

Georgi Barabashev
Konstantin Sheremet

**SOVIETS
of PEOPLE'S
DEPUTIES:
Democracy
and Admin-
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Progress Publishers
Moscow

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Translated from the Russian by *Natalia Belskaya*

Designed by *Vadim Kuleshov*

Г. В. Барабашев, К. Ф. Шеремет

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Introduction

The aim of this book is to give the foreign reader an idea of the development and activities of the Soviets of People's Deputies, through which state power and the people's self-government is exercised in the USSR. The purpose of the current reform of the political system is to effect far-reaching democratisation of Soviet society and all its political institutions, primarily the Soviets. Its essence is discussed throughout the country, and it was a subject for serious debate and decisions at the 19th All-Union CPSU Conference in June-July 1988.

The authors examine the factors that necessitated the restructuring of the Soviets' work and suggest ways to eliminate the contradictions associated with the development of the Soviet representative system. The reform of the Soviets is being carried out on the basis of Lenin's principles of socialist popular representation. The idea is to clear out the deviations from these principles blatantly violated at the time when the powers of the Soviets were usurped by the bureaucratic apparatus. Besides, the restructuring reflects the process of enriching and modifying these principles, taking into consideration the historical experience of the USSR and other socialist countries, as well as the regularities of the functioning of representative systems in our time. The Soviets are a most democratic form of state administration. Its key element—a combination of socialist popular representation and administration—closely tied up with the concept and realisation of people's self-government, has determined the range of questions examined in the book. First of all, the authors tried to draw the reader's attention to the substance of the democratic institutions which are a distinctive feature of the system of Soviets of People's Deputies, to the contemporary role of the Soviets in representing the interests of classes and various socio-professional strata of the society, and to the functions of representative bodies of authority in the management of the

country's socio-economic development.

Quite a number of works on the representative organs of power in the USSR have been published both in the Soviet Union and abroad. Though drawing on these research works, the authors of this book in no way attempted to duplicate them. Possibly, the reader may observe some form of schematism and fragmentariness in the analysis of certain questions. The explanation and excuse for this was the lack of time between the book's preparation and the theoretical as well as real changes taking place in the work of the Soviets. In some cases the authors managed, they believe, to outstrip time; in others to catch up with it. In other instances, however, they failed to move neck to neck with the fast-flowing events. When the new experiment gets a foothold new books will be written about it. Nevertheless, science, and the reader for that matter, cannot wait until the primary source turns into a big river.

Chapter One

SOVIETS OF PEOPLE'S DEPUTIES: BODIES OF POPULAR GOVERNMENT

1. The Constitutional Status of Soviets of People's Deputies and Its Realisation at the Current Stage

The Soviets were formed and established in Russia to embody the close link between socialism and democracy, freedom from exploitation, the people's plenipotentiary power and their economic and political domination. Lenin noted that the working people of revolutionary Russia did not know any power besides that of their unity. Lenin's theory of the Soviets was one of the major theoretical sources of the USSR Constitution, the fundamental law of the Union of Soviet Socialist Republics, promulgated in 1977, which provides considerable attention to the Soviets.* There are at least two reasons for this. First, the Soviets are the leading form of socialist democracy. Second, at the present stage of the USSR's history, they are called upon to enhance their role in economic and social development and thus help to further improve socialism.

The modern constitutional status most fully and completely embodies the principal ideas of Lenin's theory of the Soviets. It elevates them to the rank of immutable and indisputable normative demands enriched by the lessons drawn from later experience and reflecting the general needs of the new stage in the development of the Soviet state and society and the concrete requirements of constitutional regulation. Constitutional norms cover all the chief aspects of the organisation and work of the Soviets: their place in the state mechanism and the political system of society, their organisational principles, the mode of formation, the system and structure, the functions and the basic organisational forms.

The constitutional status of the Soviets is the model for le-

* Six out of nine sections of the Constitution (Fundamental Law) deal with the bodies of democratic government by the people.

gislation and practice. It is based on Lenin's principles of the organisation and activity of the Soviets that have received constitutional expression both through their direct confirmation (e.g., the principle of democratic centralism) and by defining the elements of their inner substance and the guarantees of their implementation.

The Soviets are immediate vehicles of the people's sovereignty. Lenin regarded them as "the highest form of democratic government by the people".¹ In the most general way, this concept is incorporated in Article 2 of the USSR Constitution, which reads: "The people exercise state power through Soviets of People's Deputies, which constitute the political foundation of the USSR.

"All other state bodies are under the control of, and accountable to, the Soviets of People's Deputies."

The constitutional status of the Soviets reflects the vitally important features of the relationships between the state and society typical of socialism, when the state acts as the organisation of the people, a result of their self-organisation.

Throughout the first phase of the communist formation, the Soviets remain state bodies, through which they exercise the people's sovereignty. This tenet has a significance of principle for the unity of socialist democracy and administration, and for the functioning of the entire system of socialist democracy as a form of the organisation of economic and social management. The USSR Constitution of 1977 stresses the active principle of government by the people, i.e., the fact that the people themselves exercise state authority through the Soviets.

Under the Constitution, *the Soviets are bodies of state authority* that "direct all sectors of state, economic, and social and cultural development, either directly or through bodies instituted by them" throughout the Union of Soviet Socialist Republics, in each Soviet republic and each territorial-administrative unit. The reform of Soviet society's political system is enhancing the leading role of the Soviets in the mechanism of the socialist state. The constitutional norms elaborate the status of the Soviets as bodies of state authority exercising supreme leadership in state matters in a number of directions. Above all, they establish the presumption of the Soviets' juridical competence in all administrative questions resolved at corresponding levels of the organisation of state authority. The higher bodies of power are to deal with all questions referred by the Constitution to the jurisdiction of the Union of Soviet Socialist Republics and the Union and Autonomous republics respectively. In turn, each local Soviet is empowered to deal with any matter referred to the jurisdiction of local bodies of state authority and administration.

In conformity with the Constitution, the Soviets are to ensure comprehensive economic and social development on their terri-

tories. This major provision has two foundations associated with the laws of the development of socialism: the growing role of the social factor and the social policy of the Soviet state, and pursuance of a new approach to the organisation of economic management by the state, placing greater emphasis on the territorial principle. After decades that witnessed the predominance of the branch principle, now for the first time this principle and the territorial principle have not only been granted an equal legal status but the latter was also established as the basic concept of a territory's comprehensive development implying the right of the Soviets at all levels to actively influence the section of national economy which is accountable to a higher body, i.e., is for the most part administered along the branch principle.

The fact that the Soviets exercise leadership over all state, economic, social and cultural matters signifies their higher status with respect to all administrative bodies, naturally, on condition that the Soviets' administration of these bodies is sufficiently comprehensive and intensive.

The Soviets constitute a single system of bodies of state authority in the centre and in the localities. Basing itself on the common social and political nature of all Soviets, the Constitution has established the unity of their basic functions in the state and in society. In accordance with the principle of democratic centralism, it also denotes the links of leadership within the system of the Soviets, links that secure necessary coordination in the centre and in the localities.

The Soviets both adopt decisions and organise and control their implementation. This requires that, on the one hand, the deputies act more vigorously in the sphere of administration and, on the other, that the Soviets guide more efficiently the activities of the bodies accountable to them, especially when this guidance assumes the form of sessions. This also calls for higher-level legislation by the higher bodies of state authority. There has emerged and gained in importance a relatively new kind of activity, the making of decisions that are in the nature of a programme aimed at exercising leadership over economic, social and cultural development. Beyond doubt, they have an important regulatory function in the administrative sphere.

An important aspect of the constitutional concept under discussion is expanding the sphere of the Soviets' control, by including into it enterprises, institutions and organisations subordinate to higher bodies, as well as by broader constitutionalisation of the forms and methods of control of representative bodies of state authority.

The nature of the constitutional concepts we are considering, which are the highly generalised expression of social practice, implies the opportunity for finding new means of their realisation

that would fit in with the changed political, economic and social conditions. This conveys the dynamism of the Soviets' constitutional status.

The 1977 USSR Constitution, like the previous ones, offers a standard model of Soviets corresponding to the Soviet form of government by the people elaborated by Lenin. However, the application of this model cannot be automatic. Due to the decades-long deformation of society's political system, the Soviets' role as bodies of state authority and administration has diminished. A yawning gap between the Soviets' constitutional status and their real position has appeared and led to a loss of their authority *vis-à-vis* the executive apparatus, growth of formalism and ostentation and decline in the deputies' activities.

A glance into the Soviets' history necessitates the question: What are the root causes of the current situation in their development?

The administrative and command system, the personality cult and the situation they produced detached the Soviets and their deputies from decision-making, assigning them the role of docile executors of the will of the bureaucratic apparatus. In that period the proclaimed supreme authority of the Soviets combined with real anaemia and curtailment of democratic institutions. So strong was the dire effect of commandism that its inertia continued to make certain Soviet democratic institutions sink low even many years after the official denunciation of the personality cult. Therefore in the broader perspective the concept of restructuring the Soviets and its realisation are inevitably linked with uncompromising elimination of all the consequences of the command-administrative system of running the country's affairs.

It is also essential to conceptually reflect on the history of the Soviets during the period of stagnation. That period was characterised by a sharp contradiction between the general progress of the normative-legal as well as legislative models of Soviets towards democratisation and expansion of their functions, and actual practice. New laws were adopted but not fulfilled. The democratic tendency in legislation developed and deepened following the 20th Party Congress the baton of which was also passed on to science. The 1977 Fundamental Law was an important achievement in this respect. But the tragedy was that bureaucratic reaction at all levels of administration to the 20th Congress widened the gap between words and deeds, particularly impeding the establishment of an effective legal and organisational framework for implementing the constitutional provisions. In propaganda work and science what was lacking in democracy was not infrequently taken to be existent. A case in point was the "defective disc" phenomenon—constant repetition of the same kind of demands in state decisions because they were not being implemented. For instance, there

were calls for more active insistence on the right of inquiry, systematic reports of executive bodies to the Soviets and the public, and the placing of locally-oriented enterprises under the control of the local Soviets. A bitter lesson drawn was that in those days the representative bodies demonstrated no political will to enforce the laws they adopted. This appropriately raises the question of the deputy corps' responsibility without which no progressive restructuring of the Soviets can be guaranteed against degeneration.

But do we assume that the development of the Soviets could have avoided the perversity engendered by the personality cult? Let's look back into the early days of the Soviets. We may note, first of all, that notwithstanding the population's low level of culture mass democracy—indeed, democratic participation in political life—proved undoubtedly successful. In particular, the Soviets involved workers and peasants in most diverse forms of socio-political activity (sections, commissions, meetings of delegates, popular initiative bodies, etc.) and, in fact, sufficiently widespread was freedom of expression and criticism as well as openness.

At the same time, however, the Soviets showed some degree of weakness as a businesslike, non-debating, administrative machinery. The question of invigorating them was raised by the Party in 1919 and subsequent years. Even in those years the Soviets frequently could not match up to the numerically ever-strengthening and more capable executive apparatus. As is known, Lenin regarded bureaucracy as the main danger facing socialism. The predominance of the executive apparatus objectively meant the edging out of the Soviets from the helm of administration. Thus, the idea that the problem could be resolved by merely restoring the initial status of the Soviets is simplified and groundless.

We now come to the main point. Throughout the history of the Soviets the major problem in their relations with the administrative apparatus and their role as decision-making centres has been engendered by the basic dialectic contradiction which initially characterised the Soviets. Reference is to the contradiction between the character of the Soviets as bodies of power of the working people who discharge professional administrative duties gratis, and the complexification of administration and the ensuing need for increased professionalism in administration. This global tendency particularly manifests itself in socialist society, where the socialised economy entails not only considerable expansion of the scope of state administration but also exclusively complex interrelationship between different levels of administration and sectors of the national economy. Socialist state power and its apparatus should tackle in real earnest specific problems which require special knowledge and special apparatus, such as organisation of social

production and distribution, maintenance of social justice in distributive relations, etc. These circumstances not only determine the special need for an administrative apparatus, but also create for it unique possibilities so far as decision-making is concerned, increase manifold the volume of its own interests and the ability to satisfy them independently of those of society. To this apparatus socialist society counterposes the Soviets of people's representatives, the main task of which is to subordinate the former to the people's interests and to make its entire activity serve these interests.

The formation of the Soviets and turning them into bodies of state power combining legislative, administrative and control functions eliminated the age-old contradiction of bourgeois parliamentarism, the contradiction which signified, as Karl Marx noted, a gap between the formal status of the parliamentarian as a representative of the electorate and his real independence from them, which negated the imperative nature of the mandate obtained from the voters.

The establishment of socialist representative institutions as assemblies of the working people's representatives engaged not only in the sphere of legislation but also administration ushered in a qualitatively new stage in the entire history of the representative system. But, according to the laws of dialectics, the solution of one contradiction inevitably leads to its replacement by another, which, in comparison with the former system, signifies social progress but does not cease to be an objective contradiction requiring constant efforts to relax it and compensate for its negative aspect. Given the contradiction between the character as well as the functions of the Soviets and the role of the apparatus, society must constantly compensate for the Soviets' mass unprofessionalism by increasing the deputy corps' possibilities of subordinating the apparatus to the Soviets and, consequently, to society and also of ensuring that the role of the representative bodies as centres for the adoption of important state decisions is preserved.*

Examining the problems the solution of which paves the way

* Meanwhile, developments during the period of the personality cult and in conditions of stagnation often took different turns, deepening the objectively existing negative tendencies of the aforementioned contradiction. Specifically, this found expression in the reduction of the Soviets' regular meetings; the emergence of an opportunity for the apparatus to take up, at its own discretion, issues to be tackled by the apparatus or entrusted to the Soviet; the failure to take serious measures aimed at creating appropriate conditions for deputies to engage in state administrative work; monopolisation of essential information by the administrative apparatus; and finally, in the belittlement of administrative and organisational abilities in the range of the criteria for selecting nominated candidates.

to the unity of the Soviets' constitutional status and their role in society and the state, the following fundamental question arises: do we have to confine ourselves to the updating of the Soviets' activities by invigorating the existing democratic institutions or carry out, along with an improvement, far-reaching structural and functional reforms? There is only one answer. The existing institutions and experience render it impossible to turn the Soviets into a leading force in the democratisation process associated with the restructuring or make them key links of state administration in conditions of the economic management reform without changing the legislation and some outdated traditions in the work of the Soviets and the Party. Without belittling the significance of updating the existing constitutional institutions of Soviet democracy, it was imperative to comprehensively restructure the Soviets and their activities.

During the preparations towards the 19th CPSU Conference, and particularly in the course of the nationwide discussion of the CPSU Central Committee Theses for the Conference, the idea of reorganising the Soviets drew wide public response and became a subject for lively press coverage. Deputies and experts of the Soviets also touched upon quite a broad range of related problems.

Of the greatest urgency is the problem relating to the efficiency of the work of the citizens and their civic organisations in the Soviets. This implies, first and foremost, eliminating formalism in the institutions of Soviet representative and direct democracy, i.e., elections, meetings, reports on the work done, mass discussions, further advancing and improving the mechanism of these democratic institutions' influence on the work of Soviet bodies.

It is necessary to specify the very concept of the citizens' involvement in the work of the Soviets. Writings on the subject have expressed the view that the complexity of modern management demands that the emphasis in the citizens' participation in management be shifted to people's control over the execution of decisions and the activities of state bodies. Doubtlessly, the significance of people's control rises considerably when the principal function of management and administration is the strict observance of laws, implementation of the decisions of state bodies and combating red tape. However, taking part in the functions of control (a major element of democracy), does not yet exhaust the latter. Democracy also includes, as a necessary element, citizens' participation in decision-making at all levels of state authority through such institutions as mandates, country-wide discussions, referendums, the legislative initiative of civic organisations.

Special emphasis should be placed on the social and psychological atmosphere in which the institutions of Soviet democracy are functioning. Of tremendous importance is the public's inte-

rest in the participation in the work of the Soviets and its concern not only for the results but also the efficiency of the functioning of the administrative bodies. The expectations of the public in respect to the Soviets are not confined to the satisfaction of legitimate needs and interests associated with the exercise of the citizens' social and economic rights.

Yet another important task associated with the efficiency of the Soviets' administration and of social and economic development, is bridging the gap between the expanding functions and rights of the Soviets in the management of state, economic, social and cultural matters, and the degree to which these functions and rights are actually fulfilled and exercised.² Two factors form the core of the problem.

The first is inadequacy of resources when the expansion of the Soviets' functions and rights is urgently necessary. Reference here is to the financial, material, technical, personnel, organisational and legal provisions, which are far from always up to the new tasks facing the Soviets. An example that leaps to the eye is the discrepancy between the potential of the planning apparatus available to the Soviets (the executive committees' planning commissions) and the need to pass on to scientifically-substantiated comprehensive planning of territorial development. Another example is that the Soviets find it difficult to coordinate capital construction and industrial development on their territories due to the absence, as far as the majority of the Soviets are concerned, of specialised bodies of required types.³

Obviously, these problems are dealt with as the political and economic mechanisms are improved and society expands its economic and other resources, and as it learns to more rationally use available and hitherto unused resources. In dealing with this problem, it is not always the best way out to build up resources. New approaches and creative decisions are often necessary.

Providing the Soviets with adequate resources for operating in one sphere does not mean that new disproportions will not arise. It is therefore clear that expanding the functions and rights of the Soviets is not confined to resolving certain legal issues, i.e., granting these bodies corresponding new powers. A parallel process should be that of bolstering these new rights and functions with adequate resources, i.e., material and financial means, personnel. This approach was demonstrated when in the late 1960s-early 1970s the USSR Council of Ministers and the Councils of Ministers of the Union republics adopted decisions on improving the material and financial base of village, settlement, town and district Soviets in connection with the promulgation of national and republican legal acts concerning these Soviets. However, not all the planned measures were introduced, and some did not correspond to the increased needs of Soviets as far as resources were concerned.

Another aspect of this problem is the correlation between the territorial and the branch principle of management that contains germs of a conflict between territorial and branch interests. This problem can be resolved by striking a balance between territorial and branch management as concerns their optimum proportion and form necessary to function as one of the motive forces of economic and social progress. At present, important steps in this direction are being made, and a general strategy of the country's economic and social development until the year 2000 is being evolved on the basis of the decisions of the Party Programme and the 27th Congress of the CPSU. Among measures taken are those of developing the coordinating functions of local Soviets, uniting the means available to the Soviets and those of enterprises and organisations accountable to higher bodies, introducing payments to local budgets from the incomes of such enterprises and organisations, promoting the administration of regional development based on goal-oriented programmes, pursuing a general course at gradually concentrating the basic funds of the social infrastructure (the public housing fund, the communal services) in the hands of the local Soviets. It also includes plans to direct the entire financing of the investment into the social infrastructure through the Councils of Ministers of the Union republics and the local Soviets, i.e., narrowing down the branch channels of centralised financing of this sphere.⁴

In the present situation, there should be better coordination between the functioning of the Soviets as a single system of bodies of state authority and the objective need to differentiate between their functions and powers depending on the level of the Soviet, the specific features of the territory under it, the aims of management. The active legislation concerning the local Soviets, as well as literature on the subject, usually deal with the constitutional concept of the unity of the Soviets' system in a rather formal manner. What does this mean? Turning to the substance of the laws on the Soviets of various types and levels, it is easy to see that these Soviets are given a similar set of powers.* Even when the legislator directly provides for differentiating the powers (as is the case with the laws on town Soviets concerning the Soviets of towns of varying subordination), further details are not supplied. As a result, each Soviet is responsible for something that is obviously too much for it.

In the meantime, the real integrity of Soviets as bodies of state

* For example, village Soviets are vested with the right to exercise management over actually non-existent industries. All local Soviets are given the right, in different laws but by identical definitions, to coordinate the work of enterprises and organisations accountable to higher bodies, without consideration as to whether the Soviet has an actual opportunity to do this.

authority is not to reproduce the attributes of their powers at each level, but to strictly differentiate between their functions which, taken together, ensure that the representative bodies possess full powers and that their work is adequately coordinated in dealing with social and economic tasks whose scope and nature vary widely. In the future, it is necessary to differentiate between coordinating and controlling powers of the Soviets at different levels. In addition, there should be direct dependence between the range of the powers enjoyed by the Soviets of towns of various sizes and the functions of administering these towns.*

Another task is to eliminate all discrepancies between the constitutional status of the Soviets as bodies that both make decisions and organise and control their implementation, and their actual role in management. Under present conditions, the Soviets' capacity for influencing the substance and methods of work of the executive apparatus is not fully used. Situations often arise in which the executive committee determines the decisions of the Soviet and its stand on one question or another. The discussion of questions at sessions not infrequently assumes the form of extending formal approval to the measures suggested by the executive committee. To exercise a more tangible leadership over the executive apparatus, the Soviets need to try to make better use of such form of their work as sessions.

It has recently become apparent that the executive committees should give up what is in fact the presiding functions (with respect to the Soviets), which need to be turned over to a small, standing presidium of the Soviet or the permanent chairperson of the Soviet. Another necessary step is to raise the role of the Soviets as centres of decision-making on all important issues of economic and social development on the territory administered by them. In practice, this means that all or the majority of decisions in the nature of a programme that implement the comprehensive approach to local economic, social and cultural development should be made at sessions, and that the Soviets themselves and not only their executive bodies should analyse and check the work of the personnel. To achieve this, it is necessary to introduce serious changes in the content of the decisions made by the Soviets and to render them more concrete and substantiated, and to submit the questions discussed at sessions to deputies and standing committees for in-depth analysis.

Deputies should also systematically participate in administra-

* At present, in order to draw a line between the powers of town Soviets, the law uses the principle of the town's subordination. As a result, smaller towns of republican subordination, which are numerous in some of the Union republics not divided into regions, may have broader rights than major cities of regional subordination in other republics.

tive work between sessions. As concerns the collective forms of the deputies' work, this refers, above all, to expanding the range of matters which should be resolved only after discussion and investigation by the Soviets' commissions, to involving standing committees into the study of the questions of coordination and control over the work of organisations and enterprises of higher subordination, as well as questions pertaining to the personnel within the competence of the corresponding local Soviet.* Significant reserves that can be used to enhance the work of individual deputies will be released if the deputies are given more extensive information concerning the prospects and the controversial issues of a given territory's development and the work of the executive apparatus, and if they make wider use of their opportunities to initiate discussion of problems and control observance of laws.

The established double accountability of the executive bodies of local Soviets has lately failed to meet the need for more independence of the local Soviets in administrative matters and the development of their administrative initiative. There is "excessive" controlling pressure on executive committees and their branches "along vertical line", i.e., from higher executive committees, ministries and departments. This is revealed in the flood of resolutions and instructions addressed to Soviet bodies of lower level. Formally, this kind of control is exercised through administrative bodies, but in actual fact it affects the work of local Soviets as a whole, crippling their constitutional function of independent decision-making on all questions on the territories administered by them. The task is to raise the stimulating function of "vertical" leadership, focus it on developing methods of administration, exercising the most general control, and spreading the most valuable experience, refraining from interference into practical, specific problems. This can be attained by a more detailed legal regulation of the content and forms of leadership exercised by higher administrative bodies over those of lower rank and establishing guarantees against petty interference into the work of the latter.

Thus the study and settlement of contradictions arising in the Soviets' development must be regarded as a necessary element of the process in the course of which the constitutional status of the Soviets of People's Deputies is realised. This is undoubtedly a matter in which the overall political system of socialist society must play a role, although, of course, the role of the different links of this system is different. As an example, we can cite the special importance attached to guiding the practical development of Soviet bodies by higher bodies of state authority of the USSR and the

* As of January 1, 1986, working at the local Soviets were 335,000 standing committees embracing more than 80 per cent of the deputies. Taking part in their work were also about 2 million activists.

Union and the Autonomous Republics to realise the constitutional norms covering the Soviets. The close link between the Soviets' overall development and the implementation of the constitutional provisions is the basic principle of the Party's political line towards the bodies of the people's government formulated in the Party Programme.

Soviet society is facing a set of problems associated with the consistent and complete realisation of the constitutional norms and efficient functioning of the constitutional institutions. The advances that have to be made through accelerated social and economic progress include better functioning of the elective bodies of government by the people and the efficient use of all forms of representative and direct democracy.

The 19th CPSU Conference Resolution on Democratising Soviet Society and Reforming the Political System⁵ determined the main guidelines for restructuring the Soviets and their activities and also a complex of measures the fulfilment of which is an object of urgent legislative regulation.

What then is the essence of the changes being effected?

According to the Conference Resolution, their purpose is to secure the sovereignty of the Soviets as the basis of the socialist state system and self-administration in the USSR. The entire political reform is geared towards the attainment of this objective. The Conference stressed the need to consolidate the Soviets' legislative, administrative and control functions. All important state, economic and socio-cultural problems are to be submitted to the bodies of people's representation for consideration and solution. The leading position of the elective bodies *vis-à-vis* the executive bodies and apparatus is to be fully restored. In the first place, the Party's economic, social and ethnic policy should be carried out via the bodies of people's representation. Thus, the restructuring of the Soviets is a policy of continuity based on fundamental constitutional principles—the sovereignty of the popular representative bodies combining legislative and administrative functions in their activities—and facilitates, in practice, their development.

The line of reorganising the Soviets, declared by the 19th Party Conference, found its legal expression in the USSR Law on Amendments and Additions to the USSR Constitution, passed on December 1, 1988, with its draft having first been discussed nationwide.

Under this law, the term of office of local Soviets has been extended from 2.5 to 5 years, which equals that of the higher supreme bodies of state authority and administration. This measure will enable the local Soviets' deputies to gain experience and become more competent. An important democratic innovation is the limitation placed on the term of service—two consecutive terms—in elective offices in the Soviets as well as in offices to

which appointments are made or confirmed by the Soviets. Such offices include, first of all, those of the chairpersons of Soviets, heads and members of the Councils of Ministers, executive committees of local Soviets and heads of their sections and departments.

Undergoing more substantial restructuring are the higher bodies of state authority and their activities. The supreme body of state authority, the Congress of People's Deputies of the USSR, is made up of 750 deputies from the territorial and 750 deputies from the national-territorial constituencies, and 750 representatives of the Party, the trade unions, the Komsomol and other all-Union civic organisations—cooperative and academic organisations and artistic unions—elected at congresses or conferences of these organisations or at plenary sessions of their governing bodies. The Congress of People's Deputies, elected for a five-year term, would convene sessions not less than twice a year, at which the country's most important constitutional, political and socio-economic problems would be resolved. The exclusive jurisdiction of the Congress of People's Deputies includes promulgation and amendment of the USSR Constitution, defining the guidelines for the country's domestic and foreign policies, approval of long-term economic and social development state plans and major programmes, decision-making in the area of national and state structure placed within the terms of reference of the USSR, approval of changes in the frontiers between Union republics, and some other issues. The Congress approves the Chairperson of the USSR Council of Ministers, the Chairperson of the People's Control Committee of the USSR, the Chairperson of the USSR Supreme Court, the Procurator-General of the USSR, and the Chief State Arbitrator of the USSR. It also elects the USSR Committee for Constitutional Review for a term of 10 years from among experts in politics and law, including representatives of each Union republic.

For the running of its day-to-day affairs the Congress would elect from among its deputies a bicameral USSR Supreme Soviet, a permanent legislative, administrative and control body. Each chamber of the USSR Supreme Soviet—the Soviet of the Union and the Soviet of Nationalities—has 271 deputies. The USSR Supreme Soviet is elected by the Congress of People's Deputies of the USSR by secret ballot. The Soviet of the Union is elected from among the people's deputies representing the territorial constituencies and civic organisations; the Soviet of Nationalities is elected from among the people's deputies representing the national-territorial constituencies and civic organisations on the basis of the following representation: 11 deputies from each Union Republic, four deputies from each Autonomous Republic, two deputies from each Autonomous Region, and one deputy from each Autonomous Area. Proposals on the deputies to be elected to the USSR Supre-

me Soviet are submitted on behalf of the meeting of representatives of the people's deputies. Annually, the Congress renews 20 per cent of the membership of each chamber.

Among the more significant powers of the USSR Supreme Soviet are its rights to carry out legal regulation of property relations within the terms of reference of the Union, organise administration over the economic, social, and cultural development, establish the Fundamentals of the Legislation of the USSR and the Union Republics, approve the state budget of the USSR and the composition of the USSR Council of Ministers, elect the USSR Committee of People's Control and the USSR Supreme Court, appoint the USSR Procurator-General and the Chief State Arbitrator of the USSR. The nation's top official is the President of the USSR Supreme Soviet, elected by the Congress by secret ballot. Correspondingly being organised are the system and activities of the standing committees as well as the work of deputies. Within the structure of bodies of supreme authority is also the USSR Supreme Soviet Presidium headed by the President of the Supreme Soviet.

Drawn upon in the restructuring of supreme authority was the experience gained in the organisation and work of higher bodies that existed at the time the foundations of socialism were being laid—the Congress of the USSR Soviets and the Central Executive Committee. On the whole, however, the new system is not a duplicate of the former. The new forms are designed to radically enhance the democratic character and effectiveness of supreme state authority in line with the Leninist principles underlying the Soviets' activities. Note should be taken of a whole range of important advantages of the new system. First, the principle of representation is extensively used in the organisation of supreme authority and a broader base is being established to enable the highest body of the country to express diverse social interests. Second, the formation of a new Supreme Soviet to discharge day-to-day legislative, administrative and control duties will make it possible to substantially expand the range of questions directly tackled by the body of people's representation and, accordingly, change the relationship between the legislative activities of the government and the Supreme Soviet; to entrust the people's representatives with the solution of fundamental problems of administration, in particular the approval of important nationwide programmes, major economic projects, etc. Third, the formation of a standing Supreme Soviet convened by the USSR Supreme Soviet Presidium for the regular, autumn and winter, sessions, each of 3-4 months' duration, resolves the problem of involving the people's deputies in intensive legislative, administrative and control duties, while preserving working relations with enterprises, institutions and organisations for the majority of the people's representatives. Regular, partial renewal of the USSR Supreme Soviet's composition will help con-

siderably increase the number of the Congress members brought in to take up duties in the Supreme Soviet and its organs for relatively long durations. Finally, the possibility of the Presidium replacing the highest body of state power is being eliminated. The new Presidium, which is made up of the President of the USSR Supreme Soviet and his first deputy, 15 deputies (one from each Union republic) as well as the chairpersons of the chambers, the standing committees of the Supreme Soviet and the standing commissions of its chambers, the Chairperson of the People's Control Committee of the USSR, carries out mainly coordinating and some representation functions. As for the post of President of the USSR Supreme Soviet, its institution strengthens the rule-of-law basis of government and builds up representation of the USSR in world affairs. In addition to overall guidance over the drafting of laws and elaboration of important programmes, the President has a duty in helping resolve the key problems in foreign policy, questions related to the country's defence capability and security as well as other problems that traditionally fall within the competence of head of state. The higher authorities in the Union and Autonomous republics are also being reorganised, with due account taken of their status, to ensure the smooth functioning of the entire system of the Soviets as well as prospective extension of the rights of the Union republics.

The concrete problems arising in the work of the higher organs of state authority and deputies as a result of this restructuring are tackled in a way as to ensure maximum efficiency and competence in exercising supreme state guidance. Thus, the functional anonymity of the chambers of the USSR Supreme Soviet is being done away with. The constitutional principle of equality of the chambers generates a need of discussing draft laws and all key problems in both chambers and of passing relevant decisions by the two chambers as well. At the same time, the Soviet of Nationalities is called upon, in accordance with its responsibilities, to examine matters related to the socio-economic development of Union republics and Autonomous entities, as well as inter-ethnic relations, it also controls the activities of Union ministries and departments which have a direct bearing on the interests of republics, Autonomous regions, and areas. On its part the Soviet of the Union, which represents national interests and needs, has the opportunity to concentrate on the elaboration of major socio-economic programmes and plans, policies in the sphere of prices, taxation, labour relations, protection of citizens' rights, the country's defence capabilities, and ratification of international treaties. Whenever necessary, the resolution passed by one of the chambers is submitted to the other, and, given the latter's approval, becomes the resolution of the USSR Supreme Soviet.

The chambers' activities will also be stimulated by the reor-

ganisation of their standing bodies of deputies. These can be set up together by the two chambers (standing committees) or separately (standing commissions) from among the members of the Supreme Soviet as well as other People's Deputies of the USSR. A special organ of the Congress is the Committee for Constitutional Review which will monitor the correspondence of laws and other legal acts to the Fundamental Law of the country and play an important role in the realisation of the concept of socialist rule-of-law state. Whenever an act passed by a state body or civic organisation contradicts the USSR Constitution or laws of the USSR, the Committee sends its conclusion demanding that the act be revised to the body which passed it. The Committee's conclusion suspends the execution of the act.

The constitutional principles of the Soviets' sovereignty, and their legislative, administrative and control activities have also found fresh and more effective expression in the development and work of local government bodies. A comprehensive approach has been developed to the solution of urgent problems of this mass link in the system of Soviets. This approach embodies measures aimed at ensuring the responsibility and independence of local government bodies in directing socio-economic development of territories under their jurisdiction, applying democratic principles more extensively in the activities of these bodies, primarily by invigorating the work of deputies at sessions, on standing commissions and in the constituencies; providing guarantees against replacement of the Soviets by the executive committees. The Soviets' system of running local affairs is being reorganised along the principles of self-administration, self-financing, self-sufficiency and coordination of regional interests with the national. For this reason the Soviets have to possess stable sources of income based on long-term quotas, including payments from all enterprises on the territory under their jurisdiction. It is important that local Soviets will be able to amass the funds necessary for economic development and for improving the life of the population, and also to raise extra-budgetary development funds from supplementary incomes, given firm guarantees of free disposal of the means accruing from able guidance of the economy and socialist enterprise.

Democratisation of the local Soviets' activities will be promoted by broadening the range of problems to be solved only at their sessions and also periodically relieving deputies from their regular office or shop floor duties so as to enable them to work on the Soviets, standing commissions and in constituencies. Efforts are being made to ensure that each Soviet can freely choose (within the framework of the law) its form and method of activity and also to curtail the excessive regulation of its work by statutory acts of higher bodies.

For the purpose of eliminating the possibility of executive

committees dictating the work of Soviets and deputies, and of strengthening the representative bodies' guidance of and control over the activities of the executive apparatus, the executive committees have been deprived of any authority to organise the work of the Soviet of People's Deputies and have also been freed of their presidium functions. For the purpose of discharging these functions, numerically small presidiums are elected in all the local Soviets (with the exception of rural and township Soviets); besides, their chairpersons are elected in all the Soviets by secret ballot. Executive committee members, as well as heads of sections and departments, will not be elected as deputies and this emphasises the functional significance of these bodies as executive apparatus and their full responsibility towards the Soviets. The 19th Party Conference considered it appropriate that persons recommended for the posts of chairpersons of the Soviets should, as a rule, be first secretaries of relevant regional, district, city and other Party committees. The idea is to help raise the authority of the representative body as well as the role of the deputies who will have to decide, by secret ballot, the eligibility or otherwise of the Party leader being recommended to head a Soviet.

2. Soviets of People's Deputies: the Main Link in Socialist Self-Government

The present stage of development of socialist society is, politically, a major step in the advancement and realisation of the Marxist-Leninist concept of the need to overcome the alienation of public administration from society itself and turn administration into a direct function of all the people. It is with active participation of the people in administration that Marxist-Leninist theory associates the implementation of the concept of socialist self-government.

"Marx, Engels and Lenin regarded the transition to working people's self-government as a practical task facing the proletariat from the moment it took power in its hands. The significance of this idea, in their view, lies in ensuring the practical participation of ever broader sections of working people in management—in elaborating, discussing, adopting and implementing socio-economic decisions."⁶

Marx, Engels and Lenin based the concept of self-government on the revolutionary experience first provided by the Paris Commune, and later, the Soviet Republic, the first historical form of self-organisation of the working people for the purpose of exercising political power. Marx wrote that, having destroyed the bourgeois state machine, the Paris Commune paved the way for such a communal organisation under which each commune was trans-

formed into "the self-government of the producers", "the political form of even the smallest country hamlet".⁷ As Marx saw it, it conveyed the essence of government by the working class, government of the people by the people themselves. Developing Marx's and Engels's theory of state authority and self-government, Lenin stressed that the victorious revolutionary uprising should have as its epilogue "the real organisation of real people's self-government".⁸ The road to "genuine self-government by the people" lies through involving millions of workers in managing state affairs.⁹

In the first years of the Soviet system, Lenin demanded that "every citizen must be put in such conditions that he can participate in the discussion of state laws, in the choice of his representatives and in the implementation of state laws".¹⁰ He wrote: "Literally all the working population must be drawn into independent participation in state administration by means of a series of gradual measures that are carefully selected and unfailingly implemented."¹¹ Millions of working people became involved in managing state affairs at the early stage of building socialism.

Within the bounds of society's political system, the mechanism of the people's self-government is made up of the institutions of socialist democracy, their system. Interwoven with self-government is the principal functional aspect of democracy, to be more precise, participation of working people, their collectives and organisations in decision-making. In this, the main forms of the people's self-government are *direct and representative democracy*. Socialist self-government by the people is secured by such institutions of socialist democracy as broad and real rights and freedoms of the citizens in combination with their duties.

Greater importance is attached to autonomously organised civic organisations through which the working classes, social strata and groups voice and satisfy their interests. All this helps strengthen the interpenetration of public and civic forms of self-government.

The Party Programme approved by the 27th Congress provides for broader socialist self-government by the people as the strategy of development of society's political system. It should specially be noted that the Party programme documents include this provision for the first time. It should be considered in the overall context of socialist social relations as they are today and the urgent task of accelerating the country's social and economic development and injecting fresh vigour into the entire system of political, social and ideological institutions. As the role of self-government grows, the people's participation in government has to be raised to qualitatively new levels both in respect to the scope of participation and its exercising the main functions of administration, as well as its extension to such major spheres of administra-

tive activity as economic and social development. As the educational and cultural standards of society rise, and the social, ideological and political unity of the people becomes stronger, an objective opportunity arises for more actively involving the citizens in administration and management. At the same time, participation in these activities stimulates the people's creative and labour efforts, an integral part of the human factor, which the Party regards as a powerful means of accelerating the country's social and economic development. This is the general position from which the role of the Soviets of People's Deputies, the basic link of the entire system of the people's socialist self-government, should be analysed.

The significance of the Soviets in implementing people's self-government is determined, above all, by their potential, as representative bodies, for highlighting, expressing and satisfying the whole range of social interests typical of Soviet society. Careful consideration for and coordination of the specific interests of the classes and social groups, nations and national groups is a matter of top priority. These are major factors of the unity of Soviet society. They stimulate the citizens, collectives and organisations in becoming more involved in creative efforts and, consequently, in genuine self-government. From this viewpoint, the potential and the role of the Soviets are truly unique. Thanks to their representative character, they do not concentrate on any one sphere or level of public interests. Representing all classes, strata and groups of Soviet society, all nations and nationalities, they are oriented towards expressing specific (e.g., national, age, etc.) interests and are equipped with an adequate legal and organisational mechanism incorporating deputies' commissions and groups and a network of links with work collectives and civic organisations. Besides, in making decisions, the Soviets possess extensive opportunities for openly comparing and coordinating specific interests and, whenever necessary, to determine priorities that meet the needs of society at large and the laws of its development. Finally, their significance for self-government lies in the fact that their activities translate the coordinated and most important public interests into acts of state authority.

The leading role of Soviets in the system of the people's socialist self-government is also associated with their truly mass character. This feature manifests itself in two ways. First, virtually the entire adult population takes part in elections to these bodies and, second, the body of deputies is numerically very large and subject to regular re-elections. The involvement of citizens in the formation and activities of Soviets means that they take part in the function that is most important in self-government: the making and adoption of administrative decisions and management of state affairs. No other state or social and political structure provides as

broad opportunities for the people's participation in decision-making at the state level.

Using the features of the Soviets that secure them a special place in the system of self-government as the starting point, it is necessary to discuss the main lines along which their activities can be improved and the factors for development through which the representative bodies of government by the people realise their potential for self-government. The part of the Political Report of the Central Committee of the CPSU to the 27th Party Congress which analyses the main tasks involved in developing the people's socialist self-government and the improvement of the democratic institutions, points to the need for further invigorating the Supreme Soviets' legislative activity, expanding the rights of local Soviets and consolidating their status as rightful government bodies on their territories.¹² These ideas have a significance of principle for realising the people's self-government. The point is that bourgeois political thought and political practices reduce self-government to the local level, at which it ceases to present a threat to the bureaucratically centralised state authority. On the other hand, political activity confining the citizens' participation to consultative and executive functions cannot be considered genuine self-government. Socialist society provides tangible opportunities for the people's self-government by permitting representative bodies formed by the people to decide the main questions of administration in the centre and the localities in all spheres of state, economic, social and cultural development. Naturally, at each stage of the functioning of the Soviet state and society, this requires new organisational and legal measures aimed at developing the functions of the Soviets with due consideration for changing conditions and needs.

As bodies of single state authority, the Soviets give the required state form to self-government exercised at the level of administrative-territorial units, Autonomous areas and regions, Soviet republics and the Union of Soviet Socialist Republics at large. This is their major feature, which has decisive importance as the basis for enhancing the role of representative bodies of state authority in exercising leadership over the country's economic and social development. This policy has been clearly specified in the Resolution of the 19th All-Union Conference of the CPSU on Democratising Soviet Society and Reforming the Political System which has formulated certain principal measures aimed at ensuring the full authority of the Soviets. Their rights have recently been substantially expanded and this, together with the determination to fully realise these rights by all Soviet bodies, promotes their consolidation as bodies of state authority heading the state apparatus. However, the crux of the matter is not only to enhance the state character of the Soviets. In this case, extensive rights are granted to elected people's representatives who are called upon to

exercise them thus implementing the constitutional provision stating that in socialist society the people themselves rule through the Soviets. As we see, the evolution of the Soviets is towards further strengthening the people's self-government and the unity of socialist statehood and democracy.

The effort to practically realise the people's self-government sets special standards to the activities of the Soviets and their system. The first is for the Soviets to consistently exercise their constitutional right to directly decide all major issues of the life of society in the centre and in the localities.

Perestroika demands that the Soviets make a greater contribution to the intensification of social production by promoting the introduction of scientific and technological achievements to the utmost, a thrifty use of resources, higher labour productivity, and better organisation of planning and management. The Soviets and all deputies should direct their effort at solving the most important problems posed by the new course. They should make it their business to map out the work for the executive apparatus, and help the people enhance their creative effort and direct it into the right channels. The local Soviets should specifically concern themselves with satisfying the people's needs by controlling the implementation of the Food Programme, the work to increase production and improve the quality of consumer goods, the expansion of communal services and implementation of the Party's social programme.

To develop the Soviets as the main link of the people's self-government, it is a matter of importance to define the range of questions that the deputies are competent to solve. There are matters that the Soviet is obliged to resolve in conformity with the Constitution and Soviet legislation. Establishing their range, legislation provides a reliable guarantee of the participation of people's representatives, and, through them, of the working people in administration, including its key sectors. As far as the local Soviets are concerned, this means the formation of management bodies accountable to Soviets, drafting economic and social development plans and local budgets, hearing the reports of the executive committees and the people's control committees. In this area efficiency could be raised by strengthening the deputies' analytical, critical approach to matters under consideration, improving the quality of draft decisions, and focussing their attention on the principal directions and urgent problems posed by the pursuance of the present economic and social policy. The role of deputies cannot be confined to participation in the voting on draft decisions submitted to them and prepared in the Soviet apparatus. If the deputies carefully consider the decisions, commenting not only on their merits but also on their weaknesses, if the plans and programmes are assessed by them with due consideration for the

need of more intensive economic and social development and up-to-date organisation of production management, if the deputies judge the reports of the various bodies and executives by the results they have attained—these are all elements of self-government by the Soviets. The deputies' opportunity to voice their own views, to discuss the draft alternative solutions, which is of major importance for the practice of self-government, points to the way along which the Soviets should move if they wish to be better prepared for their sessions.

Extensive use of principles of self-government by the Soviets should also mean a broader range of matters to be considered at their sessions. Neglect of the right to directly examine questions that require the attention of the people's representatives, the situation in which major problems are considered solely by the administrative apparatus and remain outside the sphere of attention of the representative body or when they are postponed indefinitely, is extremely detrimental to the functioning of Soviets as bodies of state authority. This also narrows down the area covered by the people's self-government and restricts the opportunities of the deputies and the people to participate in decision-making. For example, many of the Soviets long remained completely uninvolved in nature conservation, while this question has vital importance for the country's present and future. Other instances of this kind could be cited. The mass media have recently recorded the public's growing interest in major hydrotechnical projects and historical and cultural monuments which have great national and universal value. It would be only natural for the Soviets to become involved in the work to cope with these problems. One of the functions of the people's self-government is precisely to respond in good time to the new needs of society, incorporate them into the orbit of the Soviets, to rely in their decision-making on the authority of elected people's representatives, and to mobilise public opinion to bolster these decisions.

The unity of word and deed, enhancing control over the work of all executives and holding them responsible for discharging their duties, observance of the principles of social justice, stricter order and discipline, promoting labour initiatives among people and helping them to become more civically active—these are the problems which, when tackled, will bring out the creative, organising potential of the people's socialist self-government, the potential realised through the Soviets.

The need to expand the Soviets' management and administrative activities is not a new problem. But it should be borne in mind that in the present situation, its political aspect has been greatly enhanced. They are associated with the effort to set into motion the reserves of public initiative, which constitutes a necessary element of any genuine self-government. It is important that the So-

viets, their deputies promote this initiative. This refers particularly to the introduction of new methods of economic management, which will promote the principles of self-government in the management of enterprises and amalgamations, among their work collectives. Obviously, these questions cannot be resolved within the framework of the administrative apparatus alone. The Soviets' sessions, standing committees and the deputies' production groups are the forums that can and should discuss such issues as experiences accumulated by work collectives at the time of *perestroika* in economic management, the improvement of the economic mechanism, the system of material and moral incentives, and the quality of products, adherence to the principles of social justice in the distribution of the social consumption fund, raising the contributions of work collectives to the economic and social development of a given territory.

The functioning of the Soviets on the whole highlights several levels in the structure of self-government. The citizens' involvement in dealing with matters of state importance is made possible by the democratic principles along which the higher representative body of state authority in the USSR, which has the full authority in all matters concerning the Union of Soviet Socialist Republics, is formed and functions. At the same time, work of this body as the highest body in the system of self-government is secured not only by its right to decide any question within the jurisdiction of the Union but also via the realisation by all lower-level Soviets of their constitutional right to discuss matters of state importance, as well as by the degree to which civic organisations and work collectives exercise this right in the various branches of economic, social and cultural life.

In turn, a specific feature of the functioning of the system of Soviets in the Union and Autonomous republics and in the Autonomous regions and areas is that socialist self-government exercised through them has, as its component part, the realisation of the ethnic policy, of a course towards all-round socio-economic development of every Union republic and Autonomous entity, towards stronger inter-ethnic relations of friendship and cooperation based on the principle of socialist internationalism. In the Soviet multi-ethnic state, the Soviets' balanced pursuance of national and all-Union interests presents a particularly important problem. Its solution is of major importance for the further advancement and drawing together of socialist nations.

The lowest territorial level of the system of the people's socialist self-government is made up first and foremost, by the mass representative bodies, local Soviets of People's Deputies. Through them the population of administrative-territorial units in the main express themselves politically. The expansion of socialist self-government in the localities means to extend the rights of local Soviets,

and through them, of the people at large. It means to independently decide matters of local significance. At the same time, the development of the principles of self-government in the administrative affairs of the localities means to enhance the role of local Soviets in shaping and implementing the country's policies and exercising the single state authority on the territory under their jurisdiction. The presence of a system of socialist self-government does not turn the local Soviets into bodies opposed to the central ones. They act as bodies of the people's self-government in the localities called upon to secure the population's participation in both deciding local matters and shaping state policies.

The development of Soviets as the leading form of the people's self-government will be impossible if the deputies do not substantially intensify their activities. The initiative of each deputy and active and conscientious performance of his duties constitute the cornerstone of the concept and the practice of self-government in the Soviets' administration of economic and social development on their territories. The advancement of socialist self-government means that the deputies make independent decisions, organise their implementation and control the results. The actual work of the deputies at sessions, in standing committees, deputies' groups and constituencies is an indication of the level attained by each Soviet in implementing the principles of self-government.

What is important is to hold the sessions in a democratic and businesslike way and to help the deputies to become aware of their involvement in economic and social management on the territory of their Soviet. As concerns the substance of the deputies' speeches, this side of the Soviet's activities that is important for developing self-government, performs its function only when deputies base themselves on strictly businesslike practices, a realistic assessment of the state of affairs and proposed measures, a creative search for ways to solve problems and a readiness to criticise whatever deserves criticism no matter whom it may offend and displease. This style of discussion requires consideration for the critical remarks and suggestions of the deputies, who should be fully informed on the measures introduced.

The sessions should do away with long-winded speeches, with statements in which speakers report on their own accomplishments, with excessive and formalistic organisation. They should become lively and exacting, compare all the alternatives of suggested solutions, and deliberate on amendments, additions and objections. Socialist pluralism of views, arguments, discussions, collation of different standpoints—herein lies the road to better more competent decisions. These remarks concerning the activity of the highest body of government made by Mikhail Gorbachev at the 19th CPSU Conference can, with full justification, also be address-

sed to the sessions of local Soviets.

The core of the problem in this case is the correlation between the activities of the Soviets as representative bodies and the work of their executive apparatus, securing the supremacy of the Soviet and the deputies over the apparatus. This can be attained by the deputies' greater involvement in decision-making and the organisation and control of the implementation of decisions. Whenever the apparatus expects deputies to mechanically and unanimously approve their proposed measures and deputies' critical remarks are negatively regarded, the people's self-government is seriously threatened. One can hardly regard as sound the procedure, when the plan of the Soviet's work is drawn up at the discretion of the executive apparatus and takes into consideration only the instructions from higher bodies. The only acceptable way is quite different: to conduct a preliminary poll of the views of deputies and the deputies' standing committees (as is being done by an increasing number of the Soviets) on questions to be submitted to the sessions of the Soviets and meetings of their executive committees and state openly who has initiated discussion of a given question.

The complexity of modern management demands that the documents and draft decisions submitted for consideration to the deputies be prepared well in advance and very thoroughly. Thus, a deputy can form a competent opinion and be really interested in discussion only if he has been directly involved in the practical preparation of each question on which the Soviet is to make decisions. Various methods are used to make this possible. It is particularly effective to involve deputies in preparatory work through standing committees. This lays the groundwork for discussing a question, drawing conclusions on it, and checking on the work.

For the Soviets to function efficiently as the main link in the system of socialist self-government, it is vitally important that all channels be opened up that connect the representatives of the people in the Soviets with those whom they represent: voters, the population at large, all the Soviet people. The constitutional definition—the people exercise state power through Soviets of People's Deputies—is reflected through such democratic institutions as elections, the voters' mandates to deputies, the deputies' reports to voters and work collectives, *glasnost* in the work of the Soviets, careful analysis and prompt action on complaints, applications and suggestions of the people, involvement of the people in public discussions of draft decisions and the measures planned by the Soviets, participation in the work of the Soviets of civic organisations and other bodies, and the recall of the deputies who have failed to justify their voters' confidence. The entire system of these institutions rests on a broad constitutional and legal basis, and some experience has been accumulated as far as their use is con-

cerned. They provide the deputies with a tangible opportunity to fulfil their functions in the Soviets and express the people's will and interests. It is very important that all these institutions function to the full.

Legal literature has examined the links of the deputies and the Soviets with the people, primarily from the viewpoint of the theory and practices of socialist popular representation, the deputies' status. It has been noted that the institution adequate to the socialist representative system is the imperative deputy's mandate, which makes sure that the deputy's activity is subordinated to the will and interests of the people, the voters. It is this aspect that is implied when considering such elements of the imperative mandate (expressed in the law on the status of the people's deputy) as the duty of the deputy to be guided by state considerations and the interests of the voters in his constituency, voters' mandates, deputies' reports, and the recall of the deputies who have failed to live up to the voters' trust. That the imperative character of some demands upon deputies is more or less relative (e.g., the Soviet has a right to disregard patently unrealistic and inexpedient recommendations and advice) does not, on the whole, undermine the institution of the imperative mandate, although this point of view is not universally accepted.

In the Soviet state, each citizen enjoys a guaranteed constitutional right to take part in managing state and public affairs. It is not exhausted by the citizens' elections of their representatives to bodies of state authority. Part of people's self-government in socialist society is also direct execution of administrative functions by citizens. These include participation in nationwide discussions of a bill, a deputy's report, making suggestions or recommendations to the Soviet, and a wide range of other collective or individual social and political actions. Correspondingly, the Soviets are expected to discharge another important duty, to promote the institutions of direct democracy. The guidelines in this mostly organisational and educational work are to further increase the number of people taking part in management, to find an efficient combination of the forms of people's control over the work of the Soviet apparatus with forms of the citizens' immediate participation in state decision-making. Finally, it is to direct the people's self-government into the channel of the Party's present-day economic and social policy, to link it up with the effort to solve concrete economic and social problems and with the education of the people in the spirit of communist ideals.

The opportunity to make a direct contribution to the working out of administrative decisions, and especially to take an immediate part in their adoption, has a strong psychological effect and stimulates the people's social and political activity. On the other hand, realisation of this opportunity through the mechanism of

direct democracy enhances the Soviets' ability to comprehend and consider the diversity of public interests and to correspondingly shape their activities. Hence the tasks facing the Soviets: within the legal framework, to expand the areas in which self-government is possible, to make sure that competent decisions are made in this area, to promote their implementation, to make the best possible use of the initiative and suggestions of citizens, work collectives and civic organisations.

A specific function of the Soviets as the main link in the people's self-government is to improve the overall system of self-government, to strengthen its principles in enterprises, offices and civic organisations, and to facilitate the formation and work of numerous bodies of people's initiative. A valuable effort made by the Soviets at all levels is that they have been concerning themselves with the implementation of the Law on State Enterprises (Associations) as well as the Law on Work Collectives at individual enterprises, especially those of its provisions that relate to their rights to participate in the work of the Soviets, i.e., discuss state matters and draft decisions, as well as those dealing with the right of the general meetings of work collectives to discuss and resolve the issues of their "home" life. As concerns the bodies established on the people's initiative, this form of self-government has particularly close links with the Soviets.

We see that the future of the Soviets as the main link in the people's socialist self-government is associated with those features of the Soviets that determine their leading position in the system of self-government. This means, first, further consolidation of the Soviets as representative bodies of state authority, their greater role as centres of state decision-making, and improvement of the overall mechanism of contacts between the Soviets, the deputies and the people. This is essential for realising the constitutional provisions that the people exercise state power through Soviets of People's Deputies. Second, the future of the Soviets depends upon how closely they conform to and how efficiently they use the objective laws of the formation and development of the system of the people's socialist self-government. Since the latter is, above all, an expression of self-organisation, self-discipline and initiative of citizens, its formation as a comprehensive system within the framework of society at large, as a definite macrostructure, must necessarily begin at its lower level, at the primary units and in the simplest forms, which are the most efficient from the point of view of the ability to stimulate each person's civic activity.¹³ This is the way to secure the viability and stability of the system of the people's socialist self-government, which objectively cannot be introduced and "declared" from above but must be engendered by and rooted in the daily social, political and economic practices and shape the social and psychological climate that encourages

people to take part in administering state affairs. Consequently, an ever-present and very important task facing the Soviets is to more actively introduce principles of self-government in the various areas of state and civic affairs, to arouse the people's desire to become involved in the work of administration through the institutions of direct democracy, i.e., civic organisations, work collectives and democratic institutions of the state administration apparatus, and complete *glasnost* in state and social life. All of this urgently requires that citizens become actively involved in political life and administration.

Of major importance for promoting socialist self-government by the people will be the promulgation of a USSR law on the principles of local self-government and local economy. The act will give legal expression to the main principles of self-government by the population residing in administrative-territorial units, first and foremost, towns, districts, rural Soviets and townships. The self-government system incorporates the activities of corresponding local Soviets as bodies politically uniting the residents for participation in managing local affairs; the performance of some administrative functions by local community bodies, e.g., voluntary councils or committees of town neighbourhoods, villages, streets, etc.; and, finally, the extensive use of forms of direct democracy: people's meetings, local referendums, mass associations, etc. Local self-government as part of the overall public self-government system will be economically provided for by using the local economic potential, the right of local Soviets to carry out economic projects, a solid financial base available to each link in the self-government system made up not only of budget revenues, including payments by industrial enterprises, but also those coming from non-budget territorial development funds, as well as by unfolding the institutions of local (communal) property.

Chapter Two

SOVIETS OF PEOPLE'S DEPUTIES AND THE DEVELOPMENT OF SOCIALIST DEMOCRACY

1. The Progress of Soviets as Bodies of Public Representation

One of the main principles of the Marxist-Leninist political theory is the conclusion concerning the concentration of all state power in socialist society in the hands of elective representatives of the people. In examining this issue, socialist political and juridical sciences base themselves on the concepts of popular representation, a representative system, representative bodies,¹ which elaborate in more detail the Marxist-Leninist doctrine of the socialist representative institutions. The key concept in the system of categories under discussion is that of popular representation. Interpreting it as representative state government,² Marxist-Leninist theory discusses the social and political substance of this institution, proceeding from the social and class characteristics of the people and the conviction that truly popular representation and a truly representative government are only possible in a society where the working people have taken state power into their hands. A representative system is a sum of mutually dependent political and legal institutions which are the vehicle for the functioning of popular representation. It includes the electoral system, the system of the representative bodies themselves, and the mechanism of the contacts of these bodies with the population.

One of the more topical problems is definition of the typical criteria of representative bodies. The universally recognised ones among them are: their elective nature, free election by the voters of their representatives as the basis of the latter's political and legal dependence on the voters, and the imperative mandate of a deputy. The election of representative bodies through indirect instead of direct elections does not negate the representative character of the elective body. The advantages of one type of elections or another should be assessed not on the basis of abstract criteria but with due consideration for the concrete historical condi-

tions, for the "maturity" of the elements of the representative system, above all, the ties between the representatives and the voters. However, in addition to having an elective character, representative bodies should live up to some other criteria stemming from the social and political essence and the purpose of popular representation. Among them is the demand for collective decision-making as a necessary means of expressing the diversity of represented interests and their comparison and coordination. Further, a representative institution must be a state body with general competence, or it would be impossible for it to express and satisfy the broad range of public interests pertaining to practically all spheres and branches of state activity.*

Finally, an important factor is legitimation of the elective state body with general competence as an institution called upon to express and represent not its own interests but the interests and will of the voters, the people. This aspect of the problem was underscored by Marx, who said that a representative body should not have any will but the will of those whom it represents. Legitimation means official, above all, legal recognition of elective bodies as representative ones, i.e., establishment of their exclusive representative function by legal means. Of course, it may assume a variety of legal forms, e.g., be directly declared in the constitution of a state or exercised through a state legal characteristic of the status of the elected members of state bodies, deputies. This is testified to by the definition of the functions of people's deputies in the Soviet Constitution and the Law on the Status of People's Deputies.

Even at the early stage of building socialism, the Soviet representative system evolved such features as steady stable contacts between the party of the working class and the Soviets as the principal area of organisational and political relations within the political system of socialist society. That was also when the concept was evolved of the link between the socialist representative system and the social-production units of society—work collectives of factories and organisations—which first emerged even before the October Socialist Revolution of 1917. Although the production principle in the formation of Soviet representative bodies was later substantially modified, it has not only retained its significance but has even begun to gain in importance, reflecting as it did the growing role of work collectives, the advancement of integrational ties in the system of socialist democracy, and a more prominent place of social policy. As to the system of representative bodies, the principle of democratic centralism lay at its core even at the initial stage of building socialism. At that time, the system of or-

* In this respect, a court cannot be regarded as a representative body, since, although it is an elective body passing collective decisions, its functions are confined to protection of law and order.

ganisational and legal links between the Soviets and the population (voters' mandates, deputies' reports, recall of deputies, etc.) was also evolved.

In the socialist state, in which the people at large has become the subject of representative relations of state authority, the elements shaped in the past are developed into modern concepts brought to life by the new stage in the advancement of society within the framework of the general laws of the socialist system.

Let us consider the political, social-structural, organisational and functional aspects of the Soviet representative system.

Politically, the class character of socialist popular representation was its principal feature from the moment of its emergence. As a major component, the socialist doctrine incorporates the classes existing in society into the system of representative relations and proceeds from the Marxist-Leninist concept of classes. For as long as a representative system exists in a class society organised as a state, representative bodies remain the screen upon which class relations, class interests and the will of classes are above all projected.

From the moment of their emergence, the Soviets revealed the dominant significance of the class character of popular representation. They appeared and were developed as organisations of the proletariat and the toiling peasantry, i.e., the sections of the population that were the most exploited and downtrodden under the bourgeois and landowner system. The worker-peasant character of the Soviets was openly declared as a constitutional principle of the Soviet state. The Soviets were, and have remained, the central link in the mechanism through which the state will of these classes is formed and developed and this will is elevated to the status of state policy.

The experience amassed by the Soviets reveals the dialectics of that which pertains to the classes and that which concerns the whole people in representation under socialism. Under the proletarian dictatorship, the Soviets expressed the political supremacy and the interests of the working class. This, in the main, coincided with the interests of the toiling non-proletarian masses. In the state of the whole people, the state will of the people expressed by the Soviets acts as the will of the socialist classes of workers, peasants and the largest social stratum, the people's intelligentsia, and is dialectically shaped on the basis of the community of their vital interests.

At the present stage of socialist development, popular representation is called upon to reproduce more fully the interests and needs of the various social strata and groups, to ensure their satisfaction while observing the priority of interests of the people as a whole. This implies that popular representation should more fully encompass the political relations in society, the relations

which are not confined to those between classes and nations arising when the issue of their participation in the exercise of state power is considered. More consideration for the diverse social-group needs and their satisfaction is an important factor for promoting more vigorous civic and labour activity of the members of society and a more efficient use of the subjective factor to accelerate the country's social and economic development. There is a sufficient number of objective indications of the Soviets' strengthening orientation towards greater consideration for social-group interests, e.g., those of women, young people, professional groups (workers in the sphere of social and recreational development, the services, etc.).³ This testifies to the considerable social capacity of the Soviet representative system.

Among the chief political characteristics of Soviet representative bodies is their interaction with the ruling Marxist-Leninist Party.

The desire of political parties to assert their supremacy in representative bodies and to act through them is one of the elements of bourgeois parliamentarism and is not, in this sense, a new thing in the history of representative institutions. In the socialist states, the leadership of Marxist-Leninist parties of the working class seeks to meet the real needs of society and help the representative bodies to effectively promote the interests of the working people.

In the USSR, Party leadership with respect to representative bodies pursues definite aims: helping develop a body of deputies that would live up to the character and objectives of socialist representative institutions; drawing long-term plans of the Soviets' work and outlining their development trends based upon the need to improve the political system of society; coordinating the cooperation of the Soviets with non-governmental organisations of the working people and strengthening their contacts with the masses. An important objective of Party leadership with respect to the Soviets is to help them strike a balance between the interests of the state as a whole and the interests of the peoples of the Soviet republics, the needs of the various social groups, territorial units of society and work collectives. The Soviets base representation of interests on the views, recommendations and suggestions of the working people and the voters' mandates. Defining the general strategy of the Soviets' work, the Party directs them towards identifying the most important social needs; in its turn it seeks to enhance the consciousness and competence of the people as a vital factor in their effective participation in the Soviets and in the administration of state affairs.

The transformation of social interests into state decisions through Soviets is only possible when individual interests merge into common ones and assume definite forms. This tenet has the

significance of principle in describing the interaction of political parties, trade unions and other civic organisations, on the one hand, and representative bodies, on the other. Identification and formation of social interests and aspirations through these social channels constitute an interlude of sorts for the Soviets' work to fulfil their representative functions.

The Party represents the diverse interests of the Soviet people at large and coordinates and reflects the views and expectations of the various social groups, taking care not to monopolise the channels through which the people establish contacts with the Soviets. These social interests are communicated to the Soviets by trade unions, the Komsomol and other civic organisations, as well as by making extensive use of direct democracy and the mass media. Party directives in the main outline the strategy of the Soviets' work leaving the representative bodies free to display initiative in implementing social and economic policies and not curtailing their independence in resolving the large number of issues which by virtue of their character can and should be decided by the Soviets themselves without any Party instructions. The Party Rules state that its organisations must not substitute government and civic bodies or allow the mixing up of the functions of the Party and those of other organisations.⁴ The Soviets are themselves actively involved in shaping the Party's economic and social policies that incorporate their experience, initiative and concrete proposals.

Elaborating the strategy of the political reform, the 19th All-Union Party Conference paid special attention to the need to eliminate the accumulated deviations from Lenin's ideas of separating the functions of the Party and the Soviets. It also stressed the incorrectness of the view that retention and consolidation of the practice of command-style administration and of Party committees' taking upon themselves the functions of government bodies are the most effective way of solving the problems of society and meeting the requirements for enhancing the leading role of the Party. The Conference Resolution on Democratising Soviet Society and Reforming the Political System states that the tasks at present are irrevocable renunciation of the Party organs' command methods of work, strict observance by the Party leadership of the USSR Constitution and other laws, implementation of Party policies by means of ideological and political as well as organisational work. It emphasised the need to preclude the adoption of Party committee decisions containing direct instructions to government and economic bodies as well as to civic organisations. The structural reorganisation of the Party apparatus envisaged at the Conference—giving up its division by spheres of management, i.e., removal of these links of the Party machinery which duplicate the corresponding structures of the state administrative apparatus—will facilitate the elimination of the conditions which make it possible

for Party committees to replace bodies of the Soviets.

In considering the *social-structural aspect*, popular representation in the USSR embodies a new correlation between society's social structure and the composition of representative bodies, the structure of the deputy corps.

Distinguishable in the practice of the formation of the deputy corps in the USSR are the following most characteristic features: a) the transformation of representative institutions into bodies large enough to express the diversity of social and national distinctions and interests of the working people; b) the establishment of a fundamental dependence between the social structure of society and the main trends of its development, on the one hand, and the composition of the deputy corps, on the other. This helps secure a broad representation in the Soviets of workers and collective farmers, the people's intelligentsia, women, young people, the main professional groups, civic organisations and work collectives, and reflect the multinational structure of Soviet society; c) selection of the people's representatives by the people themselves on the basis of the former's practical and political qualities.

The features of popular representation embodied in the Soviets are associated with the nature of the social base of these representative bodies and serve to adequately reproduce it. The Soviets have an important role to play in exercising the people's socialist self-government.

The composition of the deputy corps makes it possible to advance and compare differing interests and views. Naturally, its structure varies depending on the size of the territory under jurisdiction of a given Soviet and the number of people it represents. In 1987, for example, an average number of deputies in a village Soviet was 32; a regional Soviet, 240; the Supreme Soviet of an Autonomous republic, 173; the Supreme Soviet of a Union republic, 448 (with the minimum number being 285 and the maximum, 975).

The deputy corps reflects such tendencies of the development of society's social structure as an increase in the number of workers and the people's intelligentsia and a certain decline in the number of farmers, the increasingly multinational character of the Soviet republics, a greater share of intellectual labour in society, the rising educational standard of the population, and the changes in the professional structure of the gainfully employed population engendered by scientific and technological progress.⁵ Over the past decades, there has been a substantial increase in the number of women in all Soviets. The educational standard of deputies is rising, as is the number of young people in the Soviets. It is ensured that all nations and nationalities, who do not belong to the indigenous population, are represented in the Soviets of the Union and Autonomous republics; a greater balance is established

between this representation and the share of these nations and nationalities in the indigenous population of a given administrative-territorial entity. A higher educational standard of the deputies and representation of various professional groups on a wider scale signify a more competent deputy corps, a circumstance that promotes the fuller expression and satisfaction of public interests.

Organisationally, a whole range of vitally important features of socialist popular representation is associated with the Soviets.

Significant changes in the practices of representative democracy have been generated by a new understanding of the representative system as the unity of diverse organisational and political relations: the traditional institutions (elections, the organisational forms of the representative bodies' work) have been reinforced by institutions through which people's representatives and the Soviets establish contacts with the voters. The mainstay of these contacts, which has been extensively institutionalised in law, are voters' mandates, deputies' reports, and the voters' right of recall of a deputy. The permanent (i.e., lasting throughout the term of election) character of the deputy's contacts with the voters is a *sine qua non* of his work, a necessary element of his status. This aspect of socialist popular representation serves to expand the substance and forms of the Soviets' links with the population.

A major feature of the mechanism of socialist popular representation is the securing of the organisational unity of the representative system. Ever since the October Revolution, Soviet representative institutions have assumed a functional unity as bodies of single state authority in the centre and in the localities. Irrespective of the level of representation (all-Union, republican, local), the institutions of the Soviet representative system share common organisational principles that secure an equal degree of democracy. This community rests on constitutional principles and has been given a clear and definite expression in the electoral laws and the Law on the Status of People's Deputies.

Organisationally socialist popular representation is distinguished by interpenetration of political relations and collective forms of the citizens' labour and civic activity (work collectives, civic organisations, citizens' meetings) that speaks of the tremendously important role of collectivist principles in the people's self-government. Of special significance for popular representation was the establishment of the production principle in the formation of the Soviets and the organisation of their contacts with the people. At present, their ties with work collectives are realised through the combination of the production principle, used in nominating candidates, with the system of territorial electoral districts, the mutual rights and duties of work collectives and deputies, and participation of these work collectives in the Soviets' decision-making. The major vehicles through which the Soviets

maintain permanent contacts with the people are civic organisations. Their involvement in the formation and work of the Soviets is a guarantee of the Soviets' ability to coordinate and satisfy the whole range of public interests.

Functionally, the Soviets have highlighted new aspects of the social purpose of representative bodies. Socialism has granted full powers to the Soviets as a system of representative bodies, "as the highest form of government by the people". Operating in the USSR is a common principle of socialist popular representation, which implies that the deputies are directly engaged in administration, and that the same people make decisions and organise and control their implementation. The role of Soviets is not exhausted by the administration of state affairs.⁶ As the basis of the Soviet state and the embodiment of its democratic character, these bodies form the pivot of the entire system of socialist democracy and effect the integration of all its forms and institutions.

* * *

The Soviet state attaches great importance to the improvement of the forms of popular representation and the development of the democratic principles of the Soviet electoral system. The need for it is posed, above all, by the Soviets' role as the main link in the people's socialist self-government. For this reason, the electoral system and the process of elections should promote, first, the citizens' more tangible influence on the work of the Soviets, and, second, more vigorous efforts on the part of deputies as people's representatives.

Such elements of democracy as universal, direct and equal elections, secret ballot, the imperative character of the deputy's mandate and the conduct of elections as a mass political campaign, were a clear achievement of the socialist system. At the same time, the experience that has been amassed should be approached critically, with due consideration for the shortcomings that have been revealed in the work of the representative system in respect to the organisation of elections. Among them is frequent failure to nominate people who have done well not only professionally but who also have a knack and an ability for organisational work and experience in public affairs. Widely practised was election of deputies solely on the basis of their high official position. The deputies' links with voters are adversely affected when a substantial part of the deputies lives in one district, works in another, and is elected in constituencies that are equally far removed from the place of work and domicile. Elections were marked by formalism, i.e., the people did not always have a real opportunity to discuss the candidates and the mandates they would like to communicate to their deputy at election meetings. Too little was done to

arouse the people's interest in, and help them shape a more demanding attitude to, the deputy's work, which would have motivated him to take his duties more responsibly.

In estimating the effectiveness of the electoral system, special and particularly popular scientific writings often proceeded from a single criterion, the fact that almost one hundred per cent of voters took part in the elections, and that over 99 per cent voted for the nominated candidate. However, active involvement of citizens in the elections, a long-established democratic tradition, cannot serve as the only criterion in appraising elections from the standpoint of selecting the best persons as candidates and providing a good beginning in the deputies' work to establish stable contacts with the voters. The system of shaping the social parameters of the deputy corps was oriented, first and foremost, towards ensuring the desirable representation in the Soviets of workers and collective farmers, women, young people and the various nations and nationalities. But it is not effective enough when it comes to such numerous social groups as retired people and large professional groups, e.g., those in the sphere of services.⁷

Speaking of the ways of getting over these shortcomings in the context of contemporary needs, a great deal could be done by using such powerful levers as the prestige of Party bodies and the initiative of civic organisations and work collectives. This is how the way could be paved for a thorough discussion of candidates and open criticism of shortcomings in the work of Soviet bodies and their leadership at election meetings and discussions of deputies' reports, and for the assessment of the candidate's adequacy as a public figure.

It is also important to bar formalism in the organisational and technical aspects of the voting, for instance, placing the booths for secret ballots not along the line leading to ballot boxes but some distance from and even behind them. It is impermissible to deviate from the principle of personal participation in voting, when one voter casts a ballot for one or even more other persons (for instance, members of his family) presenting their passports. Nor is it permissible to count the votes in the absence of public control over the procedure.

While eliminating these shortcomings, one should not underestimate psychological difficulties: dedication to outdated mental patterns and old habits, fear of unexpected and unusual developments and critical situations, and mistaken ideas about the ways of winning political prestige.

Among the problems that were to be resolved was that of the number of candidates entered into the ballot in a given electoral district. As is known, the USSR has evolved the practice of nominating just one candidate per district. The most widely accepted argument in favour of this practice was the following considera-

tion: since Soviet society is homogeneous and all candidates are nominated by the electoral bloc of Communists and non-Party members, who share the position defined by this bloc's electoral programme, nomination of two or more candidates is politically, socially and economically groundless. The conclusion drawn from this argument is obvious: competition between two or more deputies is practically senseless, as the candidates advance a single political programme.

However, there were other views on this matter, which have received at least some official, legal recognition. Indeed, since the time when elections to the Soviets at all levels became direct (i.e., over half a century ago), the electoral law has invariably preserved and reproduced the norms oriented at the nomination of several candidates in each constituency. These norms are to be found in the law on the elections to both local and Supreme Soviets. The legislator's stand, which does not turn the established practice of entering only one name on the ballot into an absolute demand of the electoral law, means that the possibility of alternative solutions is fully reckoned with.⁸

The nomination of two, and possibly more candidates in the same one-candidate constituency is not only provided for by the electoral law in force but also has advantages that make it attractive in the eyes of the public. The chief among them is giving each voter an alternative, which in itself heightens his personal responsibility for his choice. Of course, the voter can make a choice even when there is just one deputy, e.g., cast his vote against the only candidate whose name has been entered on the ballot. However, it should be admitted that in this case the choice has a negative character: the voter opposes a candidate, but it remains unclear whether he rejects this particular person or the election programme he represents. When there are two or more candidates the nature of the choice is different, i.e., there is an opportunity to make a positive choice. Besides, giving the voter a chance to choose between two or more candidates also means showing confidence in him, which translates into practice Lenin's idea that each citizen should be given a real opportunity to take part in the election of people's representatives. The victory of one candidate will strengthen this person's sense of responsibility towards his voters and make him more active as a deputy. A more vigorous election campaign and people's more lively interest in it are sure to bear out the effectiveness of this type of election.

In nominating two or more candidates in the same constituency, the voters may make their choice depending on whether their nominee has an independent public stand, constructive ideas concerning local matters and state issues, the problems facing the Soviet, the work of one enterprise or organisation or another. Each candidate may outline the range of questions for his own and the

voters' reference which he considers of major importance and which he will work to solve when and if elected to the Soviet. In practical terms, this means that each candidate will make more concrete the programme advanced by the bloc of Communists and non-Party members as it applies to the tasks set by a given Soviet and the needs and wishes of the voters. This approach has already been tested in socialist countries which use the practice of nominating several candidates for one post.*

The valuable experience gained in this matter by some of the socialist countries does not at all imply its mechanical emulation. Due account has to be taken of the specific conditions, experience and traditions evolved by our society.

First, foreign experience reveals such negative consequences of the electoral practices mentioned above as a declined number, in the deputy corps, of women, young people and persons engaged in manual labour who directly participate in industrial and agricultural production.

Second, it may be more difficult to get people to agree to be nominated, for competition at the elections is fraught with social and psychological wear and tear.

The best possible use of the advantages of electoral practices under which two or more candidates for one post are nominated and registered (which at the same time would remove or lessen the negative consequences) could be achieved by the transition from one-candidate to multi-candidate constituencies, at least as concerns the elections to village and township Soviets, the Soviets of towns not divided into districts, and district Soviets. They could initiate the nomination and registration of a larger number of candidates than there are posts in the constituency. Objectively, the transition to the elections to these Soviets on the basis of multi-candidate constituencies has been paved by years of existence and efficient functioning of territorial deputies' groups. Each member of such a group receives citizens living on the territory of the group

* The legally provided opportunity to nominate more candidates than there are vacancies to be filled in each constituency is widely used in the Hungarian People's Republic, the German Democratic Republic, the Polish People's Republic and the Socialist Republic of Romania (see Ye. M. Kolyushin, *Socialist Local Popular Representation*, Ivanovo, 1981, pp. 34-35, in Russian). The Hungarian electoral law provides for obligatory nomination of at least two candidates in the elections to the local councils and the National Assembly. It is characteristic of that country that in the elections to the National Assembly there is a nationwide list of candidates, which is used to fill about ten per cent of the posts in the Assembly (for more detail, see: M. Deje, "The Reform of the Electoral System in the Hungarian People's Republic of 1983", in: *Sovetskoye gosudarstvo i pravo* (The Soviet State and Law), 1986, No. 4, pp. 72-77).

and not only in his constituency; voters' mandates are usually addressed to the entire group or the majority of its members. As a rule, the deputies who are members of the group report on the work done at voters' meetings attended by people living in several adjoining constituencies. The group entrusts deputies with matters that lie outside the range of their duties in their constituencies. Thus the establishment of electoral districts on the territorial basis conforms more fully to the principle of the community of the voters' interests represented by the Soviet than the formation of small one-candidate constituencies.

The multi-candidate electoral district makes it possible, on condition that more candidates are nominated than there are posts, to avoid the artificial distinction between deputies on the basis of their social status, sex and occupation, and to concentrate on their ability for public work. For example, in an electoral district that is to nominate from 6 to 10 candidates to be elected to the Soviet, the number of candidates will not, as a rule, be equal to the number of available seats, which means that no head-on collision will occur between candidate A and candidate B, and that factors having no bearing on their businesslike and political traits will not interfere.

In pursuance of the decisions of the 27th Party Congress and seeking to improve the electoral procedure, the Presidium of the Supreme Soviets of the Union Republics decided to experimentally conduct elections to local Soviets in 1987 on the basis of multi-candidate constituencies on the territory of one district in each republic, territory and region. Multi-candidate constituencies were formed by the executive committees of the corresponding district, town (in the case of towns of district subordination), township and village Soviets within the bounds of individual townships, town estates, blocks, streets. The number of candidates nominated in a multi-candidate constituency was, as a rule, greater than the number of mandates for the given constituency. Simultaneously with the nomination of candidates, work collectives, meetings of citizens at the place of their residence and bodies of civic organisations elected representatives to the election meeting held in the constituency, which discussed and supported certain candidates or, if necessary, introduced changes into the voting lists, having previously agreed upon them with the organisations which had nominated the candidates. Candidates who received more than half of the votes of the voters whose names figured on the electoral registers were considered elected in the given multi-candidate constituency. If as a result of the voting, the number of elected deputies proved to be larger than the number of mandates, the candidates who had received fewer votes acquired the status of stand-by deputies of the Soviet in question. The experiment was held in 162 districts during the elections to local Soviets in June 1987. Elected

in multi-candidate constituencies were: to district Soviets, 13,939 deputies and 3,991 stand-by deputies; to town Soviets (towns of district subordination), 5,936 deputies and 1,848 stand-by deputies; to township Soviets, 9,524 deputies and 2,538 stand-by deputies; to village Soviets, 63,785 deputies and 16,750 stand-by deputies. Less than half of the votes in the corresponding constituencies were received by 51 candidates to district Soviets, 13 candidates to town Soviets, 60 candidates to township Soviets, and 475 candidates to village Soviets. These persons were not elected even as stand-by deputies. The number of deputy's mandates that were not filled were 8, 5, 11 and 109 respectively. By-elections were held in these constituencies, and in 93 multi-candidate constituencies the voting on the candidates who had received an equal number of votes was repeated.

In December 1988, the USSR Law on Amendments and Additions to the USSR Constitution and the USSR Law on the Election of People's Deputies of the USSR signified a major step towards an electoral reform. The Constitution (Art. 100) stated that the number of candidates is not restricted. The ballot paper may include any number of candidates' names. Alongside work collectives and civic organisations, the right to nominate candidates has been granted to residents' meetings. At the election of the People's Deputies of the USSR, two-thirds (1,500) are elected in the territorial constituencies, and one-third, directly by the national civic organisations at their congresses and conferences, or plenary meetings of their central bodies. When electing deputies in the constituencies, district election meetings may be held to discuss the nominees and pass decisions on submitting the candidates' names for registration to the district election commission.

The election held on March 26, 1989 displayed the voters' unprecedented political activity: for the first time, the people had a chance to choose between candidates, compare their programmes and personal merits. The enormous interest in the election made the campaign a lively, intense affair; the candidates were heatedly discussed at meetings and in the mass media.

All in all, 5,074 candidates were registered, with 2,195 representing the territorial constituencies, 1,967 the national-territorial constituencies, and 912 civic organisations. Two hundred and eighty-two candidates were nominated by voters at the place of their residence, and the rest, at places of work and in the Armed Forces. To discuss the nominees, 336 district election meetings were held in the constituencies. In 399 constituencies, only one candidate was nominated, which was, on the whole, prejudicial to the principle of competition. In the other constituencies, there were 2, 3 or more nominees for one deputy's mandate. In 274 constituencies, where candidates failed to win the required majority, by-elections or second ballots were held.

Taking part in the elections were 172,800,000 people, or 89.8 per cent of the persons on the voters' lists. Among the elected candidates 23.7 per cent are workers and farmers, 27.4 per cent, workers in the sciences and the arts. There are 352 women; 187 deputies are under 30 years of age; 75.7 per cent have a higher or incomplete higher education. Some 7 per cent of deputies are industrial executives; 8.5 per cent, farm managers. Two hundred and thirty-seven are Party functionaries; 316 work in the sciences and education; 96, in health care; 146, in culture and the arts; 58, in the mass media. The army is represented by 80 deputies. Seven religious leaders are also among those elected.*

The forthcoming elections of deputies in the Union and Autonomous republics and local government bodies must give a spur to the electoral reform and help promote socialist democracy. They should consolidate what the earlier stage of the electoral reform has achieved and set right what was wrong in it. With this in view, the future electoral laws of the Union and Autonomous republics and the laws on the elections to local Soviets must strengthen the guarantees of the democratic principles of the electoral system, as well as the legal and organisational mechanisms that are to ensure freedom of public initiative and to give the people a real opportunity to independently decide all questions arising in the election of their representatives. The stress here should be on the following general principles.

First. One of the obvious shortcomings of the Law on the Election of People's Deputies of the USSR that already affected the election campaign was the absence of adequate procedural rules that would realise the democratic substance of the electoral reform. With this in mind, the laws of the Union republics should place more emphasis on the election procedure, and provide the election commissions, the voters themselves, civic organisations and work collectives with clear instructions on just how to conduct the election campaign.

The second circumstance is associated with the major problem of balancing organisation and self-organisation within the framework of the election campaign. The thing is that, as the Law on the Election of People's Deputies of the USSR reads, Soviet citizens take part in preparing and conducting the election not only through work collectives, civic organisations, residents' meetings, servicemen's meetings in their units, and district election meetings, but also directly, meaning personally. During the past election campaign, various unofficial initiative groups sprang up and injected much vigour into it. They initiated nomination of candidates, demanded territorial residents' election meetings, campaigned for

* Data supplied by the Credentials Commission of the Congress of People's Deputies of the USSR.

candidates and their approval at the district election meetings, and fought for tighter public control over the election meetings and the voting. In the meantime, Art. 8 of the Law did not specify the point on the citizens' direct participation in the election campaign by setting down concrete rules that would regulate public activities in the various parts of the campaign. As a result, the claims of unofficial initiative groups trying to do organisational work and perform control functions met with a rebuff on the part of local Party, government and non-governmental bodies, and this built up tension in the relations between these bodies and the voters and gave rise to a large number of complaints to the election commissions. Hence the conclusion that, since the citizens', informal associations' and initiative groups' effort proved a major element in the election campaign, they should be given scope for their activity, and that the organisational rules regulating it must be revised. Specifically, this applies to their legal rights to hold residents' meetings for the purpose of nominating candidates, to prepare such meetings, to take part in preparing the district election meetings, and especially when sending representatives to such meetings and campaigning for candidates. In its turn, this demands that the organisational effort of the executive committees be somewhat relaxed. Granting broader rights to civic organisations, local community bodies and initiative groups in the election campaign will allow to build guarantees against the administrative apparatus's excessive pressure on the course of the election, abolish the possibility of administrative diktat and pressurising the voters into supporting decisions passed without their participation and against their will.

Some questions that the new legislation will have to settle drawing on the recent experience are associated with the need to improve the nomination procedure. Practice has shown, on the whole, that the established tradition of allocating the leading role in it to work collectives and their meetings is quite stable. The majority of candidates were nominated in just that way. But the very procedure of such nomination could certainly be improved. First, the election commissions received a large number of complaints from voters, and work collectives themselves, as it had not been made clear just which collectives enjoyed the right to nominate candidates. The general principle to which the election commissions adhered in this matter was the interpretation of the Law on Work Collectives that gives the right to nominate candidates only to the collective of an independent enterprise, organisation, association, etc., i.e., a body that has the status of a legal person. This means that a large enterprise forming part of an association had no right to nominate candidates even if its staff numbers 1,000 or more, while a small office, a rural school, or a cooperative having only a few employees could, as independent bodies,

nominate candidates, and did so. Meanwhile, the category of the legal person is, above all, a civic-legal and economic-legal one, and can hardly be applied when defining the political rights of work collectives, including that of nominating candidates. In this case, another category, the numerical strength of the staff, should serve as the criterion, so that nomination would be a decision passed by a more or less significant group of voters. In this matter, the law-giver should proceed from the quota set for voters' meetings at the places of their residence, which is quite high, namely, 500. A similar provision could be included into legislation with reference to the nomination of candidates by work collectives. They could be given a right to nominate candidates provided that they had a certain number of employees, larger if the election is held to the higher bodies of state authority, and smaller, to the local Soviets. It should also be differentiated depending on the link in the local Soviet bodies to which candidates are nominated. The status of the legal person may be used as an additional criterion at the election to the higher bodies of state authority of the USSR, or Union and Autonomous republics so as to rule out the possibility of a work collective, a section in an enterprise or association that takes part in the nomination, being part of this whole, also to nominate candidates independently.

Experience has shown that when there is too much stress on nominating candidates by work collectives' meetings and conferences, too many members of the body of candidates turn out to be economic executives, and very few represent the communal service workers, women, housewives, pensioners, etc. Considering that a Soviet is, first and foremost, a body of territorial, local government, it would be fairer to have a better balance between candidates nominated at enterprises, organisations and offices and at the citizens' place of residence. At the election to local Soviets, the procedure for holding the residents' meetings for the purpose of nominating candidates may be made simpler. The district election commissions and executive committees may be obliged to convene such voters' meetings on receipt of an application from the voters of a given constituency signed by a certain number of people depending on the rank of Soviet: a hundred, or two hundred or a smaller number, or by a certain percentage of the voters of the constituency, in the manner practised by some republics when convening residents' meetings or gatherings, e.g., not less than one-fifth of the voters. Also, there should be more clarity when estimating the vote when nominating candidates both at the work collectives' meetings and conferences, and residents' meetings. There should be an unambiguous interpretation whereby the work collective's conference would be entitled to pass a decision in the presence of two thirds of the persons delegated under the established procedure, and the meeting would be entitled to

pass a decision in the presence of half of the personnel of the respective enterprises and organisations, with the decision to be passed by a majority vote, but not less than half of the persons registered before the opening of the conference or meeting.

A separate issue is that of district election meetings. In the forthcoming elections, the voters are sure to be even more active, the number of candidates will be greater, and competition, harsher. These are all important arguments in favour of preserving and using the institution of district election meetings. The main thing is to prevent them from being used to artificially reduce the number of candidates, and especially ultimately to leave just one name on the ballot paper. It should be made a rule that such a meeting does not take place if the number of nominees is less than 5 to 10. As the last election has shown, if there are only two candidates to choose from, the decision not to hold the meeting makes it more likely that in the long run, only one candidate will remain to run for election.

The largest amount of criticism from the voters and the community was aroused by violations of the democratic principles in the organisation of the voters' meetings.

Press publications show that locally, everything was not all right with the election of delegates to district voters' meetings, which was mostly done by the apparatus of the local Party and Government bodies and, not surprisingly, provoked the voters' protest. To remove the possibility of machinations, which often turned such meetings into a semblance of Party activists' and economic executives' conferences, definite democratic guarantees should be built that would secure proper procedure when electing delegates to the district voters' meetings. Time-limits for informing the work collectives and the residents about the convocation of such meetings should be introduced, and pertinent local community bodies obliged to provide adequate and timely information about their time and place. It is advisable that the election of delegates in work collectives should follow the procedure used at the conferences and meetings nominating candidates; the very same conferences and meetings could be used for the purpose, so that the delegates should be able to perform their functions in case of the convocation of a district voters' meeting. It appears sensible that at least half of the delegates taking part in the district voters' meeting who were not involved in nominating candidates be elected by residents' meetings. Voters' unofficial groups should be allowed to control the observance of the procedure of holding meetings electing delegates to the district voters' meetings. Representatives of such groups should be given a chance to be present at such meetings.

Many issues of the procedure for the election to local Soviets of People's Deputies posed by the introduction of the electoral

reform will be settled with due consideration to the fact that nomination of candidates running for the election may take place in multi-candidate constituencies. It appears fair for legislation to provide for alternative options when settling these issues and to give the district territorial election commissions the right to form either multi- or one-candidate constituencies depending on the local conditions and the advice of the executive committees or presidiums of the pertinent local Soviets. In a smaller community, which will have only one candidate elected, it is not expedient to form a multi-candidate constituency that would include the given and other communities. This may refer to both lower and higher Soviets. On the other hand, in some of the village communities it is better to have a single constituency that would embrace all residents. It is, however, important that the establishment of multi-candidate constituencies should be wholly directed at promoting the principle of candidates' competitiveness. In this situation, it would better establish that if the number of nominees in a multi-candidate constituency does not exceed one-third or a half of the deputies' seats, a district voters' meeting is not held and all nominees are to be registered in conformity with the accepted procedure. This is all the more important, since this would form an adequate deputies' reserve, which is significant, considering that the local Soviets' term of office is going to be five years.

Needless to say, the issues of electoral law do not exhaust the new features of the forthcoming elections and the new stages in the electoral reform. What is of importance in this matter is that we must adopt a differentiated approach to the election of deputies to the Soviets at various levels. The voters must understand that while a deputy elected to a higher body of state authority must be, above all, a statesman, must be able easily to find his bearings among the complicated matters of politics and the state at large, of a Union or an Autonomous republic, deputies to local Soviets should have exhaustive, first-hand and accurate knowledge of the needs of the local population, be competent practical workers, take concrete steps to advance local self-government, and settle local economic, social and cultural issues remaining within the overall mainstream of the Party's and the state's efforts and the policy of *perestroika*.

2. The Role of Soviets in Developing the Institutions of Direct Democracy

Socialist democracy and its essence, self-government by the people, is realised in the USSR both through the representative system and other forms of representative democracy, and the citizens' direct participation in administering state and public af-

fairs. Direct democracy is used in managing all economic, public and cultural matters at all levels of the political system. At present, the prospects for advancing the institutions of direct democracy are associated, above all, with greater emphasis on the human factor to accelerate economic and social progress and improve the political system. Direct democracy is of special importance for developing people's socialist self-government.

The Soviets maintain extensive contacts with the institutions of direct democracy. Elections, deputies' and executive bodies' reports to voters and the latter's mandates all help the Soviets to form and maintain close ties with the population. These institutions are essential for involving citizens in the work of Soviets and their bodies, and for exercising their constitutional right to take part in administering state affairs.

The Soviets' effort aimed at advancing the forms of direct democracy can be successfully promoted only with a clear understanding of what its institutions are really like today. The USSR Constitution of 1977 and the active legislation reveal that direct democracy in the USSR operates through a wide range of institutions, and that its system is sufficiently ramified. Thus, the current task is, first and foremost, to improve them and make a better use of what is already available. Over the past years, the legislation of Union republics on the citizens' meetings has been updated (republics that had no such legislation have adopted it), and a system of acts of the Union of Soviet Socialist Republics and Union republics on responding to voters' mandates has been developed. The Law of the USSR on nationwide discussion of the country's most important questions (1987) and the laws of the Union republics on people's discussions (1988) have fundamental significance for promoting direct democracy, for its institutionalisation. Provisions on the forms of direct democracy, for instance, the Law on Work Collectives and the Law on State Enterprises (Associations) have to be put to better and fuller use, especially those that deal with the role of meetings of work collectives in implementing the principles of self-government. It is also urgently necessary to react more promptly and specifically to voters' mandates, overcome formalism in the reports of deputies and executive bodies to the people, and to take practical steps in response to citizens' complaints, suggestions and requests.

The 19th CPSU Conference noted that consolidating the Soviets as the foundation of representative democracy called for the creation of conditions for all-round development of direct democracy in the spheres of production, in residential areas, at meetings and during discussions of important country-wide and local decisions.

The Soviets' goals in the matter of promoting direct democracy demand a concrete and effective approach to the po-

tential and the untapped resources of each institution: meetings, mandates, reports. At the present stage, it is important to make full use of and further to develop all forms of direct democracy from the viewpoint of accelerating economic and social progress, intensifying the economy, promoting scientific and technological progress, and, on this basis, raising the people's cultural and living standards. Direct democracy is just that powerful lever which can help set into motion the human factor, enhance economic and labour activity and participation of the people, which alone can ensure that the social and economic policy will be successfully pursued.

In concrete terms, this means that legislation regulating the functioning of the institutions of direct democracy and especially its practical application, as well as the organisational work of the Soviets ensuring the citizens' participation in administration, should aim at examining and resolving the urgent problems of economic and social development. The popularity of these forms of direct democracy will to a large extent depend on how closely the questions resolved through them will be linked with the issues of social and economic development, improvement of socialist economic management methods and relations of distribution, discipline and responsibility.

Closer contacts between direct democracy and the effort to attain social and economic targets can do a great deal to implement the concept of *perestroika*. A contribution to this work could and should be made by improving legislation. The new Statutes on Citizens' Meetings at the Place of Their Residence adopted in the Union republics, have substantially expanded the functions of these meetings to resolve local economic and social issues. In the social and economic field, their competence covers, for instance, questions of planning, construction, landscape designing, provision of municipal and consumer services and cultural and community facilities in residential areas. But in many cases, the Statutes do not orientate the meetings at considering and discussing draft plans of local social and economic development.

Moreover, the use of institutions of direct democracy could be made more effective by the organisational work of the Soviets themselves, complete *glasnost* and popularisation of the most valuable experiences by the mass media. An important task here is to raise the interest of the people in public affairs, involve them in constructive criticism and in effort to tap the reserves, and give each person a better chance to openly state and defend his views, take part in decision-making and control over the work of management bodies and officials.

The development of direct democracy is a way of improving the overall process of administration and management and promoting the principles of self-government in state and public life.

The institutions of direct democracy are playing an increasingly important role in supplying the Soviets with extensive and reliable information about public interests, public opinion, and public expectations. As sources of information, citizens' speeches at meetings and mass discussions as well as their applications to government bodies and deputies, are invaluable because of their mass character and spontaneity, whereas ideas and views conveyed through institutions of representative democracy or the press lose many of their nuances.¹⁰

The forms of direct democracy should play a more important role in the making of state decisions. The democratic foundation of this process requires that the representative and other bodies taking part in decision-making should in all cases have in view the interests and expectations of the people, public opinion and the views voiced by citizens and organisations. Informational contacts between the Soviets and the people are of particular importance in this system, as they not only guarantee a high quality of administration but embody the very essence of the Soviets as representative bodies. The links between direct democracy and state decision-making develop along several lines.

There has been an expansion in the *consultative function* of the institutions of direct democracy, the function that helps to generate decisions adequately expressing the interests of the people and their needs. Reference is, above all, to public discussions of issues on which Soviets adopt decisions or prepare drafts. The present Constitution and legislation provide for nationwide discussions of all major questions and draft decisions that significantly affect the people's interests. The need to use the institutions of direct democracy has been dictated by the interests of subjecting draft decisions and various projects to the test of public opinion.

Increasing importance has recently been attached to the *forms of direct democracy as they are used when citizens themselves are adopting decisions*. Decision-making at public meetings is already a necessary way of formulating mandates to deputies, recalling deputies, raising self-taxation for local needs in rural areas and establishing local community bodies. As concerns work collectives, the law gives them the right and opportunity to use meetings and conferences to adopt decisions on the work and development plans of enterprises, production amalgamations and organisations. These include elections of the managerial staff and councils of work collectives, approval of collective agreements, working out standard factory or office regulations, and settlement of conflicts between the administration and the work collective council. Employees' meetings also elect departmental managers and heads of production branches, shops, sections, as well as foremen. Under the law, the approved decisions that lie within the competence of the work collective and conform to the active legislation are

obligatory both for the members of the collective and the administration.

The forms of direct democracy are to serve as *an important instrument of the mass organisational work of Soviet bodies* aimed at involving the maximum number of citizens in the implementation of Soviets' decisions. Their help is enrolled to popularise and explain these decisions and to map out the targets that could be reached only with the personal assistance of citizens to the Soviets' economic and cultural work and the work of the bodies entrusted with maintaining law and order. Great importance is being attached to the discussions at village meetings of such issues as development of lease farming and improvement of cultural and public amenities in the countryside. In towns and townships, the people decide such questions as participation in providing new or improving old communal and cultural services and amenities, maintenance of housing, the campaign against violations of public order, and hard drinking.

Incorporation of the institutions of direct democracy into the administration process is a must in one other sphere of the managerial activities of the Soviets and their bodies, i.e., *exercising their function of control*. Most often, it is fulfilled by such institutions as citizens' meetings at the place of their residence and meetings of work collectives. Helping to fulfil it, is a system of deputies' and executive bodies' reports to the citizens, as well as the latter's applications, complaints and suggestions to government and civic bodies. An element of control can be also found in the functioning of such institutions as the voters' mandates and mass discussions. It constitutes the essence of the institution of deputies' recall by voters: in this case, it is combined with the regulating function, i.e., application of state legal sanctions expressed through the voters' decision to recall a deputy.

The forms of direct democracy give each citizen a chance to take part in control, although, of course, there is still room for improvement in this matter, especially when it comes to citizens' meetings which hear reports of deputies and top officials.

In the present situation, direct democracy reflects the reinforcement of the collectivist principles in state and public life that are a feature of the socialist system. The majority of its forms are associated precisely with citizens' collective actions, which convey the unity of Soviet people and the community of their interests. Almost all manifestations of direct democracy—reports, voters' mandates, etc., operate through people's meetings, which constitute the basic level in the hierarchy of the institutions of direct democracy. Functioning outside it, are only such institutions as complaints, addresses and individual appeals of citizens, referendums and, in part, nationwide discussions to the extent to which they are held within the framework of the mass media.

It should be remembered that a collective opinion or decision as a product of direct democracy is based on the expression, comparison and coordination of views of participants in a meeting, i.e., genuine collectivism implies an interested and active attitude of individual citizens. The established rules and traditions of collectivism are called upon to stimulate activity and initiative and not to restrict them and deprive people of the opportunity to uphold their views. In the long run, the concept and practices of people's self-government mean each citizen's active participation in administration. Genuine collectivism implies that whenever a problem is being discussed and solved, a businesslike atmosphere and freedom to voice opinions and level constructive criticism should prevail.

The present legislation and rules regulating the activities of civic organisations, the regulations of local Soviets and their executive committees contain rules relating to people's initiative in raising issues, freedom of discussion and the voting procedure. Their strict observance is a guarantee against formalism and mock-collectivism, which often disguise the passivity of the majority or at least a significant number of participants in collective discussions.

The importance of the institutions of direct democracy in improving the functioning of Soviets, and administration at large, is in part determined by their role in transmitting information in the Soviet political system. Direct democracy is a major vehicle of *glasnost* in the work of the Soviets, their executive apparatus and civic bodies. It is a means through which the people receive full and accurate information about administrative affairs, which is essential for their participation in them. It is through the forms of direct democracy, the system of reports, and regular appearances of deputies, heads of executive bodies and other officials before the people, that the latter get this kind of information, that allows them to form a good idea of and judge both the decisions that have been adopted, the results of their implementation, and the very process of administration. The press, radio and television help the major bits of local information assume more general and even nationwide significance. Thus direct democracy as an instrument of *glasnost* performs an important role in shaping public opinion, raising its competence, advancing the citizens' political and juridical education, and awakening them to participation in state and public work.^{11*}

To enhance the role of Soviets in society, it is necessary to make the fullest possible use of the potential inherent in election campaigns. Of course, their chief purpose is to choose the best citizens to fulfil the deputy's duties and functions and competently deal with economic and social matters in the Soviets. We have already noted that improvement of the procedure under which

the deputy corps is formed is an important means of imparting vigour to the Soviets' work and helping them exercise more effective leadership in economic, social and cultural affairs. However, election campaigns are neither theoretically nor practically reducible to preparing citizens for a conscious role in the voting and the selection of candidates worthy of their confidence. The election campaigns enhance the political and educational effort of the state and civic organisations. During these campaigns the number of voters' mandates substantially increases, as does the number of petitions to state and civic bodies. Moreover, criticism of shortcomings in the work of the state apparatus becomes more concrete.

Nevertheless, it is still necessary to enrich the substance of the election campaigns as a way to secure more active involvement of the people into discussions and settlement of urgent economic, social and cultural matters. Elements of such an approach have been developed in the elections throughout the entire history of the Soviet state. Reference is, above all, to voters' mandates as a major means of shaping the programme of Soviets' work and the measures to be introduced in response to the citizens' suggestions and proposals submitted to central and local bodies during election campaigns. In the future, these trends in the functional role of the election campaigns will be developed. By and large, this will strengthen the planning principle and help public opinion and people's initiative to exert a more comprehensive influence on Soviets' activities. Individual suggestions and proposals by no means encompass all the problems and development prospects of a given enterprise, organisation, or territory. In this connection it would be expedient to make it common practice for the election campaigns to involve the public (particularly, street and block committees, city estate civic councils, work collectives) in drafting a concrete system of measures to be proposed to the Soviets. These measures could be drawn up as a development programme for a relevant city estate or a township, or as guidelines of this development. It could tackle such questions as maintenance of housing, improving the available amenities and the work of the services. Such a programme could provide the foundation for territorial economic and social development plans, adapt general plans to local conditions and become a form of the people's involvement in local planning. Local Soviets (e.g., in Moscow) have already accumulated some experience on this issue: development plans for two or three years for city estates and townships are usually approved by executive committees, sometimes jointly with deputies' groups.

Election campaigns could also exert more influence on the Soviets to accelerate social and economic progress in people's control over the state apparatus. Local Soviets time the reports of their executive committees, officials and local community bodies

to coincide with the elections. There is a whole range of reasons why these reports should be made at the very outset of election campaigns. The most important thing is that this will give the voters a chance to form a more competent opinion of the performance of corresponding government bodies and officials, the shortcomings and their sources. In other words, this would supply them with important information to make more substantiated suggestions and mandates and discuss candidates with an adequate knowledge of their abilities and characters.

Finally, another way to enhance the effectiveness of election campaigns is to raise the people's participation in the voting (which has long reached top figures) by just as active involvement in the nomination of candidates and in meetings at which the reports of the Soviets' executive bodies are discussed. Reference here is not only to the number of people taking part in this work but more adequate representation in it of workers, young people and the various professional groups, as well as greater activity, i.e., a greater number of speakers, bolder constructive criticism and exhaustive discussions of the candidates. It is from this viewpoint that the potential of nationwide discussions and voting as major institutions of direct democracy should be analysed. One must say that in the USSR, discussions of questions of state and public life tend to turn into a permanently functioning institution of the people's self-government.*

As concerns nationwide discussions, their subject is provided not only by bills but by drafts of major planning documents (e.g., the draft Guidelines for the Economic and Social Development of the USSR) and of large-scale reforms (such as the draft of the CPSU Central Committee Guidelines for the Reform of Secondary and Vocational Schools).** Discussions held by local Soviets usually have to do with draft decisions and planned measures to build up residential communities, improve retail trade and the municipal and consumer services, combat hard drinking and other forms of anti-social behaviour. An important place in nationwide and mass discussions is occupied by the mass media.

However, the procedure of discussions has long called for improvement. A number of flaws were apparent in it. The mechanism of registering the incoming suggestions and criticisms was far from perfect. In summing up the results of the discussions and adopting decisions, the public is not always informed about the citizens'

* In the past 25 years there have been more than 30 nationwide discussions. The referendum on the draft Constitution of 1977 produced 323 amendments and one new article.

** About 110 million citizens took part in the discussion of the draft Guidelines, and 120 million, in the discussion of the School Reform, with 7 million people speaking at meetings devoted to the latter question.

suggestions. No information about those that have been rejected and the reasons why, is available. What is particularly necessary here is precise planning of what is to be done to secure an exhaustive discussion, who is going to be responsible for its organisation, when and how the results will be reported, and how they will be used in streamlining draft decisions. Higher bodies of state authority and administration are to exercise a more effective control over the way the Soviets fulfil their constitutional duties to organise regular mass discussions and give methodological assistance in holding them.

At present, better use of the institution of mass discussions at the local level is blocked by a number of circumstances which are, however, quite surmountable.

First, a sociological poll has shown that such discussions are far from always welcomed by local Soviet leaders. They motivate their viewpoint by the complexity of the work to organise such discussions and the absence of appreciable results to improve draft decisions.¹²

Second, the people and work collectives do not always show interest in mass discussions in line with the interest in nationwide referendums on draft decisions, bills and major projects planned by the Party and the Soviet state. Finally, although this is not the most important reason, the law, as well as local normative activity, do not regulate such discussions, i.e., do not define the range of questions to be systematically dealt with and the necessary procedural points.

Experience points to ways of overcoming these difficulties. A discussion is sure to be effective and lively if the range of questions it deals with is of real interest to its participants. Naturally, it should be defined with due consideration for the scope of the discussion (a township, a city district, a city as a whole).

The USSR Law on Nationwide Discussion of Major Issues of the Life of the State promulgated in June 1987 has defined the general points pertaining to all types of mass discussions and their procedure and rules, including those of issues of local significance. Under the Law, submitted to nationwide referendums are draft decisions and bills affecting the main trends of the country's political, economic and social development, exercise of constitutional rights, freedoms and duties of Soviet citizens, and other major issues of state life lying within the jurisdiction of the Union of Soviet Socialist Republics. Simultaneously with submitting a question for nationwide discussion, the time-limits and the organisational procedure are established for the examination of suggestions received during the referendum. This work is entrusted to standing committees of the Soviet of the Union and the Soviet of Nationalities, or an *ad hoc* commission. The organisation of discussions and the work to sum up their results are based

on democratic principles and are aimed not only at holding a truly mass discussion but also at taking into consideration all the incoming suggestions and comments of citizens, work collectives and state and civic bodies. Union and Autonomous republics are also passing laws on mass discussion of the country's major issues.

The question of nationwide referendums and mass discussions is closely related to that of popular vote. It appears that the latter voting is meaningful only when it has been prepared by thorough discussion of the question, which allows the participants in the voting to determine their position on the basis of adequate information. Certainly, there will always be more ground for voting on local matters, questions of social and economic territorial development, than on those demanding a nationwide referendum. It is therefore expedient to use the institution of voting primarily in the localities. This is sure to provide the necessary experimental material for popular vote. It is quite possible to combine voting on local matters with elections to local Soviets. At some future point, both versions of the voting will become admissible, i.e., the decision will be made either by the local body of state authority or adopted on the basis of mass voting as is provided for by the Statutes on Citizens' Meetings and Assemblies.

The procedure of summing up and responding to the voters' mandates also leaves room for developing the principles of self-government in state and public life, and improving the work of the Soviets. The social value of the institution of mandates lies, above all, in its ability to secure active involvement of the people, the voters, in working out the Soviets' programme of action.* Formulating their mandates, citizens decide what the Soviet should do to satisfy the needs the people consider of primary importance. The Soviet may disagree with a mandate only in exceptional cases, when it can do nothing about it or when the mandate is incompatible with more general interests. Mandates are to be taken into account by the Soviets in drawing up economic and social development and production plans. Thus they are directly associated with the decision-making function discharged by the institutions of direct democracy. This means that the Soviets should organise their work as to enable them to act on the maximum number of mandates, and to make them more authoritative and substantiated. This can be done by focussing public attention on them. For this purpose the Soviets should submit them for large-scale preliminary discussions involving competent persons. On the other hand, it is necessary to end the practice under which the planning and other executive bodies of local Soviets seek to give

* After the 1985 elections to local Soviets, the Soviets approved measures to be taken on about 749,000 mandates. According to the data as of January 1, 1987, 587,000 mandates were followed by action.

the character of mandates to measures that would promote the interests of the administration rather than of the population (these sometimes include even the construction of new administrative buildings).

To promote democracy, the Soviets should pay more attention to people's meetings. It appears expedient to expand the administrative functions of people's meetings by giving them the right to approve plans for construction in townships and villages, the procedure of people's participation in improving communal and recreational facilities, decisions on priority supply of building materials and repairs of individual buildings. In 1918, the Soviet Constitution provided for the right of the general meeting of rural voters to settle local administrative matters (Art. 57). The expansion of the administrative functions of the meetings, especially in the countryside, is a promising trend in the effort to improve the Soviet system, specifically, to amalgamate, when it is expedient, village Soviets and to use a variety of organisational forms which will ensure people's participation in local administration.

It is very important to improve the consultative and controlling functions of the meetings, which are significant for promoting democracy in decision-making to enhance the people's involvement in administration and keep them constantly informed. Among the ways to solve this problem is to emphasise and expand the range of questions considered at meetings held when the Soviets draw up draft decisions, as well as of suggestions submitted to bodies of state authority and administration. Together with questions listed in the active Statutes on Citizens' Meetings and Assemblies, the people are sure to be interested in local economic and social development plans (e.g., those of city estates or townships) and information about communal services. In towns, meetings devoted to specific subjects could be held, for instance, on the issues of retail trade and public catering; bodies in charge of housing-maintenance, recreational and health-care facilities; maintenance of public order. As concerns citizens' participation in meetings, the Soviets should concentrate on helping them more actively participate in handling the affairs rather than try to increase the number of people attending these meetings, although something could probably be done here, too.* This could be attained by organisational preparation of meetings, availability of adequate information concerning the questions to be discussed, inviting speakers from among competent people, including leaders of

* A sociological survey held in Sverdlovsk has shown that only 14-16 per cent of factory and office workers took part in discussing the city Soviet's draft decisions (see *Soviets of People's Deputies and Work Collectives*, 1986, p. 130, in Russian).

Party and local government bodies and specialists in various fields. Citizens' meetings could become more effective if the Soviets and their executive bodies and civic organisations display more interest in the actual implementation of their decisions and recommendations. The Statutes on Citizens' Meetings and Assemblies should include a rule under which information on the implementation of previously adopted decisions is to be supplied at the next meeting.¹³ Moreover, meetings should be given the right to address questions to corresponding bodies on the competence and responsibility of officials of government and civic bodies who have failed to get things done.

Facts testify that the process of promoting citizens' meetings has already begun. The 1987 elections to local Soviets indicate that at residential area meetings a large number of candidates are now nominated for election to village and township Soviets. In the Kemerovo Region, for instance, more than 2,000 candidates were nominated at village and township meetings. Today, the meetings often consider disputes between people and bodies or organisations reluctant to reckon with citizens' legitimate interests. Thus, in the same Kemerovo Region a meeting of residents of the Gramoteino miners' township severely criticised the director generals of three coal industry associations located on their territory. The residents demanded the associations' fuller participation in the development of the township's social infrastructure. Six months later, the presidium of the executive committee of the Kemerovo Regional Soviet of People's Deputies examined the question of implementing the meeting's decision at its open session held in Gramoteino. In the village of Volno-Nadezhinskoye (Primorsky Territory) a local assembly requested the executive committee of the village Soviet to challenge the decision of the regional bodies to put up an administrative block in the village's green zone. The construction was stopped when a second assembly, convened on the initiative of the regional bodies to discuss the same issue, upheld the decision of the previous one.

The citizens' increased social activities in conditions of *perestroika* have given birth to quite a variety of concrete forms of realisation of their constitutional freedom to hold meetings, rallies, processions and demonstrations. Reference is being made here to meetings often held by informal groups—various local community associations—to discuss and express opinions on various vital questions of nationwide or local significance. As distinct from meetings and gatherings of people of a particular place of residence, the participants do not necessarily belong to one residential area. Also significant is the fact that, unlike the former, such meetings are not legislatively endowed with any administrative or control authority: they express public opinion only. The procedures for holding such meetings as well as rallies, street processions

and demonstrations have now been defined in rules approved by the Presidium of the USSR Supreme Soviet. Acts to this effect have also been adopted by individual Union republics. The rules stipulate authorised procedures for meetings, rallies and demonstrations. However, opinions have been expressed in the press on the expediency of combining authorised procedures with those of registration. In other words, there is the need to envisage quite a range of instances where such activities would not require special permission from the executive committee of a local Soviet but just a timely notification by their organisers.

A special type of such meetings are those of work collectives (conferences of representatives of work collectives). The role of work collectives in the Soviets' activities is clearly enough indicated by the range of their powers (participation in elections, control over the work of executive committees and deputies, discussion of the draft decisions of Soviets and higher bodies). The present legislation does not answer the question which of the rights to take part in the work of Soviets should be exercised directly through meetings of work collectives. In this matter, it is especially important to accumulate and spread the most valuable experience and, on this basis, complement the law by outlining the range of questions to be dealt with by meetings of work collectives or by work collective councils. It should become an obligatory function of work collectives to consider the targets set by the economic and social development plans of towns, districts, village councils and townships that affect the people's more important interests and require the involvement of enterprises and organisations in local economic and social development. Reference is, above all, to the production of consumer goods at a given enterprise or an association, the interaction between the Soviet and work collectives to promote the latter's social advancement and assistance to the Soviets in improving the system of community and recreational facilities in a given area, protecting the environment, etc.

It should become the exclusive prerogative of meetings of work collectives to hear the deputies' and executive committees' reports on the work done by them, to conduct voting in recalling a deputy, and to nominate candidates representing a given collective. In turn, the work collective council in cooperation with deputies or a deputies' production group, could consider concrete questions, e.g., meeting the economic and social development plan goals, the issue of the collective's representatives to the various consultative and controlling bodies of the Soviet and its executive committee (e.g., housing commissions), of preliminary discussion of the work to be done on the voters' mandates.

A highly important feature of the cooperation between Soviets and the various institutions of direct democracy is that the latter enable citizens of the USSR to exercise their constitutional

right to take part in administering state and public affairs, including their participation in the work of the Soviets. This refers to all forms of direct democracy, and particularly the institution of the citizens' applications to government and civic organisations. Each such application is an act of personal initiative of a citizen or a group of citizens, through which the Soviets learn of people's numerous suggestions, their critical assessment of the Soviets' work or the actions of officials and executive bodies.*

Law contains many guarantees of timely consideration and satisfactory resolution of the questions raised in people's petitions. However, thus far it has failed to do away with red tape and formalism in the officials' work with applications, suggestions and complaints. The procedure of responding to the citizens' applications and suggestions needs to be further improved. It is important to precisely define the body of persons in local Soviets in charge of analysing the citizens' critical comments and suggestions, and establish a stable procedure of drafting measures to be introduced and informing the population of what has actually been done. The Law on the Status of People's Deputies obliges the people's representatives to systematically study the people's suggestions and recommendations and to communicate their conclusions and proposals to the Soviet and its bodies. Thus far, the deputies have not been adequately performing this duty. One of the main reasons for this is that this aspect of the deputy's work is not directed competently enough, and that some deputies have proved to be unable to analyse the material they have collected. Moreover, executive committees do not always render them the required assistance.

Nowadays, the Soviets, their executive and standing committees have been exercising control more frequently, and sometimes systematically, over the measures taken by the organisations under their jurisdiction on citizens' applications. However, in many cases, the stress was on how the incoming applications were registered and whether the replies to them go out within the prescribed time-limits rather than on the results or the effectiveness of the measures taken in response to the people's critical remarks or suggestions. Obviously, these shortcomings can be eliminated only if the officials in charge are held more responsible and brought to account for formalism in their activities.

It should be borne in mind that applications are acts of civic

* Approximately 16 million letters and applications are annually received by the Soviets and their bodies from citizens. For instance, testifying to the increasing number of individual appeals to the all-Union government bodies is the fact that in recent years the reception office of the Presidium of the USSR Supreme Soviet has been receiving 130 visitors a day on the average.

initiative that trigger off a definite mechanism of administrative response to the questions raised by people. But why reduce the operation of applications to the sphere of purely administrative responses? Soviet people want to see socialist democracy and the institution of the people's socialist self-government promoted in every possible way. And this means that it is both possible and necessary to use applications as a means of setting in motion certain democratic institutions. For instance, citizens have a right to initiate meetings, to raise the question of recalling a deputy, and other questions to be considered at the sessions of Soviets and sittings of executive and standing committees. Incidentally, this is provided for by some rules of the active legislation. The Statutes on Citizens' Meetings and Assemblies adopted in the Union republics read that suggestions to convene a meeting may be also submitted by citizens who have a right to take part in them. To make better use of applications, to give an impetus to the work of other institutions of Soviet democracy, it is necessary to legally establish corresponding guarantees, e.g., for making it obligatory to convene a meeting at the place of people's residence or a meeting of a work collective, for holding a mass discussion or a local referendum on the initiative of a large enough group of citizens advanced either in individual or collective applications. If the problem is approached in this way, applications will gradually grow into a broader and more significant institution of civic initiative. This will not only enhance their role but also promote the system of socialist democracy as a whole.

3. Cooperation of Soviets with Civic Organisations and Work Collectives

Contacts with civic organisations and work collectives are, for the Soviets, a major trend in consolidating their ties with the people and involving them in the administration of the socialist state. For civic organisations and work collectives, involvement in the activities of the Soviets is a channel through which they take part in state affairs and use the potential of state authority to satisfy the public interests they represent. From the point of view of management and administration, the interaction between the Soviets and civic organisations and work collectives embraces such aspects of administrative work as circulation of information necessary for management; working-out of administrative decisions that take into account public opinion and the interests of definite social and professional strata, groups, and collectives; organisation of executive work; social control. All these aspects of the Soviets' cooperation with civic organisations, first and foremost, and to some extent with work collectives have been adequately covered

by literature on the subject.¹⁴

The analysis of the interaction between the Soviets and civic organisations should be made within the concept of promoting socialist self-government by the people and democratisation of Soviet society.*

The restructuring of the activities of trade unions, the *Komsomol*, the cooperatives and other non-governmental organisations representing the interests of different strata of Soviet society, the 19th CPSU Conference stated, is part and parcel of the political reform. Democratisation of civic organisations, enhancement of their independence as well as responsibilities and the development of their creative initiatives; representation of different interests and opinions by civic organisations—such are the essential elements in the practice of socialist pluralism and of a permanently functioning mechanism for free dialogue, criticism and self-criticism, which are of fundamental significance in conditions of the historically established one-party system in the country. Such a dialogue is necessary precisely within the framework of close cooperation of civic organisations with Party and Soviet bodies.

Characteristically, the new edition of the Trade-Union Rules adopted by the 18th Trade-Union Congress contains a new section, "Trade Unions, and Government and Civic Organisations". They give a legal status to the established practices of the interaction between trade unions and corresponding government bodies, and orientate trade unions towards more extensive and meaningful contacts with Soviets. The system of civic organisations is now being enriched by new forms. The emergence of various civic associations and organisations (including such as the Soviet Cultural Foundation and Children's Fund) as well as tens of thousands of informal associations which, as a rule, have no legal status and often do not seek such a status, reflects the scope and diversity of public initiative. The 19th CPSU Conference regarded as a positive phenomenon the emergence of civic associations and organisations the aim of which is to promote socialist renewal.

In the light of the concept of the socialist self-government by the people, great theoretical and practical significance is attached to the question of more diversified cooperation between Soviets and mass civic organisations that could improve the Soviet representative system and representative democracy. Both Soviets and civic organisations are forms of association of working people that express and satisfy their interests. It is of great importance to the Soviets that mass civic organisations represent a broad range of

* The importance of the cooperation between Soviets and civic organisations is precisely determined by the fact that the USSR now has over a hundred nationwide, two hundred republican and eight hundred local civic organisations and voluntary societies.

major social interests, including professional, age and cultural. In this connection, it would be a good thing to consider their place in the functioning and development of the representative system with reference to all links in this chain and the prospects for its development.

Since civic organisations communicate to the Soviets certain public interests, the latter should assume democratic forms making it impossible to replace them by the interests of the administrative apparatus of civic organisations. This means that the views and suggestions addressed by civic organisations to the Soviets and their bodies should stem from the functioning of corresponding institutions of direct or representative democracy characteristic of the administration of civic organisations. Actually, trade-union or Komsomol meetings or conferences have so far rarely advanced well-elaborated proposals to Soviets. These are usually adopted by meetings of civic bodies, such as Komsomol or trade-union committees or governing bodies of voluntary societies, with the suggestions often assuming the form of mandates to a representative of civic organisations, or a request to a deputy whose candidacy had been nominated by a given work collective to make the Soviet or its executive committee respond to one suggestion or another. It is obvious that such representation of public interests in Soviets has an advantage over the common practice under which Soviets are addressed on behalf of civic organisations mostly through channels available to the administrative apparatus, i.e., through personal applications of officials employed in civic organisations to pertinent officials in the Soviets' executive apparatus.

From the position of promoting public interests it is possible to analyse the participation of civic organisations in the formation of Soviets and their functioning as representative bodies, as well as in the establishment and maintenance of contacts between Soviets and people and work collectives.

The electoral law gives civic organisations broad opportunities for taking part in election campaigns. And, although nomination of candidates directly by bodies of civic organisations has not become established practice, candidatures are usually discussed in the presence of the leadership of civic organisations before their presentation to general meetings of work collectives or their sections.

It seems that civic organisations could start playing a more important part in election campaigns if the nomination of a candidate who has won both professional and public recognition (being a trade-union or a Komsomol activist, or taking part in the work of a voluntary organisation) was divided in two stages. At the first, civic bodies could recommend the meeting of the work collective to nominate one person or another, and at the second, the candidacy could be approved by the work collective. The quantita-

tive correlation between Komsomol members, trade-union activists, etc., in the deputy corps would then adequately reflect representation of civic organisations in the elective bodies of the people's government. Naturally, this does not make it inexpedient for the civic organisations, which, under the Constitution, have a right to directly nominate deputies, to do so.

The idea of direct representation of the CPSU, trade unions, the Komsomol as well as other mass civic, cooperative, creative and scientific organisations in the Congress of the USSR People's Deputies and the corresponding congresses of the Union and Autonomous republics, advanced by the 19th Party Conference, and institutionalised by the USSR Law on Amendments and Additions to the USSR Constitution, is a new development in the concept and system of participation of civic organisations in the formation of the Soviets. Not only the status of a deputy will be extended to the representatives of the Party, trade unions and other organisations thus elected, but also the corresponding responsibilities of people's representatives such as fulfillment of voters' mandates, reception of citizens and making reports to the electorate. A theoretical problem arises in this connection: should representatives of civic organisations be regarded as people's deputies or should a special legal status be defined for them precisely as representatives of civic organisations with distinct functions and authority vis-à-vis the people's deputies?

The diversity and large number of mass civic associations existing in Soviet society make it possible to use the democratic forms of the people's self-government to embrace and objectify the interests of all the basic social strata and groups; however, reserves for further progress can be found here, too. By now, new civic associations (veterans' and women's councils united on a nationwide scale) have already emerged.

The legislation on the Soviets grants civic organisations some rights whose purpose is to make sure that, whenever required, the interests conveyed by such organisations incorporate also a mechanism regulating the action taken by representative bodies to satisfy these interests. Reference here is to the right of legislative initiative that civic organisations possess, as well as the right of corresponding territorial bodies of civic organisations, and in the countryside, of civic organisations of collective and state-run farms, enterprises and offices to submit suggestions to the sessions of local Soviets. This legal mechanism of representing the interests of civic organisations in Soviet bodies needs to be further developed and improved. In addition to the right of legislative initiative, the bodies of mass civic organisations should be given the right to submit bills and questions for consideration not only to the higher representative bodies but the Councils of Ministers as well, especially as this is already practised. The gov-

ernment and the Presidiums of the Supreme Soviets have already passed a whole series of resolutions on the initiative of, or with due consideration for, the views and suggestions of trade unions and the Komsomol.

In its Resolution on the Tasks of Soviets of People's Deputies Stemming from the Decisions of the 27th CPSU Congress, the Presidium of the USSR Supreme Soviet has pointed out that sessions of Soviets, sittings of the Supreme Soviet Presidiums and the Councils of Ministers of Union and Autonomous republics and the executive committees of local Soviets, should regularly discuss suggestions submitted by civic organisations, especially those pertaining to the situation in individual branches of the national economy and to territorial development. This should find a standard expression in pertinent regulations of the higher bodies of authority and local Soviets, as well as of the latter's executive committees.

In view of the important function of executive committees as centres of administrative decision-making and the extensive opportunities for developing cooperation in the sphere of control, between standing committees of local Soviets, on the one hand, and civic organisations, on the other, it appears expedient to give civic organisations the right to submit suggestions to be included in the agenda of meetings of executive committees and the local Soviets' standing committees. The regulations of local Soviets and their executive committees should include an article, promoted by experience, demanding that when long-term plans are being drawn up, they should request suggestions and commentaries from the bodies of civic organisations. In cases when suggestions are part of the agenda of the forthcoming session or executive committee meeting, the Soviets and their executive committees should be obliged to mention that the suggestion has been submitted by a civic organisation or, when it is rejected, supply well-substantiated reasons. It appears desirable that the questions considered by Soviet bodies on the initiative of civic organisations should be prepared with the latter's direct participation (by involving the members of these organisations in verification or other preliminary actions, preparing references, reports, joint reports and draft decisions, as well as by inviting representatives of civic organisations to take part in the discussion of these questions at sessions and meetings held by executive committees and standing committees).*

* Back in 1924, the All-Russia Central Executive Committee passed a Decree on Cooperation Between Local Bodies of State Authority and Professional Organisations, which established that trade-union representatives must take part in discussions of all questions of labour, production and management at all sessions and meetings held by executive committees and their presidiums.

Improving cooperation between Soviets and mass civic organisations will open up new opportunities for developing contacts between representative government bodies and deputies, on the one hand, and the people and work collectives, on the other. A good practice is that of holding meetings of civic organisations to discuss the reports of deputies whose candidacies were nominated by the given civic organisation, as well as reports of the executive bodies of the Soviets whose functions have the most to do with the purpose and activities of the given organisation. Thus trade-union meetings could discuss reports presented by the labour and social issues departments of the Soviets' executive committees and by local administrative bodies in charge of retail trade and public catering, maintenance of housing, communal services and the cultural facilities. Komsomol meetings could concentrate on the work done by the Soviets' standing committees on juvenile delinquency and the bodies in charge of public education and vocational training. Of practical value are personal appearances of representatives of corresponding standing committees of local Soviets (commissions for youth affairs, etc.) at meetings of trade-union, Komsomol and other civic organisations.

More efficient cooperation between the Soviets and other mass organisations is closely associated with the functioning of Soviets as bodies of state administration and management. The basis of this cooperation is greater involvement of civic organisations in these affairs, this is sure to help them more adequately fulfil the purpose and functions specified by their Rules. The question of raising the role of civic organisations in administration and making their cooperation with Soviets more effective, is linked to the general need to introduce more democracy into management and state decision-making. This, in the long run, is absolutely essential if the principles of self-government are to be really promoted. Thus, it is possible to draw definite practical conclusions as to how the substance and the forms of cooperation between the Soviets and civic organisations in the field of administration could be enriched and expanded.

One of the urgent tasks is to broaden the range of matters that Soviet bodies may decide only with participation or consent of pertinent civic organisations.¹⁵ Obviously, draft plans or programmes for the preservation of historical and cultural monuments should first be submitted for consideration to the pertinent society. The same is true of nature conservation, etc. This mechanism of interaction between Soviet bodies and civic organisations should operate also in making decisions affecting the interests of young people, women's labour and daily conditions, the position of war and labour veterans, the development of the various forms of cooperation.

A promising trend in this area is the effort to further extend

and institutionalise representation of civic organisations in the various Soviet bodies. Reference here is, above all, to the commissions within the executive committees of local Soviets, boards and councils within departments and sections of executive committees, various public centres (e.g., those coordinating construction works), councils or commissions to aid social and economic development planning. Representation of civic organisations could also be expanded through the institution of public councillors or public councils set up at the Presidiums of the Supreme Soviets or departments of the administrative apparatus and within standing committees of the Supreme Soviets, as well as in territorial, regional and town (city) Soviets of People's Deputies, at organisational departments of these Soviets' and centres of Soviet activities. Such practices already exist in many Union and Autonomous republics, regions and towns and cities. They deserve to be popularised and given a legal status in relevant acts (for instance, statutes on departments of the executive apparatus or civic associations set up under their aegis). Representatives of civic organisations should be delegated to such bodies on a democratic basis, i.e., on decision of collective bodies of these organisations or general meetings or conferences of their members. This is one of the ways to form government-and-civic bodies that could belong both to the system of Soviets and the civic forms of people's self-government. Writings on the subject have repeatedly noted that commissions within executive committees recruited from among the deputies, heads and the staff of the executive apparatus, as well as from representatives of the public, possess some of the characteristics of such bodies.¹⁶

In the future, greater mutual penetration of the forms of self-government on the basis of stronger democratic principles in the management of the national economy and social and economic development may give rise to other bodies of this type, those containing elements of public representation. They may emerge, for instance, at the regional level for the purpose of enhanced coordination of the Soviets' work involving civic organisations undertaken to direct the development of economic regions, territorial-production complexes and large urban conglomerates. Such bodies should not be set up or regarded as a means of consolidating administrative-managerial structures lying outside the field of operation of the democratic principles of socialist self-government. At the level of territories, regions and big towns, representation of civic organisations should be strengthened in such coordinating bodies as territorial directors' boards, inter-departmental commissions for the placing and development of production infrastructure objects, and rational use of labour and natural resources in a given area.

Another question that requires prompt solution is that of drawing a dividing line between the functions of representation of

civic organisations at the various structural levels of the administrative system, and of attaining a balance between these functions and their subjects. The most common principle underlying this distinction is correspondence between the level of the Soviet and the level of the civic organisation. Naturally, at the level of city or region, representation of the interests of the trade union, the Komsomol, etc., in matters of city or regional significance, should be executed as a function of corresponding territorial branches of these organisations. At the same time, it is obvious that the links between the Soviets and civic organisations in questions of branch and inter-branch administration should be consolidated. What should be taken into account here is specialisation of the functions performed by civic organisations and voluntary societies, e.g., the need for close cooperation between the DOSAAF (Voluntary Society for the Assistance to the Army, Air Force and Navy) and sports and Red Cross societies, on the one hand, and the corresponding branch bodies of the Soviets' executive apparatus, on the other. However, the fact that trade unions perform multiple functions requires that representation of their interests and their participation in branch management proceed through territorial-and-branch trade-union committees.

Should representation of civic organisations in the activities of the Soviets in all cases rest on cooperation between the Soviet and civic bodies at the same territorial level? Most probably not. The thing is that in the administration of cities, districts, villages and townships, participation of civic organisations in corresponding Soviets is to a large degree combined with representation of interests and participation in this effort of work collectives, especially those of large enterprises and amalgamations of higher subordination.

In work collectives, bodies of civic organisations have, so to speak, a dual status, being not only primary units of civic organisations but also bodies of work collectives that take part in exercising their functions and powers in conformity with the Law on Work Collectives. For this reason, their representation in the various branch bodies of local Soviets' executive committees would be quite legitimate and logical, since, due to their functional purpose, the latter are oriented, first and foremost, at contacts with work collectives. More than any other bodies, this concerns the various standing committees and *ad hoc* commissions under the executive committees of regional, territorial and city Soviets, as well as district Soviets, e.g., commissions engaged in organising children's rest in summer camps, introducing new civic ceremonies, combating alcoholism and hard drinking, etc. The development of the functions and forms of representation of civic organisations within the structures of state administration and management is an objective process that is actually taking place. However, practice

itself should be analysed, normatively regulated, and modified on the basis of the need to make administration and management more democratic and to enhance the role of civic organisations in running the country.

A very valuable aspect of the cooperation between the Soviets and civic organisations is that it serves to advance the principles of self-government in managing state and public affairs in virtually all fields of society's political life and in economic, social and cultural matters. An important sphere of cooperation between the Soviets and civic organisations is the consolidation of socialist legality, public order and discipline. Trade-union and Komsomol organisations have recently been taking an increasingly active part in the work of the Soviets (mainly through their executive committees and standing committees for socialist legality and maintenance of public order) to draw up comprehensive plans and programmes aimed at strengthening law and order. In addition to suggestions of civic organisations (represented by their leading bodies) pertaining to such plans and participation in discussing their preliminary drafts, these plans provide for concrete measures to be introduced by pertinent civic organisations either independently or in cooperation with the Soviet, for instance, measures to control maintenance of planning, contract and labour discipline at enterprises and in amalgamations; to invigorate the activities of voluntary public order teams, comrades' courts, and councils charged with preventing offences of the law at enterprises and in amalgamations; to control the observance of the labour laws, the legislation on women's and young people's labour protection. Civic organisations take part in check-ups conducted by Soviets and their executive or standing committees. They discuss the results of these check-ups and help draft decisions, and are involved in educational work aimed at combating sponging, hard-drinking and other anti-social behaviour and raising the standards of the people's political and legal knowledge.

An important step towards enhancing the role of civic organisations to promote legality will be granting them the right to halt the execution of certain administrative decisions. In realising this tenet through normative acts which, on the instruction of the USSR Supreme Soviet Presidium and the USSR Council of Ministers, are being drawn up by the USSR State Committee for Labour and Social Issues, the All-Union Central Council of Trade Unions, the USSR Ministry of Justice and the USSR Academy of Sciences,¹⁷ one should proceed from the fact that an administrative decision should sometimes be halted as an extraordinary measure, e.g., in cases when the execution of a decision that goes against legality and undermines public interests, can do serious damage and entail irreparable consequences. A distinction should be made between a decision of an executive body of a Soviet, and of the

administration of a factory or office. It seems advisable to grant civic organisations the right to halt a decision in both cases. However, both the range of civic organisations and the range of questions concerning which an administrative decision may be halted, and the legal consequences of this action for the local Soviet must differ. As concerns administrative decisions adopted by factory or office management, the right to halt them should be granted to the trade-union organisation of the work collective,* e.g. when the administration has taken a decision to dismiss an employee without having first secured the agreement of the trade-union committee as is required under the law; or when an act passed by the administration grossly violates safety rules, sanitary norms, or provisions of the collective agreement.

Whenever an administrative decision has been halted, the administration should be obliged to inform the pertinent body of the Soviet or a higher body within the specified time-limits by sending to them a copy of the act that has been halted as well as a substantiated decision by the trade union and a written explanation by the administration itself.

As concerns the halting of administrative decisions of the executive committees, their departments, sections or commissions, this should be the right of pertinent territorial bodies of civic organisations. If the matter also affects interests outside a given territory, this should be the right of higher civic bodies as well. The grounds for halting administrative decisions adopted by executive committees and the departments, sections and commissions under them, can be provided by the instances when decisions have been adopted without preliminary consideration by a pertinent civic organisation or without its participation in decision-making, whereas the law proclaims this obligatory. In some cases, it would be expedient to give civic organisation the right to halt execution of a decision also when its opinion has, to all intents and purposes, been disregarded by the executive committee or a corresponding branch body (for instance, when, despite a legitimate resolution of a branch of the Society for the Preservation of Historical and Cultural Monuments, the decision taken by the executive committee of a town Soviet may do irreparable damage to structures that have a historical value). The right to halt such a decision could be granted to the town branch of the Society and its regional (republican) branch.

The starting point should probably be the principle that the right to halt decisions of executive committees should be granted

* It has been calculated that at present factory administration has no right to discharge up to 70 administrative functions without the participation of trade unions. Another 20 functions are totally within the latter's competence.

to those civic organisations whose functions embrace a broad range of the people's economic, social and cultural interests provided for by local bodies of state authority. Reference here is to territorial trade-union bodies. This right may also be granted to other mass organisations that operate within a narrower field, if decisions on questions falling into the sphere of the public interests they represent are realised primarily through acts passed by executive committees. These include the Society for the Preservation of Historical and Cultural Monuments, the Nature Conservation Society. Other mass organisations should be given the right to halt administrative decisions passed by corresponding branch bodies functioning under executive committees (territorial Komsomol bodies could have a say in halting decisions of local public education bodies, bodies in charge of cultural matters, minors commissions, and sports and physical training committees). Cancellation of an act that has been halted should be decided in conformity with the constitutional relations of subordination of the Soviets' executive bodies, i.e., by the Soviet or by a pertinent management body, as well as by the body that has passed the act in question. This, in practical terms, is the most realistic way.

* * *

It has recently become necessary to reassess and reconsider the role of local community bodies as a special institution of socialist democracy which combines elements of the citizens' direct participation in administration and representative principles. For the first time in the history of the Soviet Constitution, it has been incorporated into the fundamental laws of Union and Autonomous republics, which state that local Soviets shall promote local community bodies.

Together with mass civic organisations, local community bodies constitute an important civic form of socialist self-government by the people. Juridical literature has subjected their functional and organisational features to a thorough analysis.¹⁸ Thus, it has noted their local character, close links with local Soviets, a combination in their structure of the territorial and the production principle, contacts with many branches of administration in the localities, their major significance as representatives of Soviet citizens' public interests, the diversity of their functions in the entire sphere of social management from purely consultative ones to control and even administration. Local community bodies represent groups of people united exclusively by the community of interests associated with their job, place of residence or the use of a particular social or economic services and amenities. As distinct from them, voluntary societies are organisations with a membership

basis which possess certain material and financial means and have elective bodies.¹⁹

Local community bodies and voluntary societies are vehicles of the people's civic initiative which is fed by stable interests of the various social groups and the traditions of socialist collectivism. They transform these interests and traditions into active civic behaviour, into practical effort. This makes socialist community work an important factor helping people to organise themselves and, consequently, an element in the overall mechanism of socialist self-government by the people.

The proximity of local community bodies to the people, the simple procedure of their formation and, what is most important, the close links between their activities and the people's daily interests, especially those pertaining to the communal and cultural services and maintenance of public order, make these bodies truly mass and secure good prospects for their growth. At present, the number of people embraced by these bodies is far greater than that of the Soviets' deputies and the elective bodies of mass civic organisations. The USSR has 652,000 street, block, house, village and township committees alone, embracing 3,382,000 people, as well as 390,000 civic committees and councils in public education, culture and health care, with a total number of people involved reaching 3,049,000.²⁰

The Soviets' attitude to local community bodies reflects the leading role of popular representation in the system of the people's socialist self-government, and is based on legal consolidation of the functions of representative bodies in the effort to promote civic initiatives and activity. Of course, the Soviets' guidance of local community activities does not at all amount to a system of relations of administrative subordination. In dealing with local community bodies, the Soviets should act, above all, as organisational and methodological centres; their organisational work, support of the decisions and suggestions of these bodies and getting them involved in the work of administering state affairs, constitutes the essence of this relationship.* Attempts by executive bodies of Soviets to use purely administrative methods in dealing with local community bodies (e.g., co-opt their members or make them perform functions that do not stem from their nature and purpose, such as doing a superintendent's duty in apartment houses), are contrary to the character of the relations inherent in the system of

* Analysing the experiences of the Georgian SSR, the USSR Supreme Soviet Presidium noted that the work of local community bodies is rarely discussed at Soviets' sessions and executive committees' meetings; there is no regular cooperation between these bodies, on the one hand, and the local Soviets' standing committees and people's control bodies, on the other (see: *Gazette of the USSR Supreme Soviet*, 1986, No. 31, Item 594, in Russian).

the people's socialist self-government and the nature of local community bodies.

A far more important matter when it comes to improving the system of local community bodies is to specify their status and the functions, help them to more fully realise their civic potential and to eliminate parallel and thus unnecessary activity. This, however, does not mean that experience cannot bring to life new types of such bodies, or increase the membership of already existing ones.*

An important task of the Soviets is also to promote public initiative in the work of mass civic organisations and voluntary societies. In the future, a more important place in discharging their functions will certainly belong to various local community groups which can act as a link between these organisations' elective bodies and their members, since active involvement of the members of an organisation cannot be confined to activities within the framework of its leading body or participation in meetings and conferences. Such associations as, for instance, youth initiative groups for the construction of housing for young families, youth design bureaus formed on a voluntary basis, all kinds of community centres, should get from the Soviets all the assistance they may need to disseminate valuable experience and to become involved in accelerating local social and economic development (especially in the effort to increase the quantity and improve the quality of consumer goods, build more and better housing, and make better use of land), and to more efficiently apply scientific and technological advances to promote social production and the development of the services.

The Soviets' guidance over local community bodies set up on the initiative of the people, should look after the observance and advancement of the democratic principles in their organisation and work.²¹ Reference here is, primarily, to keeping the local community bodies strictly elective. This means that they should in all cases be elected by the people and by work collectives, and that co-opting of members is impermissible. Greater attention should be paid to the preparation and holding of meetings of residents of a given area, at which these bodies report on the work they have done. These meetings should be truly mass. A survey, whose results were cited, has shown that in some districts of Moscow and Kuibyshev, only about 10 or 15 per cent of the residents turn up at meetings which elect house and street committees and comrades' courts at the place of people's residence. It would be useful if the active Statutes on Local Community

* For instance, in a number of districts of the Georgian SSR, village assemblies have elected elders' councils that are helpful in educational work. Over the past two years alone, over 30,000 local community bodies have sprung up in the country.

Bodies in the republics should include an item on the quorum that gives a meeting legal rights to elect corresponding local community bodies or hear their reports. An important issue is that of selection and recommendations for electing the most worthy and respected citizens with a real feeling for organisational work, from among the people and of electing more young people, workers and professionals in the various occupations to these bodies. It is also important that a person's active involvement in the work of local community bodies should be taken into consideration in selecting nominees for village, township, district and town and city Soviets in those constituencies where these persons are constantly in the public eye.

Local community bodies, especially those operating at the places of people's residence, occupy key positions in the effort to provide for and make possible the functioning of many of the institutions of direct democracy. Thus, house, block, village and township committees have an important role to play in the preparation and holding of the people's meetings and village assemblies, which nominate candidates and give them mandates, discuss reports of the Soviets' deputies and executive bodies, conduct mass discussions of questions of countrywide and local significance, and draft decisions of local Soviets. Thus, the forms of direct democracy are promoted mostly via local community bodies. This has been reflected in normative and legal acts: some of the Union republics have adopted uniform statutes on the citizens' meetings at the places of their residence and the township, street, block and house civic committees (such as in Byelorussia and Moldavia). These statutes and similar acts adopted in other republics, dealing exclusively with civic committees at the places of people's residence, state, specifically, that the committees organise the work to carry out the decisions adopted at public meetings, and have a right to convene such meetings and to introduce measures of public influence against persons guilty of violating public order, rules of nature conservation, etc.

The executive committees and their organisational and instructors' departments should give more help to local community bodies in matters of planning, improving the functioning of institutions of direct democracy, making self-government decisions and carrying out recommendations adopted at citizens' meetings.

The present statutes on local community bodies grant them consultative, organisational and educational functions. Multy-purpose local community bodies operating in the services have recently somewhat slackened their controlling activities. The statutes now in force do not provide for the right of these bodies to hear reports and statements of departments in charge of housing and heads of services establishments located on a given territory on questions related to the activities of a given community body and

on the work to carry out the recommendations addressed to it. In the cases when the statutes mention the control to be exercised by these bodies (e.g., over the observance of rules on township development, the maintenance of housing and the adjacent grounds, observance of fire security rules and sanitary norms, protection and rational use of land, nature conservation, preservation of historical and cultural landmarks), the procedure of exercising this control and the guarantees of its effectiveness, e.g., the right to demand explanations from the officials concerned or information concerning the activities of enterprises and organisations, are still not established and specified.

These shortcomings in the active legislation should be eliminated, especially as in practice, many local community bodies invite to their meetings officials responsible for house-maintenance, retail trade, public catering, consumer service, and social and recreational development. Provisions should also be made for mandatory participation of pertinent local community bodies in discussions by Soviets, their executive committees and standing committees of the work of individual service facilities, as well as of law-enforcement bodies functioning on the territory where a given local community body works. The latter's representatives should have a say in the certification of heads and leading specialists of the house-maintenance bodies, and cultural and communal services.*

The Statutes give the executive committees of village Soviets the right to involve village civic committees in the Soviets' activities on their territories, and this considerably expands these bodies' administrative-executive functions. It should be remembered that the link between the primary units of village self-government via the village assembly—the village civic committee—may be effectively used in streamlining the system of village Soviets and fusing several such Soviets into one for the purpose of maintaining closer contacts with all rural townships and exercising territorial administration under the general guidance of the village Soviet on the basis of civic forms of self-government.

In the present situation, the question of developing the civic forms of territorial self-government and their contacts with the Soviets is not confined to problems of village civic committees and

* In Moscow, for instance, a large-scale programme for restructuring the organisational and political activities among the population of residential areas provides for raising the authority of such bodies of territorial civic self-administration as house committees. It is planned to increase their participation as well as interest in the selection, placing, and certification of top-level personnel of the local economy, increase their role in election campaigns and set up their own "local initiative fund" for the provision of the people's cultural and community facilities.

village assemblies but acquires a broader significance. Urban administrative practices show that civic forms of territorial self-government should be given a wider scope and that the territorial basis of their functioning should be expanded. This would help them to live up to the growing demands set to the town and district (urban) Soviets in comprehensively developing the social infrastructure and accelerating social and economic development of urban territories.

There is urgent need to form territorial local community bodies at a higher level than that of a house, a street, a block, as, for example, bodies that have already been set up at a level of town estates in a number of Georgian²² and Estonian towns and cities (town estate civic councils). They act as immediate assistants of corresponding city and city district Soviets in involving people in administering a given territory, and, at the same time, as a vehicle of uniting and coordinating the activities of local community bodies functioning in the town estate. Civic councils are elected at meetings of representatives of local community bodies of a town estate or these bodies delegate their representatives to them. Not infrequently, elected into such councils, are employees of house-maintenance establishments as well as of local enterprises and organisations servicing a given town estate.

It should be noted that coordinating civic bodies have long sprung up in towns and town districts. Among them are councils of house committees, councils of comrades' courts, councils for the work with the public at the level of a town district or a town estate.²³ However, they differ significantly from the new councils. First, most were formed directly by the executive committees, i.e., with very little participation of people and local community bodies. Second, their main function was to guide the local community bodies, give them methodological recommendations. They did not perform any management functions associated with participation in the work of Soviets and their executive bodies aimed at developing a given territory.

In the meantime, besides resting on more consistent observance of the democratic principles of self-government, the new form is capable of performing a broader range of administrative and management functions. New civic councils represent a complex of mutually dependent interests of the people living in a town estate or any other territorial community. Their activities make it possible that, within the framework of economic and social development plans, executive committees can draw up and approve development plans and programmes for their town estate covering both a relevant Soviet's term of office and longer periods.

In the future, such civic councils should sum up the suggestions submitted by citizens, work collectives and local community bodies aimed at removing the shortcomings in the work of the

communal services, retail trade, public catering and transport. This may, of course, assume a variety of forms. Among them are direct applications to the executive committee or its administrative branches, approving mandates to deputies at meetings of residents of a given town estate with candidates, submitting suggestions and recommendations to the heads of departments of executive committees or the executives of the communal services establishments at meetings of the population of a town estate or of work collectives of enterprises located in the area.

Civic councils should be entrusted with controlling functions, e.g., concern themselves with the work of the services facilities, hear reports of their managers and invite to their meetings heads of the city or city district branch administration, local enterprises.²⁴ They should be granted the right to draw up conclusions and submit suggestions on the issue of certification of officials of house-maintenance offices in a given town estate and to conduct public opinion polls on the quality and availability of social and recreational, and communal services in the area.

* * *

The progress of socialism is to a large extent conditional on the cooperation of the Soviets with such social units of society as work collectives. The very need for such cooperation, its significance for the representative bodies' successful functioning in the social and economic field, as well as in the system of socialist self-government by the people is determined by the nature not only of the Soviets but of the work collectives themselves, their place in socialist society.²⁵

A work collective is the principal unit of Soviet society. Its chief function is production. However, the issue is not reduced to the fact that, as far as Soviets are concerned, work collectives are the main link between representative bodies of state authority and the country's economic complex. A work collective as a form of association discharges many functions. Only a comprehensive view makes it possible to get a complete idea of the basis on which cooperation between the Soviets and work collectives proceeds and to understand the trends of this cooperation.

To describe the relationship between the Soviets and work collectives, it is important to consider the latter's constitutional status. Article 8 of the USSR Constitution states that work collectives take part in the management of enterprises and institutions; in planning production, training and placing personnel, discussing and deciding matters pertaining to the use of funds allocated for developing production; they promote socialist emulation, the spread of advanced methods of work, and take part in the planning of social development, tackling questions of improving the people's

working and living conditions, of using the means allocated for social and recreational development and for the material incentive fund, and helping people to raise their cultural, ethical and professional standards. Finally, the third aspect of the activities of work collectives is their participation in the functioning of society's political system. They take part in discussing and deciding state and public affairs and work to enhance their members' political activity. All the enumerated constitutional functions of work collectives and the powers associated with fulfilling them, have been defined in the laws on work collectives and enterprises.

Cooperation between Soviets and work collectives should unfold within a broad framework, through their interaction in developing social production, exercising the social functions of the Soviet state and, finally, promoting the people's socialist self-government and the democratic principles in administration and management. This interaction takes place when pertinent bodies of state authority and their executive bodies exercise leadership over subordinate enterprises and organisations, and when Soviets discharge their coordinating and controlling functions in dealing with enterprises and organisations of higher subordination. However, in both cases the relations between Soviets and work collectives go beyond the bounds of the legal contacts established by control, coordination and guidance. Work collectives of enterprises and organisations are direct participants in the activities of Soviets, have control functions with respect to the executive bodies and the Soviet's deputies, and enjoy extensive opportunities for taking part in decision-making.²⁶

The further cooperation between Soviets and work collectives is directly associated with the development of the system of the people's socialist self-government, in which the Soviets act as the territorial, (main) link, and work collectives, as primary social units of practical daily participation in dealing with questions posed by enterprises and organisations and the task of developing and effectively using the personality's potential.

Cooperation between Soviets and work collectives is shaped as a connection between the two principal forms of association of the working people: on the one hand, the Soviets unite citizens into territorial political associations and, in the long run, into the Soviet state of the whole people. On the other, people form social units for the purpose of labour on the basis of socialist ownership and collectivist principles.²⁷ This initial stand has two aspects. First, the relationship between the Soviets and work collectives embodies the principle of the balance between the territorial and the production principle in the management of social and economic development. Second, it conveys the dynamics of the people's socialist self-government, and promotes cooperation between Soviets and work collectives as links in the

chain of socialist democracy. To be more precise, the reference is here to the interaction and mutual penetration of representative democracy, with its core formed by Soviets, and direct democracy, which is used by the work collective to express itself as the subject of political and administrative relations.

Work collectives are called upon to be the mainstay of representative bodies of state authority in revealing, coordinating and expressing public interests, as well as in realising the Leninist principle of fusing decision-making with implementation or controlling the implementation of decisions. On the other hand, work collectives open up new opportunities for the citizens' participation in decision-making of Soviets, the formation of the deputy corps, and exercising social control over the work of the deputies and executive bodies.

Work collectives should be constantly involved in the Soviets' work to ascertain and coordinate public opinion. They may use a variety of methods to advise the Soviets of their views and suggestions on state and local matters, and to draw the attention of Soviets to what is needed to promote production and the social interests of both the collective as a whole and its individual members. An important aspect of the work collectives' participation in the activities of Soviets is their right to pass some decisions in state, economic, social and cultural matters that affect the formation and the substance of the work of Soviets. For instance, they decide who is to be nominated to the Soviet and the election commissions, how the funds allotted for the enterprise's social development are to be used, which mandates to give to the deputies, whom to delegate to the various commissions within the executive committees of local Soviets. Finally, work collectives are the mass base of social control over the activities of the Soviets, their executive bodies and deputies.

At present, increased importance attaches to the Soviets' effort to promote social development of work collectives. Soviets must firmly oppose efforts of some ministries, departments of state administration and heads of enterprises and amalgamations to expand production while ignoring the social needs of their employees and the people of adjacent territories, especially the demand for housing and communal and cultural facilities. To the extent of their material and financial abilities, they should do their best to resolve social issues of work collectives. This position of the Soviets is particularly important when it comes to enterprises that do not have considerable material and financial means at their disposal.

It is precisely local Soviets which can ensure that work collectives have a say in territorial development and overcome narrow parochial attitudes and views that separate "their own" interests from those of the community. To make work collectives active and

rightful participants in the management of territorial development, the Soviets should unswervingly adhere to the Law on Work Collectives, which states that questions of territorial economic, social and cultural development and draft and final decisions of local Soviets should be submitted for their consideration, and that Soviets and their bodies are obliged to really take their opinions and suggestions into consideration.

As bodies of state authority, the Soviets are to make sure that the laws and other acts of higher bodies of state authority and administration are observed and implemented on their territory. It is their responsibility to see to it that enterprises, amalgamations, institutions and organisations act strictly in conformity with the provisions of the Law on Work Collectives and the Law on State Enterprises (Associations), including those pertaining to developing the principles of self-government in work collectives.

A new step in outlining the functions and rights of work collectives was made by the Law on State Enterprises (Associations) adopted in June 1987. It defines the range of issues falling within the jurisdiction of general meetings (conferences) of work collectives, which elect head of the enterprise and the work collective council, hear reports on their work, discuss and approve the economic and social development plan, define ways of raising productivity and the profit (income) and of increasing the effectiveness of production and the quality of products, approve the collective agreement and empower the trade-union committee with the right to sign it on behalf of the work collective, assume production commitments, and establish the internal regulations drawn up and presented by the administration and the trade-union committee.

The Law establishes that in between meetings (conferences), the powers of the work collective are exercised by the work collective council. The Law on State Enterprises (Associations) contains a long list of concrete tasks and rights of the work collective council.

Relations between Soviets and work collectives in which the latter take initiative and become the subject of decision-making will inevitably become more meaningful. This will take place both in the field of social production and in the social sphere. The Soviet's assistance will be required in the use of manpower, the development of the production infrastructure (especially in uniting the efforts of a number of enterprises in joint projects), the use of local raw materials and the sales of some kinds of produce. At the same time, it is obvious that a substantial part of the interests of work collectives represented by Soviets lies in the improvement of the living conditions and communal and cultural services, which is a responsibility of the Soviet or requires joint effort of

the Soviet and work collectives.

Soviets can do a great deal to help employees of subordinate enterprises, as well as those controlled by them, to make their meetings more regular and efficient, to eliminate the outdated stereotypes that belittle the significance of the democratic institutions in work collectives, and stimulate economic initiative and businesslike approaches, especially in the production of consumer goods, uniting the means for the development of the production and the social infrastructure. The main thing is to make sure that neither the Soviet nor work collectives adopt a parasitical stand with respect to the other only demanding help and benefits, but that they do their best to coordinate and balance their interests.

Until the mid-1930s, the USSR had a ramified organisational mechanism of cooperation between the Soviets and their executive committees and work collectives, which was based, above all, on the production principle in elections to the Soviets. As a natural consequence of the production principle, this mechanism incorporated such mass form of organising these relations as deputies' groups at enterprises and in organisations, in which the most active members of the collective also took part. A specific element of this mechanism was "patronage" of factories over the Soviet administrative apparatus as a mass form of workers' control over its functioning and performance of certain functions in this apparatus on a voluntary unpaid basis.²⁸ The transition to the territorial organisation of elections in conditions of asserting the system of command methods of administration gradually undermined these institutions, although their functional role was not exhausted even after the transition to the territorial system.

Starting with the mid-1930s and up to the early 1960s, work collectives did not have any organisational forms of the deputies' collective activity that could help the Soviets establish cooperation with work collectives. The activities of individual deputies in work collectives, which for the most part were not adequately united and coordinated, were unable to secure cooperation between the Soviets and work collectives on questions that used to be the domain of deputies' groups. In the late 1950s and early 1960s, territorial deputies' groups began to appear and the practice of reports by the Soviets' executive bodies before work collectives was revitalised. Production deputies' groups began to reappear later; their activities were approved by higher bodies only in the 1980s.²⁹ Even now, the organisational mechanism of cooperation between Soviets and work collectives has serious flaws. The chief one is the fact that the activities of production deputies' groups and deputies in work collectives used to be directed into one channel, mainly into settling production issues by the deputies themselves, attainment of higher production goals and participa-

tion of deputies in socialist drives for better production performance. However, as distinct from the activities of territorial deputies' groups and the civic bodies of the work collective (e.g., trade-union bodies), cooperation with the Soviet should constitute the main trend in the work of each such group. This means that in resolving production problems, deputies' groups operating at a factory or in an office should proceed not only from the interests of the industry, the enterprise, or the amalgamation but also from those of the territory. They should concentrate on cooperation between the Soviet and the work collective to provide more housing, develop the system of social and recreational facilities of a given enterprise or organisation, control implementation of decisions bearing on the interests of the enterprise, and involve members of the work collective into discussions of draft plans for social and economic development, the Soviet's decisions and reports of deputies and executive bodies.

Cooperation between Soviets and the work collectives is effective when it is developed as a definite system of mutually dependent regular planned measures. More extensive and regular contacts should be maintained between work collectives and the town and town district Soviets, which primarily exercise operative guidance over the communal services.

There has recently emerged a tendency towards expanding the forms of the Soviets' organisational and political activities in work collectives. Cases in point are "days of replies to citizens' letters" held by a number of Soviets at major enterprises, meetings and discussions involving heads of the executive apparatus, fairly frequent and regular sessions of Soviets' executive committees and standing committees held directly at enterprises, and employees' opinion polls to ascertain their views on local and state questions. It is important to focus the people's attention on those aspects of the activities of deputies and executive bodies that have a direct bearing on the interests of work collectives.

Chapter Three

SOVIETS OF PEOPLE'S DEPUTIES: THEIR GUIDANCE OVER SOCIAL AND ECONOMIC DEVELOPMENT

1. Smoother Functioning and Broader Powers of Soviets in the Social and Economic Field

The place of the Soviets in guiding social and economic development is determined by their status as bodies of state authority which, under the Constitution, exercise leadership over all economic, social, cultural and state matters. This is true of both the higher representative bodies of the Union of Soviet Socialist Republics and the Union and Autonomous republics and the local bodies of state authority.

The objectives of the Soviets' work to guide the social and economic development under *perestroika* and the ways to improve their performance in this area have been defined by the Resolution of the First Congress of People's Deputies of the USSR on Major Directions of the USSR's Domestic and Foreign Policy.¹ The Congress stressed that the well-being, cultural advancement and moral health of society and the individual were the overriding purpose of the Soviet state's activities. The Congress emphasised that state bodies should devote more attention to satisfying man's urgent requirements, introduce more democracy and humanism into all aspects of the life of society, do their best to make it richer spiritually and promote observance of the principle of social justice. A drastic change for the better in the people's living standard necessitates making production much more efficient, and requires a real daily effort on the part of work collectives, economic organisations and society at large. The Congress, therefore, highlighted the overwhelming importance of radical changes in the economic field, justly believing them to be the foundation of *perestroika* and the decisive instrument in attaining its targets. The resolution stated that the social programme advanced by the Congress can never be fulfilled without radical changes in the economy, relations of ownership and the economic mechanism of the country.

In conformity with the changes introduced into the USSR Constitution on December 1, 1988, the Congress of People's Deputies of the USSR not only defines the main directions of the country's domestic and foreign policy and approves long-term social and economic development plans and major programmes, but also has a right to consider and settle any issue under the jurisdiction of the Union of Soviet Socialist Republics (Art. 108 of the USSR Constitution). The bulk of legislative activity will, however, be carried out by the USSR Supreme Soviet, the standing legislative, regulating and controlling body of state authority in the USSR. It is entrusted with securing the unity of legislative regulation throughout the territory of the Soviet Union, establishing the fundamentals of legislation of the USSR and the Union Republics, executing legislative regulation of the relations of ownership within the jurisdiction of the USSR organising administration in the economic, social and cultural fields, the budgetary and financial system, in labour remuneration and price-setting, taxation, nature conservation and the use of natural resources, realisation of the citizens' constitutional rights, freedoms and duties, the establishment of the fundamental principles in the organisation and functioning of republican and local bodies of state authority and administration (USSR Constitution, Art. 111, 113).

The Resolution of the First Congress of People's Deputies of the USSR on Major Directions of the USSR's Domestic and Foreign Policy states that the constitutional provision under which the establishment of the fundamentals and general principles of legislation is included into the jurisdiction of the USSR, while passing the operating laws is the prerogative of the republics, must be observed as a basic principle of the functioning of the federal state. The rights of Union and Autonomous republics and other national formations must be strictly observed and substantially expanded, and the independence and responsibility of republican and local bodies strengthened. A Union Republic must be absolutely independent in the exercise of state authority on its territory and deal with all issues that lie outside the jurisdiction of the USSR. Economic relations between the Union and the republics are to be streamlined by enhancing the latter's economic independence and by more efficient participation in the nation-wide division of labour.

To successfully deal with these tasks, it is necessary to take into account the principle of unity and differentiation in the structure of the functions and competence of the Soviets' system. The system of Soviets as bodies of state authority in the centre and in the localities, is the chief subject of leadership of the entire national economic complex. One may say that at present, not a single branch or sphere of economic and social development remains outside the Soviets' zone of operation. However, this is only one aspect of the Soviets' impact on social and economic devel-

opment. The other is the need to specialise the functions of the Soviets at different levels and of different types.

Thus, local Soviets have to discharge the social and economic development of their areas at the time of the switch-over of enterprises and associations to full economic autonomy, self-financing and self-repayment; nor did it take into account the spread of self-management methods in the activities of work collectives. Ensuring enterprises' independence, regardless of their subordination, and developing the cooperatives classified as self-administering units necessitate the search for fundamentally new means by which the Soviets could exert influence on economic activity. The 19th Party Conference stressed the need to reorganise local administration on the principles of self-management, self-financing and self-sufficiency.² This implies that the reorganisation should be a continuation of the economic reform, must dovetail society's interests with territorial interests, overcome departmental isolation, and do away with the disunity in the local economy. It should lead to a situation where local Soviets will assume full responsibility for and have a free hand in the solution of development problems of their areas. The material and financial base of local Soviets is to be consolidated for this purpose in three ways: first, long-term normative resources of income will be established for local budgets; second, deductions (also normative) from the profits of enterprises (irrespective of their subordination) into the budgets of local Soviets will steadily increase; third, the possibilities for local Soviets to involve citizen's financial means in the development of social, cultural and community facilities will be enhanced. Finally, the transfer to local Soviets of enterprises producing goods to satisfy people's requirements should be speeded up. It is noteworthy that the problem of differentiation and specialisation of functions within the system of Soviets has for a long time been more or less disregarded in science. Scientists concentrated mainly on consolidation of the Soviets' unity. We believe that this was the source of distortions in the Law on Soviets: pertinent laws often define the functions and the main powers of Soviets at different levels in much the same way. Thus, the laws on village and township Soviets grant them certain rights in industrial management, while in fact there is no industry on their territories, nor is there going to be. The same is true of these Soviets' alleged effort to coordinate the work of enterprises of higher subordination: it is quite obvious that a village or township Soviet is unable to perform functions of this sort.

When it comes to the higher bodies of authority, the task still remains to have them concentrate in their hands the normative-legal regulation of the main issues of social and economic development, including those of the functioning of these Soviets themselves. Recent experiences have shown that the reorganisa-

tion of administration and management has begun mostly in the norm-setting activities of the Council of Ministers. Thus, major normative acts have been passed: on management methods in agriculture, machine building and light industry and, somewhat earlier, acts that have established the rules and procedure of the economic experiment now under way in individual industries (later extended to involve more industries). In 1987, the USSR Law on State Enterprises (Associations) was adopted, which constitutes a set of acts providing for an in-depth reconstruction of economic management. But the Supreme Soviet Presidium have displayed very little vigour in fulfilling one of their special functions, that of interpreting laws, which could have certainly done a great deal in adapting some of the legal acts pertaining to the national economy and economic management to the new conditions (e.g., the Law on Work Collectives).

As concerns local Soviets, the demand to "specialise" refers to such major areas of social production and services as the industries, and the communal and cultural facilities and amenities available to people. A number of independent issues could be singled out here. The first and most general one is defining the main economic direction of all local Soviets' activities. Experience has shown that against the background of concentration and specialisation of social production, local Soviets cannot act as centres of immediate industrial management. Their function in this field is defined and, correspondingly, restricted by supervising the production of consumer goods, predominantly for the population of the territories under their jurisdiction. Local subordination is introduced for the enterprises and organisations whose activities are directly associated with satisfying the needs of local people. Within the very system of local Soviets, the management function with respect to locally subordinated industries is concentrated mainly at the level of territories, regions and cities, and, to a much lesser extent, at the level of districts and medium-sized and small towns. Local Soviets and their executive committees are granted the right to involve all enterprises, irrespective of their departmental subordination, into producing consumer goods and rendering paid services to local residents. The executive committees of territorial and regional Soviets have been empowered to order additional consignments of consumer goods in particular demand and to dispose of them at their discretion.

Administration of the social infrastructure is a different matter. The development of the consumer services and the strengthening of their material base is what determines the main trend in the local Soviets' economic effort. This problem can be solved by gradual concentration of the units of the social infrastructure in the hands of the local Soviets. Another trend is to consolidate their control over departmentally subordinated social infrastruc-

ture units and to expand their cooperation with enterprises and amalgamations in extending socio-cultural facilities and housing construction.

An independent issue is that of the specialisation of the local Soviets' administrative functions in the agro-industrial complex. At the different stages of development of Soviet society, this question was dealt with in a variety of ways. Until the late 1950s, local Soviets acted as centres of government management of agricultural production on their territories operating through regional and district agricultural departments and sections subordinated to them. As a result of the search for the most effective management methods to raise the performance of state-run and collective farms, these bodies were no longer subordinated to local Soviets but were transformed into a production management apparatus accountable to relevant central bodies. The Soviets retained only their control functions. Thus, agricultural production ceased to be a sphere of the local Soviets' immediate administrative activities, although, in actual fact, the Soviets and their executive committees continued to deal with questions in this sphere.

In the early 1970s, in order to tie-in agricultural management with local conditions, the agricultural departments and sections were again placed under double authority. However, the experience accumulated has shown that when the significance of the industries and enterprises servicing agriculture (stations of agricultural machinery, the processing industry, etc.) and not accountable to the Soviets was drastically and rapidly increasing, the predominantly administrative management methods they used rather held back than promoted the initiative of collective and state-run farms and the growth of farm produce. Moreover, they were unable to establish adequate coordination and cooperation between collective and state-run farms and the enterprises and organisations of higher subordination servicing agriculture and whose number in each rural district varied between 15 to 30 in the early 1980s.

The inefficiency of the established management system was aggravated by the rapidly unfolding concentration and specialisation. This prompted a search for new organisational decisions in the localities. In the republics, and especially in Moldavia, Georgia, and the Baltic area, they began to set up various agrarian and agro-industrial amalgamations, which, due to their complex production and territorial structure and the differences in the subordination of the enterprises and organisations incorporated into them did not lend themselves to administration by the Soviets, as used to be the case in the relationship between a district Soviet and its executive committee and collective and state-run farms. For the purposes of administering the agro-industrial complex, agro-industrial amalgamations were set up at the regional and district levels; they were formed by local Soviets and made accountable

to them.

The next step was to eliminate multiple accountability of the enterprises and organisations engaged in agricultural production and servicing it, and to expand the rights and economic independence of both collective and state-run farms, and the agro-industrial amalgamations and their councils (especially in the planning of agricultural production).³

Administration of the agro-industrial complex in the localities is a special field of activity of local Soviets, their specialisation differs from that of the services sphere or management of local industries. In substance, it can be best described as general guidance and government control.

It should be noted, however, that the legal rules of relations between the Soviets and the enterprises of the agro-industrial complex continue to strengthen as they undergo changes. This is due, in the main, to the fact that cooperation based on Lenin's cooperative plan is being widely promoted in agricultural production. Cooperative democracy is being restored; the independence of collective farms is consolidating and cooperative methods are deeply penetrating their entire structure. In this connection, there is a new approach to the question of local Soviets' relations with collective farms—and not only with them but also all the other cooperative associations which are to constitute an essential sector of the national economy. Regulating these relations is the 1988 USSR Law on Cooperation.⁴ Under it, Soviets of People's Deputies encourage the cooperatives' participation in the solution of problems of national economic, intra-sectoral, sectoral and regional significance and help them fulfil, on the contractual basis, orders placed by the state. For this purpose, Soviets undertake investment financing of cooperatives, allocate material and technical resources and create possibilities for cooperatives to avail themselves of the services of state construction organisations. The Soviets help cooperatives by freely granting or leasing them land, production and other premises as well as equipment. They assist them in technically equipping production, and extend various privileges and advantages.

Besides, the Soviets help cooperatives provide social services to their members. They exercise control (as far as it falls within their competence) over the activities of cooperatives related, particularly, to labour protection, enforcement of labour safety rules and environmental protection. They ensure that cooperatives observe their obligation to effect payments into the state budget.

There is increasing significance in the Soviets' effort to more fully consider the objective interrelation of economic and social development. The impact of the social policy on economic efficiency and all aspects of society's life is sure to grow.

A steady improvement in social conditions is a powerful

impetus for accelerating economic development. On the other hand, the chief purpose of economic progress is to improve the living standards. It is therefore necessary to specify the concept of the social infrastructure offered by scientific literature. As applied to social production, the social infrastructure is an expression of the stimulating role of social conditions, a means of satisfying the needs of social production and enhancing the labour contribution of the members of society. However, from the viewpoint of social development as a whole, the social infrastructure has a broader purpose. It is a major element of the environment in which people live, a means of satisfying their needs, a significant condition of the personality's all-round and harmonious development.

With reference to the Soviets' functions and competence, it is also important to define the correlation between such concepts as "social development", the "social infrastructure", "social policy", and the "social sphere".

The fundamental concept in the shaping of the Soviets' competence is that of the *social sphere* as a sum total of society's social and structural characteristics, as well as of the socio-economic and socio-cultural institutions making sure that the citizens' wide-ranging material and spiritual needs and interests are satisfied. As concerns the *social infrastructure*, it is precisely the part of the social sphere that secures the "social servicing" of people's interests. It is the social infrastructure that is the object of the Soviets' immediate guidance. With respect to the social sphere at large (or society's socio-structural characteristics), the Soviets' leadership cannot be described as direct administrative influence. The point is that the Soviets' impact on the processes of overcoming class distinctions, bringing socialist nations and social groups closer together, and eliminating the substantial distinctions between intellectual and physical labour amounts to tackling concrete economic problems and issues of the social infrastructure. Thus, the Soviets' influence on socio-class and inter-ethnic relations is indirectly reflected in the structure of their competence (e.g., the powers enabling to develop cooperative and collective-farm property, improve people's working and living conditions in the countryside, foster socialist internationalism, etc.).

While the concept of the social infrastructure describes primarily the statics of social phenomena, the concepts of *social development* and *social policy* focus on their dynamics. Social development is an objective process characterising society's progress. Influencing the social sphere, the Soviets help carry out the social policy. The structure of the social sphere is reflected in the Soviets' competence through one of its elements, the objects of competence. As concerns the Soviets' powers in the social sphere, they constitute the legal means of realising the social policy.

The tenets expounded above add up to the stand from which the interrelation between society's economic and social progress in the functions and competence of the Soviets should be approached. The latter reflect, above all, the presence of a certain correlation between the levels of government administration of economic and social development, and are being improved along these lines. The point is that the levels at which interrelated economic and social problems are dealt with frequently differ. As a rule, the operative management executed by Soviet bodies in the social sphere should be brought closer to the people as the direct consumers of social services. The lower-level Soviets, especially city, district and, to a degree, village and township Soviets, accumulate information about the citizens' social needs and assume responsibility for their satisfaction. However, tackling certain economic problems on the basis of the principle of democratic centralism objectively calls for leadership on a larger scale. Thus, such issues are placed within the competence of higher bodies of state authority and administration, as well as the higher levels of local Soviets. Thus, the sites for new industrial enterprises are chosen and district planning is accomplished at a higher level than that of a district or a town of regional subordination. However, choosing the sites for new enterprises, building as it is usually entail serious social consequences, and this should be borne in mind by higher-level Soviets.

The executive committees of territorial and regional Soviets have recently been granted the following rights: to unite production objects to be built on their territories into production centres, to demand production of additional quantities of consumer goods from enterprises irrespective of their departmental subordination, to establish the amounts of paid services to be rendered to the residents by them. Thus, there is the need to consolidate and expand the powers of lower-level Soviets when the latter represent the people's social interests in higher-level bodies of state authority at the time of economic decision-making. This refers particularly to the distribution of state revenues passed on by the state to local budgets, allocation of material resources and means for construction, design and contractual works.

The legislation on local Soviets provides, as a general principle, for the right of lower-level Soviets to submit proposals to higher bodies. The need to improve the Soviets' guidance in the social sphere makes necessary the development of this principle. This can be done if it is made obligatory for higher-level Soviets to take into account the views and suggestions of lower-level Soviets on all questions that significantly affect the people's interests in the social sphere.

Another aspect of the issue is associated with situations when interrelated economic and social problems are tackled by Soviets of the same type or level. Reference here is, above all, to the cases

when the social infrastructure is developed mostly by building up its material base, e.g., construction of schools, outpatients' clinics, cultural centres, kindergartens, etc. In such cases, the Soviets must possess adequate powers and material and organisational means to be able to efficiently deal with the entire range of economic and social problems, whose solution would make it possible to tackle the problem as a whole.

This approach has recently been making itself felt in an important area: overcoming the contradiction between the tasks of local Soviets in the social sphere and their limited powers in initiating housing construction and the building of communal and cultural facilities, and in acting as the single client due to the weakness of local construction industry. The legislation provides for the establishment, by corresponding all-Union and republican bodies in towns, regions and territories, of design-industrial-construction organisations engaged in the building of housing and communal and cultural facilities that are to be subsequently placed under the administration of local Soviets.⁵

Thus far, there has been little coordination between social and economic problem-solving levels whenever the Soviet is called upon to have enterprises unite their efforts to develop the social infrastructure. Under the law, such cooperation is strictly voluntary.⁶ In actual fact, to secure the cooperation of enterprises that refuse to pitch in, the Soviets are using means of indirect influence, for instance, prohibiting or restricting the right to use the existing lines of communication and engineering structures when launching new construction projects.⁷ In the future, it appears reasonable to make legal provisions for the cases when the Soviets' decisions on cooperation are to have a mandatory character for enterprises and organisations not accountable to the Soviet (in the absence of objective circumstances preventing such cooperation). This could probably cover cooperation in the development of the production infrastructure and the units of the social infrastructure that are of great significance to the people in a given territory, including the employees of the enterprises and amalgamations located in it, e.g., the construction of a cultural or sports centre.

The Soviets of People's Deputies have recently been granted the following rights: to organise, along cooperative lines, the production of mechanisation and automation means, to build computer centres for collective use and other projects for promoting scientific and technological progress; to take part, as shareholders, in the development of the building industry, the industry of building materials and joint construction and use of the production and the social infrastructure units.

The Soviets have recently been given more say in how the means yielded by economic growth are to be used to raise the people's living and cultural standards, i.e., the implication is that

economic successes should directly affect the social sphere enhancing the Soviets' and the people's interest in better production performance. The solution of this problem proceeds along two lines as concerns the advancement of the Soviets' functions and powers.

The first is aimed at involving the enterprises and organisations accountable to or controlled by the Soviet and producing, or capable of producing, consumer goods to satisfy the people's needs and to raise their well-being. This trend is based on the Soviets' right to sell a certain part of the goods produced on their territories. There has justifiably been raised an issue of giving local Soviets also the right to sell part of the produce passed over to the local Soviets outside the local market, i.e., in other administrative territorial units and even republics (also through exchanging them for those consumer goods that are in demand).

The other trend in coordinating the level of economic and social development, is associated with the growth of the social development funds possessed by enterprises and organisations located on the territory of the Soviet. The latter is interested in establishing closer ties between these collective funds and the part of the national social consumption fund at its disposal. They can be promoted by giving the enterprises more rights to independently decide how to pool the means from such funds. If this is done, there will be greater uniformity in the extent to which the various groups of the population can satisfy their needs. Being employed at a big and "rich" enterprise will no longer automatically make a person better off. The executive committees of local Soviets can, provided the work collectives agree, combine the means in the social consumption funds to develop the social sphere, build non-production units on a shareholders' basis, and jointly use budget means and the social development funds. In coordinating the plans of enterprises and organisations of all-Union and republican subordination with the executive committees of local Soviets, it is necessary to consider the measures to realise the voters' mandates and the decisions on how to use the production and social development funds approved by the work collectives.

Local Soviets want to use the funds of enterprises and organisations to effectively perform their direct function, i.e., to promote social production, increase the people's labour contribution and enhance economic initiative. As enterprises have recently been granted more opportunities for building housing and services and cultural facilities using their own means, the Soviets are to assist such construction,⁸ especially with locally obtainable building materials. The Soviets are also to make sure that enterprises make a reasonable use of the material incentive funds, which constitutes an important element of the overall territorial mechanism in implementing the principle of social justice in distribution.

As bodies of territorial administration, the Soviets bear responsibility for the general economic and social development of the territories under their jurisdiction. At the same time, they promote the integration of the various branches of the national economy both at the national and the republican level, as well as at the level of administrative territorial units. They are to take due account of the interests of the state at large, and to help meet them.

Perestroika policy requires that the Soviets do their best to improve the territorial structure of social production and distribution and attain a balance between the branches and the territorial sub-systems. To accomplish this, the Soviets should develop their functions and powers to promote a comprehensive development of territorial economic complexes, accelerate the progress of the industries that hamper the solution of economic and social problems on their territories, and satisfy the needs of people and work collectives.

Local Soviets have recently begun to play an increasingly important role in guiding the formation and improvement of local economic complexes.⁹ Now, they have more say in the development of enterprises and the choice of sites for new projects that would best meet the people's needs and make the most effective use of the resources available in a given territory. The procedure by which the Council of Ministers draws up a list of towns and cities for which industrial development is banned, restricted or recommended, and by which it approves industrial development plans, the location of industries and branches of production, and local development plans, is to incorporate suggestions from pertinent Soviets and to take their views and conclusions into consideration. The section of the economy accountable to the Soviets totally promotes the interests shared by the territory as a whole. Thus, the leading role of the Soviets in territorial development could be bolstered by handing over to them all local industries, as well as the communal and cultural facilities that are unjustifiably accountable to higher-level Soviet bodies or to central bodies of departmental administration. Several legal acts have already stated this requirement. However, thus far, this transfer has been proceeding extremely slowly. Directly accountable to local Soviets is only about a half of the housing fund, although a number of legal acts, including the Fundamentals of Housing Legislation of the Union of Soviet Socialist Republics and the Union Republics, provides for a gradual transfer of the housing belonging to enterprises and organisations to the Soviets. The situation is changing so slowly because, first, there is opposition from ministries and departments of state administration, who perceive the transfer as infringement of their interests and, second, because the Soviets themselves are not adequately prepared for it as far as

their material, organisational and personnel resources are concerned. This makes them reluctant to assume responsibility for certain areas of the work.

At present the solution to this problem is to a certain extent contingent on restructuring the centralised administration of the branches of the national economy, concentrating the main links of administration on strategically important matters and getting rid of a number of intermediate administrative links. On the other hand, the Soviets should be ready to intensify their activities in the field of social production and the service industry. This can be done by introducing new organisational and economic administrative mechanisms, for instance, setting up territorial inter-branch amalgamations for the promotion of comprehensive social and economic development.

There is still a contradiction between the general policy of concentrating under the Soviets the service facilities and the material and financial resources for their construction and use, and the need to provide material incentives to work collectives when the economic independence of enterprises is being expanded and they are passing on to complete cost-accounting. Giving enterprises more opportunities to improve the cultural and living conditions of their employees using their own funds, in practical terms, means that these enterprises will go on building their own housing, child-care establishments, sports facilities, and holiday homes.

The general policy should be aimed rather at enhancing the interest of both the Soviets and work collectives in combining their efforts in the services sphere and in the solution of other social problems.* However, retaining the double channels of financing and using the social infrastructure units is not the only way. Economically, as well as from the viewpoint of social justice, the transfer of the bulk of the service industry to local Soviets is fully justified.** Developing the communal and cultural services within the system of local Soviets (retail trade, public catering, the system of child-care establishments, etc.) will provide all citizens with more or less the same amount and quality of services which must not be

* In the town of Sumy, for instance, 70 per cent of the housing is built with the participation of enterprises and organisations on a sharing basis. The social infrastructure is also developing on this basis. Over the past six years, the town has built five health-care establishments, three schools, four creches-and-kindergartens and a children's centre. Besides, capital investments have been used to build a youth centre, a regional library, a communal services centre, an indoor market, an invalids' home, a drama and musical theatre, and a summer cinema and concert hall. Churches and old mansions house an art museum, a museum of local lore, a museum of applied arts and a philharmonic society.

** In the opinion of D. Khodjayev (*Literaturnaya gazeta*, September

made dependent on the place where they work, and ensure all citizens equal guarantees of their social and economic rights declared in the Constitution (for instance, the right to health protection). In the future, centralised capital investments allocated for the development of the non-production sphere will be turned over to the Councils of Ministers of the Union republics to be distributed among the local Soviets with due account both for territorial interests and the interests of enterprises and organisations accountable to the ministries and departments. Besides, it appears necessary to turn over to local Soviets all non-production units that were built on an investment profit-sharing basis and do not serve the specific needs of enterprises determined by the line of production in which they are engaged.

In the conditions of full profit-and-loss accounting, the weakening of administrative ties in departmental management systems means an opportunity to develop direct cooperation between the Soviets and enterprises (amalgamations) of higher subordination. This can be done through agreements protected by arbitration and other means of material and financial responsibility.

A matter of great importance is to expand the range of economic and socio-cultural questions solved jointly by Soviets and the ministries and departments concerned. Enterprises and organisations of Union-republican subordination are now obliged to coordinate, with the executive committees of medium- and higher-level Soviets, the staffs of newly commissioned enterprises and their increase for the functioning enterprises and organisations.¹⁰ Provisions have been made for the ministries, departments, and enterprises and organisations acting as clients to get in touch with the executive committees of territorial and regional Soviets to coordinate the technical and economic terms of building new enterprises and other projects. This provision covers the issues of land use, creation of new jobs and filling them, the amount of transportation required, the amount and time-limits of housing development and construction of other non-production units.

Cooperation between local Soviets and departmental economic systems should proceed on a planned and permanent basis. At present, it has its peaks and slumps and is overly affected by transitory

24, 1986), although at present the mixed territorial-and-production method of planning housing construction is still necessary, in the future it will be ousted by the purely territorial principle. This is, of course, true. However, even now, the departments should not have the decisive say in housing construction. In the twelfth five-year plan, the Primorsky Territory, for instance, plans to build 116,000 flats, of which only 15,000 will fall to the share of the local Soviets (see *Izvestia*, October 8, 1986). Such practices do not promote the general course at enhancing the role of local Soviets in social and economic development.

circumstances; too much depends on the initiative and energy of local officials and specialists, the stand of local Party bodies. Some specialists are mesmerised by the presence of economic and social development plans naively believing that this automatically puts matters on a planned basis. However, this is far from inevitable, since the planning commissions within the executive committees, and the executive committees themselves, do not use scientifically substantiated criteria in assessing draft plans submitted by enterprises and organisations accountable to the Soviet. To put on a truly planned basis the comprehensive development of a territory, the combining of resources, and regulation of construction, implementation of nature conservation measures and the use of material resources and manpower, cooperation between Soviets and departmental economic systems should rest on *stable social and economic quotas*. At present, the local Soviets avail of a certain set of quotas when it comes to allocating resources for building retail trade and communal service facilities and forming the fund for the development of local industries. There are also social quotas that indicate how well people are provided with housing, whether there are enough child-care establishments, and health-care and cultural facilities, whether the state of the environment (the pollution level, the sound level) is up to a certain established standard. However, the first group of quotas fails to adequately reflect the people's real needs, being too loosely connected with the quotas in the second group. Besides, the second group of quotas does not really have a mandatory character and are insignificant as a set of preplan indices: in drawing up plans and combining resources, the bulk of the Soviets base themselves on what has been accomplished earlier. Local Soviets are beginning to use economic quotas to calculate the amount of consumer goods enterprises of higher subordination are able to produce, to regulate the number of employees and to plan the use of manpower.

The State Planning Committee's methodological recommendations accompanying economic and social development plans should orientate local Soviets and the State Planning Committee's sub-sections towards compulsory reference to the quotas when planning comprehensive social and economic development of a territory. This is also especially important because the orientation at observing quotas provides a methodological basis for levelling out social development standards and realisation of the principle of social justice.

Of course, it is merely wishful thinking to believe that, with the existing gap between what the people ought to have under the established quotas (housing, medical facilities, public catering, etc.) and what is actually available, each Soviet facing this problem can promptly remedy matters. The problem can be solved if each subsequent development stage clearly defines the direction in which to work and outlines realistic prospects for meeting the

existing quotas and for the resources and time-limits of this effort. This approach is promoted by the adoption of the Guidelines for the Economic and Social Development of the USSR for 1986-1990 and for the Period Ending in 2000. For the local Soviets, the transition to the quota-based methods in administering territorial development, will be facilitated by the fact that enterprises and amalgamations of higher subordination on their territories will also be increasingly using these methods. An impetus for their dissemination will also be provided by the introduction of local goal-oriented comprehensive programmes and greater involvement of the Soviets in implementing nationwide programmes (the Food Programme, the Energy Programme, etc.).

* * *

The general approaches to the development of the Soviets' functions and competence considered above, make it possible to get a clearer idea of the ways and methods of dealing with the most urgent tasks in the field.

Among them is the need for the Soviets to more strictly adhere to the principle of *democratic centralism* in their work, and the ensuing demand to strive for the optimal correlation between centralised leadership and independence and initiative of lower-level Soviet bodies at each individual stage of development.¹¹ With reference to the higher bodies of state authority, which have the constitutional right to deal with any problem within the competence of the Union of Soviet Socialist Republics and the Union and the Autonomous republic respectively, the point is not to impose restrictions on this right, which is in itself a major guarantee of the supremacy of popular representation in the apparatus of state administration, but to direct its realisation. This means, above all, that the higher bodies of state authority have to intensify their activities aimed at normative and legal regulation of the work of Soviet bodies, especially the kind that would enhance the local Soviets' independence in dealing with local issues and taking part in deciding matters of state importance.

An important trend in the work of higher bodies of state authority should be the legal reform, renewal of legislation on Soviets, adoption of laws on local self-government and local economy.

An important trend in the Supreme Soviets' legislative regulation of the functions and competence of local Soviets is specification of the latter's functions and competence in line with the real scope of their activities. The fact is that the existing substantial distinctions in the size of administrative territorial units within the same category and in their economic potentials, naturally affect the content of the work of Soviets at a given level. The legisla-

tion in force does not consider and reflect this. However, it is obvious that the Soviets of the economically most powerful and largest districts, cities, regions and territories should have certain additional rights to independently decide issues of territorial development. This refers, above all, to approving itemised construction lists, urban and rural development, creating the various organisational administrative structures for the management of subordinate economic units. It also means cooperation with enterprises and organisations of higher subordination, delimitation of the powers between the town Soviet and the town district Soviets, guidance over the development of urban conglomerates and industrial centres, participation in the management of territorial-production complexes. This is particularly apparent when town Soviets are taken as an example, since, as has already been noted, at present, their status is legally determined on the basis of the level of the town's subordination. What is more, in some republics, towns of republican or regional subordination are sometimes much smaller than townships of lower subordination in other republics.* In this connection, it appears necessary to promulgate legal acts providing for additional powers to territorial, regional, town (and probably town district) Soviets, as well as village and township Soviets, depending on the population and the economic potential of a given territory.

The need to intensify legislative activities has a broader substance when applied to the Soviets' work, than the question of direct regulation of these bodies' functions and powers. It is associated with the role performed by law in consolidating all institu-

* This circumstance has been repeatedly pointed out in scientific literature and the press. Thus, in connection with the issue of inadequate powers, it has been noted that by their size, the adjoining Belgorod and Kursk regions constitute a half of the Voronezh Region; all have similar geographical conditions. The population of rural districts varies from tens to hundreds of thousands; every fourth rural district in the RSFSR has a population of less than 20,000. However, Volnovakha District (Donetsk Region) for example, has a powerful production potential and a population of 130,000. The cities of Biisk (with a population of 280,000) and Rubtsovsk (160,000) in the Altai area have over 50 and 23 industrial enterprises respectively, including the giant Altaisky tractor-building factory in Rubtsovsk. However, the Soviets of these cities have the same powers as those of many towns that are much smaller in size and economic potential. This is all the more intolerable as the above-mentioned cities fulfil important inter-territorial functions providing trade, transport and other services for a number of neighbouring districts (see B. Khorev, "Same Rank, but Different Weights", *Literaturnaya gazeta*, November 72, 1985; *The Role of Local Soviets in Urban Economic and Social Development*, Moscow, 1983, pp. 48-49, in Russian).

tions of socialist democracy and unfolding the various forms of the people's socialist self-government.

Normative regulation of the Soviets' activities as an important trend in promoting democratic centralism poses the question of the correlation of the functions performed by the higher representative bodies on the one hand, and the Councils of Ministers, ministries, state committees and departments, on the other. Since the 1960s, the Councils of Ministers have begun to display more initiative in their norm-setting activities related to the Soviets' development and functioning. Although their acts dealing with the competence of Soviet bodies are addressed to the executive committees of local Soviets, what is really involved is the competence of the Soviets themselves, since executive committees exercise their powers within the framework of this competence.

At present, an important role in regulating the functions and competence of executive bodies of local Soviets is played by acts passed by ministries, state committees and departments of state administration. The right to regulate the management activities of executive committees' sections and departments and, to a large extent, of the executive committees themselves, is enjoyed by over half of central administrative bodies of the USSR and the Union and Autonomous republics. This departmental norm-setting substantially restricts the sphere of the local Soviets' independent action outlined by the laws on local Soviets, and undermines their independence in deciding questions of local significance. Departmental acts often go against the law. In 1985, for instance, the Procurator's Office uncovered 130 acts passed by all-Union and republican departments in violation of law.¹²

It is intolerable when acts passed by ministries and departments define rules for enterprises and organisations accountable to local Soviets, rules which infringe the people's rights and interests and place bureaucratic obstacles and restrictions in the path of their realisation. Ministerial acts have been known to shift responsibility to heads of the executive committees of local Soviets (e.g., instructing them to head an executive committee commission set up by a departmental act) or directly to the executive committee (for instance, obliging it to tackle certain questions at its meetings). Such practices should be stopped. The problem of promoting democratic centralism in the normative and legal regulation of the Soviets' functions and competence should be solved by concentrating the regulatory functions in the Supreme Soviets. Specifically, the right to define the competence of local Soviets and their executive committees should legally belong exclusively to the Supreme Soviets.

The USSR Constitution (Art. 146) states that "local Soviets of People's Deputies shall deal with all matters of local significance in accordance with the interests of the whole state and of the citi-

zens residing in the area under their jurisdiction". At present, independent solution of local issues in the Soviets' practical activities is restricted to matters that the law refers directly to their jurisdiction. Since the range of such matters is legally defined, the attempts of Soviets to go beyond it are considered breaches of legality, although the Constitution does not specify matters of local significance as only those defined by law. Thus, the independence of local Soviets should be enhanced not only by eliminating unjustified restrictions of their right to deal with questions directly referred to their jurisdiction by law (e.g., by demanding that decisions be coordinated even in cases when this is not specified by law), but by giving them the right to *independently deal with matters of local significance that have not been specifically referred to the jurisdiction of higher bodies and when the law does not prohibit it*. Since it is impossible to define all matters of local significance from above, the principle (contained in Soviet legal practice) of directly listing all concrete sections and issues of work falling under the Soviets' competence, should be complemented by granting the Soviets the right to deal with questions and matters not specified by law. However, there is a danger of unwarranted interference by local bodies in citizens' lives and the stimulation of parochial tendencies. Therefore, the local Soviets should be prohibited to infringe the citizens' rights and freedoms and impose on them responsibilities not specified by law.

The advancement of the principle of democratic centralism is of major importance for restructuring the administrative apparatus. It is important that each link in the chain of administration should have a clearly defined range of tasks and functions and adequate rights for their performance, and be held responsible for the success of this effort. In view of this, it is urgently necessary to draw a dividing line between the functions and powers within the Soviet system depending on their level, and to build a scientifically substantiated system of subordination of enterprises and organisations to the Soviets at different levels. The substance of the changes in the system of subordination is mostly decentralisation, although some objects of leadership may be placed under higher subordination.

In the past years, the changes in the system of subordination frequently rested on the general idea of the need for more decentralisation, while the concrete economic, social and organisational criteria were not developed enough. As a result, the process was somewhat lopsided and, at times, altogether a failure. Scientific literature on the Soviets and administration extensively debated what criteria to take into account in determining the level of subordination of enterprises and organisations.¹³ For instance, with reference to industrial enterprises, the suggested criteria were how firmly their activities were linked to the satisfaction of

local needs, where they got their resources, and what organisational opportunities for their work were at the disposal of one type of Soviet or another. However, the proposed criteria seldom found legal expression and practical application. On the other hand, there were cases when greater centralisation was not an outcome of a purposeful effort but a by-product of measures undertaken to enhance specialisation and integration. This is what happened when production amalgamations were being set up at the level of republics and local Soviets. As a result, many enterprises of town subordination incorporated into the new amalgamations passed under regional and even republican subordination. In agriculture, the same thing happened to state-run farms, whose specialisation was usually accompanied by withdrawal from local subordination and the establishment of specialised republican amalgamations incorporating these farms.

With due consideration for the past, it is necessary, in dealing with the problem of streamlining the subordination system, to pass on to the system of stable quotas, the planning and introduction of comprehensive measures to establish the subordination level of industrial enterprises and social and cultural facilities with the aim of enhancing the independence of local Soviets. The question of the level of subordination should be posed, first and foremost, not only with reference to industrial enterprises but also to all institutions associated with satisfying the people's needs and securing balanced economic and social development of territories.¹⁴ It appears necessary to do some stock-taking of enterprises and organisations located on the territory of each city, region and territory to ascertain the level of subordination that would best fit the prevailing situation.¹⁵ This could produce suitable subordination plans. Reference here is not only to the already existing enterprises but those under construction as well, e.g., a network of smaller enterprises of local industry, communal services facilities, and the housing sector. Well-substantiated criteria should be defined for placing an enterprise or facility under a certain level of subordination, criteria that would take into account the territory where its produce is sold, the sources of materials and the Soviet's organisational potential.

Legal literature has already proposed adopting a statute on the procedure of placing amalgamations, enterprises and organisations under local subordination. Today, the problem should be posed on a broader scale and cover the subordination of enterprises, organisations and facilities whose work involves satisfying the needs of the population. In working out the criteria to be applied to the enterprises and organisations in the various branches, it is necessary to develop a well-substantiated general concept of the development of the Soviets' functions and their division between the Soviets of various levels and various types. Such a com-

prehensive approach will make it possible to get rid of excessive centralism in the administration of economic, social and cultural development and of insufficiently substantiated decisions, as a result of which enterprises in the same line and with the same scale of production find themselves subordinated to bodies at different levels (for instance, maintenance and construction organisations which in some cities are accountable to city Soviets, and in others—to city district Soviets).

Advancing the principle of democratic centralism does not imply mere shifts in the subordination of enterprises and organisations. It calls for more independence of local Soviets in administering the economic, social and cultural matters within their jurisdiction, and less dependence on departmental administrative systems. This pertains to all functions and administrative processes at the local level. In practice, when the law relegates a question for decision to a local Soviet, this does not yet mean that the latter will deal with it independently, since the final settlement may be precluded by the demand to coordinate it with any number of higher-ranking administrative bodies. Should one of them withhold permission, the Soviet would be up against an almost insurmountable obstacle. The system that requires the consent of higher bodies gravely hampers the Soviets' effort to set up local industry enterprises that could use exclusively local resources and service the residents, to update retail trade and the communal and cultural services, and to form the management of local enterprises and facilities. It should be remembered that under modern conditions, enterprises and organisations of local subordination servicing local needs (e.g., the need in consumer goods, services, etc.) will increasingly shape their plans on the basis of the demand for their goods and services, agreements with customers, and supply quotas.

At present, the demand that higher-level bodies extend their approval to the Soviets' decisions concerning the establishment of local industry enterprises, capital construction and urban development is a necessary element of the relationship between the Soviets and higher administrative bodies. The latter's unnecessary involvement in decision-making in the matters under the Soviets' jurisdiction should be ended as contradicting the principle of democratic centralism. But it is also necessary to introduce some sort of order into the legal aspect of decision coordination. Law does not give a clear idea of the legal consequences of the higher bodies' refusal to agree to or approve actions by lower-ranking Soviets. Thus, coordination in fact means approval, even if it has taken place prior to the action itself. However, as distinct from bourgeois local self-government, in which the practice of approval encompasses the broadest range of decisions passed by municipal bodies on material and financial issues, approval of Soviets' actions

is not mentioned anywhere in the legal acts pertaining to these bodies.

It is necessary to further discuss the question of whether a higher body's refusal to approve constitutes an insurmountable obstacle to the lower-level Soviet competent to make decisions that require coordination. We do not believe it is. A lower-level Soviet is not a body of a higher-level one. Together with its executive committee, departments and sectors, it is an independent link in the system of state authority and administration. A guarantee of its independence and at the same time a means of its consolidation should be the legal right to settle conflicts between the Soviet and its executive apparatus, on the one hand, and higher-level Soviet bodies that have refused to grant their approval in coordinating draft decisions, on the other. If there has arisen a disagreement between a given executive committee and the executive committee of a higher-level Soviet, the procedure of settling it may be an appeal of the interested executive committee to an administrative body with general competence at a higher level than the body that has refused to grant approval. If a disagreement has occurred between a department or a section and a corresponding body of a higher-level Soviet's executive committee, the question may be dealt with by a departmental, functional administrative body that is higher than the body that has refused to grant approval (e.g., by a ministry or a state committee of a Union republic in dealing with a disagreement between a department within a district Soviet's executive committee and a corresponding department within a regional Soviet's executive committee). The obligation to resolve the argument may be vested in the regional executive committee. It should be added that such legal mechanism should exist no matter whether the number of such conflicts is large or small. Its very existence can exert a positive influence on the Soviet bodies whose decisions are liable to coordination and result in more substantiated decisions.

A reasonable balance of territorial and departmental administration can be attained through further elaboration of the theoretical concept of comprehensive territorial development. Its emergence was preceded by experiments staged by local Soviets in the early 1960s aimed at coordinating and controlling the activities of enterprises and organisations of higher subordination.¹⁶ The experience that has been amassed gave an impetus to scientific thought, and not only in the juridical but also in the economic and social sphere when the need to attain balance between the various branches of the country's economy and better satisfaction of the people's requirements has acquired particular urgency.

The laws on the lower- and medium-level local Soviets promulgated in 1968-71 made the first steps towards building a legal mechanism of the Soviets' coordinating and controlling activities

directed at enterprises and organisations of higher subordination. These were laws that gave a normative and mandatory character to the emerging concept of comprehensive social and economic development of territories. Later, this concept, as well as the role of Soviets in promoting such development, was consolidated in the Fundamental Law of the state of the whole people. Promulgated after the approval of the USSR Constitution of 1977, the USSR Law on the Main Powers of Territorial and Regional Soviets of People's Deputies based on constitutional provisions contained a detailed characteristic of the substance and methods of these Soviets' work to guide comprehensive territorial and regional development. Earlier laws on local Soviets were also updated to conform to the Constitution.

Later, work continued to complete the formation of the organisational and legal mechanism of the Soviets' influence on comprehensive development of territories. A number of steps in this direction were mapped out by the Decision of the CPSU Central Committee, the USSR Supreme Soviet Presidium, and the USSR Council of Ministers on the Further Enhancing the Role of Soviets of People's Deputies in Economic Development approved on March 19, 1981¹⁷, and instructions issued by the USSR State Planning Committee and the planning committees of Union republics concerning the drafting of economic and social development plans of Autonomous republics, territories, regions, areas, districts, and towns and cities. Local Soviets at all levels began to adopt economic and social development plans, for the most part annual ones. The very procedure of preparing such plans and incorporating into them the plan targets of enterprises and organisations of higher subordination, has allowed local Soviets to gain a fuller and broader idea of the economic and social problems calling for their attention, and to begin to develop a system of interaction with enterprises and organisations of republican and all-Union subordination. This has assumed considerable scope within many Soviets. In 1986, for instance, out of the 1,281.7 thousand roubles spent on the provision of amenities in the city of Sverdlovsk, 983.4 thousand came from enterprises. In Pervouralsk the funds received by the local Soviet for the construction of housing and child-care facilities increased from 6.4 million roubles in 1981 to 16.5 million in 1986. The Soviets exercised tighter control over the functioning of the social services not accountable to them and over the use of natural, material and manpower resources on their territories.

But that period, which was marked by social and economic stagnation, also witnessed serious drawbacks in the organisational and legal provisions for the Soviets' activities in comprehensive development of territories. The Soviets did not display an analytical approach to draft plans of enterprises and organisations but

rather mechanically approved what was submitted for their consideration and incorporated the indices into the economic and social development plans of the territories. They had a weak legal mechanism that could oblige enterprises and organisations of higher subordination, as well as ministries and departments of state administration, to submit full information to the Soviets in good time and to reckon with their suggestions and conclusions representing general territorial interests. Nothing could be done to make enterprises, organisations and ministries bear full responsibility towards the Soviets for failure to live up to their commitments. The mechanism of resolving conflicts between local Soviets in state planning bodies and the Councils of Ministers was too weak. As a result, the territorial economic complexes still display departmental disunity, parochial tendencies and lack of balance between the development of production and the social infrastructure.* In a word, local Soviets cannot yet be regarded as masters of territories under their jurisdiction.¹⁸ But the point is precisely to help local Soviets assume full charge of local matters and make a larger contribution to accelerating the economic and social development of their territories.

Coordination, control and cooperation between Soviets and enterprises and organisations of higher subordination constitute a major level of their guidance over comprehensive development of territories under their jurisdiction. This is the line along which the Soviets are having their rights expanded and the organisational and legal mechanism for their implementation is being streamlined.

It should be noted, above all, that the local Soviets are broadening their coordinating and controlling functions in their relations with enterprises and organisations of higher subordination. Moving to the forefront in the economic and social development of territories are the goals of accelerating the growth rates and raising the efficiency of social production, helping each republic and administrative-territorial unit to do more to consolidate the country's economy.

An important role here is played by streamlining the mechanism of planning the economic and social development of territories. This trend incorporates a wide range of measures. Thus, elaboration by all-Union ministries and departments of sectoral

* The USSR Ministry of Construction in the Eastern Areas is planning to invest 13 million roubles into expanding production at the Khabarovsk factory of aluminium building constructions, and not a rouble into housing construction. In the meantime, the factory is going to employ 400 more workers, which necessitates building about 15,000 square metres of floor space; besides, the factory already has about 400 people whose living conditions need to be improved.

plans for territories (which is to be obligatory for them) should help balance sectoral and territorial plans. The target figures of these plans should be communicated to the Councils of Ministers of the Union republics.¹⁹ Moreover, it would be expedient to bring them to the notice of Autonomous republics, territories, regions and cities.²⁰ This would facilitate coordination of the indices of territorial and sectoral plans and promote their stability.

It has now been established that the material and technical resources and funds for construction and assembly works and for developing the republican economy (with the exception of the agro-industrial complex) and capital investment are allocated for each republic without specifying them by individual industries and projects. That the essence of local economic development plans has been expanded is demonstrated by their incorporation of measures aimed at supplying people with foodstuffs, and the fact that annual and five-year plans contain calculations of aggregate potentials of construction and assembly organisations and the amount of work to be performed by them irrespective of their departmental subordination.

In conformity with the active legislation, local Soviets are to be advised of the draft plans of enterprises and amalgamations of higher subordination, at least of those parts that have to do with land use, production of consumer goods, construction works, the use of manpower and locally obtainable raw materials, communal and cultural facilities, and nature conservation. Besides, the Soviets' opportunity to make a thorough analysis of these figures should be secured by establishing reasonable time-limits for their consideration. For instance, functioning in the city of Sverdlovsk are enterprises and organisations accountable to 45 ministries and departments of state administration, 12 of which turn out nearly 70 per cent of the produce and use 75 per cent of the manpower.²¹ Naturally, the huge amount of work to coordinate the industrial plan goals through the modest personnel employed by the city planning bodies is bound to take a long time. In coordinating plan goals, the Soviets take into account the need to respond to the voters' mandates and the decisions (approved by work collectives) concerning the use of the production development fund and the social, cultural and housing funds.

One of the controversial questions posed by the need to coordinate the draft plans of enterprises and organisations of higher subordination with local Soviets is the division of functions between the Soviets of different ranks. The law states that amalgamations, enterprises and organisations of Union and republican subordination direct pertinent sections of their draft plans to the executive committees of territorial, regional, area, district and city Soviets of People's Deputies. Here, it is necessary to specify precisely which Soviets are entitled to this information, which enter-

prises are to submit it, and which Soviet is to send suggestions and criticism and to whom. As concerns the Soviets at the regional level, they are to send their suggestions to the state planning committees of republics and to the ministries and departments to which the enterprise in question is accountable. However, suggestions on draft plans of contractual works of construction and assembly organisations that perform general construction works, are to be drawn up by the executive committees of territorial and regional Soviets jointly with amalgamations, enterprises and organisations of Union and republican subordination and to be submitted to the Councils of Ministers of Union republics and higher construction organisations. As concerns town Soviets, they direct their suggestions on major changes in the draft plans of enterprises and organisations both to the enterprises and organisations concerned and, if necessary, to the pertinent ministries and departments and, simultaneously, to the regional executive committee.²² Thus, it turns out that involved in the coordination network are Soviets at different levels, and that the law does not draw a dividing line between enterprises when they decide to whom they send their draft plans and from whom they receive suggestions and criticism. This circumstance significantly complicates the overall coordination system and weakens the responsibility of concrete Soviets and amalgamations and organisations of higher subordination for the timely and efficient coordination of plans.

Thus, it appears expedient to introduce more order into the coordination system proceeding from the scope of the Soviet's activities, as well as the level of subordination of amalgamations, enterprises and organisations. A helpful step would be to establish that amalgamations, enterprises and organisations of Union subordination communicate their draft plans to both regional and town Soviets on whose territory they are located. Suggestions on draft plans should be addressed to Union ministries and departments by territorial and regional Soviets, and should be drawn up with due consideration for the views of pertinent town Soviets. With reference to enterprises and amalgamations of republican subordination, their draft plans should be submitted directly to district and town Soviets, and the latter should address their suggestions to the ministries and departments of Union republics, with copies of these suggestions, going to the executive committees of regional (territorial) Soviets or the republican Councils of Ministers. Relevant territorial and regional Soviets may consider the coordinated indices and take into account the stand of district and town Soviets when discussing draft social and economic development plans in planning bodies. As concerns amalgamations and enterprises of territorial and regional subordination, suggestions concerning their plans could be addressed by district, town, village and town-

ship Soviets to competent territorial and regional bodies.

At present, the weak link in the coordination system is the mechanism of resolving disputes between local Soviets and enterprises, amalgamations and organisations of higher subordination, as well as ministries and departments. The law provides for the ministries and departments of Union republics to consider the draft plans of subordinate enterprises, amalgamations and organisations and suggestions of local Soviets together with representatives of executive and administrative bodies of local Soviets. Draft plans submitted by republican ministries and departments and the executive committees of territorial and regional Soviets, the Soviets of towns of republican subordination (or by district Soviets in the republics not divided into regions), are in their turn considered by the departments of the given republic's State Planning Committee and by the Committee leading bodies together with representatives of ministries, departments and corresponding executive committees.

This procedure does very little to secure the coordinating rights of local Soviets in planning.

First, many ministries and departments disregard the Soviets' suggestions concerning the possible changes to be introduced into draft plans, or dispatch their replies much too late and without attaching any explanations. What is more, this attitude does not entail any liability.

Second, there is no clearly defined procedure under which the Soviets' suggestions are to be considered by ministries, departments and state planning committees, and pertinent officials are to be involved in settling debatable questions. Neither are there clearly defined time-limits within which the local Soviets' suggestions are to be considered in ministries and departments; no provisions have been made for enabling a local Soviet to appeal to the pertinent Council of Ministers when it has justified objections against a State Planning Committee's decisions. These problems can be dealt with in preparing new statutes on state planning committees, ministries and departments, since the present acts in this category do not conform in a sufficient measure to the Law on local Soviets and, in the long run, to the constitutional norms defining their functions and powers.^{2,3} It is necessary to introduce sanctions for breaking the procedure of considering the local Soviets' suggestions. The laws on the Councils of Ministers of Union republics oblige these bodies to coordinate the actions of republican ministries and departments with those of the executive committees of local Soviets. At present, the Councils of Ministers do not have a special organisational and legal mechanism for performing this function. There should be *ad hoc* commissions (at a republic's higher bodies) for settling differences between local Soviets and ministries.

The effort to improve the coordinating and controlling activi-

ties of local Soviets with respect to enterprises, amalgamations and organisations and institutions of higher subordination incorporates a whole system of legal, material and financial measures. The executive committees of territorial and regional Soviets have been granted the right to give enterprises and organisations, irrespective of their subordination, orders for additional consignments of consumer goods to be produced with local resources, raw and other materials saved, and for research into additional reserves in the production capacities. The Soviets are also entitled to dispose of these consumer goods as well as of the construction materials produced at enterprises built with cooperative means, as they see fit. The influence of local Soviets on the services industry is bolstered by the right of their executive committees to set plans for enterprises and organisations, irrespective of their subordination, to provide consumer services for people.

Local Soviets have increased their control over the timely and comprehensive launching of production and non-production units and the building of social facilities. If the construction of housing, child-care centres, communal, cultural and nature-conservation facilities is lagging behind plan, the executive committees of local Soviets have the right to oblige the customers to accelerate the work.*

It has been established that the single customer service may be set up by the executive committees of territorial and regional Soviets for the purpose of organising the construction of both communal and cultural service facilities and inter-branch industrial enterprises.

At present, share-based cooperation of Soviets, enterprises, organisations and amalgamations in the building and maintenance of units of the social and production infrastructure is being put on a planned basis. The size of the capital investments that ministries, departments, enterprises, amalgamations and organisations are to transfer to local Soviets in conformity with the shares principle, will be defined in five-year economic and social development plans on the basis of corresponding agreements without any further

* At its session in 1986, the Rudny Town Soviet of People's Deputies (Kustanai Region) passed a decision to hold up the construction of the Kazogneupor factory should the USSR Ministry of Ferrous Metallurgy fail to embark on the development of the factory's social infrastructure in the shortest possible time. The factory construction had been launched eight years before. At the time, the Ministry promised to build a residential area with communal and cultural service facilities; however, it was in no hurry to fulfil its promise. Only half of the work force had adequate housing. This brought about labour turnover and a consequent decline in production. The Soviet's decision to suspend the construction compelled the Ministry to allot, without further delay, the means for building the residential area.

coordination of annual plan targets. If an enterprise or organisation fails to fulfil its commitments in financing capital construction and the building of housing and communal and cultural service facilities, the Soviet's interests should be protected by resolving the conflict in state arbitration bodies.

Of special significance in the matter of accelerating the socio-economic development of territories is the financial aspect of the Soviets' guidance of territorial development. Naturally, this question can be solved by more efficient formation of local budgets. It is necessary to secure their growth in absolute and percentage terms, and attain a balance between the regulatory means allocated to them (deductions from state revenues) and the local Soviets' own income, which comes from the sources of revenue available to them.* The primary impediment with regard to the restructuring of the Soviets' work and enhancement of the role of local government bodies in the socio-economic development of their areas is the weak material and financial base of local Soviets. This was confirmed by 40.8 per cent of the deputies polled in January 1988 in the RSFSR, Estonia, Azerbaijan and Kazakhstan by the Institute of Sociological Research under the USSR Academy of Sciences.²⁴ However, the state of local budgets does not exhaust the issue of the financial base of comprehensive territorial development. Apart from budget resources, this development is financed out of the funds of enterprises, whose significance is rising in the conditions of new economic methods, and the growing financial involvement of enterprises and organisations of higher subordination, as well as of ministries and departments, in dealing with local social and economic problems.

As concerns the fixed revenues of local budgets, their growth can be ensured, above all, by raising the profitability of the economic activities of enterprises and organisations subordinate to local Soviets.

However, with due consideration for the overall financial situation and the share of local industry, one has to recognise that

* In the early 1980s, local budgets amounted to 50 billion roubles, twice as much as in 1968. Local budgets concentrate 17 per cent of the USSR National Budget and up to 35 per cent of the budgets of the Union and Autonomous republics; their share in the USSR National Budget has, however, somewhat decreased. The main source of the local budgets' fixed revenues, i.e., deductions from enterprises of local subordination, constitute 23-25 per cent of all local budget revenues, but in some Union republics, this share is only 9-10 per cent (see: *Soviets of People's Deputies and the Economy*, Moscow, 1985, pp. 154-62, in Russian). As to the role of the budgets in the Soviet's guidance of territorial development, see *Soviets of People's Deputies: Their Guidance over Economic and Social Development*, Kiev, 1986, pp. 230-49 (in Russian).

this growth is by necessity restricted even if the service facilities begin to channel more money into local budgets. On the other hand, if the present low cost of housing and communal services is retained, one can hardly expect that state subsidies for public transport, the bulk of communal services and the maintenance and repairs of housing will decrease or become altogether unnecessary. In view of this, the main thing to be done to consolidate the financial base of the Soviets' work to direct comprehensive development on their territories, is to substantially raise the role of enterprises and organisations of higher subordination in this effort. The latter have a substantial material and financial potential and are making wide use of the various resources obtainable in their territories, which is why they should make a proportionate contribution to the reproduction of these resources. And, finally, since the level of their involvement in territorial development is determined by their effectiveness, it is to the advantage of local Soviets to help them raise this efficiency. Generally speaking, local budgets should have closer links with the economies of the territories under the Soviets' jurisdiction.

In principle, the active legislation proceeds from the obligation duty of the enterprises and organisations of higher subordination to make deductions to local budgets. Under the USSR Law on the Main Powers of Territorial and Regional Soviets of People's Deputies and Soviets of People's Deputies of Autonomous Regions and Autonomous Areas adopted on June 25, 1980, enterprises and organisations of republican subordination located on the territory of these Soviets are obliged to turn over to the budgets of these administrative territorial units the share of their profits established by the legislation of Union republics. Taking part in the formation of these budgets are also enterprises and organisations of Union subordination. Correspondingly, under the legal acts pertaining to district and town Soviets, a share of the profits of enterprises and organisations of republican, territorial and regional subordination is to be turned over to the budgets of districts and towns.²⁵ Until recently, deductions from the profits of enterprises and organisations of higher subordination have not amounted to any significant financial assistance, constituting not more than several per cent of local budget revenues. True, in Azerbaijan, for instance, the state budget of the republic has annually provided for 10 to 100 per cent to be deducted from the sum of the payments from the profits of enterprises of some ministries and departments. But in a number of other republics, specifically, in the RSFSR, such deductions were not provided for.

The Decision of July 25, 1986 plans to expand the practice of turning over to local budgets a share of the deductions from the profits of enterprises, amalgamations and organisations of republican subordination. In addition, there are plans to start turning over

(in 1988-89) a share of the profits of amalgamations, enterprises and organisations of Union subordination to local budgets.* As concerns the deductions of the turnover tax, since 1988 a certain fixed percentage of the volume of the state and cooperative retail turnover will go to local budgets, i.e., they will be made contingent on the real income yielded in the sales of goods. Besides, certain additional sources of revenues to local budgets have been established. They include payment for the use of water to be received from locally subordinated enterprises, the recovery of resources from amalgamations, enterprises and organisations to compensate for the damage to the environment, the earnings obtained as a result of a more rational use of recycled resources and the resources saved as a result of the Soviets' activities in coordinating enterprises, amalgamations and organisations and helping them to cooperate.²⁶

Good prospects for the growth of financial contribution by enterprises and organisations of higher subordination to local economic development are opened up by the experience of the Riga Town Soviet, as well as some other local Soviets, which established that the size of the enterprises' and organisations' deductions to their budgets should be proportionate to the number of employees and contingent on the cost of the services rendered to each member of the staff.²⁷ Some towns in the Russian Federation and Latvia have been conducting an experiment under which enterprises, organisations and amalgamations, irrespective of their subordination, turn over resources to local budgets in conformity with the number of employees and an increase in the number of jobs.

The most general trend in the reconstruction of the local Soviets' finances based on the results of earlier experiments and

* In 1985-86, the Ministry of Finance conducted an experiment which involved turning over part of the profits of the enterprises of Union subordination to local budgets. The quotas of the deductions were earlier established by five Union ministries for all amalgamations and enterprises under them and working in conditions of full profit-and-loss accounting, as well as for 36 amalgamations and enterprises of other Union ministries and departments. The USSR Ministry of Finance recommended to define the size of the deductions at the point of coordinating the draft annual and five-year plans of enterprises and amalgamations with pertinent Councils of Ministers and local Soviets' executive committees. Payments to local budgets were to constitute up to 10 per cent of planned profits. The local budget to which these resources are to go were indicated by the Councils of Ministers of Union republics (not divided into regions) and Autonomous republics, the executive committees of territorial, regional, area and town Soviets (for towns divided into districts). (For more detail, see: *Sovety narodnykh deputatov* (Soviets of People's Deputies), 1987, No. 3, pp. 12-13.)

in view of the need to strengthen the ties between the revenues of local budgets and the results of the enterprises' and amalgamations' economic activities, has been defined in the Decision of the CPSU Central Committee and the USSR Council of Ministers of July 17, 1987 on Streamlining the Work of Republican Administrative Bodies.²⁸ It has been recognised that enterprises, amalgamations and organisations under all-Union, Union-republican and republican ministries and departments should take part in forming the revenues of local budgets to be used to finance the infrastructure. Enterprises, amalgamations and organisations are to pay to local budgets a share of the cost of the use of local labour and natural resources, as well as all fines for the pollution of the environment. The size of these payments will be established on the basis of stable long-term quotas. As concerns deductions to local budgets from the nation-wide turnover tax paid by enterprises and organisations, they will be made directly contingent on the consumer goods produced and the retail trade turnover plans carried out on a given territory by both state and cooperative trade enterprises. In view of the need to strengthen the financial base of local Soviets, it has been decided that these bodies will finance the construction of new enterprises of local subordination and the development of the production and social infrastructures using their own budget resources, or, whenever necessary, enlist the participation of enterprises, amalgamations and organisations as partners.

2. Greater Role of Soviets in the System of Administration and Management

The contemporary doctrine of state administration draws a line between its two aspects. The first is the executive and administrative activities of bodies of state administration or any other state bodies. This narrow interpretation of state administration, which occurs mostly in the science of administrative law, makes it impossible to exclude the Soviets from the range of bodies conducting executive and administrative activities. Indeed, implementing state laws, Soviets at all levels are engaged in organisational, executive and controlling activities.

The definition of state administration has another aspect, which has gained wide currency in theoretical research, e.g., B. Kurashvili's monograph *An Essay on the Theory of State Administration* published in 1987. Viewed from this angle, state administration presents a specific dynamic aspect of state authority, a system of its organisational impact on society and on the evolution of social relations exercised by the state apparatus in the form of norm-setting and executive and controlling activities. The issue

of securing for the Soviets a leading role in improving the management and administrative system and methods should be tackled within the framework of this broad doctrine of state administration and should incorporate the question of the Soviets' immediate participation in executive and administrative activities.

Thus, three groups of problems can be singled out:

First, it is necessary to enhance the role of Soviets as centres of administrative decision-making, centres of administrative systems at corresponding levels.

Second, there is need to raise the Soviets' influence on bodies of state administration, first and foremost, in such fields as streamlining the administrative apparatus, restructuring the substance, methods and style of its work and increasing its responsibility for final results.

Third, it is important to improve the administrative links within the system of Soviets, focus the work of higher Soviets on norm-setting, state planning and regulatory functions and give lower-level Soviets more independence and initiative in administration and management.

The role of Soviets as bodies of state authority, the main link in the people's socialist self-government, poses the need for their functioning as centres where major state decisions are made. In the first place this requires that the higher bodies of state authority intensify their legislative activities. It is precisely the Supreme Soviets that are called upon to consolidate the legal foundation of state and public life.

As stated in the Resolution on Legal Reform,²⁹ adopted by the 19th All-Union Conference of the CPSU, far-reaching reforms are to be carried out in the near future aimed at ensuring observance of the law in all spheres of society, at strengthening the mechanism for maintaining socialist law and order based on further consolidation of government by the people. Substantial changes are to be effected in the legislation on socialist property, planning, financial, tax and economic relations, as well as on environmental protection. Changes are also to be made in the norms regulating property turnover, labour, housing, pensions and other issues concerning the working people. Priority attention will be devoted to the legal protection of the individual as well as citizens' rights and freedoms. These changes are designed to reflect the new methods of economic management as well as humanisation and democratisation of social life. Accordingly, the norms of criminal, administrative, judicial-procedural and correctional labour legislation are to be revised; as are the legislation on the legal system, procurator's supervision, arbitration and the Bar. In this way, the radical extension of legislative activities of the higher bodies of authority will help strengthen the constitutional regime in the country and materialise the concept of socialist rule-of-law

state. The regulation principle, "What is not proscribed by the law is permissible", will be duly embodied in the legislation. Democratisation of the legislation process, which is assuming greater significance, should be characterised by openness and based on competent scientific assessment and discussion of draft laws with the participation of the general public, the entire people. Ensuring total correspondence of laws and government decisions to the Constitution, as well as strict control over the proper observance of the laws in the normative acts of ministries and departments, will be promoted by a Committee for Constitutional Supervision to be set up by the Congress of the USSR People's Deputies.

The Resolution of the First Congress of People's Deputies of the USSR on Major Directions of the USSR's Domestic and Foreign Policy sets forth an extensive programme of the USSR Supreme Soviet's legislative activity that will embrace all the major aspects of the country's economic and social development and the principal issues incorporated in the effort to promote *perestroika*. Among the more urgent laws to be passed by the Supreme Soviet are those on property, the lease and the relations between the property-owner and the lease-holder, the state enterprise, the cooperative movement, a single taxation system, republican and regional self-financing, local self-government and economic activity, land and its use, and measures to raise the old-age pensions for the poorer sections of people. Democratisation of society calls for laws ensuring the Soviet citizens' rights and lawful interests. These include the laws on the press and other mass media, on civic organisations in the USSR, on the rights of the trade unions, on the young people and the state policy towards them, on religious freedom and on religious bodies, on the procedure for settling collective labour disputes. There is also a need for laws that would allow to carry through the judicial and legal reform.

All laws adopted by the Supreme Soviets have some bearing on the administrative system and its legal basis. But it is also necessary to expand the field of direct legal regulation with reference to the restructuring of the administrative system and updating the methods of its work.

The object of legal regulation should include the status of the main link of centralised administration of the branches and spheres of the national economy, i.e., of ministries and state committees. The Law on the USSR Council of Ministers and the Laws on the Councils of Ministers of the Union Republics grant these bodies the right to approve the statutes on ministries and state committees and regulations (rules) pertaining to other bodies subordinate to them. However, the status of law should be given to the General Regulations on Ministries and State Committees. Such act could serve as a pattern for the Councils of Ministers adopting statutes on individual ministries and state committees.

That such General Regulations have an importance of principle for developing the administrative system is obvious. Their adoption by the Supreme Soviets is all the more expedient as less significant issues, including the establishment of new ministries and state committees and appointing their heads, are dealt with at Supreme Soviet sessions.

Expanding legal regulation of the work of central administrative bodies and their apparatus should be viewed as a major step towards promoting democracy and involving the highest bodies of popular representation into introducing administrative reforms.

Each local Soviet together with its bodies presents an integral administrative system, in which the functions and powers exercised by it are closely connected. In this sense, it is necessary to ensure the unity of normative regulation of the structure and functions of local Soviets and their bodies, entrusting this task to the higher bodies of state authority. Reference here is, above all, to the territorial principles of building an administrative system, the administrative-territorial system. The considerable importance of administrative-territorial organisation for building a system of Soviets and for unfolding territorial forms of the people's socialist self-government, the need to democratise the process of decision-making on administrative-territorial organisation are weighty arguments in favour of referring these questions to the immediate legislative activities of the higher bodies of authority, and, in some cases, in favour of using local and nationwide referendums in dealing with them.

Important opportunities for raising the role of the Supreme Soviet Presidium are offered by the use, in normative and legal regulation of administrative issues, the constitutional institution of interpreting laws, which is hardly ever used now. However, if the Supreme Soviet Presidium do something about this, this may prove to be an efficient means of specifying the general legislative principles and linking them to the changing conditions. This would consolidate the stability of laws and their consistent implementation in administrative practices. Interpretation of laws is especially urgently needed in the coordinating and controlling activities of local Soviets, in their relations with enterprises, amalgamations and organisations of higher subordination, in the realisation of the local Soviets' right to submit suggestions to ministries and departments and to raise the issue of the liability of officials employed by organisations and enterprises not subordinate to the Soviets for failure to fulfil the latter's decisions. In the field of relations between the Soviets and the subordinate executive apparatus, among the legal issues requiring interpretation are the opportunities of Soviets to use the various penalties in respect to heads of executive committees, departments and boards.

Another important task is to give the Soviets more specific

powers both with reference to the substance and the procedure of approving the structure and the staff of the subordinate executive apparatus, and the right to accept for consideration any question falling under their jurisdiction. The latter is a significant point, as the active legislation, including acts passed by the Councils of Ministers, directly establishes that it is the duty of the executive committees to resolve a certain range of matters at their meetings. Thus, practical workers do not have a clear idea whether these matters can be tackled directly by the Soviet. In principle, the interpretation of legal norms may be done on a planned basis and be provided for as an element of the long-term plan of the Supreme Soviet. In addition, it may be executed in response to the application of administrative bodies, lower-level Soviets or civic organisations.

The strengthening of the normative and legal base of administration proceeds with direct participation of local government bodies. Wide currency has been gained by the standing orders of local Soviets, and, in case of territorial, regional and city Soviets, standing orders of executive committees, various instructions and statutes on the organisation of accounting and control over the execution of decisions, reception of the population, the action taken on the people's complaints and petitions. This also includes the structure and functions of the various departments of the auxiliary apparatus, e.g., inspecting bodies and commissions for controlling the execution of decisions accountable to the executive committee chairpersons, official instructions for the staff of Soviet bodies, instructions or statutes in respect to personnel, specifically, creating a body of stand-bys, and the use of computers and automated management systems in executive bodies.

New trends in this process have recently been evolving. The object of local norm-setting activity may come to embrace the status of the various territorial inter-sectoral amalgamations in the local economies,* the statutes on the exploitation of the various production infrastructure units in joint use and of social and cultural facilities. It may also include the establishment, with due consideration for local conditions, of the status of the computing centres rendering general services; the organisation of inter-departmental commissions under the executive committees and structural subsections of the apparatus operating on a voluntary unpaid basis.³⁰ However, the expansion of local norm-setting activities should in no case be dissociated from the local Soviet, i.e., be effected at the expense of norm-setting activities, primarily those

* Using the Statute on the Inter-Sectoral Territorial-Production Amalgamation prepared by the USSR State Planning Committee (see: *Sovety narodnykh deputatov* (Soviets of People's Deputies), 1987, No. 2, pp. 21-22).

of the executive committees, to say nothing of sections and subsections. This process should be viewed, above all, as an opportunity to broaden the principles of self-government of local Soviets, helping the deputies to intensify their activities and secure more active effort on the part of all democratic institutions. This should serve as the framework within which decisions are generated and approved.

From this viewpoint, any normative acts relating to deputies' activities, the relationship between the Soviet and its executive bodies, and the rights and interests of citizens, should undoubtedly be adopted at the Soviets' sessions.

Together with the Soviets' more vigorous norm-setting activities, a major channel of their impact on the mechanisms and processes of administration and management is direct resolution by the Soviet of concrete administrative questions, above all those which are controversial. In the Supreme Soviets, this trend has manifested itself in the resolutions directly associated with the application of the Fundamentals of Legislation and the laws on the branches and spheres of management and administration, e.g., health care, public education, etc. The purpose of such resolutions is, essentially, to shape a procedure of implementing pertinent laws. In other words, they present programmes of action addressed to management and administrative bodies and local Soviets and directing them at implementing the demands in these laws. Somewhat later, the practice emerged of the Supreme Soviets adopting resolutions not linked to concrete laws. They define the guidelines for state bodies, enterprises and organisations tackling urgent economic and social problems. But this new practice is not yet current.³¹

The Supreme Soviets are developing the approach which in scientific literature has come to be known as supreme administration. The main feature of this trend is that under it, non-normative acts are adopted on the basis of thorough and extensive preliminary verification acts that contain programme objectives: setting tasks before the Soviets and administrative bodies, defining the main directions of the work to attain them, and eliminating shortcomings. The analysis of the state of affairs in particular Soviet or of valuable experiences amassed by a republic, region or town, provides the basis for certain generalisation and is used to define the tasks for all local Soviets in a republic or the Soviets at a given level, or even local administrative bodies throughout the country. Of considerable importance is the coordinating function of such resolutions, since the problems under consideration often have an inter-branch significance and their solution lies in smoother relations between the Soviets and enterprises, organisations and institutions of higher subordination.

The increased importance of Soviets as centres of administra-

tive decision-making is expressed both in quantitative indices (although, of course, their potential is restricted by the traditionally periodic character of the sessions), and the growth in the share of urgent economic and socio-cultural questions tackled by the Soviets and their executive committees. Many local Soviets and their bodies have recently been more active in intensifying production on the basis of scientific and technological progress, the development of progressive forms of labour organisation and tighter economy. The state of affairs in the industries, construction, retail trade, public catering, housing facilities and public utilities, in the field of provision of all proper amenities to people, has recently been subjected to more frequent analysis. More attention is being given to consolidating socialist legality, maintenance of public order and protection of citizens' rights.³² Administrative and management decisions (at least those adopted by the Soviets at the regional and town level) have become more substantiated. A comprehensive approach to the questions under consideration has become more current, and the planned measures more concrete. This serves to enhance the role of such decisions in the programmes drawn up by the Soviets for the subordinate executive bodies and enterprises and organisations accountable to them.

Of particular importance is raising the quality of normative acts and decisions adopted by Soviets on concrete administrative matters. As concerns the laws, a matter of urgency here is to make them specify the duties and the range of responsibility of pertinent bodies and, what is especially important, to work out detailed statutes on the procedure of realising particular powers. Too much stress on adopting norms and establishing principles, drawing up long lists of tasks and lengthy preambles, while insufficiently examining how these normative acts affect the social relations they are supposed to regulate, lowers the prestige and effectiveness of a normative act. This approach necessitates numerous instructions which complicate the legal system and weaken the role of Soviets as centres of decision-making.

As for acts possessing a non-normative character, their main drawback is a strong declaratory element, insufficient emphasis on the methodological aspect of the solution of the problems and the material and organisational opportunities for resolving them. There are quite a few normative acts passed by local government bodies that actually violate the law, for instance, unjustified restrictions on the activities of citizens and organisations that do not stem from the law. Consolidating the legal service available to local Soviets, improving the legal training of their personnel, may become an effective means of combating such practices. As for the decisions of local Soviets and their executive committees in the field of management and administration, their quality can be

improved primarily by greater correspondence between the steps that have been mapped out and their material, financial and organisational provision, including the opportunity to enlist the aid of enterprises and organisations of higher subordination, as well as strengthening the comprehensive character of such steps.

The impact of Soviets on the administrative system can be enhanced by introducing the *programme method* into the work of the Soviet. This has recently become more a part of the work of the Union and Autonomous republics, territorial and regional Soviets and the Soviets of large towns and cities. Two main trends have manifested themselves in this respect. The first is to secure participation of local Soviet bodies in the implementation of state or republican specific comprehensive programmes (the Food Programme, the Energy Programme, Comprehensive Programme of Extending Consumer Goods Manufacture and Services, etc.). Such programmes are used by local Soviets as important forerunners of industrial and social development plans, on the basis of which the latter acquire final shape and decisions are adopted on concrete tasks and steps to be taken by the Soviets, their bodies, and enterprises and organisations involved in realising the programmes. The other trend is the Soviet's effort to draw up regional programmes for one or several industries, both long- and short-term, and enlisting the participation of interested enterprises and organisations of higher subordination in implementing them. In the case of long-term programmes, the attainment of the goals is provided for in the current economic and social development plans, in other words, the programme acts as a tentative preliminary plan. The indices cited in the programme should find expression in the plans as an integral complex.

The local Soviets' interest in the programme method is to a certain extent livened up by the active legislation. It provides for developing and implementing, in each region, territory, republic and city, inter-sectoral programmes in state and cooperative trade, specific programmes that relate to the functioning of the agro-industrial complex, and regional scientific and technological programmes.

The method under discussion is gradually gaining wider use in the local Soviets. Various republican programmes have been approved in the Baltic Union republics. Many local Soviets have mapped out specific programmes of saving energy resources. The executive committees of local Soviets in the Leningrad, Donetsk, Rostov, Chelyabinsk, Omsk, Tomsk and other regions in the RSFSR, and some regions of Latvia and the Ukraine, have approved comprehensive programmes of a more rational use of material resources.³³ A number of such programmes, including the Health Programme, have been approved by the Moscow City Soviet. Specific programmes are being widely used in the Ulyanovsk Regional

Soviet and the regional and city Soviets of the Sverdlovsk Region. Among the most popular ones are comprehensive programmes for the production of consumer goods, nature conservation,^{3,4} implementation of the Food Programme, a rational use of manpower resources and the development of rural residential communities.

The specific features of the functions and competence of local Soviets at different levels necessitate working out detailed methodological recommendations that could be used in developing and implementing local specific programmes. It is important to involve the public and work collectives into this effort, and to make sure that they are approved by the local Soviets themselves at their sessions. As matters stand now, the programmes approved by the executive committees are often unknown to people or even sometimes fail to win public approval. As a rule, they are drawn up with little, if any, participation of deputies.

The Soviets' immediate activity in the field of administration reflects the merger in their work of decision-making and the organisation of and the control over the implementation of these decisions (Art. 93 of the USSR Constitution).

A new development in the realisation of this principle is the release, as urged by the 19th CPSU Conference, of local executive committees from the responsibility of organising the work of Soviets (presidial functions) so as to enable them to concentrate efforts on the implementation of the latter's decisions. Accordingly, executive committee members will not be elected from among deputies: possibly, they will mainly be heads of the executive committee's major sectoral bodies and specialists. An executive committee will be a special kind of collective manager which cannot substitute for the Soviet. This, in effect, implies a substantial widening of the range of administrative questions tackled by Soviets right at their sessions and which include, specifically, the approval of various programmes, adoption of decisions on major construction projects and ecological measures, detailed examination of annual plans and budgets. Such a separation of the Soviets' functions from those of the executive committee necessitates the prolongation of session hours and possibly an increase in the number of sittings. Deputies will have to be released for long periods from their main production or office duties. They will have to be deeply involved in decision-making and in thorough deliberations on plans and budgets as well as in exercising control over their realisation. Particularly extensive opportunities are available to the standing committees of the Supreme and local Soviets. It is very important that they concentrate their organisational, analytical and controlling effort on the more urgent questions of social and economic development and the improvement of administrative and economic management methods. This trend is observable in the standing committees of the Supreme Soviets as well as

deputies' commissions of local bodies of state authority (naturally, with due consideration for the specific functions performed by local Soviets).

The committees should be more involved in the check-ups made by the apparatus of the Supreme Soviets and local Soviets' executive committees. These results could be used for adopting decisions and resolutions. It would be expedient for the committees to draw conclusions on all major draft acts to be adopted by ministries or departments, as well as on persons to fill the posts of ministers and chairpersons of state committees.

When forming the Soviet Government at the first session of the USSR Supreme Soviet held throughout June-August 1989, the candidates for the ministerial posts proposed by the Chairman of the Council of Ministers were first discussed at the Supreme Soviet committees and commissions, and then submitted for debate to the joint sitting of the Soviet of the Union and the Soviet of Nationalities. Each candidate was subjected to thorough and exacting scrutiny. As a result, six would-be ministers were rejected by the pertinent commissions and committees. Besides, it was decided not to discuss several candidates, including those for the job of First Deputy Chairman of the Council of Ministers. In the long run, the consideration of candidates in the committees and commissions produced nine vacancies. When debating the composition of the Government at the Supreme Soviet session, the opinions of the committees and commissions relating to most candidates were fully heeded.

Another aspect of the problem of raising the role of Soviets in improving the administrative system is correspondence of local territorial-administrative and management systems with the territorial structures of the national economic complex. Identified in the analysis of this problem are the following main directions. The first is the correspondence of the system of local administrative and management bodies to the needs of efficient administration of local economic complexes developing within the administrative-territorial units. The second is the participation of local administrative systems headed by Soviets in the management of regional development (of economic districts and territorial-production complexes). The third is whether the Soviets have adequate executive apparatus with all the necessary structural subsections and personnel to fulfil their administrative functions.

In the 1920s and 1930s, the foundation was built of the present administrative-territorial system of Union and Autonomous republics, which forms the territorial basis of the system of Soviets. At that time, such a criterion (which had the significance of principle) as the economic integrity of a territory was taken into consideration. In turn, the very creation of an administrative-territorial unit possessing an administrative and management system of its

own was an important factor in the development of local economic complexes and the re-orientation of economic links, if some of these links were to a degree disrupted as a result of the introduction of a new administrative-territorial system.

Prevailing in the development of the administrative-territorial system is now the trend towards the branching-off of territories that have acquired a certain economic and demographic potential to form new independent administrative-territorial units: regions, districts, towns, townships, and villages. As a result, while as of January 1, 1980, the USSR had 50,991 local Soviets, by February 1985 their number reached 52,041, and by December, it grew by another 187, with 14 district, 18 town, 21 town district and 138 village Soviets among them. However, the process was not steady if viewed historically. In the mid-1950s and early 1960s, there was a tendency to merge smaller village Soviets, and their number dropped from 74,813 in 1949 to 39,897 by January 1, 1963. In 1962-63, the number of rural districts was reduced by half, from 3,421 to 1,711.³⁵ However, this reform did not consider sufficiently the significance of economic factors and the need to have the administrative bodies close to the objects of administration and to the population. For this reason, many rural districts were later re-established. Late in 1985, the USSR had 3,127 district Soviets and 42,314 village Soviets.

Literature on the subject gives a great deal of thought to the prospects of improving the administrative-territorial system. The need for change in this field is argued by the presence of unjustifiably great distinctions in the size of administrative-territorial units of the same rank, above all, regions and districts. It should, however, be noted that such distinctions exist in nearly all countries. As a rule, efforts to build an administrative-territorial system based on egalitarian criteria alone fail due to distinctions in the population density, stable historical traditions, considerable migration, and the difference in the rates of economic development of various regions. It is obvious that the crux of the matter is not to make sure that the Soviets at the same level administer territories that are equal in size and in their social and economic potential (too great distinctions can always be levelled out by introducing changes into the administrative-territorial system in conformity with accepted procedures), but to attain a correspondence between a territory's social and economic characteristics and the administrative potential of the corresponding Soviet (in relation to the structure and numerical strength of its apparatus, material and financial resources, and scope of powers).

A number of specific problems is posed by the correlation between the system of Soviets and local economic systems as objects of administration. Among them is the number of levels of local administrative systems, the combination of the system of

Soviets and the administrative-territorial system, and the criteria to be used to define the status of some administrative-territorial units (criteria of the subordination of towns and town Soviets, and in some cases, village and township Soviets, to the nearby town or district Soviet). The present three-(or four)-tiered system of Soviets in the Union republics with a territorial and regional division and the two-tiered system in the Union republics that have no regions or have them only on a part of their territories (the Kirghiz SSR, and, taking into account the autonomous regions, the Georgian SSR, Azerbaijan SSR and Tajik SSR), has, on the whole, proved efficient. It is being improved primarily through defining more clearly the subordination of various concrete administrative-territorial units, e.g., villages, townships within the city limits and small towns adjacent to the cities and having strong ties with them, as well as by dividing large cities into districts.³⁶

In the context of the general problem of a reasonable correlation between the subjects and the objects of territorial administration there arises the problem of "combining" different types of local Soviets. It is posed by the objective processes of urbanisation, the growth of towns and cities and the increase in their multifaceted influence on the social and economic development of adjacent territories. Two aspects of the problem can be singled out. The first is the role of Soviets in administering the growing urban agglomerations, and the second, the administration of the "town—district" and "town—suburb" systems.

At present, the number of urban agglomerations is quite considerable.* The Donetsk agglomeration incorporates over 140 towns and townships with a population of over 7 million. The largest (with respect to their population) are the Moscow and the Leningrad agglomeration. Since agglomerations forming around large towns and cities usually lie within the limits of corresponding regions, regional Soviets have organisational and legal opportunities to influence their development. However, these are not used as fully as they could be, since, as a rule, an agglomeration is not identified as an independent and integral object of pre-planning work and planning in the regional and territorial social and economic development programmes, in the charts of district lay-out, and in the charts of distribution of industries. In some cases, the role of regional Soviets in the development of an agglomeration is crippled by the very fact that the cities, centres of agglomerations, have a

* By the late 1970s, the USSR had 74 agglomerations which incorporated 1,325 settlements (475 towns and 850 townships) with a population of about 74.5 million. Living in the cities, centres of the agglomerations, were 53.9 million people. The average population of an agglomeration was over a million (see G. M. Lappo. *The Development of Urban Agglomerations in the USSR*, Moscow, 1978, pp. 30-32, in Russian).

republican subordination (this refers to Moscow, Leningrad, Kiev and the capitals of other Union republics).

In the future, some agglomerations could set up a single Soviet as the administrative centre, with an accompanying drastic revision of district and town division. However, at present, the problems of administrative coordination in the agglomerations are resolved primarily by developing various forms of cooperation between corresponding city and regional Soviets, as well as between the Soviets of cities, centres of agglomerations, and the Soviets of adjacent districts and towns. Among such forms are joint decisions and projects in the field of construction within the limits of agglomeration, the use of natural resources and manpower, the introduction of common transport systems, municipal and consumer services and social and recreational development, joint nature conservation measures, and the establishment of joint administrative bodies and economic organisations.³⁷

Long-term programmes for the development of agglomerations could serve as an effective means of raising the influence of Soviets on their administration. Such programmes could be developed jointly by all interested Soviets and approved by republican, regional or territorial Soviets. There could be bilateral (city-region) and multilateral (city, the centre of an agglomeration-adjacent towns and districts) agreements on cooperation between corresponding local Soviets embracing questions of development of all main branches of the agglomeration's economic complex, the movement of the population and coordination of the services, as well as the material and financial participation of all signatories to the agreement in this effort. There also should be a system of coordinating bodies of the inter-departmental commission type that would deal with the general and some of the specific problems of the agglomerations' development (planning, transport problems, etc.) and consist of heads of executive committees, their planning commissions and some of the sections and subsections, representatives of higher bodies and the public.

A special question is that of combining administrative functions in the "town-district" system. Towns that are the centres of agricultural areas should help raise the material and technological standard of production within the framework of the agro-industrial complex*, improve working and living conditions of the rural population and better satisfy material and cultural needs, render assistance in respect to manpower required for seasonal agricultu-

* In 1987, over 40 enterprises of the Grodno Region undertook, under contracts signed with the executive committees of the region's Soviets, the production of 184 types of equipment and mechanisation devices for the region's farms to the amount of more than 3 million roubles (*Sovets kaya Belorussiya* (Soviet Byelorussia), June 2, 1987).

ral works. In turn, the adjacent agricultural districts should supply the urban population with foodstuffs and serve as sources of push-pull labour migration.

At present, small and medium-sized towns, centres of agricultural districts, usually "accommodate" two Soviets, a town and a district one. They are united by diversified relations of cooperation (if the town Soviet has been withdrawn from district subordination) or leadership (if the town has a district subordination). Sometimes, bodies of sectoral administration, e.g., departments for home affairs and the communal services are set up. But the existence of two Soviets inevitably engenders parallelism and duplication of work, and a sort of territorial parochialism, with each Soviet taking care of "its" problems and "its" population and doing nothing to improve services on the territory under the jurisdiction of the other Soviet. However, the experience of some socialist countries and the reforms of administrative-territorial division in some bourgeois states indicate ways of dealing with the administrative aspect of the problem. In Hungary, where the link corresponding to that of our district Soviets was eliminated, administration of the territories adjacent to towns is assumed by town Soviets. In Great Britain, a reform of administrative-territorial division carried out in the 1970s, set up districts whose municipal councils administer urban and rural territories incorporated into them.³⁸

But that's not the point. Similar practices and some methods of dealing with such questions can be found in the USSR as well. The 1960s witnessed the emergence of the "town-district" administrative systems, which did not have a district Soviet, whose functions were assumed by the town Soviet of the district centre. At present, the RSFSR has over a hundred such systems; the Tajik SSR, five; and the Azerbaijan SSR, two. When they were being formed, the apparatus that was shaped as a result of the merger was somewhat reduced. However, the main advantage was not saving up on the maintenance of the administrative apparatus but a more efficient solution of questions of economic and social development common to the town and the district. But practical workers consider it inexpedient to set up single "town-district" administrative systems if the district has a very large territory. The reason for this is, first and foremost, insufficient consideration for the dimensions of the district's territory in determining the structure and the numerical strength of the apparatus of such town Soviets. A comprehensive study of experiences of the town Soviets to which districts are subordinated may open up new prospects for enhancing the role of medium-level Soviets in the administration with increasing urbanisation and a greater need for comprehensive economic and social development of regions.

From the position of the administrative-territorial structure, the "town-district" system with the town Soviet as the single

administrative centre may be viewed as a forerunner of a new administrative-territorial unit (for instance, "urban district"), which, with due consideration for the conditions of a particular region, may coexist with the already established system of medium-level administration. In the future, it may also prove useful for organising the administration of urban agglomerations.

To enhance the effectiveness of the Soviets as centres of territorial administration, emphasis should be laid on improving the system of village Soviets, the most numerous grass-roots link in the system of local bodies of state authority. The core of the problem is to secure for each village Soviet an adequate material and financial base, which is a *sine qua non* if it is to completely fulfil its functions of servicing the rural population and promoting the agro-industrial complex. Legal literature has repeatedly pointed out the advisability of eliminating small village Soviets.³⁹ The current tendency to growth in the number of village Soviets undoubtedly has its limits, especially when the system of communications in the countryside is improving, agricultural production is becoming more concentrated and specialised, and the agro-industrial complex is developing. However, in any case, this question cannot be settled without consideration for political factors, such as the need to bring Soviet bodies closer to people and to promote and enhance local self-government.

It seems reasonable that the village Soviet having a number of residential communities under its jurisdiction should set up local administrative centres in these communities to ensure close relations with people and flexibility of leadership. This question can, most probably, be dealt with in two ways; which is most expedient, only experience can show. The first way is to hand over some of the decision-making and control functions to territorial deputies' groups in the communities. The other is to grant the right to adopt some administrative decisions to such civic bodies as village committees, which could be under the control of deputies' groups and cooperate with them. The active legislation pertaining to deputies' groups and village civic committees does not grant them such powers. True, the Statutes on Village Committees adopted over the past few years at the republican level point out that these bodies may at times act on the instructions of the executive committee of the village Soviet on the territory of a given community.⁴⁰ However, in this case reference should be not to individual assignments but to the performance of a clearly outlined range of administrative functions and exercising definite powers.

A special question is that of participation of local Soviets in the formation and development of economic complexes in various regions, particularly in developing and advancing the territorial-production complexes. The latter include a large number of enterprises subordinate to different ministries and territorially disjointed

industrial centres; towns and other residential communities may be located within their boundaries. As distinct from urban agglomerations, which usually develop within a single region or republic not divided into regions, the areas covered by such complexes may lie in two or more regions and even republics. Thus, the territorial-production complex in the zone of the Kursk Magnetic Anomaly lies in the Kursk and Belgorod regions; the West-Siberian territorial-industrial complex includes the northern parts of the Tyumen and Tomsk regions; the Timano-Pechersky complex covers a number of districts and towns in the Komi ASSR, as well as the Nenets Autonomous Area of the Arkhangelsk Region. Drawn up for each territorial-production complex are specific comprehensive programmes, plans for the development and location of productive forces, the principal indices of economic and social development, and combined aggregate plans for capital construction. An important role in drafting development programmes of all complexes is played by the Councils of Ministers, State Committees and leading ministries that are responsible for the exploration of the major resources in the corresponding territories. Thus, the West-Siberian oil and gas complex is accountable to the special commission of the USSR State Planning Committee with its headquarters in Tyumen. To the extent to which they have a bearing on the local Soviets' coordinating functions, the main targets of social and economic development of territorial-production complexes mapped out in specific programmes and other similar documents are reflected in their plans of economic and social development.

At present, territorial, regional and town Soviets on whose territories production units belonging to territorial-production complexes are built, do not have a clear-cut system of organisational and legal forms of participation in the construction and development of these complexes. A general trend of setting up a system of this type has been outlined in the legislation on regional Soviets of People's Deputies. Thus, regional Soviets shall take part in the work on regional and other programmes that provide for the formation and development of territorial-production complexes and industrial centres located on their territories. However, so far there has been no uniform procedure of implementing these regulations that would be valid for all territorial-production complexes.

The procedure under which the development of territorial-production complexes is to be planned with participation of local Soviets is established individually by special acts for each complex. Thus, the draft plans for the West-Siberian complex submitted by ministries and departments to the USSR State Planning Committee are considered by the Inter-branch Commission under this committee with participation of representatives of the executive committees of the Tyumen and Tomsk Regional Soviets. The provisional basic indices set for the development of the Krasnoyarsk

Territory, which indicate the guidelines for the development of the territorial-production complex, are drawn up by the USSR State Planning Committee with due account for the conclusions submitted by the executive committee of the Territorial Soviet. The basic indices for the construction and development of the Sayany territorial-production complex and the Kansk-Achinsk fuel and energy complex were drawn up by the planning commission under the executive committee of the Krasnoyarsk Territorial Soviet, which has a department in charge of territorial-production complexes and industrial centres. The basic economic indices for setting up a territorial-production complex in the Kursk Magnetic Anomaly area were drawn up by the executive committees of the Kursk and Belgorod Regional Soviets, with each developing the plans for the enterprises on its territory.

There has long been a need to set up sections dealing exclusively with the territorial-production complexes within the planning bodies of the territorial and regional Soviets' executive committees, and to have the Statutes on the Planning Bodies to clearly outline the functions and powers of such sections in drawing up the programmes and setting the basic development goals of territorial-production complexes in order to coordinate the proposals and draft plans of these Soviets and the ministries and departments.⁴¹ It would also be useful to set up inter-departmental commissions for each complex in which all interested bodies accountable to a relevant State Planning Committee could cooperate.

* * *

The local Soviets' effective administration of territories under them is directly conditional on a reasonable formation of their executive apparatus. Its structure, powers, numerical strength and professional competence should be up to the standards stemming from administrative and management activities of a given scope and complexity.

Over the past few years, the development of the Soviets' functions and powers has produced an urgent need to restructure their executive apparatus along more reasonable lines, reinforce its personnel and improve the methods and style of its work. Some time ago, new structural subsections appeared in the system of branch bodies of the local Soviets' executive committees (this primarily refers to territorial, regional and city Soviets). These include capital construction, legal, and labour and social affairs sections and subsections. There has been an increase in the number of executive committees of district and town Soviets that have organisation and instruction sections; the apparatus of the planning commissions under the local Soviets' executive committees has

been somewhat expanded. New organisational structures have evolved that combine administrative functions with direct economic activities in such spheres as repair and construction, the maintenance of housing facilities, consumer services, retail trade and locally subordinated industries. These are various associations subordinate directly to executive committees or corresponding sections and subsections, for instance, production enterprises for housing repairs, self-supporting production communal services centres, production amalgamations in the industries, retail trade firms. An important impact in respect to streamlining the executive apparatus of regional and district Soviets was made by the establishment of agro-industrial amalgamations.

But there is still insufficient coordination between the structures of the executive apparatus of higher and lower Soviets, lack of correspondence between the internal structure and the numerical strength of the staffs of the various sections and subsections, and the increased volume of their functions; there is some legal vagueness as to the correlation of the function of heading the sections and subsections by the Soviets and by higher administrative bodies. Research carried out in major RSFSR towns and cities of regional subordination (Vologda, Kaluga, Kostroma, Yaroslavl, Novgorod and Murmansk) has shown that only two of these cities had transport departments; in Novgorod, one of these two cities, it was set up in the city districts as well. Only two cities had a communal services, or a communal services and local industries section, and three cities did not have it at either city or the city district level. Two cities did not have internal affairs sections while the rest had. Substantial differences were revealed in the case of other sections and subsections. In Murmansk, some of the functions of the absent transport and communal services sections were fulfilled by the planning commission. The main reason for this situation was that the function of administering these branches of a city's economy was directly assumed by regional sections and subsections. In Kostroma, the Communal Services Centre, electrical appliances repair shops, dressmakers' and clothes repair shops were regionally subordinated.⁴²

The lists of sections and subsections were established by the Decrees of the Union Republics' Supreme Soviet Presidium in 1982.⁴³ In the RSFSR, for instance, such a list has 33 sections, subsections or bodies with the same status within the territorial and regional Soviets; 14, in the district Soviets; 13, in the Soviets of towns of territorial, regional and areal subordination; 14, in the town district Soviets; and 2 (a general section and a registry office), in the town Soviets of towns of district subordination. An analysis of these lists shows that the number and types of sections and subsections in districts and towns fail to match the system of the functions performed by district and town Soviets

in conformity with the pertinent legislation. It is not indicated anywhere that towns of regional subordination and districts should have departments for capital construction, local industries, transport, and communal services.

Should the specific features of the territories under their jurisdiction require this, local Soviets may set up sections and subsections other than those listed, with the consent of the republican Councils of Ministers and the executive committees of territorial and regional Soviets, if no other provisions have been made in the USSR legislation. In principle, this allows for certain flexibility in the formation of the local Soviets' branch apparatus. However, this provision does not yield great effect, since the law has not established the criterion that would preclude subjectivism when higher bodies grant their permission for the formation of sections and subsections that are not on the list. The Soviet that needs a particular section, can be sure that permission will be granted.* As a result, a situation has evolved when, within the same link or type of bodies of state authority, the Soviets possessing a weaker economic potential and smaller territory and population and working in better geographical conditions may, and do, have a more ramified system of branch bodies than Soviets that objectively have a greater need for an additional number of such bodies.**

The introduction of the normative method in this sphere would be a realistic way of streamlining the system of sections and subsections within executive committees and making it more concordant with the increased functions of local Soviets and the actual substance and scope of their activities. This approach is already being practised. The decision of the Estonian SSR Council of Ministers passed on March 24, 1972 approved the standards of the structure of the apparatus and the staffs of the executive committees of town (for towns of republican subordination), district and town district Soviets. This act made the formation of the

* Research into the structure of the executive apparatus of town Soviets of towns of regional subordination has shown that about 30 types of "unlisted" sections, subsections and amalgamations exist, which include a production and transport section (Stavropol), a subsection for irrigation and drainage of the town (Urgench), the subsection for landscape gardening (Zaporozhye). On the other hand, a number of cities did not have sections that they should have had under the decrees of the Supreme Soviet Presidium of the Union Republics (i.e., for social security, labour, internal affairs, public education, the registering and distribution of housing).

** Although the Smolensk and Ivanovo regions have about the same population, as of January 1, 1983 the apparatus of the Smolensk Regional Soviet numbered 651, and the Ivanovo Regional Soviet—1,071, i.e., almost 400 more (see V. A. Perttsik, *Law Enforcement by Local Soviets*, Moscow, 1985, p. 96, in Russian).

various sections within executive committees and the size of their staffs conditional on the population of the territory under the jurisdiction of the Soviet.⁴⁴ There is no doubt about this being a useful idea, although certain reservations are in order here. The point is that the population cannot serve as the only criterion in deciding whether one section or another should be formed. Just as important is the amount of the economic activity under the jurisdiction and control of the Soviet, which can be calculated by the number of people employed in the industries, in transport, and the services system, as well as by other standards. It is also important whether the reference is to a town or city that is the administrative centre of a republic, region or district, or whether it has no such status. In the latter case, and especially if the town lies far away from the administrative centre, the Soviet should, beyond doubt, have more independence and administrative opportunities for directly managing local affairs. This is also important from the viewpoint of the involvement of the town's population in management activities and decision-making.

However, the establishment of certain standards by which to form the system of administrative branch bodies within local Soviets is by itself unable to solve the problem of local administration and management. This thinking has become entrenched in the mentality and practice of local administration: the more sections and subsections the Soviet's structure boasts, the more fully it can encompass the various forms of local life and the better the administration of its territory is. But the trend towards further fragmentation in the system of sections and subsections constitutes a victory for the branch, or production principle in administration and foreshadows its possible dominance in the future, while the task is to strengthen the territorial forms, reduce the state apparatus and make it more economical.

Efforts to consolidate the local administrative apparatus by creating new subsections provided with adequate staff will, in the long run, end in a blind alley. In view of the processes under way at the Union and republican level of administration, conclusions should be made with respect to the apparatus of local Soviets. We believe that a new concept of the structure of the local Soviets' executive apparatus should be evolved. The main principle should be the shift from multitudinous and fragmented branch administrative bodies of local Soviets to their integration and the establishment of fairly large inter-sectoral structures that would match the basic areas of local economic and social activities.

As a matter of fact, the first of these structures were the main production and economic subsections of executive committees of the territorial and regional Soviets of People's Deputies established in accordance with the Decision on Improving the Work of Republican Administrative Bodies, passed on July 17, 1987, by the

CPSU Central Committee and the Council of Ministers of the USSR. According to standardised rules on these bodies, they are entrusted with the guidance of all territorial or regional economic endeavours, including the steering and coordination of the activities of sections or subsections of corresponding executive committees—local industries, capital construction, local building materials, motor transport and other production-economic sections and subsections. They also coordinate the work of all the organisations and enterprises located in the territory of a given Soviet, particularly when it concerns expansion of cooperation and intersectoral ties, and control their approach to issues that fall within the jurisdiction of the Soviet. A major production-economic board is composed of a planning commission, section of environmental protection and rational utilisation of resources, section of economic analysis and improvement of the managerial and economic machinery, section of intra-regional cooperation and intersectoral production, section for the development and coordination of industry, transport, production of essential commodities, paid services, and social affairs. The staff of the main production economic board are formed by reducing the number of executive committee sections and subsections. However, while regarding the formation of major inter-sectoral bodies within the executive committee apparatus of territorial and regional Soviets as a generally positive development, the concept of these bodies should be critically examined. Pegged between the executive committees and their sectoral sections and subsections, these bodies' activity will inevitably reduce the functions of the executive committees themselves and also weaken the independence of the sections and subsections. In other words, it will lead to the perpetuation of the chiefly administrative methods of guidance in the management of local economies. Experience will undoubtedly necessitate the re-examination of such a schema.

As to the restructuring of the executive apparatus of district and town Soviets of People's Deputies, sections for local industries, social services and maintenance of public order, and administrative sections, as well as planning commissions, could be established in districts and medium-sized towns (or even in some cities). In larger towns, the number of departments could, naturally, be increased through the addition of sections for the industries and construction, housing and communal services. Other sections and subsections are possible.

What objections could be against this plan? First, that enlarged sections may not be able to exercise competent leadership over the considerable number of questions referred to their jurisdiction. This will undoubtedly be the case if they use the traditional management methods, i.e., primarily purely administrative influence on the objects of management. No doubt, they will prove com-

petent enough if the independence of enterprises and organisations is gradually consolidated and economic management methods are introduced; and if the various types of branch and inter-branch economic amalgamations and firms which fuse the economic and the administrative functions continue to develop locally. Besides, the enlarged sections and subsections may have an advantage as far as their staff is concerned. This will probably consist of a smaller number of more skilled and competent people. Midget sections that often consist of a head and one subordinate will disappear.

Another possible objection: the merger and consolidation of sections in the medium-level Soviets could mean that ministries and departments, and the sections and subsections of the executive committees of higher-level Soviets will lose the aim of leadership represented by the sections and subsections of the executive committees of district and town Soviets incorporated into the corresponding branch administrative systems. Thus the integrity of administration and management will be undermined. Weighty counter-arguments could be advanced against this objection. First, even now, a number of sections and subsections in the executive committees of local Soviets have no counterparts in higher bodies and are not doubly accountable. Second, the policy of granting more independence to and promoting initiative of local Soviets will inevitably call for a restructuring of the vertical administrative and management chains. In these, a greater role should be given to methodological leadership, introduction of the scientific and technological advances and economic methods, and less, to the tendency dealing with routine, minor questions of lower-level bodies and exercising administrative tutelage over them. All this will radically restrict the chances of the narrowly specialised higher bodies to interfere in the routine daily activities of new inter-branch bodies.

A promising field in streamlining the local Soviets' administration and coordinating activities with respect to amalgamations, enterprises, organisations and institutions of higher subordination is the establishment, on the territory under jurisdiction of local Soviets, of territorial inter- and intra-sectoral associations that would incorporate enterprises and organisations of both local, republican and even Union subordination. The efforts to set up such associations in Poti and other Georgian cities have been approved by the Georgian SSR Council of Ministers. There has been a proposal to establish, in the Moscow Region, a territorial inter-branch production association that would encompass the local industries, repair centres, and communal services.^{4 5}

The Decision of July 25, 1986 has granted the Councils of Ministers of the Autonomous republics and the corresponding executive committees of local Soviets the right to set up (with the consent of the Councils of Ministers of Union republics)

inter- and intra-sectoral territorial-production associations incorporating enterprises and organisations of republican and local subordination. Enterprises and organisations of Union subordination may also be included into these associations, but on agreement of pertinent ministries and departments of the USSR. The apparatus of such associations is formed within the limits established for these enterprises and organisations.

The establishment of territorial-production associations may make it easier for local Soviets to ensure cooperation between organisations and associations of various subordination and will make possible a more reasonable use of the material and natural resources. At the same time, the establishment of associations should be accompanied by the expansion of coordinating and other rights of the corresponding Soviets, with some of them being delegated to the executives of associations so that the latter do not remain a mechanical combination of organisations of various subordination. Specifically, the associations should have development funds and have at least the right to redistribute their free material resources, and ensure an effective use of production capacities. On the other hand, the setting up of associations should not result in the expansion of the administrative superstructures curtailing the enterprises' economic independence. Thus, in establishing an association, a number of sections and subsections within the executive committees which would duplicate the industrial administration, should be abolished.

The question of participation of branch economic systems in the formation and improvement of the local Soviets' administrative apparatus has recently been acquiring particular urgency as a result of the measures introduced to strengthen ties between the territorial and the branch, or production principles in the localities. The Decision of July 25, 1986 allows amalgamations, enterprises and organisations of Union subordination to turn over (with the agreement of ministries and departments) to the executive committees of local Soviets the required personnel and the salaries fund to set up, wherever necessary, structural subsections of the apparatus (sections, subsections) to deal with comprehensive social and economic development.

Another important way to enhance the role of Soviets in improving the local administrative system is to give them real opportunities for exercising their legally established right to approve the structure and personnel of the executive committees and their sections and subsections. Until recently, the law stated that the Soviets should extend such approval based on the standards accepted in the given republic and the size of the administrative and management personnel specified for the executive committees. Since these standards were not outlined clearly enough and the branch sections and subsections were rigidly linked with

the centralised system of branch administration, the Soviets had virtually no chance to determine the numerical strength of their apparatus and to distribute the personnel among the various local branch bodies. The legally granted freedom to independently determine the structure and the personnel actually constituted complete lack of such freedom. As a result, the Soviets' sessions did not even discuss such questions.

The transition to the quota method in defining how many and what kind of personnel a Soviet needs, together with the reconstruction of the higher bodies' system of administration over the sections and subsections, will allow local Soviets to exert a more tangible influence on the structure and the formation of the staff of their executive apparatus. At both the district and town and regional levels, the Soviets alone should work out the structure of the apparatus and its staff, e.g., these questions should be decided by the deputies themselves at their sessions.

An important new step in this matter is the provision of the Decision adopted on July 25, 1986, which states that the structure and the staff of the apparatus of the executive committees, their sections and subsections, are to be formed on the basis of the salary fund and the salary system without reference to the established correlation between individual categories of employees and the average salaries in conformity with the scheme. This provides opportunities for the Soviets to independently decide what staffs they require proceeding from the local economic needs, administration and other conditions.* Moreover, this decision provides local Soviets with a right to establish an increment of up to 50 per cent of the salary for highly competent personnel of Soviet bodies, a provision which will help strengthen local Soviets with cadres. The solution of the personnel problem is also significantly promoted by the government measures taken to improve the training of lawyers for the Soviets and their use by Soviet bodies. This will undoubtedly make possible consolidation of this branch of local Soviets.

In connection with these measures, the question arises of the role of Soviets in forming a reserve of competent personnel to be eventually promoted to top positions in the system of Soviet bodies, and in the regular certification of their staff members. At present, the procedure for forming such reserves is being stream-

* The opportunities of local Soviets to change, as they see fit, the proportion of employees at the various sections of the administrative apparatus accountable to them, are limited by the minimum staffs of many such sections, the accepted procedure of the formation of the apparatus of the bodies in charge of trade, as well as by other factors. However, in merging and consolidating the sections and subsections, the expansion of the Soviets' rights to decide the structure and the staff of their executive bodies may acquire considerable significance for streamlining local administration.

lined; Soviets are conducting experiments and developing their own suggestions in respect to personnel that regulate its registration and appointment, as well as the formation, revision and use of the personnel reserves.*

In the centre of this effort is the executive committee with its apparatus and heads of sections and subsections. This means that an important part of the work directly associated with streamlining management and administration remains outside the jurisdiction of the Soviet itself. The executive committees should be obliged to regularly report at the Soviets' sessions on their work to form and use the personnel reserves. The standing committees should have adequate information and take part in the discussion of the candidates for promotion to top executive positions. More information on all questions with respect to personnel and control over this sphere available to the Soviets is an important condition for preventing subjectivism and nepotism in promoting persons to top jobs. Standing committees should be encouraged to raise the issue of dealing with executives who have displayed lack of necessary professional skills and insufficient vigour (to say nothing of persons who have violated laws), even of dismissing them. This right should be clearly stated in the Statutes on the Standing Committees, including those on the standing committees of the Supreme Soviets.

At present, Soviet bodies assess the work of the executives after each elections. As concerns the elections of such personnel, legal literature has repeatedly noted that they should be based on secret ballot and be conducted at sessions by the deputies, i.e., follow the same principle as is used in electing territorial Party, Young Communist League (Komsomol) and trade-union bodies. In 1987, secret ballot was used in electing the executive committees of the Moscow City Soviet and other local Soviets.

The Decision of the CPSU Central Committee, the USSR Supreme Soviet Presidium, the USSR Council of Ministers, the All-Union Central Council of Trade Unions and the Komsomol Central Committee of March 5, 1987 on Introducing the Certification of the Executives of Soviet and Civic Bodies has approved the Model Regulation on the procedure of conducting such certification. Under this act, all executives of Soviet bodies are subject to certifying after each elections. However, the top executives elected to Soviet bodies undergo certification before their term of office expires, with their certification being held by a higher body. When conducted by the Presidiums of the Supreme Soviets, Councils of Ministers and executive committees, certification commissions are formed consisting of the heads of these bodies, other highly skilled and authoritative executives, and representatives of the Par-

* Such statute has been adopted in the Sverdlovsk City Soviet.

ty, Komsomol and trade-union organisations of the apparatus. Under the Statutes, the commission may also include deputies. It should be made a rule to have this opportunity realised, especially by including representatives of the Soviets' standing committees into the certification commissions. The Soviets' sessions should also consider ways to improve this practice.

A certification of sorts of the chairperson of an executive committee is held when the Soviet hears the executive committee's report on its work. This takes place at least once a year. In other words, the certification of executives elected or appointed by the Soviet should not be disassociated from their regular reports to the Soviet. The significance of such reports as a specific kind of certification procedure should be enhanced by removing formalism, strengthening the deputies' critical approach to the work of the executives and extensively using the principle of publicity with respect to the reports. The process of assessing an official's competence should begin at the very first sessions following the elections when discussing the candidates before the voting.

That the apparatus' accountability to the Soviet is legally established, which implies that the latter's decisions are obligatory to it, that the Soviet is granted broad controlling powers, and that the executive bodies and their heads are responsible to the Soviet, does not yet guarantee the Soviet's actual supremacy over its apparatus. *It must be constantly confirmed and established through the daily, routine relations between the Soviet and its executive bodies.* Otherwise, the danger arises of the substitution of the Soviet by its executive apparatus, and of the Soviet and the deputies turning into appendages whose sole function is to approve the executive committee's decisions.

This state of affairs has repeatedly been pointed out in scientific literature and the press, as well as in Party documents, which characterised the situation as intolerable. It should be noted that this problem can be tackled only comprehensively, since no isolated steps, be they regular reports at the Soviets' sessions or an increase in the number of deputies' inquiries, can bring about the desired results.

The Soviets' leadership with respect to the executive bodies means that the Soviet forms this apparatus, decides the issue of top executives, plans its work, subjects it to deputies' control and appraisal, and holds the officials responsible whenever necessary. At present, both the law and practice show that all these elements securing the Soviets' leadership with respect to its executive apparatus are there. However, some have become weakened, and some are used without any degree of regularity. This adversely affects the other forms and methods of the Soviets' leadership. It has been repeatedly noted that the executive, moral and political qualities of candidates for high posts in the Soviets' executive ap-

paratus, should be subjected to a thorough critical analysis at the sessions, and that the Soviets should direct the apparatus on a broad range of economic, social, cultural and state matters. The deputies should display a more interested attitude to the Soviets' draft decisions, combat formalism in the debates on the reports submitted to the sessions by the executive committees and their sections and subsections, and make wider use of their right of inquiry.

There was an organisational reason that made it difficult to get rid of the shortcomings described above, namely, the fact that the local Soviet's sessions as a form of their work made it necessary to entrust the executive committee with the organisational function. Thus, it happened that it was the executive committee which was supposed to ensure effective leadership over its own activities by the local Soviet. The absurdity of this situation has been self-evident for years. To make things better, it has long and repeatedly been proposed to set up small standing presidiums or introduce the office of standing chairpersons of local Soviets.⁴⁶

The amendments, introduced to the Constitution of the USSR on December 1, 1988, provide for the election of permanent chairpersons of Soviets and for the setting up of presidiums in local Soviets with the exception of the town, settlement and village ones. It is essential for the presidiums of large local Soviets to have part of their members on the staff, first and foremost, deputy chairperson and secretaries. In writings on the subject it has been pointed out with justification that the chairpersons of the Soviets' standing committees should be members of these presidiums. A numerically small instruction and organisational apparatus should be set up under the presidiums of regional, district and city Soviets. It would be improper to endow the presidiums and chairpersons of Soviets with extensive administrative and control powers. They should be entrusted with organisational functions, e.g., preparing sessions, controlling the observance of the regulations of local Soviets, coordinating the work of commissions and assisting them in the realisation of the recommendations they receive, rendering assistance to deputies, and checking on the observance of the guarantees of their activities implied by their status.

The problem of the local Soviets' efficient leadership with respect to their executive bodies is currently complicated by the existence of somewhat obsolete mechanisms and forms of double subordination of the executive committees and their sections and subsections. Although juridically, as has been noted, the horizontal line (accountability of the executive bodies to the Soviet) prevails, the vertical line (accountability to higher administrative bodies) in actual fact often proves stronger and more vigorous in daily life. For instance, heads of the executive committees, their sections and subsections with double subordination often tend to reckon more with pertinent higher administrative bodies and to

be guided primarily by their instructions. Characteristically, for decades, there has not been a single case of the Soviets imposing disciplinary penalties upon heads of executive committees, while higher-level executive committees have done it many times.

The influence of higher-level executive bodies actually affects the work of the Soviets as a whole: take cases when a higher-level executive committee instructs a lower body to have a particular question considered at the Soviet's session without any consideration as to whether it presents any degree of urgency for this Soviet. Everything should be done to curtail administrative methods of leadership in the relations between higher- and lower-level executive bodies of local Soviets and to raise the methodological aspect of leadership. On the credit side, is greater attention of higher-level executive committees and their organisational apparatus of instructors to rendering methodological assistance to lower-level Soviet bodies and support for their initiative and projects.

Thus far, the relations between some ministries and higher-level executive committee's sections and subsections, on the one hand, and those of the lower level, on the other, are based on outdated concepts of leadership, which emphasise administrative interference into the daily, routine activities of lower-level administrative bodies. That the active statutes on the executive committees' sections and subsections, including those recently adopted by the Councils of Ministers of Union republics barely mention the substance and forms of guidance with respect to lower-level bodies of this type in branch management only aggravates this state of affairs. The policy of enhancing the independence of local Soviets stresses the revision of the concept and practices and, correspondingly, the law pertaining to the "double subordination" of the local Soviets' executive bodies, with a view of strengthening the methodological aspect of leadership and substantially restricting the opportunities of higher bodies to interfere into local routine administrative activities.⁴⁷

An important place in dealing with the urgent task of streamlining the Soviets' leadership over their executive apparatus, is occupied by the higher bodies of state authority. Their decisions should direct the development of the system of Soviets, their guidance over the executive apparatus and lower-level Soviet bodies. An important role here could be performed by methodological recommendations concerning the Soviets' development drawn up by a highly competent apparatus of the higher bodies of authority, and sent out to local Soviet bodies.

The reform of the political system currently under way in the USSR is comprehensive. Embracing all the main aspects of the organisation and activities of the Soviets, it introduces essential changes in the method of electing deputies and in the essence of

the Soviets' functions. It also effects changes in the structure and organisation of their activities, their relations with the Party, trade unions, other links in the political system, and also with the executive apparatus. The new conditions that are currently taking shape demand a new set of legislative acts on the representative bodies of state authority. The Leninist conception of democratic centralism, and also the development of the ideas and practical experience of self-administration, imply that at the national level this legislation should concentrate on the elaboration of more basic provisions, thus giving the republics full scope for initiative in legislative creativity. This legislation, from the angle of the Soviets' functions, will secure greater independence for every link in the system of state authority, give them the material means and powers needed for resolving problems within the limits of the law but without unnecessary coordination. Another specific purpose of the legislation will be to consolidate the new system of relations between the government bodies and enterprises, cooperatives and other economic organisations—relations based on coordination of mutual interests, extensive utilisation of contractual forms, and the Soviets' appreciation of the principles of self-management in all the economic units. In the socio-political sense, the new legislation will help materialise the idea of establishing a system of socialist self-administration of the people in which the Soviets, being its main links, will rely on the various forms of organisation and self-organisation of the people and work collectives in tackling the task of involving citizens in state administration.

In the organisational sense, the new legislation should provide the Soviets and the deputies with a choice of alternatives in decision-making. It should secure for the Soviets the freedom to choose, as conceived by the 19th CPSU Conference, their own forms and methods of activity within the bounds of the law. This will create new prerequisites for progressive development of the democratic organisation of Soviets of People's Deputies and will find reflection in the new USSR Constitution, which, as the First Congress of People's Deputies of the USSR has decided, is going to be drawn up. The Congress stated that the new Constitution would embody the principles of humane, democratic socialism, record the modern social, economic and political principles of building the Soviet state, its Leninist federative structure, the constitutional character of relations between the Union and the Union Republics, development of all types of autonomy, the higher status of the Soviets, the inalienable rights of man, and security and legal protection of the individual. "The new Constitution," the Congress resolution reads, "must embody a social and economic structure that would rule out the possibility of a personality cult, authoritarianism, and the preservation of administrative methods based on command and bureaucratic practices."⁴⁸

Notes

Chapter One

- ¹ V. I. Lenin, "Speech at a Meeting in Presnya District", *Collected Works*, Vol. 42, Progress Publishers, Moscow, 1977, p. 104.
- ² A general description of how local Soviets exercise legislation, as well as of the factors affecting this process, is contained in the work: V. A. Persttsik, *Law Enforcement by Local Soviets*, Moscow, 1985 (in Russian).
- ³ On the lack of correspondence between the branch bodies of the executive committees and the scope and nature of the function fulfilled by local Soviets, see: *The System of Urban Administrative Bodies*, Lenin-grad, 1980, pp. 49, 63 (in Russian).
- ⁴ See Decision of the CPSU Central Committee, the USSR Supreme Soviet Presidium and the USSR Council of Ministers of March 19, 1981 on Further Enhancing the Role of Soviets of People's Deputies in Economic Development, in: *Gazette of the USSR Supreme Soviet*, 1981, No. 13, Item 436; Decision of the CPSU Central Committee, the USSR Supreme Soviet Presidium and the USSR Council of Ministers of July 25, 1986 on Measures to Further Enhance the Role and Strengthen the Responsibility of the Soviets of People's Deputies for Accelerating Social and Economic Development in the Light of the Decisions of the 27th CPSU Congress, in: *Gazette of the USSR Supreme Soviet*, 1986, No. 31, Item 593 (in Russian).
- ⁵ *19th All-Union Conference of the CPSU. Documents and Materials*, Novosti Press Agency Publishing House, Moscow, 1988, pp. 130-40.
- ⁶ Mikhail Gorbachev, *Creative Effort of the People*, Novosti Press Agency Publishing House, Moscow, 1984, p. 13.
- ⁷ Karl Marx, "The Civil War in France", in: Karl Marx and Frederick Engels, *Collected Works*, Vol. 22, Progress Publishers, Moscow, 1986, p. 332.
- ⁸ V. I. Lenin, "The Boycott of the Bulygin Duma, and Insurrection", *Collected Works*, Vol. 9, 1977, p. 187.
- ⁹ V. I. Lenin, "Can the Bolsheviks Retain State Power?", *Collected Works*, Vol. 26, 1977, p. 114.
- ¹⁰ V. I. Lenin, "Original Version of the Article 'The Immediate Tasks of the Soviet Government'", *Collected Works*, Vol. 27, 1977, p. 212.
- ¹¹ V. I. Lenin, "Draft Programme of the R.C.P.(B.)", *Collected Works*, Vol. 29, 1977, p. 109.

- ¹² See Mikhail Gorbachev, *Political Report of the CPSU Central Committee to the 27th Party Congress*, Novosti Press Agency Publishing House, Moscow, 1986, pp. 69-70.
- ¹³ From this point of view, of interest are the proposals submitted by B. A. Strashun concerning the development of self-government at the place of people's residence, particularly through expanding the range of functions and improving the structure of local community bodies in town estates. See B. A. Strashun, "To Develop Self-Government Where the People Live", *Kommunist*, 1986, No. 12, pp. 53-55.

Chapter Two

- ¹ This question has been most exhaustively studied by B. A. Strashun. See his work *Socialism and Democracy (Socialist Popular Representation)*, Moscow, 1976. See also: *The Representative System of a Socialist State*, Moscow, 1981; Ye. I. Kolyushin, *Socialist Local Popular Representation*, Ivanovo, 1981 (in Russian).
- ² See A. I. Kim, *State Authority and Popular Representation in the USSR*, Tomsk, 1975, p. 129 (in Russian).
- ³ On the contemporary role of Soviets of People's Deputies in revealing and coordinating social interests, especially in the lawmaking activity, see S. Sabikenov, *The Law and Social Interests*, Alma Ata, 1986, pp. 137-56 (in Russian).
- ⁴ See *Rules of the Communist Party of the Soviet Union, Approved by the 27th Congress of the CPSU, March 1, 1986*, Novosti Press Agency Publishing House, Moscow, 1986, p. 25.
- ⁵ See A. T. Leizerau, *The Soviet Electoral System*, Minsk, 1974, pp. 89-110 (in Byelorussian).
- ⁶ On the functions of Soviets, see *Soviets of People's Deputies and the Development of Socialist Democracy*, Moscow, 1976, pp. 37-48 (in Russian).
- ⁷ See Decision of the CPSU Central Committee on the Tasks of Party Organisations in Connection with the Preparations for and Holding the Elections to the USSR Supreme Soviet of the 11th Convocation. It stresses the need to ensure adequate representation of both women and young people and veterans, as well as engineers of medium level and employees in the services (see *Pravda*, December 20, 1983).
- ⁸ In the laws on the elections to the Supreme Soviet of the USSR, the Supreme Soviets of Union and Autonomous republics and local Soviets of People's Deputies, the articles that have a direct bearing on the nomination of candidates, their registration and entering their names on the ballot proceed from the possibility to nominate more than one candidate per constituency. For instance, Art. 44 of the USSR Law on the Elections to the Supreme Soviet of the USSR (July 6, 1978) dealing with the ballot states that "voting-paper shall include in alphabetical order all candidates nominated as Deputies for the constituency" (see *Legislative Acts of the USSR 1977-1979*, Book One, Progress Publishers, Moscow, 1981, p. 230). Similar provisions are contained in other laws.
- ⁹ As Yu. A. Tikhomirov states, the use of the forms of direct democracy for participation in discharging various administrative functions is not uniform. The citizens tend to be involved more in control than in deci-

- sion-making. To eliminate this disproportion is one of the objectives of the Soviets' mass organisational work (see Yu. A. Tikhomirov, *Socialism and Political Activity*, Moscow, 1984, p. 154, in Russian).
- ¹⁰ See M. A. Nagornaya, *Information in the Local Soviets' Practical Work*, Moscow, 1986, p. 39 (in Russian).
- ¹¹ See A. G. Leizerov, *The Constitutional Principle of Glasnost in the Work of Soviets of People's Deputies*, Minsk, 1981; V. A. Kryazhkov, *Soviets and the Mass Media: Legal and Organisational Issues*, Sverdlovsk, 1985 (in Russian).
- ¹² See V. A. Kryazhkov, "Discussion by Citizens of Draft Decisions Adopted by Local Soviets", in: *Sovetskoye gosudarstvo i pravo* (The Soviet State and Law), 1983, No. 8, pp. 55-63; *The System of Urban Administrative Bodies (An Attempt at a Sociological Analysis)*, Leningrad, 1980, pp. 199-206 (in Russian).
- ¹³ Such a practice has evolved in a number of district Soviets in Moscow (see *Bulletin of the Executive Committee of the Moscow City Soviet of People's Deputies*, 1984, No. 10, p. 11, in Russian).
- ¹⁴ As concerns civic organisations, these questions have been considered in books devoted both to general questions of these bodies' position in the political system of Soviet society and their constitutional status, and concrete types of organisations and their interaction with state bodies (see, for instance, *Theoretical Questions of Civic Organisations*, Moscow, 1977; A. I. Shchiglik, *The Regularities of the Establishment and Development of Civic Organisations in the USSR*, Moscow, 1977; *The Constitutional Status of Civic Organisations in the USSR*, Moscow, 1983; *Enhancing the Role of Soviets and Improving Their Relations with Civic Organisations*. Ed. by M. Teshabayev, Tashkent, 1978; D. V. Shutko, *Soviets of People's Deputies and Civic Organisations*, Moscow, 1979; Yu. M. Kuznetsov, L. M. Pavlova, *Trade Unions and Soviets of People's Deputies*, Moscow, 1977; T. M. Melnik, *Local Soviets and Civic Organisations*, Moscow, 1980; I. I. Ilyinsky, *The Young Communist League in the Political System of Soviet Society*, Moscow, 1981; *Civic Organisations in the Political System of Society: Aspects of Their Relations with the Party, State Bodies and Work Collectives*. Ed. by Ts. A. Yampolskaya, Moscow, 1984 (in Russian).
- ¹⁵ See *Gazette of the USSR Supreme Soviet*, 1986, No. 37, Item 782 (in Russian).
- ¹⁶ See, for instance, P. F. Chaly, *The Legal Status of the Commissions under the Executive Committees of Local Soviets of People's Deputies*, Kiev, 1979 (in Russian).
- ¹⁷ See Mikhail Gorbachev, *Political Report of the CPSU Central Committee to the 27th Party Congress*, pp. 74-75; *Resolution of the 27th Congress of the Communist Party of the Soviet Union on the Political Report of the CPSU Central Committee*, 146-47; *Gazette of the USSR Supreme Soviet*, 1986, No. 37, Item 782.
- ¹⁸ See *Local Community Bodies*, Moscow, 1984 (in Russian).
- ¹⁹ A thorough analysis of the status and the features of voluntary societies can be found in the work; *Voluntary Societies Under Socialism*. Ed. by Ts. A. Yampolskaya, Moscow, 1976, p. 372 (in Russian).
- ²⁰ *Some Questions of the Organisational Work of Local Soviets of People's Deputies in 1985*. A Collection of Statistical Data, Moscow, 1986, p. 51. Functioning in Georgia are over 41,000 street, block, and house com-

- mittees, women's councils, parents' committees, comrades' courts and voluntary public order teams uniting about 500,000 people (see *Gazette of the USSR Supreme Soviet*, 1986, No. 31, Item 594, in Russian).
- 21 On cooperation between local Soviets and their executive committees and local community bodies, see *The Executive Committees of Local Soviets of People's Deputies*, Moscow, 1983, pp. 225-45 (in Russian).
 - 22 Town estate councils have been elected in 56 estates of Tbilisi, Sukhumi, Kutaisi, Rustavi and other towns. See *Gazette of the USSR Supreme Soviet*, 1986, No. 31, Item 594.
 - 23 See *Civic Organisations and Local Community Bodies in the USSR*, Moscow, 1985, pp. 71-72 (in Russian).
 - 24 On the advisability of instituting town estate civic councils' control with due account of experiences accumulated in the Georgian SSR, see B. A. Strashun, "To Develop Self-Government Where the People Live", *Kommunist*, 1986, No. 12, p. 54.
 - 25 Noteworthy among the juridical monographic studies of work collectives are: *Work Collectives in the System of Soviet Socialist Democracy*, Moscow, 1979; V. A. Maslennikov, *Work Collective and Its Constitutional Status*, Moscow, 1984, p. 167; V. D. Sorokin, *Work Collective: Political, Social and Legal Aspects*, Leningrad, 1984, p. 64 (in Russian).
 - 26 The cooperation between Soviets and work collectives based on the provisions of Soviet Constitution and the Law on Work Collectives is increasingly becoming an object of various social and legal studies (see, for instance, Yu. N. Todyka, *Local Soviets and Work Collectives*, Kishinev, 1983, p. 137, in Russian). The problem of the cooperation between local bodies of state authority and work collectives was discussed at the special practical-scientific conference held in Sverdlovsk in April 1985. Its documents and recommendations were published in the book *The Soviets of People's Deputies and Work Collectives*, Sverdlovsk, 1986 (in Russian).
 - 27 An original point of view on the nature of work collectives was expounded by V. T. Prokhorov. He believes that work collectives of state enterprises and other organisations are state-and-civic formations (see V. T. Prokhorov, *The Legal Foundations of the Cooperation Between Local Soviets and Work Collectives*, Sverdlovsk, 1985, p. 57, in Russian).
 - 28 For more detail, see A. I. Lepyoshkin, *Soviets: Government by the Working People, 1917-1936*, Moscow, 1966, pp. 426-27, 510-15, 558-59 (in Russian).
 - 29 See, for instance, the Resolution of the USSR Supreme Soviet Presidium on the Practice of Guiding the Work of Deputies' Groups and Local Community Bodies by the Soviets of People's Deputies of the Georgian SSR in the Light of the Decisions Formulated by the 27th CPSU Congress, in: *Gazette of the USSR Supreme Soviet*, 1986, No. 31, Item 594.

Chapter Three

¹ *Izvestia*, June 25, 1989.

² *Kommunist*, 1988, No. 10, p. 30.

³ See Decision of the CPSU Central Committee and the USSR Council of Ministers of November 14, 1985 on Further Improving the Administration of the Agro-Industrial Complex, in: *Collected Decisions of the*

USSR, 1985, No. 34, Item 160 (in Russian).

⁴ See *Gazette of the USSR Supreme Soviet*, 1988, No. 22, Item 355 (in Russian).

⁵ See *Izvestia*, September 13, 1986.

⁶ For more detail, see S. S. Almanov, *Legal Regulation of Relations Evolved in Employing the Means of Socialist Organisations in Housing and Civil Construction on a Shareholders' Basis*, Irkutsk, 1985 (in Russian).

⁷ See S. A. Avakyan, *Soviets and Economic Management*, Moscow, 1985, p. 79 (in Russian).

⁸ In Tomsk, for instance, enterprises finance 35 per cent of housing and communal and cultural construction. See: *Izvestia*, May 15, 1986.

⁹ See *Theoretical Problems of Regional Management*, Saransk, 1984, p. 10; V. S. Martemyanov, *The Economic Rights of Local Soviets*, Moscow, 1981 (in Russian).

¹⁰ See *Gazette of the USSR Supreme Soviet*, 1981, No. 13, Item 436.

¹¹ This aspect of the problem is justly emphasised in the book *Soviets of People's Deputies: Their Guidance over Economic and Social Development*, Kiev, 1986, pp. 11 et al (in Russian).

¹² *Izvestia*, May 15, 1986.

¹³ See, for instance, Yu. V. Todorsky, *The Local Soviets' Administration of Socialist Industry*, Moscow, 1982, pp. 34-37 (in Russian).

¹⁴ In the RSFSR, in a number of cities of regional subordination, public transport, communal services, public catering, water supply and a number of other services have been largely withdrawn from the system of urban administrative bodies and concentrated under the jurisdiction of regional Soviets. The administrative fragmentation of the urban services network complicates administration in this field and affects the quality of services at the disposal of people (see *The System of Urban Administrative Bodies*, Leningrad, 1980, pp. 48-49, in Russian).

¹⁵ See *Kommunist*, 1986, No. 8, p. 21.

¹⁶ A case in point is the Sverdlovsk Region. See *Problems of Party and State Development*, Moscow, 1984, p. 105 (in Russian).

¹⁷ See *Gazette of the USSR Supreme Soviet*, 1981, No. 13, Item 436.

¹⁸ "The USSR's economy has historically developed for a long time along the industrial principle, while territorial administration was allocated secondary roles," write L. Zlomanov and V. Lyubovny (see *Kommunist*, 1986, No. 8, p. 18). See also A. Illarionov, "The Plan and the Regional Plan", *Izvestia*, March 28, 1986; N. I. Akuyev, M. T. Baimakhanov, M. A. Beender, *Regional Soviets and Industrial Enterprises of Higher Subordination*, Alma Ata, 1982, in Russian).

¹⁹ See the General Statute on the Ministries of the USSR Approved by the Decision of the USSR Council of Ministers of July 10, 1967; in: *Collected Decisions of the USSR*, 1967, No. 17, Item 116; Decision of the CPSU Central Committee and the USSR Council of Ministers of July 12, 1979 on Improving Planning and Increasing the Influence of the Economic Mechanism on Raising the Efficiency of Production and the Quality of Work, in: *Collected Decisions of the USSR*, 1979, No. 18, Item 118 (in Russian).

²⁰ See *Recommendations on Legal Questions of the Participation of Production Amalgamations of the Ministry of Electrical Engineering Industry in Territorial Planning and Cooperation of the Means Allocated to Develop the Production and the Social Infrastructure*, Moscow, 1984, p. 7 (in

- Russian).
- 21 See *Soviets of People's Deputies and Work Collectives*, Sverdlovsk, 1986, p. 100 (in Russian).
 - 22 See *Methodological Directions Pertaining to the Drafting of the RSFSR Economic and Social Development Plans*, Moscow, 1985, pp. 402, 405, 422 (in Russian).
 - 23 See A. A. Selivanov, *The Territorial and Industrial Principle in the Administration of the National Economy*, Kiev, 1985, p. 70 (in Russian).
 - 24 See *Sotsialisticheskaya industriya*, June 15, 1988.
 - 25 See *Gazette of the USSR Supreme Soviet*, 1978, No. 49, Items 795, 796; 1980, No. 27, Item 526.
 - 26 The USSR Ministry of Finance, the USSR State Planning Committee and the USSR State Committee for Construction have defined the procedure of determining and using the resources saved. Decisions on implementing projects that yield an economic effect are adopted by agreements between local Soviets and corresponding enterprises and amalgamations. Part of the resources saved is transferred to the local Soviets' bank account in the branches of the USSR State Bank known as the fund of additional financial resources (see *Sovety narodnykh deputatov* (Soviets of People's Deputies), 1987, No. 2, pp. 21-22).
 - 27 Such practices are being increasingly supported by the local Soviets (see, for instance, *Izvestia*, March 28, 1986).
 - 28 See *On the Radical Reconstruction of Economic Management*, Moscow, 1987, p. 208 (in Russian).
 - 29 *19th All-Union Conference of the CPSU. Documents and Materials*, Novosti Press Agency Publishing House, Moscow, 1988, pp. 157-60.
 - 30 See M. N. Tarasenko, *Legal Regulation of the Local Soviets' Work to Utilise Production Resources*, Moscow, 1985, pp. 119-20 (in Russian).
 - 31 See I. A. Azovkin, *Administration and Control in the Activities of the Higher Bodies of State Authority in the USSR*, Moscow, 1986 (in Russian).
 - 32 *Sovety narodnykh deputatov* (Soviets of People's Deputies), 1986, No. 5.
 - 33 See *Soviets of People's Deputies and the Soviet Economy*, Moscow, 1985, pp. 280-82 (in Russian).
 - 34 See N. G. Zhavoronkova, *The Work of the Soviets of People's Deputies in the Sphere of Nature Conservation*, Moscow, 1985, pp. 28-44.
 - 35 For more detail, see A. V. Luzhin, *The Administrative-Territorial System of the Soviet State*, Moscow, 1969, pp. 61, 73 et al (in Russian).
 - 36 On the contemporary system of subordination of administrative-territorial units and corresponding Soviets, see *Soviets of People's Deputies: Constitutional Foundations of Their Organisation and Activities*, Moscow, 1981, pp. 68-72 (in Russian).
 - 37 See E. I. Korenevskaya, *Local Soviets in the Conditions of Territorial Concentration of Production*, Moscow, 1984, pp. 130-67 (in Russian); *The Influence of Urbanisation on State Administration in the European Socialist Countries*, Budapest, 1978, Vol. II, pp. 150-55 (in Russian).
 - 38 On joint administration of the city and the adjacent territories, see L. A. Tranin, *The Administrative-Territorial System of the Bourgeois State*, Moscow, 1984 (in Russian).
 - 39 I. A. Azovkin believes that, with reference to the central regions of the European part of the RSFSR, the desirable population of the territory subordinate to the village Soviet should be 3,000-5,000, with the distance

between any township and the centre not exceeding 15 km. See *Soviets of People's Deputies: Constitutional Foundations of Their Organisation and Activities*, p. 72.

- ⁴⁰ See Point 9 of the Statute on Village, Street and Block Civic Committees in the Residential Communities of the RSFSR adopted on September 3, 1985: in: *Gazette of the RSFSR Supreme Soviet*, 1985, No. 37, Item 1308; Point 14 of the Statute on the Citizens' Meetings at the Place of Residence, and on Village, Street, Block and House Civic Committees in the Byelorussian SSR, in: *Code of Laws of the Byelorussian SSR*, 1981, No. 11, Item 201 (in Russian).
- ⁴¹ E. I. Korenevskaya, *op. cit.*, pp. 74-76; V. A. Perttsik, *Territorial and Regional Soviets of People's Deputies and Territorial-Production Complexes in the RSFSR*, Moscow, 1986 (in Russian).
- ⁴² See *The System of Urban Administrative Bodies*, Leningrad, 1980, pp. 47-54 (in Russian).
- ⁴³ See Decree of the RSFSR Supreme Soviet Presidium of July 1, 1982 on the Sections and Subsections of Executive Committees of the Territorial and Regional Soviets of People's Deputies, the Soviets of People's Deputies of Autonomous Regions and Autonomous Areas and of District, Town and Town District Soviets of People's Deputies of the RSFSR, in: *Gazette of the RSFSR Supreme Soviet*, 1982, No. 27, Item 941; 1986, No. 23, Item 637 (in Russian). Similar decrees have been adopted in other Union republics as well.
- ⁴⁴ See *Gazette of the Supreme Soviet and the Government of the Estonian SSR*, 1972, No. 12, Item 112 (in Russian).
- ⁴⁵ See *Pravda*, March 1, 1986.
- ⁴⁶ See V. A. Perttsik, *Problems of Local Self-Government in the USSR*, Irkutsk, 1963, p. 287 (in Russian).
- ⁴⁷ In some socialist countries, the ministries and departments still perform normative regulation of the activities of local branch management bodies, while the latter's relations of subordination develop only "horizontally", i.e., with corresponding local bodies of state authority and local administrative bodies with general competence (the Hungarian People's Republic and the Polish People's Republic). In the Czechoslovak Socialist Republic, the "vertical" subordination of the departments of the National Committees' councils does not cover locally significant issues that lie within the autonomous jurisdiction of the National Committee (see Ye. I. Kolyushin, *The Principal Organisational and Legal Forms of Activity of Local Bodies of Popular Representation in the Socialist Countries*, Ivanovo, 1986, pp. 85-86 (in Russian).
- ⁴⁸ *Izvestia*, June 25, 1989.

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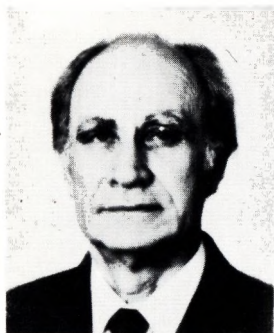
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Thus, local Soviets have to discharge their functions of guiding the social and economic

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and self-repayment.



Professor Georgi Barabashev (b. 1929), D. Sc. (Law), is head of the Constitutional Law and Soviet Building Department at the Law Faculty of Moscow State University, Doctor of Laws *Honoris Causa* of Budapest University. An expert in the field of Soviet constitutional law and Soviet building. Author of over 180 works on the subject, as well as on constitutional law of other socialist and bourgeois countries, which include *The Municipal Bodies of the Modern Capitalist State* and a textbook for law colleges *Soviet Building* (in collaboration with Konstantin Sheremet). Georgi Barabashev is a deputy of the Moscow City Soviet of People's Deputies of several convocations, and deputy of the Leninsky District Soviet of Moscow.



Professor Konstantin Sheremet (b. 1923), D. Sc. (Law), Doctor of Laws *Honoris Causa* of the GDR Academy of State and Legal Sciences. An expert in the field of constitutional law and Soviet building. Author of many works on the subject of Soviet legislation and the legislation of other socialist states and co-author of major monographs. The best known are *The Competence of Local Soviets*, *Village Soviet: Issues of Legal Status*, *Soviets of People's Deputies: the Constitutional Foundation of Their Organisation and Work*, and *Soviets of People's Deputies and the Soviet Economy*. In collaboration with Georgi Barabashev, he has written the textbook *Soviet Building* intended for law students, and a number of other works. Konstantin Sheremet is the editor-in-chief of the *Soviet State and Law* journal.

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