

задржава и посебност и све оно традиционално што краси сваку нацију појединачно. Имајући увек на уму друштво Србије и њен уставни поредак, евентуални креатор новог Устава Србије могао би да има визију која би се исказала жељом да државне основе поставимо на здравим начелима знања као најважнијег елемента конкурентности у оквиру савременог светског поретка. То је и визија коју су наши преци имали када су оснивали прву српску државу.

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COMMUNITY SYSTEM IN A MODERN CONSTITUTIONAL STATE

Summary

The paper is an expression of the desire to discover the "magic formula" of creating a system, that is, a modern, constitutional state. As this is an extremely demanding task, starting a basic discussion about the system and the state-legal structure, elements of a modern, and consequently constitutional state, is done from a normative-dogmatic and political-sociological standpoint. Thereafter, systematically the first phase of constitutional constitutionalism occupies a central place for discussion. The preamble to the constitution is analyzed to conclude the regularities and differences between the rule of law and the states that aspire to or should strive for the ideal of a secure, legally regulated state. Noticing the classifications already made and creating new ones contributes to a more modern scientific view of the preamble to the constitution. Connecting the system on the one hand and knowledge, science on the other is done by a comparative overview of the basic conclusions that determine the modern global flows of state creation. The scarcity of research related to the preamble to the constitution justifies the purpose of the paper, and in concluding considerations the political vision of the creators of the state organization stands out as a junction of sociological components with the normative formula of state-making success.

Key words: constitutional state, preamble, constitution, Häberle, justice.

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