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Marjetka Rangus

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V iskanju ravnotežja med skupščinskim sistemom in parlamentarizmom

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POVZETEK

PARLAMENTARNE PRAKSE SOCIALISTIČNE JUGOSLAVIJE

Podoba političnega sistema druge, socialistične Jugoslavije skozi oči njenega zakonodajnega telesa je odraz kompleksnega dogajanja na specifičnem geografskem območju in v specifičnem zgodovinskem času, revolucionarne zagnanosti v gradnji novega sistema ob neuspešnem reševanju starih težav in eksperimentiranja brez otipljivih zgledov. Rezultat tega štiri desetletja in pol trajajočega poskusa je bila izgradnja in nenehno spreminjanje socialističnega samoupravnega skupščinskega sistema, ki ni hotel biti parlamentarizem, a je kljub temu vseboval nekatere bistvene elemente parlamentarne vladavine, in ki je hotel biti demokratičen, a si je že v ustavah zagotovil možnosti totalitarnega nadzora in avtoritarnega vladanja.

Z vidika sodelovanja Slovencev pri ustavnih projektih je bil Kardeljev prispevek pri nastajanju jugoslovanskega političnega sistema tudi nasploh največji, tako da bi predvsem zato lahko rekli, da je bil slovenski delež pri teh procesih velik. Sicer pa je težko »meriti« oz. vrednotiti prispevek posameznih narodov k izgradnji celotnega projekta socialističnega sistema. Eden izmed razlogov za to je načelo, ki je temeljilo na Avnojskih sklepih, da so narodi med sabo enakopravni, kar se je v praksi odražalo v paritetni sestavi skupščinskih teles, tudi kadar to ni bilo eksplicitno določeno (npr. po en podpredsednik prezidija iz vsake republike, sestava ustavnih komisij, razdelitev funkcij ipd.). V prvih povojnih letih slovenski poslanci v zvezni skupščini niso odigrali takšne vloge, kot bi jim jo morda radi pripisali danes, torej vloge nekakšnih varuhov suverenosti republik oz. narodov in demokracije. Niti v razpravah na ustavnih odborih niti na plenumu se niso zavzemali za uveljavitev znamenite pravice do odcepitve, čeprav je očitno, da je ta debata potekala nekje druge, vsekakor ne v skupščini. Razlaga je vsaj delno gotovo tudi v dejstvu, da je slovenska Osvobodilna fronta poenotila svoje vrste že med vojno in v njej uveljavila ekskluzivni primat komunistov, pri čemer so se morale ostale politične skupine znotraj nje odpovedati svoji samostojni organizaciji in identiteti tudi za povojni čas. Slovenski poslanci v ustavodajni skupščini in v vseh nasle-

dnjih so tako zagovarjali enotno politično usmeritev komunističnega vodstva, pogosto pa sploh nisto sodelovali v razpravah, medtem ko so sicer znotraj Ljudske fronte Jugoslavije obstajale še nekatere stare meščanske stranke, npr. Hrvaška republikanska kmečka stranka, Jugoslovanska republikanska demokratska stranka, Narodna kmečka stranka, Zveza kmetovalcev idr. Te so vsaj na začetku ohranile nekatere svoje programske cilje iz predvojnega obdobja, njihovi poslanci pa so bili navajeni tudi nastopanja in dela v skupščini. Nekatere markantne slovenske politične osebe so seveda pustile svoj pečat na delu skupščine, vendar nič bolj ali manj kot politiki iz drugih narodov. Izpostavljeno delovanje slovenskih poslancev in delegatov pa lahko zaznamo v obdobjih, ko je republika Slovenija oz. slovenski narod kot celota očitno izbiral alternativne usmeritve nasproti centru, tj. v šestdesetih in osemdesetih letih 20. stoletja.

V petinštiridesetih letih obstoja se je tako v Jugoslaviji izoblikoval svojevrsten socialistični samoupravni skupščinski sistem, ki je imel kljub pogostim ustavnim spremembam nekaj temeljnih značilnosti. Ena najbolj vidnih je gotovo ideja enotnosti oblasti oz. prizadevanje za čim večjo koncentracijo politične moči v skupščini, skladno z marksistično politično teorijo, ki zavrača delitev funkcij oblasti kot način ločevanja in odtujevanja politične sfere od zasebne. Jugoslovanski ustavni sistem je preizkusil štiri modele organiziranja enotne oblasti. Prvo rešitev je prinesla ustava leta 1946, ki je oblikovala skupščino in vlado, voljeno v njej, brez funkcije predsednika države in ustavnega sodišča, ki jo je izvajala skupščina sama po svojem organu – prezidiju. Praktično je idejo centralnega položaja skupščine najbolj ogrožala ustavna pravica vlade izdajati uredbe z zakonsko močjo, ki je iz vlade naredila glavnega zakonodajalca in potisnila skupščino na skrajni rob političnega odločanja. Drug model je bil predstavljen z ustavnim zakonom leta 1953. Po njem je državo vodila skupščina, ki je iz sebe izvolila izvršilni organ kot nekakšen poseben odbor – zvezni izvršni svet, izvolila pa je tudi predsednika države, ki je bil hkrati predsednik

zveznega izvršnega sveta. Tudi v tem modelu je še vedno obdržala ustavnosodno funkcijo, ustavni zakon pa je že vseboval zametke samoupravnega sistema komun na lokalni ravni. Vlada je obdržala tudi pravico izdajati uredbe z zakonsko močjo na gospodarskem področju, kar je močno izkoristila in še vedno nadvladovala skupščino v funkciji zakonodajalca. Ta model je doživel nekaj pomembnih modifikacij z ustavo leta 1963, ki so nastalo oblastno strukturo pomaknile dosti bliže klasični delitvi funkcij oblasti. Funkcija predsednika države je postala samostojna, čeprav še vedno voljena v skupščini, z obsežnimi predstavniško-izvršilnimi pristojnostmi, hkrati se je nekoliko bolj samostojno pozicioniral tudi zvezni izvršni svet. Zakonodajna aktivnost skupščine je v tem času narasla in v celoti prvič presegla delež izvršilne oblasti v normativni dejavnosti, močno pa se je razširilo tudi funkcionalno predstavništvo v skupščinah. Z uvedbo ustavnega sodišča se je skupščina odpovedala še presojanju ustavnosti in zakonitosti. Po drugi strani je ta ustava prispevala h krepitvi skupščinskega sistema z uvajanjem političnega samoupravljanja na ravni komun v obliki mreže skupščin v vseh družbenopolitičnih skupnostih. Četrti model se je izoblikoval z ustavnimi amandmaji 1967–1971 in ustavo 1974. Uvedla je kolektivni predsedniški organ, ki je dobil pristojnosti posegati tako v zakonodajno funkcijo skupščine kot v izvršilno funkcijo zveznega izvršnega sveta. Prvič v zgodovini socialistične Jugoslavije je bila med nadzornimi instrumenti ustavno zagotovljena pravica do interpelacije. Rezultat vse večje neodvisnosti zveznega izvršnega sveta od skupščine je bila vzpostavitev klasičnega odnosa zavor in ravnotežij oz. *checks and balances,* v katerem sta si skupščina kot celota in njen izvršilni organ pogosto stala na nasprotnih bregovih, v tem odnosu pa zvezni izvršni svet ni razpolagal z vetom ali možnostjo razpusta skupščine. Centralnost skupščine v političnem sistemu je bolj kot izvršna veja ogrožalo predsedstvo, ki je z mnenji posegalo v skupščinsko delo in na nekaterih področjih konkuriralo izvršni veji, nad katero je opravljala tudi nadzor. Poleg tega je opravljala

pomembno vlogo v medrepubliškem dogovarjanju, vse do leta 1988 pa je bil član tega telesa po položaju tudi najvišji predstavnik Zveze komunistov Jugoslavije. Šele amandmaji leta 1988 so ukinili to članstvo predstavnika zveze komunistov po položaju, prvič pa je bil vzpostavljen tudi instrument nadzora nad člani predsedstva v obliki pravice republike, da svojega člana predčasno razreši s funkcije. Vse te značilnosti so kazale na veliko moč predsedstva vse do razpada Jugoslavije, ki je bila takšna tudi zaradi ustavnega načela odločanja s soglasjem vseh federalnih enot.

V vseh letih svojega delovanja je skupščina s poslovniki precej uspešno institucionalizirala svojo organizacijo in delo. Od začetkov pa do sredine sedemdesetih let je naraščala njena zakonodajna oz. bolj natančno deliberativna aktivnost, posebej po skupščinskih odborih, čeprav demokratična ljudska iniciativna ni bila omogočena. Glavni iniciator zakonodaje je bil zvezni izvršni svet, samostojni poslanci oz. kasneje delegati in njihove delegacije redko, bolj pogosto pa skupščinski odbori, zlasti po sprejetju nove ustave 1963, ko je delo po odborih postala prevladujoča oblika dela v skupščini. Posamezni poslanci so sicer občasno zahtevali večjo demokratizacijo postopkov, neposredne volitve in racionalizacijo števila zbornic, glavna pobuda političnih sprememb pa je kljub celotni odločevalski strukturi prihajala iz ozkega partijskega gremija, ki se je pozicioniral zunaj ustavnega reda.

Jugoslovanska socialistična skupščina je zelo visoko razvila svojo nadzorno funkcijo, pri čemer je kot edina med socialističnimi skupščinami široko razvila institut poslanskih vprašanj.[926] Poslanci so svojo vlogo očitno dojemali resno in so od predstavnikov izvršne oblasti zahtevali prisotnost in pogosto protestirali, ko jih ni bilo na seje. Znali so postavljati zelo neposredna in neprijetna vprašanja, sprejetje zakonov in drugih aktov pa od šestdesetih let ni bilo več samoumevno. Izvršni svet se je temu prilagodil in akte, ki niso imeli podpore, že prej umaknil iz postopka. Ustavni amandmaji iz leta 1971 so celo eksplicitno nava-

926 Mezey, *Comparative Legislatures.*

jali možnost interpelacije, čeprav je bila kot možnost nakazana že tudi prej, npr. v ustavnem zakonu iz leta 1953. Po drugi strani ustavni red ni nikoli predvidel nobenih instrumentov preverjanja odgovornosti organov oz. organa v funkciji predsednika države, kar se je zlasti v zadnjih letih izkazalo za veliko pomanjkljivost skupščinskega sistema. Šele amandmaji leta 1988 so predvideli možnost predčasne razrešitve člana predsedstva.

Naslednja značilnost jugoslovanskega socialističnega samoupravnega skupščinskega sistema je vztrajno negiranje pluralizma. Politično vodstvo je ves čas izrecno zavračalo uvedbo strankarskega pluralizma in se tudi v zadnjih letih zavzemalo bolj za uveljavitev »nestrankarskega« sistema kot pa večstrankarskega. Kandidatne liste na volitvah so bile skromne in so le redkokdaj in redkokje vsebovale več kandidatov, kot je bilo na razpolago mest. Potem ko je pluralizem postal politična nujnost in je tudi vladajoča komunistična oblast priznala konfliktnost družbenih interesov, se je v politični sferi uveljavil koncept pluralizma samoupravnih interesov. Ta pa ni dopuščal organizacije izven vserežimske Socialistične zveze delovnega ljudstva Jugoslavije, ki je delovala kot nekakšen dežnik, pod katerim so se zbirale različne družbenopolitične organizacije. Institucionalni vpliv socialistične zveze je z leti le še naraščal, saj je ves čas obdržala monopol nad kandidacijskimi postopki za volitve v vse državne institucije in funkcije. Ustavne spremembe v smeri večstrankarskega pluralizma so prišle od spodaj, iz republik, za njihovo uveljavitev na zvezni ravni pa je bilo že prepozno.

Prav tako se je realsocialistični politični sistem odrekel konceptu predstavništva, čeprav v skrajni fazi organizacije brez nekih predstavniških institucij ni šlo. Nezaupanje v posredne metode demokracije je privedlo do postopnega uvajanja delegatskega mandata in do dokončne ukinitve neposrednih volitev z ustavo 1974. S tem je bilo v jugoslovanski politični sistem uvedeno načelo antipredstavništva. Nova struktura delegatske skupščine naj bi presegla dvojnost samoupravljanja in politične oblasti, ki se je do leta 1974 še ohranjala v obliki neposrednih vo-

litev v splošno predstavniško zbornico. Neposredno pošiljanje delegacij izmed članov družbenopolitičnih organizacij v zvezno skupščino je vzpostavilo novo obliko – politično predstavništvo, ob ohranjenem funkcionalnem pa je bilo ukinjenjeno splošno predstavništvo.

Ravno velika ideološka zavezanost politične elite skupščinskemu sistemu je bila ključna za razmeroma pomemben položaj skupščine v socialistični Jugoslaviji, kar jo je tudi ločevalo od zakonodajnih zborov v drugih komunističnih državah. Na koncu pa so zahteve po demokratizaciji in parlamentarizaciji prišle iz civilne družbe in iz širše politične kulture. Ta naklonjenost politične kulture močni vlogi parlamenta v političnem sistemu je vidna tudi v slovenski ustavi, ki je v svoji sodobni demokratični parlamentarni ureditvi ohranila precej elementov skupščinskega sistema.

Med najvidnejšimi elementi marksizma v jugoslovanskem socialističnem samoupravnem sistemu najprej omenimo opredelitev, da je vsakokratna državna ureditev odražala diktaturo proletariata, torej prehodno stopnjo pred dokončnim odmrtjem države in resnično popolno neposredno demokracijo. S tem povezano je tudi podružbljenje in s tem podržavljenje zasebne lastnine, pri čemer pa je morala oblast v imenu učinkovitosti in delovanja na trgu kmalu sprejemati kompromise in dopuščati tudi zasebno iniciativo in odpiranje tržnim zakonitostim. Druga značilnost, ki smo jo že omenili, je vztrajanje pri monolitni oblasti enotne ideologije in ene partije, znotraj katere je veljalo načelo demokratičnega centralizma. Komunistična partija Jugoslavije je tudi po preimenovanju ohranila za zgled boljševiško avantgardno partijo, kar je bila predvsem Titova zasluga, po njegovi in Kardeljevi smrti pa je tudi vloga ideologije, in s tem partije, začela upadati. Poleg omenjenih moramo izpostaviti še spodbujanje praks neposredne demokracije v obliki samoupravljanja in komunalni sistem, ki naj bi sledil vzoru pariške komune. Vendar ta sistem ni prinesel resnične samouprave na lokalni ravni, temveč predvsem dekoncentracijo in decentrali-

zacijo državne oblasti, zaradi česar so organi na ravni komun posvečali več časa izvrševanju nalog države kot pa izpolnjevanju lokalnih interesov.

Jugoslovanski skupščini si v celoti ni uspelo izboriti centralnega položaja v političnem sistemu. Nad njo je nadzor ves čas izvajala komunistična partija in odraz svobode v skupščini je bil znak razpadanja monolita Zveze komunistov Jugoslavije. Politiki in poslanci so se načrtno distancirali od zahodnega parlamentarnega sistema iz ideoloških razlogov, s katerimi so zavračali strankarski pluralizem in legalno organiziranje opozicije. Jugoslovanski socialistični samoupravni skupščinski sistem se je hotel pozicionirati med meščanskim parlamentarizmom in sovjetskim sistemom, in se tudi je, kot sistem z delitvijo funkcij oblasti in nekaterimi neposrednimi demokratičnimi praksami, z vse bolj pluralno družbo, a do zadnjih let pod nadzorom komunistične partije.

Predstavljena študija pomeni le košček sestavljanke v raziskovanju socialističnih (ne)parlamentarnih praks. Njen namen je bil zaorati ledino pri raziskovanju jugoslovanskega in s tem tudi slovenskega parlamentarizma ter vzpostaviti ogrodje, ki bi omogočalo nadaljnje raziskovanje. Ugotovitve še zdaleč ne odgovarjajo na vsa vprašanja v zvezi z delovanjem zvezne skupščine, česar pa zaradi obsega raziskave tako po času kot po strukturi tudi ni bilo mogoče pričakovati. Neodgovorjena ostajajo vprašanja o širših postopkih sprejemanja politik, o konkretnem delu poslancev (npr. raziskovanje s pomočjo glasovanja roll-call), o drugih neformalnih oblikah odločanja in predvsem o vseh drugih funkcijah skupščine, o posameznih procesih spreminjanja ustav, o raznolikosti političnega razvoja v posameznih republikah in pokrajinah. Zaradi širokega časovnega razpona nam ni npr. uspelo natančno raziskati samonadzorne funkcije jugoslovanske skupščine in njene učinkovitosti, ki se je izkazala za posebnost v socialističnem taboru. Po drugi strani pa smo med raziskovanjem prišli do nekaterih novih podatkov in ugotovitev, ki v tej študiji niso našle prostora in ki potrebujejo

nadaljnjo kritično obdelavo. Vsekakor pa bogata zapuščina jugoslovanske zvezne socialistične skupščine v različnih arhivih na ozemlju nekdanje Jugoslavije ponuja veliko možnosti za raziskovanje v prihodnje in pomeni izziv vsem raziskovalcem različnih parlamentarnih praks tako z vidika (ne)demokratičnosti kot npr. delovanja v večnacionalnem okolju.

SUMMARY

PARLIAMENTARY PRACTICES OF SOCIALIST YUGOSLAVIA

The outlook on the political system of the second, socialist Yugoslavia from the viewpoint of its legislative body is a reflection of complex developments in a specific geographical area and at a certain historical time, of a revolutionary imperative to build a new system while unsuccessfully solving old problems and experimenting without any tangible models. The result of this experiment, lasting for four decades and a half, was the construction and constant adaptation of the socialist self-management parliamentary system which refused to be parliamentarism. It nevertheless contained certain elements of parliamentary government and aspired to be democratic, but had already in its constitutions ensured the possibility for totalitarian control and authoritarian government.

From the viewpoint of the Slovenian cooperation in the constitutional projects, Kardelj's contribution to the creation of the Yugoslav political system was the most substantial of all, and thus we can state that the Slovenian contribution to these processes was significant. Otherwise it is difficult to "measure" or evaluate the contribution of the individual nations to the construction of the whole socialist system project. One of the reasons for this is the principle, based on the decisions of the Anti-Fascist Council for the National Liberation of Yugoslavia, that the nations are equal among themselves. In practice this was reflected in the parity structure of the Assembly bodies, even when this was not specified explicitly (e.g., one Vice President of Presidium from each of the republics, structure of the constitutional commissions, division of functions, etc.). In the first post-war years the Slovenian members of the Federal Assembly did not play such a role as we might wish to ascribe to them today, so they were not some kind of guardians of the sovereignty of the republics, nations, or democracy. Not even in the discussions that took place in the constitutional committees did they argue for the implementation of the celebrated right to secession. It is obvious that this debate was taking place somewhere else, but by no means was it discussed in the Assembly.

The explanation certainly, at least partly, stems from the fact that the Slovenian Liberation Front had unified its ranks already during the war, introducing an exclusive primate of the communists, while the other political groups within it had been forced to renounce their independent organisation and identity even in the post-war period. Thus the Slovenian members of the Constitutional Assembly and in all subsequent Assemblies argued for a unified orientation of the communist leadership, and often they did not participate in the discussions at all, while otherwise certain old bourgeois parties – for example the Croatian Republican Peasant Party, Yugoslav Republican Democratic Parties, National Peasant Parties, Peasant Unions etc. – persevered within the People's Front of Yugoslavia. At least initially these parties preserved some of their programme goals from the prewar period, and their members were also used to speaking and working in the Assembly. Naturally, certain notable Slovenian politicians did leave their mark on the work of the Assembly, but no more or less than the politicians from the other nations. We can, however, note a more visible activity of Slovenian members of Assembly and delegates in the periods when the Republic of Slovenia or the Slovenian nation as a whole openly opted for alternative orientations against the centre, that is, in the 1960s and 1980s.

During the forty-five years of its existence, a unique sort of a socialist self-management Assembly system was therefore established in Yugoslavia, which, despite its frequent constitutional changes, retained certain basic characteristics. One of the most visible of these was undoubtedly the idea about the unity of authority or the efforts to concentrate the largest possible amount of political power in the Assembly, in accordance with the Marxist political theory, which rejects the division of the functions of authority as a manner of separating and alienating the political sphere from the private sphere. The Yugoslav constitutional system tested four models of organising the unified authority. The first solution was implemented by the Constitu-

tion of 1946, which established the Assembly and the government elected within this Assembly, without the functions of the President of the State and the Constitutional Court, which the Assembly carried out itself through its own body, the Presidium. In practice the idea of the central position of the Assembly was threatened the most by the constitutional right of the government to adopt legally binding regulations, which transformed the government into the main legislator and pushed the Assembly to the very brink of political decision-making. The second model was presented with the Constitutional Act of 1953. According to this Act the state was led by the Assembly, which had to elect from among its members its executive body as a sort of a special committee – the Federal Executive Council. It also elected the President of the State, who was at the same time the President of the Federal Executive Council. Even in accordance with this model the state still retained its Constitutional Court function, while the Constitutional Act already contained some basic elements of the self-management system of communes at the local level. The government also retained the right to adopt legally binding regulations in the economic field, which it took advantage of and kept controlling the Assembly in the function of the legislator. This model saw a few important modifications with the Constitution of 1963, which changed the existing structure of authority, approximating it considerably to the classic division of the functions of authority. The function of the President of the State became independent, although it was still subject to elections in the Assembly, with extensive representative and executive powers. Simultaneously the Federal Executive Council became somewhat more independent as well. At this time the Assembly's legislative activities increased, for the first time exceeding the participation of the executive authority in the normative activities, while the functional representation in the Assemblies expanded significantly as well. With the introduction of the Constitutional Court the Assembly also renounced its power to assess constitutionality

and legality. On the other hand this Constitution contributed to the strengthening of the Assembly system by introducing political self-management at the level of communes, in the form of a network of Assemblies in all socio-political communities. The fourth model was established with the constitutional amendments between 1967 and 1971 and with the 1974 Constitution. This Constitution implemented a collective presidential body with the power to intervene in the legislative function of the Assembly as well as in the executive function of the Federal Executive Council. For the first time in the history of the socialist Yugoslavia, the right to interpellation was guaranteed by the Constitution, among other supervisory instruments. The increasing independence of the Federal Executive Council from the Assembly resulted in the establishment of the classic relationship between checks and balances, in which the Assembly as a whole and its executive body often held different opinions. However, the Federal Executive Council did not have the right to veto or any option to disband the Assembly. The central position of the Assembly in the political system was threatened by the Presidency more than by the executive branch of power. The Presidency and its opinions would intervene in the work of the Assembly, in certain aspects representing a competition to the executive branch, which it also supervised. Furthermore, the Presidency also played a vital role in the negotiations between the republics, and until as late as 1988 the highest representative of the League of Communists of Yugoslavia in terms of position was also a member of this body. The 1988 amendments, however, abolished this membership of the representative of the League of Communists on the basis of their position, and for the first time the instrument of supervision over the members of the Presidency was implemented in the form of the right of the republics to impose the early termination of office on their member. All of these characteristics revealed the significant power that the Presidency preserved until the very dissolution of Yugoslavia, and which also stemmed from the constitutional

principle of adopting decisions with the agreement of all the federal units.

During all the years of its activities the Assembly quite successfully institutionalised its organisation and work with the Rules of Procedure. Since the beginnings until the middle of the 1970s its legislative or, more precisely, deliberative activity was increasing, especially in the Assembly Committees, even though a democratic public initiative was not provided for. The main initiator of the legislation was the Federal Executive Council, while independent members of the Assembly – or later delegates and their delegations – rarely had this role. The Assembly Committees, however, initiated new legislation more often, especially after the adoption of the new Constitution in 1963, when the work in Committees became the predominant form of work in the Assembly. Individual members of the Assembly may have in fact occasionally called for a greater democratisation of the procedures, direct elections and rationalisation of the number of chambers, but the majority of political change initiatives nevertheless, despite the whole decision-making structure, originated in a narrow Party group, positioned outside of the constitutional order.

The Yugoslav Socialist Assembly developed its supervisory function meticulously, and it was the only one among the socialist Assemblies to possess a well-developed institute of parliamentary questions.[927] Obviously, the members of the Assembly took their role seriously. From the representatives of the executive power they demanded that they be present, and they often protested in cases of their absence from the sessions. They were capable of asking very direct and unpleasant questions, and after the 1960s the adoption of legislation and other instruments was no longer self-evident. The Executive Council adapted to this situation and would remove the acts that lacked sufficient support from the procedure preliminarily. The constitutional amendments of 1971 even explicitly provided for the possibil-

927 Mezey, *Comparative Legislatures*.

ity of interpellation, although this option had already been indicated before, for example in the Constitutional Act of 1953. On the other hand the constitutional order never foresaw any instruments to monitor the responsibility of the institutions or the body in the function of the President of the State. This turned out to be a severe shortcoming of the Assembly system, especially in the final years. As late as in 1988 did the amendments provide for the possibility of imposing the early termination of office upon members of the Presidency.

The persistent negation of pluralism was another characteristic of the Yugoslav self-management Assembly system. Throughout its existence the political leadership explicitly rejected the introduction of any party pluralism. Even in its final years this leadership preferred the introduction of a "non-party" system to a multi-party system. The lists of candidates at elections were modest: seldom, in only a few places, they contained a number of candidates that exceeded the number of available positions. After pluralism had become a political necessity and even the ruling communist authorities admitted to the conflict of social interests, the political sphere introduced a concept of the pluralism of self-management interests. However, this solution did not allow for any organisations outside of the all-encompassing Socialist Alliance of Working People of Yugoslavia, which functioned as a sort of an umbrella that encompassed the various socio-political organisations. The institutional influence of the Socialist Alliance only kept increasing with time, as it preserved its monopoly over the candidateship procedures for the elections for all state institutions and functions. Constitutional changes, oriented towards enacting multi-party pluralism, came from below, from the individual republics, but it was already too late to enforce this on the federal level.

Furthermore, the real-socialist political system had renounced the concept of representation, even though, at the last stage of organisation, some representative institutions were unavoidable. The lack of trust in the indirect methods of de-

mocracy led to a gradual introduction of the delegate mandates and to the final abolishment of direct elections with the 1974 Constitution. Thus the principle of anti-representationalism was introduced into the Yugoslav political system. The new structure of the delegate Assembly was supposed to overcome the duality of self-management and political authority, which had, until 1974, been preserved in the form of direct elections for the general chamber of representatives. The direct appointment of delegations from among the members of socio-political organisations into the federal Assembly gave rise to a new phenomenon: political representation. While functionality was preserved, general representation was abolished.

It was precisely the considerable ideological adherence of the political elite to the Assembly system which was of key importance for the relative importance of the Assembly in the socialist Yugoslavia. This was what separated this country from the legislative assemblies in the other communist states. Finally the demands for the democratisation and parliamentarisation originated from the civil society and wider political culture. This favourable disposition of the political culture – to enable a strong Parliament in the contemporaneous political system – is also obvious in the Slovenian Constitution, which has preserved quite a few elements of the Assembly system in its modern democratic parliamentary form.

Among the most visible elements of Marxism in the Yugoslav socialist system we should primarily underline the definition that each of the state systems reflected the proletarian dictatorship: that is, the stage before the final abolishment of the state and the true, completely direct democracy. This also involved the socialisation and thus nationalisation of private property. However, in this regard the authorities soon had to start reaching compromises and also allow for private initiatives as well as accept market characteristics in the name of efficiency and functioning of the market. The insistence on the monolithic power of a single ideology and one Party, within which the prin-

ciple of democratic centralism was adhered to, was another characteristic that we have already mentioned. Even after it had renamed itself, the Communist Party of Yugoslavia kept modelling itself after the Bolshevik avant-garde Party, which can mostly be attributed to Tito. After his death and the death of Kardelj the role of the ideology and thus also of the Party started to diminish. Aside from what we have already mentioned we should also underline the encouragement of the practices of direct democracy in the form of self-management as well as the system of communes, which was supposed to follow the example of the Paris Commune. However, this system did not result in true self-management at the local level. Mostly it just deconcentrated and decentralised the state authority, which is why the authorities at the level of the communes focused on carrying out the functions of the state rather than fulfilling the local interests.

The Yugoslav Assembly failed to ensure the central position in the political system for itself. Throughout its existence it was supervised by the Communist Party and the freedom in the Assembly reflected the decline of the monolithic position of the League of Communists of Yugoslavia. The politicians and members of Assembly made a point of distancing themselves from the Western parliamentary system due to ideological reasons, rejecting party pluralism and the legal organisation of any opposition. The Yugoslav socialist self-management Assembly system wanted to position itself between the bourgeois parliamentarism and the Soviet system. It managed to achieve this goal by dividing the functions of the authorities and implementing certain direct democratic practices within the increasingly plural society. However, until the very last years it was supervised by the Communist Party.

The present study is only a piece in the puzzle of researching the socialist (non)parliamentary practices. Its purpose was to finally delve into the matter and start researching the Yugoslav and thus also Slovenian parliamentarism as well as estab-

lish the framework for further exploration. The conclusions that have been reached are by no means able to answer all the questions with regard to the functioning of the Yugoslav Federal Assembly. However, this was not even expected due to the limited extent of research in terms of time as well as its structure. Many questions remain unanswered: those about the more far-reaching procedures involved in adopting the policies, the concrete work of the members of Assembly (e.g. researching roll-call vote), other informal forms of decision-making, and, above all, all other functions of the Assembly, individual processes of amending the constitutions, and the diversity of the political development in the individual republics and provinces. For example, due to the extensive temporal frame we have been unable to analyse the self-control function of the Yugoslav Assembly and its efficiency, which has turned out to be a peculiarity within the socialist camp. On the other hand, our research has revealed new information and discoveries which could not be included in the present study and which require further critical analysis. By all means, the rich heritage of the Federal Assembly of the Socialist Federal Republic of Yugoslavia kept in the various archives in the territory of the former Yugoslavia provides for many opportunities for further research. It represents a challenge for all the researchers of parliamentary practices, not only with regard to (non)democracy but also, for example, from the viewpoint of functioning in the multi-national environment.