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THE SIGNIFICANCE OF 19TH CENTURY SERBIAN CONSTITUTIONAL ACTS FOR MODERN SERBIAN CONSTITUTIONALISM

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The concept of constitutional law is closely linked to the idea of modern constitutionalism, which first emerged in Europe through efforts to establish parliamentary monarchies. In striving to liberate itself from centuries-long occupation by the Ottoman Empire which disrupted the continuity of Serbian statehood, including the structure of government Serbia engaged in extensive constitution-making during the 19th century, as part of its final liberation and the formation of a modern state. Many current constitutional solutions find their inspiration and roots precisely in those constitutional acts. With this in mind, the paper explores one aspect of this issue using normative and comparative methods, although the contemporary concept of "rule of law" differs greatly from the understanding of this concept in the aforementioned historical period, which is the result of political conditioning and all the circumstances and characteristics that have changed throughout historical periods. The aim of this paper is to emphasize this fact and to explore the impact of those transformative and turbulent early acts of Serbian constitutional development on contemporary Serbian constitutionalism, particularly their influence on the principle of separation of powers as enshrined in the 2006 Constitution of the Republic of Serbia.

Key words: *constitutional act, separation of powers, legislative authority, executive authority, judicial authority.*

I INTRODUCTION

The historical development of constitutionalism and constitutional order represents a fundamental issue in the general history of every nation and nation-state,

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