

CONSTITUTING THE INSTITUTION OF THE CONSTITUTIONAL COURT OF SERBIA WITH SPECIAL REFERENCE TO FOREIGN INFLUENCES

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Summary: We study the constitutional regulation of the position and powers of the Constitutional court as a special body in the political system of Serbia. The author analyzes the way in which the foreign constitutional solutions influenced our legal framework. First, the author takes into account the historical development of the institute, beginning with the decision *Marbury v. Madison* in the U.S., and Kelzen's understanding from early 20th century in Austria. Then, there follows the review of the operation of various systems of constitutional justice in the world. Special analysis is made of the German Constitutional Court, the Constitutional Court of Austria, as well as the Italian Constitutional Court, whose solutions have dominant influence on the Constitutional Court of Serbia.

Keywords: constitution, constitutionality, legality, systems of constitutional justice.