse, and synthesise data and information
- Adapt to new situations
- Make decisions
- Work in an international context
- Work in an interdisciplinary team

- Generate new research ideas
- Appreciate diversity and multiculturalism
- Respect the natural environment
- Be critical and self-critical
- Advance free, creative, and causative thinking

6. Course Content (Topics)

1. **The State as a Concept: Origins, Definitions, and Characteristics** – Exploring classical and modern theories of the state and their legal significance.
2. **Constituent Elements of the State: Territory, Population, and Public Authority** – Analysing the foundational components of statehood with comparative examples.
3. **Sovereignty: Internal Authority and External Independence** – Theories of sovereignty and their challenges in a world of interdependence.
4. **The Legal Order of the State** – The state as a normative order; the role of constitutions within the legal hierarchy.
5. **Forms of State Organisation** – Territorial organisation of power and the distribution of competences.
6. **Forms of Government** – Institutional design and executive–legislative relations in comparative perspective.
7. **The State and the Individual** – Membership in the state, the legal status of citizens, and obligations of civic participation.
8. **Principles of Public Law: Rule of Law, Legality, and Accountability** – Core principles underpinning state action, with reference to judicial and administrative controls.
9. **The Separation of Powers and the Organisation of Public Authority** – Theory and practice of checks and balances; ensuring institutional equilibrium.
10. **Public Administration and Constitutional Principles** – The organisation, accountability, and limits of administrative power, with Greek references.
11. **Democratic Legitimacy and Political Representation** – Political parties, electoral systems, and the constitutional regulation of democracy.
12. **States of Emergency and Constitutional Flexibility** – Legal regimes of crisis management: derogations, emergency powers, and proportionality.

13. **The State in a Changing World: Supranational Integration and Informal Evolution** – Regional integration, global administrative law, and transnational judicial dialogue as drivers of transformation in modern statehood.

7. Teaching Methods

- Lectures.
- Case law workshops.
- Student presentations and structured debate.
- Guided reading and legal reasoning exercises.

8. Assessment Methods

Method	Weight	Description
Final Written Exam	70%	Essay-type and case-based questions
Mid-Term Assignment/Presentation	20%	Individual or group-based
Participation and Engagement	10%	Constructive attendance, preparedness, contribution

Note: A minimum final exam score of 50% is required to pass.

9. A. Ethics

Students are reminded that all submitted work must comply with the University's academic [integrity policy](#). Plagiarism or unauthorised collaboration will result in disciplinary measures.

B. Course Policies

- Attendance is strongly encouraged.
- All assignments must be submitted on time via the designated platform.

- Special accommodations will be made for students with documented learning or health needs in accordance with university policy.

10. Use of Information and Communication Technologies (ICT)

- **Use in Teaching:** (e.g. digital slides, audiovisual aids, interactive tools like Mentimeter)
- **Use in Communication:** (e.g. E-learning platform, Zoom/Google Meet for office hours)
- **Digital Resources:** (e.g. online legal databases, podcasts, video lectures)

11. Bibliography

- Books/E-Books

Bartole, Sergio. (2022). *The Internationalisation of Constitutional Law : a view from the Venice Commission* /. Hart

Böckenförde, E.-W., Künkler, M., Stein, T., & Dunlap, T. (2017). *Constitutional and political theory: Selected writings* (1st ed.). Oxford University Press.

von Bogdandy, A., Grabenwarter, C., & Huber, P. M. (Eds.). (2023). *The Max Planck Handbooks in European Public Law: Volume IV: Constitutional adjudication—Common themes and challenges* (Vol. 4) (ebook). Oxford University Press. <https://doi.org/10.1093/oso/9780192846693.001.0001>

Crawford, James., & Brownlie, Ian. (2019). *Brownlie's principles of public international law* / (Ninth edition.). Oxford University Press

Craig, P., & de Búrca, G. (2021). *The Evolution of EU Law* (e-book). In P. Craig (Ed.), *The Evolution of EU Law* (e-book). Oxford University Press. <https://doi.org/10.1093/oso/9780192846556.001.0001>

Elliott, M., Varuhas, J., & Stark, S. W. (2018). *The unity of public law?: Doctrinal, theoretical, and comparative perspectives*. Hart Publishing.

Häberle, P., & Kotzur, M. (2018). *Peter Häberle on constitutional theory: Constitution as culture and the open society of constitutional interpreters* (1st ed.). Nomos; Hart Publishing.

An inquiry into the existence of global values: through the lens of comparative constitutional law /. (2015). Hart Publishing

The IT revolution and its impact on state, constitutionalism, and public law /. (2021). Hart Publishing, an imprint of Bloomsbury Publishing

Kelsen, H., & Schmitt, C. (2015). *The guardian of the constitution* (e-book)/. Cambridge University Press.
<https://search.lib.auth.gr/Record/1129612?sid=50294373>

Kelsen, H. (2013). *The essence and value of democracy* (N. Urbinati & C. Invernizzi Accetti, Eds.; B. Graf, Trans.). Rowman & Littlefield Publishers.

Lenaerts, K. (2021). *EU constitutional law* (e-book). Oxford University Press.

Mason, A. T. 1899-1989. (2018). *American constitutional law : introductory essays and selected cases* / (17th ed.). Routledge

Perišin, Tamara., & Rodin, S. (2018). *The transformation or reconstitution of Europe : the critical legal studies perspective on the role of the courts in the European Union* /. Hart Publishing.

Rodomonte, M. G., & Durst, L. (2025a). *Judicial Review, Fundamental Rights and Rule of Law : The Construction of the European Constitutional Identity* (e-book) . Taylor & Francis Group . <https://search.lib.auth.gr/Record/1170240?sid=50262723>

Rosas, Allan., & Armati, Lorna. (2018). *EU constitutional law : an introduction* / (3d edition.). Hart Publishing

Spyropoulos, P. K. ., & Fortsakis, T. (2017). *Constitutional law in Greece* /. Wolters Kluwer.

Tushnet, Mark. (2017). *Comparative constitutional law* /. Edward Elgar Publishing
Vinx, L. (Ed. & Trans.). (2015). *The guardian of the constitution: Hans Kelsen and Carl Schmitt on the limits of constitutional law*. Cambridge University Press.

Wilkinson, M. A. ., & Dowdle, M. W. . (2018). *Questioning the foundations of public law* /. Hart

- Databases

Westlaw UK Academic	https://law.auth.gr/en/subscription-to-electronic-databases-2/
HeinOnline Academic Core and Kluwer Law International Journal Library	https://law.auth.gr/en/subscription-to-electronic-databases-2/
Beck-online PREMIUM	https://law.auth.gr/en/subscription-to-electronic-databases-2/
O.U.P Oxford Public International Law	https://law.auth.gr/en/subscription-to-electronic-databases-2/
O.U.P Max Planck Encyclopedia of Comparative Constitutional Law	https://law.auth.gr/en/subscription-to-electronic-databases-2/
Dalloz.fr	https://law.auth.gr/en/subscription-to-electronic-databases-2/
JURIS Zusatzmodul Hochschulen, BGB Staudinger Online	https://law.auth.gr/en/subscription-to-electronic-databases-2/
Kluwer Law Online (30 journals)	https://law.auth.gr/en/subscription-to-electronic-databases-2/
IAReporter. Investment Arbitration Report	https://law.auth.gr/en/subscription-to-electronic-databases-2/
Cambridge Core (Law)	https://www.cambridge.org/core/browse-subjects/law
EBSCO	https://research.ebsco.com/c/quc7ji/search/advanced/filters?autocorrect=y&isDashboardExpanded=true
ProQuest Central	https://www.proquest.com/central/topicpaths/AbiGlobal_business/0?accountid=8359#0
Springer link	https://link.springer.com/
Taylor & Francis e-books	https://www.taylorfrancis.com/search?subject=SC_LW
Taylor & Francis e-journals	https://www.tandfonline.com/subjects/law

The Making of Modern Law: Legal Treatises 1800-1926 (Gale)	https://go.gale.com/ps/start.do?p=MOML&u=arist&cookieConsent=true&analyticsOptout=false&aty=ip
Wiley online Library	https://onlinelibrary.wiley.com/action/showPublications?startPage=&ConceptID=85