

Course Name : E Drejtë Kushtetuese I							
Course Code	Course Type	Regular Semester	Lecture (hours/week)	Seminar (hours/week)	Lab. (hours/week)	Credits	ECTS
LAW 115	N/A	Fall	3.00	1.00	0.00	3.50	5.00
Lecturer		Ada Güven, PhD					
Assistant		Erisa Datja, MSc					
Course language		Albanian					
Course level		Program i Integruar					
Description		The course will focus on explaining the main principles and institutions of constitutional law, such as the state and law, the principles of state sovereignty, the separation of powers, the main characteristics of states and state systems. In the first part, students are introduced to the role of legal theory in legal sciences in general and in legal studies. The most important theories on the origin of the state and law and for legal sciences in general are explained. Then the structure of the state, its organs and functions are analyzed. Next, the elements of the state and its forms are discussed. In the second part, the concept of legal norms is presented, the division of legal norms based on various criteria, as well as the structure of legal norms. The concept of legal relations is analyzed and the basic elements of legal relations are discussed (subjects of law, object of law, subjective right and legal obligation). The concept of a legal act is explained and the sources of law are discussed (constitution, law, state by-laws, acts of public and private persons, customary law, and legal science). The third part presents the study of the concept of the legal system and discusses the basic units of the legal system (legal norms, legal institutes, branches of law, groups of law). Further, the basic techniques of interpretation are examined, the ways of resolving issues about legal gaps are examined. Finally, various theories are examined regarding the essence and structure of law (theory of natural law, historical school, pure theory of law, etc.).					
Objectives		1.familiarization of students with the principles and constitutional system in Albania 2. knowledge of the main constitutional principles in Albania 3. to be able to work independently on topics and essays about these institutes in the field of constitutional law. 4. explanation of the relationship of powers					
Core Concepts		1. Law 2. Constitution 3. Legal Norms 4. Principles 5. Public Institutions 6. Powers 7. Independent Institutions					
Course Outline							
Week	Topic						
1	The concept of public law. Society, state and law. This lecture is dedicated to the theoretical analysis of the subject. Students are introduced to the role of legal theory in legal sciences in general and in legal studies. (Chapter 1)						
2	The State; Different Concepts of the State; State Power and Sovereignty. The most important theories on the origin of the state and law and on legal sciences in general are explained. Then the structure of the state, its organs and functions are analyzed. (Chapter 2)						
3	State power and sovereignty. The most important theories of state power and sovereignty are explained. The ways of exercising power. To whom sovereignty belongs. Also the exercise of sovereignty through representatives. (Chapter 3)						
4	Form of the state; The principle of unity of power. The following discusses the elements of the state and its forms. At the same time, the lecture includes different forms of the state, illustrating them with concrete examples. The unity of power is specifically addressed in a separate one-hour lecture. (Chapter 4)						

5	The principle of separation of powers. Analysis of the powers in turn; Legislative, Executive and Judicial Power. Separation and Balance of Powers and their mutual control. (Chapter 5)
6	The political organization of society and the structure of the state. The concept of legal relations is analyzed and the basic elements of legal relations are discussed: subjects of law, object of law, subjective right and legal obligation. At the same time, the lecture follows the previous lecture by focusing on the main structures of the state. (Chapter 6)
7	Law, the meaning of law; legal norm. The concept of a legal act is explained and the sources of law are discussed (constitution, law, state sub-legal acts, acts of public and private persons, customary law, as well as legal science (Chapter 7)
8	Midterm exam
9	Legal norms; Different concepts of law. The notion of legal order; The notion of legal norm; Types of legal norms; Validity of legal norms in territory (space); Temporal validity of legal norms; Retroactive force of legal norms; Structure of legal norms (Chapter 8)
10	The State and Law in Their Historical Evolution. - Various theories regarding the essence and structure of law are examined (theory of natural law, historical school, pure theory of law, etc. (Chapter 9)
11	The concept of the source of law. The sources of law, their origin, sources of acts and sources of facts are treated (Chapter 10)
12	Main sources of law. Specific treatment of each of the main sources of law, from the fundamental law of the country, ratified international agreements (international law), laws and custom (Chapter 11)
13	Legal relations; Legal facts; Elements of legal relations; Legal subjects (natural persons and legal persons); Legal authorization (subjective right, abuse of authorization, abuse of subjective right, competence and abuse of competence); Legal obligation (obligation) Legal status (status); Object of law Legal facts Prescription (Chapter 12)
14	The legal system; Principles of building the legal system. - presents the study of the concept of the legal system and discusses the basic units of the legal system (legal norms, legal institutes, branches of law, groups of law) - examines the basic techniques of interpretation, ways of resolving issues about legal gaps; (Chapter 14)
15	Repetition
16	Final Exam
Prerequisites	
The student must attend the course at a minimum rate of 75%.	
Literature	
• Luan Omari, Parime dhe Institucione te se Drejtës Publike (2013)	
References	
• Komentar Mbi reformën Kushtetuese në Sistemin e Drejtësisë (2016) Instituti për Studime Publike & Ligjore • MacCormick, Neil. Institutions of law: an essay in legal theory. OUP Oxford, 2007 • Kelsen, Hans. General theory of law and state. Vol. 1. The Lawbook Exchange, Ltd., 1945	
Course Outcome	
1	Students will be able to recognize the sources of the state and law.
2	Students will learn the main principles of the functioning of the state and its institutions.
3	Students will learn about the main forms of state organization.
4	Students will be able to recognize the sources of the state and law.

Course Evaluation			
In-term Studies	Quantity	Percentage	
Midterms	1	30	
Quizzes	0	0	
Projects	0	0	
Term Projects	0	0	
Laboratory	0	0	
Class Participation	1	20	
Total in-term evaluation percent			50
Final exam percent			50
Total			100
ECTS Workload (Based on Student Workload)			
Activities	Quantity	Duration (hours)	Total (hours)
Course duration (Including the exam week: 16x Total hours of the course)	16	4	64
Study hours outside the classroom (Preparation, Practice, etc.)	14	4	56
Duties	0	0	0
Midterms	1	2	2
Final Exam	1	3	3
Other	0	0	0
Total Work Load			125
Total Work Load / 25 (hours)			5.00
ECTS			5.00