

INSTITUTIONAL PREREQUISITES FOR RECONCILIATION OF  
CONSTITUTIONAL AND REAL POWERS OF THE PRESIDENT OF THE  
REPUBLIC OF SERBIA

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**Summary:** It is undoubted that the President of the Republic of Serbia represents the most controversial debating issue in constitutional theory and practice. We can find completely opposite attitudes toward the constitutional status of the President of the Republic: on the one hand, the prevailing opinion that the President of the Republic has an active role in the executive branch of the government, but on the other hand, the opinion that the President of the Republic is a figurehead and has only a moderating role. If we remain focused only on normative analysis, there is no doubt that we will be brought to a conclusion that the constitution-maker insisted on the moderating role of the President of the Republic making him an independent constitutional body providing the balance in the system of government. However, if we only analyze functioning of the system of government in practice, it is necessary to conclude that the president of the Republic has an active role in the executive branch. This gap between the written and the real Constitution is a consequence of mistakes and negligence in creating institutional physiognomy of the president of the Republic. Namely, the direct election of the president of the Republic is not followed by adequate powers. We can say that implementation of the semipresidential system can be one of the possible ways to overcome shortcomings of the constitutional status of the President of the Republic of Serbia in the 2006 Constitution.