
PREFACE

The international collection of scholarly papers “Challenging Traditional Constitutional Ideas in Terms of Modern State and Politics” is an attempt for prominent domestic and foreign authors to respond to the theoretical and practical challenges that the modern way of life brings within the field of state and politics. We are witnessing that modern state and society are changing rapidly, causing ever emerging discussions about the transformation of a number of classical understandings of constitutional law and political science. Issues of the crisis of parliamentarism and the federal state, the changed nature of the division of power, the role of political parties, the transformation of particular human rights, the electoral system, etc. – they all have direct implications on the functioning of the constitutional system, hence create the need for further scholarly analysis and discussion. As the well-founded theoretical knowledge represents an irreplaceable basis for any practical considerations and actions, attention is equally paid to both aspects of scholarly research and normative action.

The Collection of papers covers wide range of constitutional legal topics that all share common dilemma of inapplicability, or vice versa - unjustified neglect of particular, classical theoretical concepts. In 26 papers 32 (co)authors from 10 countries (Bosnia and Herzegovina, Montenegro, the Italian Republic, the Republic of Latvia, the Republic of Albania, the Republic of Croatia, the Republic of North Macedonia, the Republic of Serbia, the Federal Republic of Germany and the United States of America), including eminent professors, scholars, judges and presidents of constitutional courts, members of the Venice Commission, etc., dealt with the matter of interest in a way that it can be classified into four groups: internationalization and prospects for the development of constitutional law; building a constitutional identity and the role of the constitutional judiciary; reviewing the doctrine of separation of powers; and the transformations of human rights in the 21st century. The comprehensiveness of the subject and the pluralism of the ways how a concrete problem is perceived therefore respond well to one of the most important requirements of constitutional law - the distinctive need for a systematic approach.

Finally, in addition to the undoubted contribution to the development of constitutional law and political science, at a time when the Republic of Serbia is revising its Constitution within the field of judiciary, this Collection of papers also tries to provide answers to a list of practical questions of great importance for our further constitutional development.

November 2021.

Dr. Miroslav Đorđević