

# European Constitutions Compared

by

Albrecht Weber

  
**beck-shop.de**

DIE FACHBUCHHANDLUNG

2019



*Published by*

Verlag C. H. Beck oHG, Wilhelmstraße 9, 80801 München, Germany,  
eMail: [bestellung@beck.de](mailto:bestellung@beck.de)

*Co-published by*

Hart Publishing, Kemp House, Chawley Park, Cumnor Hill, Oxford, OX2 9PH, United Kingdom,  
online at: [www.hartpub.co.uk](http://www.hartpub.co.uk)

and

Nomos Verlagsgesellschaft mbH & Co. KG Waldseestraße 3–5, 76530 Baden-Baden, Germany,  
eMail: [nomos@nomos.de](mailto:nomos@nomos.de)

Published in North America (US and Canada) by Hart Publishing,  
c/o Independent Publishers Group, 814 North Franklin Street, Chicago, IL 60610, USA

  
beck-shop.de  
DIE FACHBUCHHANDLUNG

ISBN 978 3 406 72923 2 (C.H.BECK)

ISBN 978 1 509931545 (HART)

ISBN 978 3 8487 5235-5 (NOMOS)

© 2019 Verlag C.H.Beck oHG

Wilhelmstr. 9, 80801 München

Printed in Germany by

Kösel GmbH & Co. KG

Am Buchweg 1, 87452 Altusried-Krugzell

Typeset by

Reemers Publishing Services GmbH, Krefeld

Cover: Druckerei C.H.Beck Nördlingen

All rights reserved. No part of this publication may be reproduced, stored in a retrieval system, or transmitted, in any form or by any means, without the prior permission of Verlag C. H. Beck, or as expressly permitted by law under the terms agreed with the appropriate reprographic rights organisation.

Enquiries concerning reproduction which may not be covered by the above should be addressed to  
C. H. Beck at the address above.

## Foreword

This comparative study is based on the German edition of *Europäische Verfassungsvergleichung* (2010) which was intended to be a comprehensive study of the institutional setting of European Constitutions, not limited to the European Union. While there are a number of comparative fundamental rights studies in the European Union and beyond, a systematic study of the constitutional principles and organisation of state powers was lacking.

The author has mainly limited the English version, which is not a genuine translation but a summary of the essential content, to a comparison of national constitutional principles and institutions. Much less space has been devoted to the principles and organisational setting of the European Union which corresponds to a large extent to its national counterparts and which today, in the understanding of European constitutional lawyers, forms a double level constitutionalism. Although the institutional setting is rather different, the common principles and values of the European Union cannot be denied and they extend even beyond its members: the parties to the Council of Europe and the European Human Rights Convention form a wider forum as a constitutional community. This approach may be controversial for constitutional lawyers who still focus mainly on their national history and constitutional achievements through the past centuries without taking due notice of European influences. But the author still maintains his basic assumption that the comparative view cannot exclude the reciprocal influence of national and European constitution building for the past and the future.

A second problem is the geographical scope of “European” constitutions. The term “European” is evidently not limited to the European Union of 28 (27) members, but comprises the countries of the Council of Europe (47 members) which may also be examined and compared. However it quickly becomes apparent that the pure citation of national constitutional provisions of countries which belong to the Council of Europe and its emanations cannot suffice for a constitutional comparison which intends to exceed semantic or nominal similarities based on the textual approach. The increasing inclination for interference in well established constitutional structures, especially the balance of power and the independence of the judiciary, is not limited to countries outside the Union (e.g. Turkey and Russia) but may have similar repercussions in the Union itself. However the comparative constitutional lawyer must personally evaluate the significance of constitutions in action, and select a variety of constitutions with which he or she is more familiar than with others: the reasons may be cultural background, legal socialisation and last but not least linguistic expertise. It is impossible to explore in detail all constitutions and subconstitutional texts, such as statutes and court judgements, other than in the English official or non-official translations if they exist at all.

These natural handicaps can never be sufficiently solved by one author alone but only by a team of national authors contributing in collective publications, which may be referred to and quoted as important sources of constitutional comparison (e.g. *Ius Publicum Europaeum* in several volumes).

The author gratefully acknowledges the publications and articles of many European lawyers which are listed in the bibliographical index or in the references at the commencement of the respective Parts.

*Foreword*

The author finally would like to thank all those who have encouraged him to undertake an English edition, especially Prof. em. Margot Horsepool, Queen Mary University London, the partial translation and critical assistance by Dr. Raymond Youngs, former Lecturer in Law, Kingston University London, as well as to Dr. Matt le Mieux, Lecturer in Law at University of Osnabrück and to my former secretary Ms Kordts who once more transposed the whole text into the final technical version.

My thanks include the opportunity of publishing this English edition by Beck-Verlag in cooperation with Hart Publishing.

Albrecht Weber

  
**beck-shop.de**  
DIE FACHBUCHHANDLUNG

## Table of Contents

List of Abbreviations.....	XV
Bibliography.....	XVII
Part I. Terminology.....	1
Part II. Notion and Functions of Constitution.....	7
Part III. Sources of Constitutional Law.....	15
Part IV. Constituent and Amending Power.....	23
Part V. Protecting the Constitution.....	29
Part VI. Directive Principles.....	35
Part VII. Fundamental Constitutional Principles.....	43
Part VIII. Division of Powers – Division of Functions.....	65
Part IX. Parliament.....	73
Part X. Head of State.....	127
Part XI. Government and Administration.....	145
Part XII. The Judicial Power.....	163
Part XIII. Territorial Division of Powers.....	177
Part XIV. Europeanisation and Internationalisation of the Constitution.....	195
Index.....	209

beck-shop.de  
DIE FACHBUCHHANDLUNG

## Table of Contents (Detailed)

List of Abbreviations.....	XV
Bibliography.....	XVII

### Part I. Terminology

I. European Constitutional Law (ECL) .....	1
II. European Constitutions Compared.....	2
III. Methodology.....	3
1. Comparative Constitutional Law .....	3
2. A Distinct Method of Interpretation?.....	4

### Part II. Notion and Functions of Constitution

I. Notion of Constitution.....	7
II. Normative and Factual Constitution .....	8
III. Some Considerations on the Evolution of European Constitutionalism.....	8
IV. Constitution in a Formal Sense.....	9
1. Single Document.....	10
2. Primacy of Constitution.....	11
3. Enhanced Non-Revisibility.....	11
V. Constitution in a Substantial Sense.....	12
VI. Functions of Constitutions.....	13

### Part III. Sources of Constitutional Law

I. Origin and categorisation of legal sources.....	15
II. Written Sources .....	16
1. Constitutional Norms.....	16
2. Statutes Implementing the Constitution .....	17
3. Autonomous Law-Making of Constitutional Organs.....	17
4. International and Supranational Law .....	18
III. Unwritten Sources.....	18
1. Binding Non Written Rules .....	18
a) Customary Constitutional Law .....	18
b) General Principles of Law; Constitutional Principles .....	19
2. Unwritten Legally Not Binding Rules.....	19
IV. Judge-made Law .....	20
V. Legal Sources of European Constitutional Law.....	21
1. Written Sources.....	21
2. Unwritten Sources.....	21

### Part IV. Constituent and Amending Power

I. Distinction Between Constituent Power (“pouvoir constituant”) and Amending Power (“pouvoir constitué”).....	23
II. Normative Foundations .....	24
III. The Amending Power .....	25
1. Rigid and Flexible Constitutions.....	25
2. Procedures and Institutions of Constitutional Amendment .....	25
a) Qualified Majorities in Parliament (Uni- or Bicameral Systems).....	26
b) Parliamentary Resolution and Subsequent Referendum .....	26
c) Parliamentary Amending Proposal and Referendum.....	26
d) Parliamentary Amendment Proposal and Confirmation by a Subsequent Elected Parliament .....	27
e) Amendment Initiative of the People and Confirmation by Parliament.....	27
IV. Some Reflections on the Constituent and Amending Power in the European Union .....	27

## Table of Contents (Detailed)

### Part V. Protecting the Constitution

I. Substantial Norms for the Revision of Constitutions .....	29
1. Increased Formal Conditions for the Revision of Certain Substantial Elements .....	29
2. Substantial Norms Prohibiting Modification of the Constitution.....	29
II. The Interdiction of Unconstitutional Parties.....	31
III. Protection of the Constitution in Times of Crisis .....	31
1. Written or Unwritten Emergency Law? .....	31
2. Special Norms Prohibiting Constitutional Modifications in Emergency Situations .....	32
3. States of Internal Emergency .....	33
4. States of External Emergency in Times of Defence and War .....	33
IV. Right to Resistance.....	33
1. Historical Evolution .....	33
2. Examples of a Codified Right to Resistance.....	34

### Part VI. Directive Principles

I. Terminology .....	35
II. Promotion of Peace.....	36
III. Welfare State.....	37
IV. Protection of the Environment .....	38
V. Culture .....	39
1. Evolution.....	39
2. Types of Normativity.....	40
VI. Some Remarks on Constitutional Directive Principles on the European Union Level .....	41

### Part VII. Fundamental Constitutional Principles

I. Form of state: Monarchy or Republic?.....	43
II. Principle of Democracy.....	45
1. Sovereignty of the People.....	45
2. Consensus and Complexity of the Notions of Democracy.....	46
3. Representative Democracy.....	47
a) Some Reflections on the Evolution of Representative Thought .....	47
b) Conditions of Representative Democracy.....	48
4. Principles of Electoral Law .....	49
5. Forms of Direct Democracy.....	50
6. Political Parties.....	52
III. The Rule of Law as Common European Constitutional Principle.....	55
1. Evolution in Germany, France and Great Britain.....	55
2. The Rule of Law as a General Constitutional Principle .....	57
3. Concretisations of the Rule of Law .....	59
a) Separation of Powers .....	59
b) The Subjection of Public Powers to the Constitution.....	59
c) Primacy of and Reservation by Law .....	59
d) Judicial Protection .....	60
e) Legal Security.....	61
f) Principle of Equality and Prohibition of Arbitrariness .....	62
g) The Principle of the Rule of Law on the European Level .....	63

### Part VIII. Division of Powers – Division of Functions

I. The Development of the Separation of Powers Model.....	65
II. Expressions of the Separation of Powers Principle in European Constitutions .....	65
III. Some reflections on the Separation of Functions at EU level.....	71

### Part IX. Parliament

I. Existence and Development of Parliamentary Government Forms .....	73
II. The Legislative Function.....	74
1. Preliminary Comment on the Concept of Law .....	74
2. Constitutional Statutes – Statutes Implementing the Constitution .....	74
a) Great Britain.....	75

## Table of Contents (Detailed)

b) Germany – Austria – Switzerland .....	75
c) France .....	76
d) Spain and Italy .....	76
e) Other Countries .....	77
3. Ordinary Statutes .....	78
III. The Division of Legislative Competence between Government and Parliament .....	78
1. The Development of the Statutory Reservation .....	78
2. Delegated Legislation .....	81
a) Great Britain .....	81
b) Germany .....	81
c) Switzerland .....	82
d) Austria .....	83
e) Constitutions with a priori control by parliamentary authorisation for legislation .....	84
f) Ex Post Facto Control of the Legislative Competence of the Government .....	86
3. Emergency Regulations Law and Budget Legislation .....	86
a) Law on Emergency Regulations by the Government .....	86
b) Budgetary Legislation .....	88
IV. Legislative Procedure .....	89
1. The Right of Legislative Initiative .....	90
a) Parliament .....	90
b) Government .....	91
c) People's Initiative .....	91
d) Right of Initiative of the Chambers Representing the Territorial Communities .....	91
e) The State President .....	92
2. Debating Statutes and Resolving Conflicts .....	92
V. Election Functions .....	98
1. Election of the Head of State .....	98
2. Appointment of the Government .....	99
a) Direct Election .....	99
b) Appointment of the Government on the Basis of Assumed Confidence .....	99
c) Appointment of the Government by Confidence Vote in Parliament .....	101
d) Appointment of the Government by Vote of Confidence and/or Election .....	101
3. Election of Constitutional Judges .....	101
VI. Control Functions .....	102
1. The Parliamentary Responsibility of the Government .....	102
a) Putting of a Vote of Confidence .....	102
b) Motion of No Confidence by Members of Parliament ("Motion de Censure") .....	105
c) Constructive Vote of No Confidence .....	106
d) Self-dissolution of Parliament .....	106
2. Parliament's Right of Citation and Right of Access of Members of the Government .....	107
3. Right of Questioning and Interpellation .....	108
4. Right of Investigation and Enquiry .....	109
VII. Structure and Organs .....	110
1. One and two Chamber Systems (monocameral and bicameral) .....	110
a) Monocameral Systems .....	111
b) Bicameral System .....	111
aa) Symmetrical bicameralism .....	112
bb) Asymmetrical Bicameralism .....	113
2. Self-organisation and Autonomy as to Standing Orders .....	113
3. Election Periods and Sessions .....	114
4. Organs of Parliament .....	115
5. The Status of Members of Parliament .....	116
a) Free Mandate .....	116
b) Immunity and Indemnity .....	117
c) Incompatibilities .....	119
d) Compensation for Expenditure .....	120
6. The Parliamentary Ombudsman .....	121
VIII. Some Reflections on the European Parliament .....	123

## Table of Contents (Detailed)

### Part X. Head of State

I. Monist and Dualist Executives.....	127
II. Choice of Head of State.....	128
1. Monarchies.....	128
2. Republics.....	128
a) Direct Election.....	129
b) Indirect Election.....	129
III. Functions of the Head of State.....	129
1. Integration Function.....	130
2. Guardian and Guarantee Functions.....	131
a) Control of the Constitutionality of State Action.....	131
b) Protective and Guarantee Function in Times of Crisis.....	131
3. Representation Function.....	133
4. The Arbitral and Mediation Function in the Political Process.....	136
5. Executive Functions.....	140

### Part XI. Government and Administration

I. Government.....	145
1. Embedding in Constitutional Texts.....	146
2. Monistic and Dualistic Executives.....	147
a) Monistic Executives.....	147
b) Dualistic Executives.....	147
3. Principles of Leadership of the Government.....	148
a) The Minister President (Prime Minister; Chancellor).....	148
b) Departmental Principle and Collegial Principle.....	150
II. The Administration.....	154
1. Introduction and Definition.....	154
2. Principles of Organisation of the Administration in Unitary States.....	155
3. Administrative Organisation in Regionalised States.....	157
4. Administrative Organisation in Federal States.....	159

### Part XII. The Judicial Power

I. Constitutional Evolution and Function of the Judicial Power.....	163
II. The Organisation of the Judiciary.....	165
III. Constitutional Jurisdiction.....	167
1. Nature and Evolution of Constitutional Review.....	167
2. Status and Organisation.....	169
a) Nomination of Judges.....	169
b) Independence of Judges.....	169
3. Competences.....	170
IV. European Jurisdictions.....	173
1. Jurisdiction of the European Union.....	173
a) Function and Composition.....	173
b) Relationship Between Union and National Jurisdiction.....	174
2. The European Court of Human Rights (ECHR).....	174
a) Function and Structure.....	174
b) The Relationship between National and European Human Rights Jurisdictions.....	175

### Part XIII. Territorial Division of Powers

I. Delimitation and Categorization of Unitary, Regionalized and Federal Systems.....	177
II. Unitary Models.....	179
1. The Deconcentrated Unitary State.....	179
2. The Decentralised Unitary State.....	179
3. The Decentralised Unitary State with Partial Regional Autonomy.....	180
III. Regionalized States.....	181
1. Regional Autonomy in the United Kingdom.....	181
2. Spain.....	182
3. Italy.....	184

*Table of Contents (Detailed)*

IV. Federal Models.....	186
1. Germany.....	186
2. Austria.....	188
3. Switzerland.....	190
4. Belgium.....	191
 <b>Part XIV. Europeanisation and Internationalisation of the Constitution</b>	
I. Europeanisation.....	195
1. Clauses Enabling European Integration.....	195
2. Substantive Limits.....	196
3. Procedural Conditions.....	197
II. Relationship between Union Law and National Law.....	197
1. The Primacy of Union Law.....	198
2. Constitutional Limits of Integration.....	198
III. European Human Rights Convention and National Law.....	200
IV. The Internationalisation of the Constitution.....	202
1. Securing Peace and International Cooperation.....	203
2. The Position and Application of Rules of International Law.....	203
Index.....	209

  
beck-shop.de  
DIE FACHBUCHHANDLUNG

## List of Abbreviations

Albanian Constitution (AlbConst)	Constitution of Albania of 21 October 1998 as amended until 2008
Art.	Article
Austrian Constitution (B-VG)	Austrian Federal Constitutional Statute (Österreichisches Bundesverfassungsgesetz) of 1 October 1920 as amended in 2016
Basic Law (BL)	Grundgesetz of the Federal Republic of Germany of 23 May 1949 as amended until 13/7/2017
Belgian Constitution (BelgConst)	Constitution of Belgium of 17 February 1994 as amended until 2014
BGE	Decisions of the Swiss Federal Court (Entscheidungen des Schweizerischen Bundesgerichts)
Bosnian Constitution	Constitution of Bosnia and Herzegovina of 21 November 1992 (Dayton)
Bulgarian Constitution (BulgConst)	Constitution of Bulgaria of 12 July 1991
BVerfG	Federal Constitutional Court
BVerfGE	Decisions of the Federal Constitutional Court (Entscheidungen des Bundesverfassungsgerichts)
BVerfGG	Federal Constitutional Court Statute (Bundesverfassungsgerichtsgesetz)
CC	French Constitutional Council (Conseil Constitutionnel)
Chap.	Chapter
Croatian Constitution (CroatConst)	Constitution of Croatia of 21 December 1990 as amended until 2010
CSM	Superior Council of Judges (Conseil Supérieur de la Magistrature: France/Italy)
CzechCHFR	Czech Charter of Fundamental Rights and Liberties as of 16 December 1992 as amended until 1998
Czech Constitution (CzechConst)	Constitution of the Czech Republic of 16 December 1992 as amended until 2013
Danish Constitution (DanConst)	Constitution of Denmark of 5 June 1953
DC	Decisions of the French Constitutional Council
DDH	Declaration of the rights of man and citizen (Declaration des Droits de l'Homme et du Citoyen) of 1789
ECA	Europeans Communities Act 1972
ECHR	European Convention of Human Rights of 4 November 1950
ECJ	European Court of Justice
ed(s).	editor/editor(s)
EP	European Parliament
Estonian Constitution (EstConst)	Constitution of Estonia of 28 June 1992 as amended until 2004
ECHFR	European Charter of Fundamental Rights
Finnish Constitution (FinConst)	Constitution of Finland of 1 March 2000 as amended until 2011
French Constitution (FrenchConst)	Constitution of the French Republic of 4 October 1958 as amended on 23 July 2008

## *List of Abbreviations*

Greek Constitution (GreekConst)	Constitution of the Republic of Greece of 9 June 1975 as amended until 2008
Hungarian Constitution (HungConst)	Constitution of Hungary of 25 April 2011 as amended until 2013
Irish Constitution (IrishConst)	Constitution of Ireland of 1 July 1937 as amended until 2013
Italian Constitution (ItalConst)	Constitution of the Republic of Italy of 27 December 1947 as amended on 2 October 2007
Latvian Constitution (LatvConst)	Constitution of Latvia of 15 February 1922 (as restored in 1993)
Lithuanian Constitution (LithConst)	Constitution of Lithuania of 25 October 1992 as amended until 2006
Luxemburg (LuxConst)	Constitution of Luxemburg of 1868 as amended until 2009
Maltese Constitution (MaltConst)	Constitution of the Republic of Malta of 21 September 1964 as amended until 2014
Netherlands Constitution (NetherlConst)	Constitution of the Netherlands of 24 August 1815 as amended until 2008
Norwegian Constitution (NorwConst)	Constitution of Norway of 14 November 1814 as amended until 2016
para(s).	paragraph(s)
Polish Constitution (PolConst)	Constitution of Poland of 2 April 1997 as amended until 2008
Portuguese Constitution (PortConst)	Constitution of Portugal of 2 April 1976 as amended until 2005
Reichsverfassung	Constitution of the German Reich of 1871 (Deutsche Reichsverfassung 1871)
RFDC	Revue Française de Droit Constitutionnel
Romanian Constitution (RomConst)	Constitution of the Republic of Romania of 21 November 1991 as amended until 2008
Slovakian Constitution (SlovakConst)	Constitution of Slovakia of 1 September 1992 as amended until 2014
Slovenian Constitution (SlovenConst)	Constitution of Slovenia of 23 December 1991 as amended until 2016
Spanish Constitution (SpanConst)	Constitution of Spain of 29 December 1978 as amended until 2011
Swedish Constitution (SwedConst)	Constitution of Sweden (Svensk Regeringsform) of 1 January 1975 as amended until 2010
Swiss Constitution (SwissConst)	Bundesverfassung der Schweizerischen Eidgenossenschaft of 18 April 1999 (status of 1 January 2016)
TC	Tribunal Constitucional (Spain)
TEU	Treaty on the European Union of 1 December 2009 (Lisbon-Treaty)
TFEU	Treaty on the Functioning of the Treaty on the European Union of 1 December 2009
(TurkConst)	Constitution of Turkey of 7 November 1982; amended in 2017 by referendum
VfGG	Austrian Constitutional Court Statute (Österreichisches Verfassungsgesetz)
VfGH (WeimConst)	Austrian Constitutional Court (österreichischer Verfassungsgerichtshof) Weimarer Reichsverfassung of 11 August 1919

## Bibliography

- Bauer *et al.* ..... (eds.), *Demokratie in Europa*, Tübingen 2005
- Blanke/Mangiameli ..... (eds.), *The Treaty on the European Union (TEU). A Commentary*, Heidelberg *et al.*, 2013
- Bogdanor ..... *The New British Constitution*, London 2009
- Bradley/Ewing ..... *Constitutional and Administrative Law*, 17<sup>th</sup> ed., Harlow *et al.* 2017
- Carré de Malberg ..... *Contribution à la Théorie de l'Etat*, Vol. 1, Paris 1920 (reprint 2003)
- Chantebout ..... *Droit constitutionnel*, 32<sup>nd</sup> ed., Paris 2015
- Classen ..... *Nationales Verfassungsrecht in der Europäischen Union*, Baden-Baden 2013
- Delpérée ..... *Le droit constitutionnel de la Belgique*, Bruxelles 2000
- de Smith ..... *Constitutional and Administrative Law*, 5<sup>th</sup> ed., London 1985
- de Vergottini ..... *Diritto Costituzionale*, 11<sup>th</sup> ed., Padua 2017
- de Vergottini ..... *Diritto Costituzionale Comparato*, 7<sup>th</sup> ed., Padua 2007
- Dicey ..... *An Introduction to the Study of the Law of the Constitution*, 8<sup>th</sup> ed., London 1914
- Dicey/Wade ..... *Introduction to the Study of the Law of the Constitution*. 10<sup>th</sup> ed., London 1948
- Ehrenzeller *et al.* ..... *Die schweizerische Bundesverfassung*, Lachen 2002
- Favoreu *et al.* ..... *Droit constitutionnel*, 19<sup>th</sup> ed., Aix-en-Provence 2014
- Fernández Segado ..... *El sistema constitucional español*, Madrid 1992
- Frowein/Marauhn ..... *Grundfragen der Verfassungsgerichtsbarkeit in Mittel- und Osteuropa*, Heidelberg *et al.* 1998
- Grabenwarter/Pabel ..... *Europäische Menschenrechtskonvention*, 5<sup>th</sup> ed., München 2012
- Grewe/Ruiz-Fabri ..... *Droits constitutionnels européens*, Paris 1995
- Häberle/Kotzur ..... *Europäische Verfassungslehre*, 8<sup>th</sup> ed., Baden-Baden 2016
- Häfelin/Haller *et al.* ..... *Schweizerisches Bundesstaatsrecht*, 9<sup>th</sup> ed., Zürich 2016
- Hamon-Troper ..... *Droit constitutionnel*, 31<sup>st</sup> ed., Paris 2009
- Hauriou ..... *Précis élémentaire de droit constitutionnel*, 2<sup>nd</sup> ed., Paris 1930
- Hofmann *et al.* ..... *Rechtsstaatlichkeit in Europa*, Heidelberg 1996
- Iliopoulos-Strangas ..... *La protection des droits sociaux dans les Etats membres de l'Union européenne*, Athens 2000
- Kelsen ..... *Allgemeine Staatslehre*, Berlin 1925 (reprint 1993)
- Kischel ..... *Rechtsvergleichung*, München 2015
- Loveland ..... *Constitutional Law, Administrative Law and Human Rights*, 7<sup>th</sup> ed., Oxford 2014
- Malberg ..... *Contribution à la théorie de l'Etat*, Paris 1922 (reprint 3<sup>rd</sup> ed.)
- Öhlinger ..... *Verfassungsrecht*, 8<sup>th</sup> ed., Wien 2009
- Perlingeri ..... *Commento alla Costituzione italiana*, Napoli 1997
- Peters ..... *Elemente einer Theorie der Verfassung Europas*, Berlin 2001
- Philipps/Jackson ..... *Constitutional and Administrative Law*, 8<sup>th</sup> ed., London 2001
- Renoux/de Villiers ..... *Code constitutionnel*, 8<sup>th</sup> ed., Paris 2017
- Schmitt, Carl ..... *Verfassungslehre*, reprint of the 1<sup>st</sup> ed. 1928, 6<sup>th</sup> ed., Berlin 1983
- Stern, Vol. I ..... *Das Staatsrecht der Bundesrepublik Deutschland, Vol. I: Grundbegriffe und Grundlagen des Staatsrechts, Strukturprinzipien der Verfassung*, 2<sup>nd</sup> ed., München 1984
- Stern, Vol. II ..... *Das Staatsrecht der Bundesrepublik Deutschland, Vol. II: Staatsorgane, Staatsfunktionen, Finanz- und Haushaltsverfassung, Notstandsverfassung*, München 1980
- Turpin/Tomkins ..... *British Government and the Constitution*, 7<sup>th</sup> ed., Cambridge 2012
- von Bogdandy/Cruz Villalón/Huber, Vol. I ..... *Handbuch Ius Publicum Europaeum, Vol. I: Grundlagen und Grundzüge staatlichen Verfassungsrechts*, Heidelberg 2007
- cit: von Bogdandy/Cruz Villalón/Huber, IPE, Vol. I (2007)

## Bibliography

- von Bogdandy/Cruz Villalón/  
Huber, Vol. II ..... *Handbuch Ius Publicum Europaeum, Vol. II: Offene Staatlichkeit –  
Wissenschaft vom Verfassungsrecht*, Heidelberg 2008  
cit: von Bogdandy/Cruz Villalón/Huber, IPE, Vol. II (2008)
- von Bogdandy/  
Cassese/Huber, Vol. III ..... *Handbuch Ius Publicum Europaeum, Vol. III: Verwaltungsrecht in  
Europa: Grundlagen*, Heidelberg 2010  
cit: von Bogdandy/Cassese/Huber, IPE, Vol. III (2010)
- Walter/Mayer/Kucsko-  
Stadlmayer ..... *Grundriss des österreichischen Bundesverfassungsrechts*, 10<sup>th</sup> ed., Wien  
2007
- Weber ..... *Europäische Verfassungsvergleich*, München 2010
- Wiesner ..... *Vergleichendes Verfassungsrecht*, Wien-New York 2005

  
beck-shop.de  
DIE FACHBUCHHANDLUNG