

General theory of the State

I. Methodology

- A. *What is the General Theory of the State?*
- B. *Legal positivism*
- C. *Language levels. Theory and metatheory*
- D. *Concepts and metaconcepts*
- E. *Argumentative constraints and Causality*

II. THE STATE,

- A. *Problems of definition*
- B. *The Kelsenian conception*

The thesis of the unity of the State and the law

The Weaknesses of the Kelsenian Thesis

The fecundity of the Kelsenian thesis: For a formal definition of law or state lato sensu

- C. *The emergence of the sovereign State*

The emergence of a hierarchy of norms

The hierarchy of norms and sovereignty

III. Rechtstaat and Rule of Law

- A. *Theory of the Rechtsstaat*
- B. *Judicial review and Democracy*
- C. *The problem of super constitutional norms*