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RECOGNITIONES

Jurij Perovšek

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POVZETEK

Potem ko so v zadnjem letu svetovne vojne z ustanovitvijo Narodnega sveta za Slovenijo in Istro 16. in 17. avgusta 1918 v Ljubljani na Slovenskem v vsenarodnem okviru politično uveljavili ime Slovenije, je v slovenskem narodnem gibanju, ki ga je vzpodbudila Majniška deklaracija 30. maja 1917, nastopil čas neposrednih priprav na ustanovitev samostojne, zunaj habsburške monarhije oblikovane jugoslovanske države. Narodni svet je bil nadstrankarska organizacija politične pobude, utemeljen z namenom, da na podlagi majniške deklaracijske zahteve po državni osamosvojitvi habsburških Jugoslovanov (takrat še v okviru monarhije) izrazi voljo slovenskega ljudstva v pogledih na narodno samoodločbo in vzpostavitev neodvisne jugoslovanske državne skupnosti. Vodil ga je tedanji vodilni slovenski politik, načelnik katoliške Vseslovenske ljudske stranke (VLS) dr. Anton Korošec.

Slovenci so se na odhod iz monarhije pripravljali na različnih področjih – organizacijskem, propagandnem, gospodarskem in finančnem. Ob tem so oktobra 1918 v slovenski politiki javno obravnavali tudi vprašanje ureditve bodoče jugoslovanske države. VLS je zagovarjala avtonomistično ureditev in republikansko državo habsburških Jugoslovanov (njen državnopravni načrt je oblikoval Fran pl. Šuklje), najvidnejši predstavniki liberalne Jugoslovanske demokratske stranke na čelu z njenim predsednikom dr. Ivanom Tavčarjem pa skupaj s Kraljevino Srbijo oblikovano unitaristično, centralistično in monarhistično jugoslovansko skupnost. Jugoslovanska socialnodemokratska stranka vprašanja jugoslovanske države ureditve tedaj ni obravnavala.

V svoji osamosvojitveni narodni politiki so Slovenci sodelovali s hrvaškimi in srbskimi političnimi predstavniki iz Avstro-Ogrske. Plod njihovega skupnega dela je bila ustanovitev Narodnega vijeća Slovencev, Hrvatov in Srbov 5. in 6. oktobra 1918 v Zagrebu. Narodno vijeće je bilo vrhovno politično predstavniško telo, ki je razglasilo in prevzelo vodenje boja jugoslovanskih narodov v avstro-ogrski monarhiji za njihovo popolno državno samostojnost. Njegov predsednik je bil Anton Korošec. Ko je Avstro-Ogrska 28. oktobra 1918 priznala svoj vojaški poraz in obenem

Čehom, Slovakom in jugoslovanskim narodom priznala pravico do popolne samoodločbe, so naslednji dan v Ljubljani in Zagrebu pretrgali državnopravne vezi z monarhijo in razglasili ustanovitev samostojne Države Slovencev, Hrvatov in Srbov. Narodno vijeće je postalo vrhovni organ oblasti v Državi SHS.

Država SHS je ob nastanku z izjemo Prekmurja, Međimirja, Bačke, Baranje in Banata, ki so ostali v okviru Madžarske, obsegala vse ostalo jugoslovansko ozemlje nekdanje monarhije – Slovenijo, Hrvaško s Slavonijo, Istro in Dalmacijo ter Bosno in Hercegovino. Kasneje se je njen dejanski obseg zaradi italijanske zasedbe slovenskega Primorja, Istre, kvarnerskih otokov Cres in Lošinj, severne Dalmacije in dalmatinskih otokov zmanjšal. Država SHS je obstajala do 1. decembra 1918, ko se je s Kraljevino Srbijo (tej sta se 25. oziroma 26. novembra 1918 priključili Vojvodina in Kraljevina Črna gora) združila v Kraljestvo Srbov, Hrvatov in Slovencev.

Sestavne dele Države SHS so upravljale posamezne narodne oziroma pokrajinske vlade; Slovenijo Narodna vlada SHS v Ljubljani, Hrvaško s Slavonijo pokrajinska vlada v Zagrebu, Dalmacijo pokrajinska vlada v Splitu, Bosno in Hercegovino pa Narodna vlada SHS v Sarajevu. Za Istro so imenovali poverjenika Narodnega vijeća.

Država SHS je uresničevala vsa počela, ki jih zahteva mednarodno pravo za nastanek in obstoj držav. Imela je svoje državno ozemlje, ki so ga tvorile nekdanje habsburške jugoslovanske dežele, prebivalstvo in lastno organizirano oblast – Narodno vijeće ter posamezne narodne oziroma pokrajinske vlade. Spособna je bila tudi vzpostaviti odnose z drugimi državami. To so dokazali ne glede na to, da zavezniške in pridružene države niso priznale Države SHS kot države po meddržavnem pravu. Ta pa je bila politično dejstvo, saj priznanje države nima konstitutivnega pomena, ampak deklarativnega.

Kljub nepriznanju Države SHS so na zavezniški strani vseeno upoštevali državnopravno spremembo, ki je na jugu nekdanje Avstro-Ogrske nastala 29. oktobra 1918. Glavni zavezniški

poveljnik na solunski fronti, francoski general Louis Franchet d'Espere, je 6. novembra 1918 telegrafsko pozdravil Narodno vijeće ter »novo kopensko in pomorsko jugoslovansko oboroženo silo«. Poleg tega je več zavezniških in srednjeevropskih držav vzpostavilo stike z Zagrebom in Ljubljano, Država SHS pa je imela tudi formalne zunanje odnose z drugimi državami: Poljsko, Madžarsko, Češkoslovaško, Nemško Avstrijo in Kraljevino Srbijo. Državo SHS sta obenem individualno mednarodno priznali Nemška Avstrija in Madžarska demokratična republika, posredno pa tudi Kraljevina Srbija. Njen prestolonaslednik Aleksandar Karađorđević je namreč ob združitvi države SHS in Kraljevine Srbije 1. decembra 1918 izjavil, da razglaša »zedinjenje Srbije z deželami neodvisne države Slovencev, Hrvatov in Srbov v enotno kraljestvo Srbov, Hrvatov in Slovencev«. Država SHS je bila ob Kraljevini Srbiji druga država predhodnica nove jugoslovanske državne skupnosti.

Glavna značilnost položaja Slovencev v Državi SHS je bila samostojnost v oblikovanju in vodenju njihovega političnega, družbenega, gospodarskega, kulturnoprosvetnega in vojaškega življenja. Dejavnik tega, prvič v novejši zgodovini doseženega narodnopolitičnega položaja je bila Narodna vlada, ki je bila prva slovenska nacionalna vlada. Na predlog Narodnega sveta jo je 31. oktobra 1918 imenovalo predsedstvo Narodnega vijeća. Sestavljali so jo predstavniki vseh slovenskih političnih strank: Vseslovenske ljudske stranke, liberalne Jugoslovanske demokratske stranke (JDS) in marksistične Jugoslovanske socialnodemokratske stranke (JSDS). Narodna vlada je z izjemo za zunanje zadeve obsegala vsa ključna področja izvajanja državne oblasti. Ob predsedniku Josipu vitezu Pogačniku (VLS) je imela dvanajst upravnih oddelkov, t. i. poverjeništev: poverjenišтво za notranje zadeve (vodil ga je dr. Janko Brejc, VLS), poverjenišтво za prehrano (dr. Ivan Tavčar, JDS), poverjenišтво za uk in bogočastje (dr. Karel Verstovšek, VLS), poverjenišтво za pravosodje (dr. Vladimir Ravnihar, JDS), poverjenišтво za socialno skrbstvo (Anton Kristan, JSDS), poverjenišтво za finance (dr. Vekoslav

Kukovec, JDS), poverjenišтво za promet (dr. Pavel Pestotnik JDS), poverjenišťvo za industrijo in trgovino (dr. Karel Triller, JDS), poverjenišťvo za javna dela in obrt (inž. Vladimir Remec, VLS), poverjenišťvo za poljedelstvo (prelat Andrej Kalan, VLS), poverjenišťvo za narodno obrambo (dr. Lovro Pogačnik, VLS) in poverjenišťvo za zdravstvo (dr. Anton Brecelj, VLS).

Samostojnost Slovenije v Državi SHS je temeljila v razmerju med slovensko Narodno vlado in zagrebškim Narodnim vijećem. Prvotno razdelitev pristojnosti v izvrševanju oblasti v Državi SHS so opredelili tako, da si je Narodno vijeće pridržalo vodenje zunanjih in vojaških zadev, izvrševanje pravice pomilostitve, razveljavljanja zakonov in imenovanje višjih uradnikov. V vseh drugih vejah izvršne oblasti so bile posamezne narodne oziroma pokrajinske vlade neodvisne.

Narodna vlada je sprva upoštevala pristojnosti, ki si jih je pridržalo Narodno vijeće, zlagoma pa je začela izvajati državno oblast tudi na področjih iz njegovih pristojnosti. Prvotno federativno razmerje med Slovenijo in Državo SHS je začelo preraščati v konfederativno. Pri tem je pomembno, da je Narodna vlada posegala tudi na področje mednarodnih odnosov, njen obstoj pa so v svoji diplomatski dejavnosti upoštevale nekatere evropske vlade. Narodna vlada je v zunanjih zadevah sodelovala s Poljsko, Nemško Avstrijo in Češkoslovaško, ki so v Ljubljano poslale svoje diplomatske oziroma vojaške predstavnike.

V vojaških zadevah je bila Narodna vlada prepuščena sama sebi. Graditev vojske je pogojeval slovenski dejavnik. Komuniciranje in reševanje vojaških zadev med Ljubljano in Zagrebom ni nikoli imelo oblike vojaškega vodenja in poveljevanja. Odnos med Ljubljano in Zagrebom je bil bolj ali manj enakopraven, graditev obeh vojsk – slovenske in hrvaške – pa je še poudarila konfederativen značaj Države SHS.

Narodna vlada je o oblikovanju in kadrovske m popolnjenju vojske odločala sama oziroma je bil na tem področju dejaven slovenski general Rudolf Maister. Tedanja slovenska vojska je bila sestavljena iz slovenskih jeder avstro-ogrskih slovenskih polkov.

Slovenske vojaške enote so v času Države SHS veliko dosegle. To so dokazovale Maistrova ohranitev območja Maribora Sloveniji in zagotovitev slovenske severovzhodne meje ter zasedba ozemlja na južnem Koroškem od Podkloštra na zahodu, Grebinja na severu in Št. Pavla na vzhodu. Slovenska vojska v Državi SHS je imela 2 generala, 47 štabnih (višjih) oficirjev, 962 oficirjev in 11.364 vojakov. V njeni oborožitvi je bilo 21.347 pušk, 857 strojnic, 538 topov in 7 letal. Ob tem je treba upoštevati, da je bila dejanska moč slovenske vojske večja, saj je bilo pod poveljstvom slovenske vojaške oblasti še 1773 srbskih častnikov in vojakov, ki so iz avstrijskega vojnega ujetništva 6. novembra 1918 prispeli v Ljubljano. Poveljeval jim je konjeniški podpolkovnik Stevan Švabić. Srbski vojaki so Slovincem naredili nekaj velikih uslug, zlasti 14. novembra 1918, ko so z opozorilom, da so predstavniki antantne vojske, ustavili prodiranje Italijanov proti Ljubljani. Pri tem je eno od ključnih vlog imel Švabić.

Na Slovenskem so izvajali državno oblast tudi na drugih področjih iz pristojnosti Narodnega vijeća. Ukazali so pomilostitev vseh oseb, ki so jih do 30. oktobra 1918 obsodila avstrijska civilna in avstro-ogrška vojaška kazenska sodišča, razveljavili so vrsto predpisov in naredb različnih organov oblasti ter posameznih ministrstev iz avstrijskega državnega zakonika, razveljavili pa so tudi avstrijski državni zakon o društvenem pravu in avstrijski državni zakon o shodnem pravu ter člen 23 avstrijskega državnega tiskovnega zakona. S tem je Narodna vlada uzakonila svobodo zbiranja, združevanja in svobodno kolportažo. Imenovala je tudi višje uradnike.

Narodna vlada je v svojem delovanju uredila vrsto vprašanj. Pravno je uveljavila slovensko oblast nasproti predstavnikom stare avstrijske oblasti. Odstavila je vrsto uradnikov na izpostavljenih položajih in jih nadomestila s slovenskimi. Ustanovila je tudi več pomembnih upravnih institucij: upravno komisijo, komisijo za mirovno konferenco s pisarno za zasedeno ozemlje, Dopisni urad Narodne vlade v Ljubljani, Prehodni gospodarski urad v Ljubljani in svoj *Uradni list*.

Novo državno stvarnost je vlada utemeljila tudi s pravno vezanostjo prebivalstva v Sloveniji na Državo SHS. To kaže že prvi uradni razglas Narodne vlade, ki ga je nasloвила z *Državljani!* S tem je za vse fizične osebe, ki so živele na slovenskem ozemlju, uveljavila nov javnopravni položaj v zvezi z njihovo državno pripadnostjo oziroma državljanstvom. Ta je zanje nastopil 29. oktobra 1918. Narodna vlada jih je od tedaj dalje štela za »državljane svobodne Slovenije« oziroma Države SHS. Člani vlade so prebivalce na Slovenskem naslavljali s »sodržavljani«.

Narodna vlada je uveljavila tudi nova načela narodnega in družbenega življenja na Slovenskem. Odredila je, da je slovenščina uradni jezik. Od 1. novembra 1918 (praznika vseh svetih) pa so tudi v ljubljanski stolnici vsa bogoslužna opravila potekala le v slovenskem jeziku. Narodna vlada je opozorila tudi na novo obliko vladavine v Državi SHS (meščansko republiko). Določila je, da se sodbe »razglašajo v imenu zakona«, medtem ko so jih v avstro-ogrski monarhiji razglašali »v imenu Njeg. Vel. Cesarja«. Odpravila je tudi nazive kot »visokorodje«, »blagorodje« in podobne ter naslove na oblasti ali urade kot »visoki«, »slavni« in druge. V dopisih oblasti na osebe so lahko uporabljali samo nazive »gospod«, »gospa« in »gospodična«.

Izvajanje državne oblasti so na Slovenskem celovito uredili. To so storili z Naredbo celokupne vlade o prehodni upravi v ozemlju Narodne vlade SHS v Ljubljani, ki je opredelila državnopravno razmerje med Narodnim vijećem in Narodno vlado. Narodna vlada jo je razglasila 21. novembra 1918. Naredbo so oblikovali sporazumno z Narodnim vijećem. Po tej Naredbi je Narodno vijeće izvajanje svoje vrhovne oblasti preneslo na Narodno vlado, ki je bila za vse oblasti, urade in javne organe na slovenskem ozemlju najvišja upravna oblast in uradna instanca. Z Naredbo o prehodni upravi je bila v razmerju med Narodno vlado in Narodnim vijećem Država SHS sestavljena država, v kateri je Slovenija tvorila nekakšen del realne unije. V materialnopravnem pogledu je imela konfederativno državnost.

Temeljno politično vodilo Narodne vlade je bilo oblikovanje politično in upravno Združene Slovenije. Narodna vlada je prevzela in združila vse posle nekdanje cesarsko-kraljeve deželne vlade v Ljubljani in Celovcu in tudi vse posle nekdanjih cesarsko-kraljevih namestništev v Trstu in Gradcu. Razpustila je deželni odbor dotedanje vojvodine Kranjske ter za Koroško, Štajersko, Primorsko in Kranjsko prevzela in združila vse posle dotedanjih deželnih odborov ter avtonomnih oblasti in naprav. Slovenija kot taka je postala državnopravna enota. S tem so v prvi stvarni obliki uresničili program Združene Slovenije, ki je glede na italijansko zasedbo Trsta, Goriške, Istre in postojnskega okrožja na Kranjskem med 3. in 23. novembrom 1918 in tedaj še Madžarski pripadajoče Prekmurje obsegala večino nekdanje vojvodine Kranjske in slovenski del nekdanje vojvodine Štajerske, to je približno dve tretjini današnjega ozemlja Republike Slovenije.

Slovenska samostojnost leta 1918 se je poleg omenjenega kazala tudi na gospodarskem področju. Narodna vlada je odpravila militarizacijo obratov in s tem omogočila uvedbo mirnodobske proizvodnje, poslovenila, to je nacionalizirala, je avstrijski državni kapital in tako začela ustvarjati slovensko državno imetje ter storila ustrezne korake, da je omogočila nemoteno in varčno gospodarjenje z denarjem. Poskrbela je za nemoteno in nepretrgano obratovanje že obstoječe gospodarske proizvodnje na Slovenskem in urejene razmere na preskrbovalnem področju. Prešla je tudi k povezovanju narodnih gospodarskih sil, saj je prevzela nadzor nad različnimi gospodarskimi panogami v Sloveniji. V komaj dobrem mesecu obstoječi Državi SHS je vlada v gospodarskem pogledu storila veliko in opredelila temelje, na katerih bi lahko gradili samostojen narodnogospodarski razvoj.

Kot eno od ključnih vprašanj tedanjega časa so na Slovenskem razumeli tudi problem narodnih mej. Poleg Maistra so se ga – sicer s peresom – lotili v katoliškem *Slovenecu* in liberalnem *Slovenskem narodu*. Konec oktobra in v novembru 1918 je v obeh listih izšlo več člankov, ki so mejo na zahodu zagovarjali

od Trsta do Tržiča s severnim ozemljem Goriške in Beneške Slovenije, na severu pa vključujoč vse ozemlje nekdanje kronovine Koroške, kjer so prebivali Slovenci. Pozornost je veljala tudi prekmurskim Slovincem, za katere so zahtevali, da se priključijo Državi SHS. Proti italijanski zasedbi Primorske so protestirali v vseh slovenskih političnih taborih.

Energija, sproščena v slovenskem novembru 1918, je imela tudi senčno plat. Prihajalo je do samovoljnega in brezobzirnega nastopanja narodnih straž, nespoštovanja orožništva, tatvin javnega premoženja, samovoljne uporabe orožja, ustvarjanja razpoloženja, da ne bo več potrebno plačevati davkov, ter razgrajanja predvsem mlajših vojakov po vrnitvi domov. Opazno je bilo tudi potikanje pocestne mladine. Z urejanjem družbenega življenja je tako početje izzvenevalo.

Izjemno pomembni temi tedanjih političnih razprav sta bili jugoslovanska državna družitev in vprašanje ureditve nove države. To je bilo najbolj kompleksno politično vprašanje tedanjega časa. Jugoslovansko združitev so podpirali v vseh političnih taborih, razlikovali pa so se v pogledih na obliko vladavine v novi državi in njen državnopravni značaj. Socialni demokrati so zagovarjali republiko in sčasoma tudi centralistični državni ustroj, liberalci monarhijo in centralistično državo, katoliški tabor pa je do seje osrednjega odbora Narodnega vijeća 23. in 24. novembra 1918, na kateri so sprejeli sklep o združitvi s Srbijo in Črno goro, zagovarjal republikansko in federalistično stališče. Ob tem so vse stranke podpirale stališče jugoslovanskega narodnega integralizma.

V tistem času je bilo na Slovenskem izraženo tudi mnenje, ki je odkrito nasprotovalo združitvi Države SHS s Kraljevino Srbijo. Zagovarjal ga je pripadnik JSDS inž. Anton Štebi. Po njegovi oceni so si bili Slovenci in Srbi na eni ter Hrvati in Srbi na drugi strani preveč različni, da bi lahko nekonfliktno živeli v skupni državi. Jugoslovanska država naj bi po njegovem razmisleku obsegala le Slovence, Hrvate in Srbe iz habsburške monarhije.

Ko so na seji osrednjega odbora Narodnega vijeća oblikovali skupno odločitev o združitvi Države SHS v jugoslovansko skupnost, so predstavniki JDS podprli centralizem in karadževićevsko monarhijo, VLS pa se je na koncu uklonila večinskemu mnenju v Narodnem vijeću, ki je o zedinjenju s Srbijo in Črno goro vsililo sklep o takojšnji združitvi, podreditvi unitarističnemu načelu in sprejemu monarhije. JSDS, ki je soglašala s sklepom o združitvi, je nasprotovala le točki o regentstvu v novi državi, »ker se s tem ustvarja neki prejudic za monarhistično bodočo ureditev države«.

Jugoslovanska državna združitev je bila za vse tri slovenske politične stranke legitimno dejanje, ki se je zgodilo po njihovi volji, zaradi njihove privolitve in pooblastila. Ob tem pa se samostojnost, ki so jo dosegli Slovenci v Državi SHS, ni ohranila. V letih 1918–1921 se je na različne načine izgubljala, z ustavo Kraljevine SHS, sprejeto 28. junija 1921, pa je dokončno izgubljena. Tedaj sta v jugoslovanski skupnosti zavladala centralizem in unitarizem, ki se mu je večinska slovenska avtonomistično-federalistična volja upirala vse do konca prve Jugoslavije. Zateva, da mora biti v jugoslovanski državi zagotovljen svoboden in samostojen slovenski narodni razmah, je živela tudi v drugi, federativni jugoslovanski skupnosti. Uresničena pa je bila zunaj nje, z zopetno narodnopolitično osamosvojitvijo Slovencev in oblikovanjem njihove lastne nacionalne države Republike Slovenije leta 1991. V okviru trajnih slovenskih narodnoemancipacijskih naporov lahko v slovenski državnosti, doseženi leta 1918, vidimo enega od zgodovinskih argumentov za njen nastanek.

SUMMARY

**THE SLOVENIAN
TURNING POINT
OF 1918**

**Slovenian Position in
the State of Slovenes,
Croats and Serbs**

With the establishment of the National Council for Slovenia and Istria on 16 and 17 August 1918 in Ljubljana and in the final year of World War I, the name »Slovenia« asserted itself politically in the international setting. Thereafter the Slovenian national movement, encouraged by the May Declaration of 30 May 1917, began the preparations for the establishment of an independent Yugoslav state outside of the Habsburg Monarchy. The National Council for Slovenia and Istria was a politically motivated supra-party organisation. It was established with the purpose to express – based on the May Declaration's demand for the state independence of the Habsburg Yugoslavs (still in the context of the Monarchy at that time) – the will of the Slovenian people with regard to the national self-determination and establishment of an independent Yugoslav state community. It was led by Dr Anton Korošec, the foremost Slovenian politician of that period and the head of the catholic All-Slovenian People's Party (hereinafter the VLS).

Slovenians undertook multi-faceted preparations (organisational, propagandist, economic, and financial) to leave the Monarchy. Simultaneously, in October 1918 the Slovenian politics also publicly discussed the question of the future Yugoslav state's regime. The VLS argued for an autonomist regime and a republican state of Habsburg Yugoslavs (its state-legal plan was outlined by Fran pl. Šuklje). The most prominent representatives of the liberal Yugoslav Democratic Party (the JDS), headed by its representative Dr Ivan Tavčar, opted for a unitarian, centralist, and monarchic Yugoslav community, in conjunction with the Kingdom of Serbia. The Yugoslav Social Democratic Party (the JSDS) did not consider the question of the Yugoslav state regime at that time, however.

With regard to their national politics for independence, Slovenians cooperated with the Croatian and Serbian political representatives from Austro-Hungary. Their cooperation resulted in the establishment of the National Council of Slovenes, Croats and Serbs (hereinafter the National Council of SHS) on

5 and 6 October 1918 in Zagreb. This was the supreme political representative body, which assumed the leadership in the fight of the Yugoslav nations in the Austro-Hungarian Monarchy for their absolute state independence. Its president was Anton Korošec. When Austro-Hungary admitted its military defeat on 28 October 1918 and simultaneously recognised the right to the absolute self-determination to Czechs, Slovaks, and the Yugoslav nations, on the very next day Ljubljana and Zagreb severed the state-legal ties to the Monarchy and declared the establishment of the independent State of Slovenes, Croats and Serbs (the State of SHS). The National Council of SHS became the supreme authority in the State of SHS.

At the time of its establishment, the State of SHS (with the exception of the Prekmurje, Međimurje, Bačka, Baranja, and Banat regions) encompassed all of the remaining Yugoslav territories of the former Monarchy – Slovenia, Croatia with Slavonia, Istria and Dalmatia, as well as Bosnia and Herzegovina. Subsequently its actual scope diminished due to the Italian occupation of the Slovenian coastal region, Istria, the Kvarner islands of Cres and Lošinj, Northern Dalmatia, and the Dalmatian islands. The State of SHS existed until 1 December 1918, when it merged with the Kingdom of Serbia (to which Vojvodina and the Kingdom of Montenegro had been annexed on 25 and 26 November 1918, respectively) into the Kingdom of Serbs, Croats and Slovenes (the Kingdom of SHS).

The integral parts of the State of SHS were governed by various national and provincial governments: Slovenia by the National Government of SHS in Ljubljana (the National Government); Croatia and Slavonia by the provincial government in Zagreb; Dalmatia by the provincial government in Split; and Bosnia and Herzegovina by the National Government of SHS in Sarajevo. A commissioner of the National Council of SHS was appointed for Istria.

The State of SHS fulfilled all of the criteria, prescribed by the international law for the establishment and existence of states. It

had its national territory, formed by the former Habsburg Yugoslav lands; its inhabitants and its own organised authority – the National Council of SHS; as well as various national and provincial governments. The State of SHS also proved that it was capable of establishing relations with other countries, despite the fact that the allied and associated countries had not recognised it as a state according to the international law. Nonetheless, the state itself was a political fact, as the recognition of a state does not carry a constituent meaning, but rather a declarative one.

Despite the non-recognition of the State of SHS, the allied powers nevertheless took into account the state-legal change that had occurred in the south of the former Austro-Hungary on 29 October 1918. The supreme allied commander at the Salonika Front, the French General Louis Franchet d'Espere, saluted the National Council of SHS and the »new Yugoslav ground and naval armed forces« in a telegraph, sent on 6 November 1918. Furthermore, several allied and Central European countries established contacts with Zagreb and Ljubljana, and the State of SHS also set up formal foreign relations with other countries: Poland, Hungary, Czechoslovakia, German Austria, and the Kingdom of Serbia. At the same time, the State of SHS was individually recognised, in the international context, by German Austria and the Hungarian People's Republic, while it was also indirectly recognised by the Kingdom of Serbia. Namely, on the occasion of the unification of the State of SHS and the Kingdom of Serbia on 1 December 1918, its Crown Prince Aleksandar Karađorđević declared »the unification of Serbia with the lands of the independent State of Slovenes, Croats and Serbs into a unified kingdom of Serbs, Croats and Slovenes«. Besides the Kingdom of Serbia, the State of SHS was the second predecessor state of the new Yugoslav state community.

The main characteristic of the position of Slovenians in the State of SHS was their independence with regard to shaping and managing their own political, social, economic, cultural, educational, and military life. The institution in charge of this

national-political position, achieved for the first time in contemporary history, was the National Government, which was the first Slovenian national government. Following a proposal of the National Council for Slovenia and Istria, it was appointed by the Presidency of the National Council of SHS on 31. October 1918. The National Government consisted of the representatives of all Slovenian political parties: The All-Slovenian People's Party, the liberal Yugoslav Democratic Party, and the Yugoslav Social Democratic Party. The national government was in charge of all the crucial areas of the implementation of state powers, with the exception of foreign affairs. Its president was Knight Josip Pogačnik (the VLS), and it had twelve administrative departments, i.e. commissions: the Internal Affairs Commission (led by Dr Janko Brejc, the VLS), Food Supply Commission (led by Dr Ivan Tavčar, the JDS), Education and Religion Commission (led by Dr Karel Verstovšek, the VLS), Justice Commission (led by Dr Vladimir Ravnihar, the JDS), Social Welfare Commission (led by Anton Kristan, the JSDS), Finance Commission (led by Dr Vekoslav Kukovec, the JDS), Traffic Commission (led by Dr Pavel Pestotnik, the JDS), Industry and Commerce Commission (led by Dr Karel Triller, the JDS), Public Works and Crafts Commission (led by Engineer Vladimir Remec, the VLS), Agriculture Commission (led by Prelate Andrej Kalan, the VLS), National Defence Commission (led by Dr Lovro Pogačnik, the VLS), and Healthcare Commission (led by Dr Anton Brecej, the VLS).

The autonomy of Slovenia in the State of SHS was based on the relations between the Slovenian National Government and the National Council of SHS in Zagreb. The initial division of jurisdiction with regard to the implementation of powers in the State of SHS was defined in such a way that the National Council of SHS maintained the power of implementation of foreign and military affairs, the right of pardon, annulment of legal acts, and appointment of senior officials. The individual national and provincial governments were autonomous in all the other executive power branches.

At first, the National Government took into account the powers reserved for itself by the National Council of SHS, but gradually it also assumed the state authority even in the areas under the Council's jurisdiction. The initial federal relationship between Slovenia and the State of SHS started transforming into a confederal relationship. In this regard it is relevant that the National Government also concerned itself with international relations, and its existence was recognised by certain European governments in their diplomatic activities. In the area of foreign affairs, the National Government would cooperate with Poland, German Austria, and Czechoslovakia, all of which sent their diplomatic or military representatives to Ljubljana.

As far as the military matters were concerned, the National Government was left to its own devices. The formation of the military depended on the Slovenian factor. The communication and resolution of military affairs between Ljubljana and Zagreb never took the shape of military leadership and command. The relations between the two cities proceeded on a relatively equal footing, while the formation of both Armies – the Slovenian and Croatian one – even emphasised the confederate character of the State of SHS.

While the Slovenian General Rudolf Maister was very active in this regard as well, the development and staffing of the military was the responsibility of the National Government – the authority that oversaw all the existing military units as well as the personnel structure of the armed forces in the Slovenian territory. Furthermore, the National Government also made decisions with regard to the promotion of officers, paid the military staff, established the military commissary and military courts in Ljubljana and Maribor, and provided for the soldiers' spiritual care. The contemporaneous Slovenian Army consisted of the Slovenian cores of the Slovenian Austro-Hungarian regiments. In the time of the State of SHS, the Slovenian military units achieved quite a lot – in particular General Maister, who ensured that the territory of the city of Maribor remained

Slovenian, secured the Slovenian north-eastern border, and occupied the territory of south Carinthia from Podklošter in the west, Grebinj in the north, and Št. Pavel in the east. The Slovenian Army in the State of SHS had two generals, 47 staff (higher-ranking) officers, 962 officers, and 11,364 soldiers. Its weapons included 21,347 rifles, 857 machine guns, 538 cannons, and 7 airplanes. It has to be taken into account that the actual power of the Slovenian Army was even greater, as another 1,773 Serbian officers and soldiers who had arrived to Ljubljana from the Austrian military captivity on 6 November 1918 were placed under the command of the Slovenian military authorities as well. They were commanded by the Cavalry Lieutenant Colonel Stevan Švabić. On 14 November 1918, the Serbian soldiers did a great service to the Slovenians, as put a stop to the Italian advance towards Ljubljana near the town of Vrhnika. Švabić played an important part in this action.

The state authority in Slovenia was also asserted in the other areas under the jurisdiction of the National Council of SHS. Everyone who had been sentenced by the Austrian civilian and Austro-Hungarian military criminal courts until 30 October 1918 was pardoned; many provisions and decrees of the various authorities and ministries of the Austrian state legal code were abolished; and the Austrian national legislation on societies, gatherings, as well as paragraph 23 of the Austrian press act were abolished as well. Thus the National Government enacted the freedom of gathering, association, and press. It also appointed senior officials.

The National Government settled a number of issues regarding its activities. It legally implemented the Slovenian authority instead of the representatives of the old Austrian authorities, dismissed a number of officials in prominent positions and replaced them with Slovenian staff, as well as established a number of crucial administrative institutions: the Administrative Commission, the Commission for the Peace Conference with the office for the occupied territory, the Correspondence

Bureau of the National Government in Ljubljana, the Transitional Economic Office in Ljubljana, and its own *Official Gazette*.

Furthermore, the government substantiated the new state reality with the legal reliance of the Slovenian population on the State of SHS. This is already indicated by the first official announcement of the National Government, entitled *Državljeni! (Citizens!)*. Thus new public legal position was implemented for all the natural persons living in the Slovenian territory with regard to their state adherence or citizenship. The new regime was introduced on 29 October 1918. As of that moment, the National Government counted the people as the »citizens of the free Slovenia« or the State of SHS. The members of the Government would address the people of Slovenia with the word »compatriots«.

Moreover, the National Government also introduced new principles of the national and social life in Slovenia and declared that Slovenian was the official language. As of 1 November 1918 (the All Hallows' Eve), all worship in the Ljubljana Cathedral would only take place in the Slovenian language. The National Government also brought the attention to the new form of government in the State of SHS (a bourgeois republic). It set out that all sentences »shall be pronounced in the name of the law«, while in the Austro-Hungarian Monarchy they had been pronounced »in the name of His Imperial Majesty«. It also abolished titles like »high-born«, »Your Worship«, etc., as well as governmental or official titles like »esteemed«, »illustrious«, and so on. Only the titles of »Mr«, »Ms« and »Mrs« could be used in any correspondence of the Government, addressed to natural persons.

The implementation of the state power in Slovenia was regulated meticulously. This was achieved with the Government Decree on the Transitional Administration in the territory of the National Government of SHS in Ljubljana (Decree on the Transitional Administration), which set out the state-legal relationship between the National Council of SHS and the

National Government. The National Government announced this Decree, drawn up in agreement with the National Council of SHS, on 21 November 1918. According to the Decree, the National Council of SHS transferred the implementation of its supreme power to the National Government, which became the highest administrative body and official instance for all the authorities, offices, and public bodies in the Slovenian territory. By the Decree on the Transitional Administration, the State of SHS was a multi-national state, formed through the relations between the National Government and the National Council of SHS, in which Slovenia formed an integral part of the actual union. In the substantive-legal sense, Slovenia possessed a confederal statehood.

The fundamental political guideline of the National Government was to form a politically and administratively united Slovenia. The National Government assumed and merged all the tasks of the former imperial royal provincial governments in Ljubljana and Klagenfurt, as well as all the operations of the former imperial royal representations in Trieste and Graz. It dissolved the provincial committee of the former Duchy of Carniola, while for the provinces of Carinthia, Styria, Carniola, and the Littoral it took over and merged all of the responsibilities of the former provincial committees, autonomous authorities, and bodies. Slovenia became a state-legal unit. All of this represented the first material manifestation of the United Slovenia programme. The contemporaneous United Slovenia – in view of the Italian occupation of Trieste, the Gorizia region, Istria, and the Postojna district of Carniola between 3 and 23 November 1918 and still in Hungary incorporated Prekmurje – encompassed the majority of the former Duchy of Carniola and the Slovenian part of the former Duchy of Styria, i.e. approximately two thirds of what is the today's territory of the Republic of Slovenia.

Apart from what has already been pointed out, in 1918 the Slovenian independence manifested itself in the economic field

as well. The National Government abolished the militarisation of the industry and thus allowed for the introduction of peacetime production. Furthermore, it Slovenianised (i.e., nationalised) the Austrian state's capital and therefore started creating the assets of the Slovenian state. It also took all the steps necessary to ensure the smooth and prudent handling of financial matters. It took care of the unhindered and continuous functioning of the already existing commercial production in Slovenia and settled the matters of supply. The National Government also started bringing together the national economic forces, as it assumed control of the various industries in Slovenia. The government of the State of SHS, barely over a month old, managed to do quite a lot as far as the economy was concerned, and it defined the foundations on which the independent national-economic development could be built.

The problem of the national borders was seen as one of the key issues in Slovenia at the time as well. Apart from General Maister, the Catholic daily *Slovenec* and the liberal newspaper *Slovenski narod* dealt with it as well, though with the pen rather than the sword. Towards the end of October and in November 1918, both newspapers published several articles that argued for the western border from Trieste to Tržič, including the northern territory of the Gorizia region and Slavia Veneta, while the proposed northern borders encompassed the entire area of the former crown land of Carinthia where Slovenians lived. Slovenians in the Prekmurje region garnered much attention as well, and demands were made that their territory should also be annexed to the State of SHS. All of the Slovenian political camps protested the Italian occupation of the Slovenian Littoral.

The energy released in the course of the Slovenian November of 1918 had its dark side as well, which included the arbitrary and ruthless actions of various national guard formations; disregard for the gendarmerie; looting of private property; haphazard use of weapons; suggestions that taxes would no longer have to be paid; and disturbances caused in particular by

younger soldiers after their return home. The loitering of youth in the streets was noticeable as well. However, as the social life returned to normal, such incidents started petering out.

The unification of the Yugoslav state and the question of the new state regime were extremely important topics of the contemporaneous political discussions. This was the most complex political issue of the time. The Yugoslav unification was supported by all political camps, which, however, had various outlooks on the proposed form of government in the new state as well as on its state-legal character. The social democrats argued for a republic and gradually for a centralist state system; the liberals favoured a monarchy and a centralist state; while the Catholic camp argued for the republican and federalist standpoint until the session of the Central Committee of the National Council of SHS on 23 and 24 November 1918, where the decision on the unification with Serbia and Montenegro was adopted. Simultaneously, all of the political parties supported Yugoslav national integralism.

At that time, an opinion was also expressed in Slovenia that openly opposed the unification of the State of SHS and the Kingdom of Serbia. This was argued for by the member of the Yugoslav Social Democratic Party, Engineer Anton Štebi, who reckoned that Slovenians and Serbs on the one hand and Croats and Serbs on the other hand were too different from each other to be able to live in a single state without conflicts. According to Štebi, the Yugoslav state should only include Slovenians, Croats, and Serbs from the former Habsburg Monarchy.

When the joint decision about the merging of the State of SHS into a single Yugoslav community was adopted at the aforementioned session of the Central Committee of the National Council of SHS, the representatives of the JDS were in favour of centralism and monarchy headed by the Karađorđević dynasty. The VLS ultimately yielded and joined the majority opinion in the National Council of SHS, which enforced, with regard to the merging with Serbia and Montenegro, the decision on the

immediate unification, submission to the unitarian principle, and adoption of a monarchy. The JSDS, which agreed with the unification decision, only opposed the point about the regency in the new state, »as it creates a sort of a prejudice for the future monarchic regime in the state«.

For all three Slovenian political parties, the Yugoslav state unification was a legitimate action that took place of their own volition, due to their agreement and mandate. The independence achieved by Slovenians in the State of SHS was not preserved, however. Between 1918 and 1921 it gradually dwindled away, before disappearing completely with the adoption of the Constitution of the Kingdom of SHS on 28 June 1921. At that point, centralism and unitarianism prevailed in the Yugoslav community, even though the autonomist and federalist standpoints, mostly expressed by Slovenians, resisted it until the very end of the First Yugoslavia. The demand that a free and independent Slovenian national development should be ensured in the Yugoslav state remained alive and well even in the second Yugoslav federal community. However, it was ultimately realised outside of Yugoslavia, after yet another national-political emancipation of Slovenians and the formation of the Republic of Slovenia, their own national state, in 1991. In the context of the permanent Slovenian national emancipation efforts, we can see the Slovenian statehood, achieved in 1918, as one of the historical arguments for the creation of the Slovenian state.