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Comparative EU constitutionalism

Transition

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PÉCSI TUDOMÁNYEGYETEM

ÁLLAM- ÉS JOGTUDOMÁNYI KAR

The socialist constitutions

- Copy of the Const. of the Soviet Union
- Descriptive constitution, not normative
- Serving political purposes
- One party system (HSWP) based on the sovjet model
- Paralelity between state organs and HSWP
- Unity of state power (P is formal, Presidential Council, Council of Ministers, no local government)
- Centralised economy, no private property
- Human Rights – conditionality
- Mid 80's - crisis \Rightarrow transition

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Croatia



Socialist Federal
Republic of
Yugoslavia



1990-1991
Election and
referendum



Franjo Tuđman

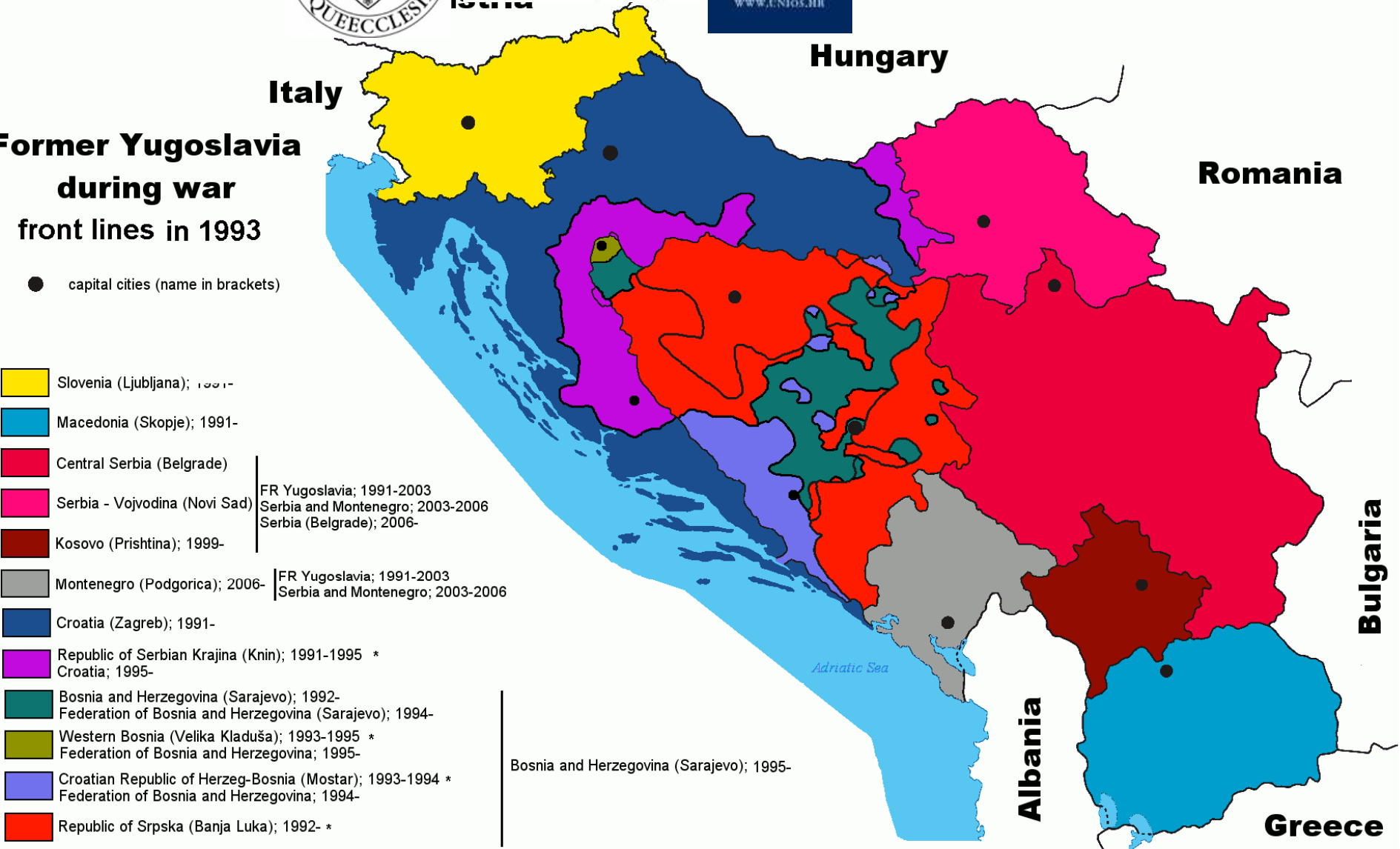


**Former Yugoslavia
during war
front lines in 1993**

● capital cities (name in brackets)

- Slovenia (Ljubljana); 1991-
- Macedonia (Skopje); 1991-
- Central Serbia (Belgrade)
- Serbia - Vojvodina (Novi Sad) | FR Yugoslavia; 1991-2003
Serbia and Montenegro; 2003-2006
Serbia (Belgrade); 2006-
- Kosovo (Pristina); 1999-
- Montenegro (Podgorica); 2006- | FR Yugoslavia; 1991-2003
Serbia and Montenegro; 2003-2006
- Croatia (Zagreb); 1991-
- Republic of Serbian Krajina (Knin); 1991-1995 *
Croatia; 1995-
- Bosnia and Herzegovina (Sarajevo); 1992-
Federation of Bosnia and Herzegovina (Sarajevo); 1994-
- Western Bosnia (Velika Kladuša); 1993-1995 *
Federation of Bosnia and Herzegovina; 1995-
- Croatian Republic of Herzeg-Bosnia (Mostar); 1993-1994 *
Federation of Bosnia and Herzegovina; 1994-
- Republic of Srpska (Banja Luka); 1992- *

Bosnia and Herzegovina (Sarajevo); 1995-



* Means that that entity was not internationally recognized

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Czechoslovakia

timeline

http://en.wikipedia.org/wiki/Czech_Socialist_Republic



Tomáš Garrigue Masaryk



Václav Klaus



Vladimír Mečiar

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PÉCSI TUDOMÁNYEGYETEM
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Poland



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Poland – Solidarity and Round Table Talks (1989)



Lech Wałęsa



Bicameral legislature
President

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Poland – Round Table Talks (1989)



Wojciech Witold
Jaruzelski

1989 semi-free elections with Solidarity
Sejm: 1/3-2/3
Senate: 99/100
President: Jaruzelski (-1990: Wałęsa)
Prime Minister: Mazowiecki

Tadeusz Mazowiecki



Wałęsa

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Hungary



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Hungary

- Peaceful, negotiated transition; 1987, sped up spring 1989
- Bills: CC, right to assembly and association, strike, plebiscit, travelling abroad (emigration) etc.



Huan Socialist

Workers' Party

**Round Table –
Opposition**

Third negotiator



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Hungary – National Round Table



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ÁLLAM- ÉS JOGTUDOMÁNYI KAR

Hungary – Total revisions of the Constitution (1989/1990)

- New norms in old structure
- Republic, multi-party system, division of powers (separation of state power)
- Parliamentary democracy (G responsible to P)
- Constructive vote of no confidence
- CC, Court of Audits, Ombudsman
- HRs (inviolable, inalienable)
- Economic order: market economy, right to property
- Determination of the coat of arms
- **Spring** 1990, free elections; **Closing**: autumn 1990, election of local governments

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Hungary – Electoral campaign 1990



TESSÉK VÁLASZTANI



Brezhnev and Honecker

Choose, please!

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Cases

HU

11/1992 (III. 5.) ABH

CZ

US 19/93 'Lawlessness'

See paper!



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Thank you for your attention!