

Munich, 12 February 1967 (SAD/Stankovic)

Summary: This paper, a release of Yugoslav Situation Report/18, Radio Free Europe Research, 20 November 1966, item 7, gives the background to the debates that have begun on amending the unwieldy constitution of 1974. Additional papers will be issued as concrete information on the discussions becomes available.

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Yugoslavia's Constitution is to be amended. The collective State Presidency (composed of eight representatives from the country's six republics and two autonomous provinces, plus the President of the CC Presidium as an *ex officio* member) will propose amendments to the National Assembly by the end of this year.¹ The changes will touch on a number of vital issues affecting the nature and survival of this complex, multinational state.

The Constitutional Commission of the Yugoslav National Assembly set on October 20 and formed a Coordinating Group, headed by Hamdija Ponderac, Bosnia-Herzegovina's representative in the State Presidency, to consider all the proposals for changes before they are submitted to the State Presidency, which will then send them to the full National Assembly for final approval.²

The Constitutional Commission agreed that a new approach should be taken to the following six issues when proposing the amendments:

- 1 Public ownership;
- 2 Relations between the constituent republics and autonomous provinces and the central government;
- 3 How to create a united Yugoslav market;
- 4 How to protect the common interests of the country as a whole;
- 5 The system of planning on a federal basis; and
- 6 The status of the Socialist Republic of Serbia (which is the only constituent republic encompassing two autonomous provinces, Vojvodina and Kosovo).

In addition, it was suggested that "many other constitutional provisions, not sufficiently elaborated on or not capable of realization, should also be discussed."³

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Historical Background. Yugoslavia has had four constitutions since it was founded in 1945. The first (simply a copy of the Soviet Constitution) was proclaimed on 31 January 1946. After the break with Moscow in June 1948, Tito wished to change the constitution; and on 12 January 1953 a so-called Constitutional Law was adopted. This unofficial constitution lasted 10 years. On 7 April 1963 the third constitution, containing 238 articles, was proclaimed. It was described by the leadership as "progressive and modern."

The April 1963 constitution was amended three times. Amendments 1 through 6 were adopted in April 1967, 7 through 18 in December 1968, and 20 through 42 in July 1971. Because the amendments were so extensive, it was decided that a new constitution should be drawn up. The result was the fourth and current constitution. It was proclaimed on 27 February 1974 and has 408 articles.

Its authors praised it for having given the working people, "for the first time in the history of the world, the right to manage the results of their work" and for having made them "their own representatives, deputies, and committees." Its system for selecting delegates, however, is complex almost beyond description. In their time, each of the three previous constitutions had been described as "the best in the world"; and the only reason for replacing them, it was said, was to adapt to the "revolutionary changes" taking place in the country. Perhaps a more realistic note was sounded when, on the very day the February 1974 constitution was proclaimed, a senior party leader, Veljko Milatovic of Montenegro, said that "all the political institutions of our system have been bogged down in a crisis" and that "the situation has gotten worse" with every postponement of change.³

The Reasons for the Impending Changes. Party propaganda claimed that the February 1974 constitution was designed to strengthen both the working class in general and the workers' self-management system in particular. In addition, however, it clearly strengthened the republics and provinces at the expense of the central government in Belgrade. So long as Tito was alive, no one dared criticize the constitution openly. After his death in May 1980 the country's economic and political situation became even more grave. Although it has taken them six years to do so, the leadership has now come to the same conclusion that Milatovic had arrived at in 1974, that to delay reforming the system can only make the situation worse.

The remedying of the country's protracted economic crisis, the leadership realizes, has been impeded by Yugoslavia's decentralized, federal system. The proposed amendments to the constitution are therefore intended to reduce the strength of the six republics and two autonomous provinces. This will inevitably run into strong opposition from the regional rulers, who have their own constitutions and great power.

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A Slow Process. One of the most controversial amendments is considered to be that dealing with the status of the Socialist Republic of Serbia. Articles 1 and 2 of the current constitution state that the autonomous provinces of Vojvodina and Kosovo "are constituent parts of the Socialist Republic of Serbia," although both provinces have their own constitutions and are independent of both Serbia's National Assembly and its government. As a consequence, the Albanians living in Kosovo (77.4% of the province's population), have demanded that Kosovo be given "complete autonomy" and that it become a separate republic. The Serbian government has continued to reject this demand, and it forcibly suppressed the riots that took place in Kosovo over this issue. It is difficult to see how this problem could be resolved in a way that would satisfy both the ethnic Albanians in the province and the Serbs and Montenegrins there. It is precisely this impasse that besets particularly ill both for ethnic peace in the area and for the unity of Yugoslavia.

The author of a recent article in a Belgrade daily said that the changes in the Yugoslav Constitution would take "at least two years" to complete and that in these two years the problems might get even worse. He then asked the "heretical question," as he put it, that is asked "by all ordinary people": "What is our real purpose? To find a way out of the crisis or to deepen it even further?"

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1. Beryozje Novosti (Belgrade), 14 October 1966.
2. Buzna (Belgrade), 21 October 1966.
3. Ibid.
4. Ibid., 22 February 1974.
5. Politika (Belgrade), 23 February 1974.
6. Buzna, 18-19 October 1966.

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Munich, 12 January 1967 (RAH/Stankovic)

Summary: On January 19, after 37 years of waiting, Milovan Djilas, Yugoslavia's most prominent dissident and at one time the most important leader after Tito, was finally issued a passport. His old passport had been canceled in 1970 as a punishment for his having acted in a "hostile manner" toward Tito's regime while in the West in 1949. The return of his passport came exactly 33 years after he was deprived of his party and state functions.

This is a release of a paper written on 27 February 1964 for the 10th anniversary of Djilas's expulsion on 19 January 1964.

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From 15 to 19 January 1964 the Central Committee of the League of Communists of Yugoslavia convened in Belgrade under Tito's leadership to settle accounts with Milovan Djilas, who until then had been considered Tito's heir apparent. His alleged crime was that he had thoroughly studied Titoism and had insisted that it be accepted not only in theory but also in practice. In other words, Djilas had seen that one of the Yugoslav party's weakest points was its refusal to accept the practical consequences of what it preached.

Djilas's story is interesting, because he was one of the rare communist leaders who dared to question the foundations of communist ideology--and not just because he had lost an argument within the party over some minor issue of the day. His rebellion at the height of his power came as a surprise--it was practically a sensation--because Djilas, like most of the Yugoslav party leaders, had been so orthodox in the years after the war (1945-1948) that he was sometimes an embarrassment even to the Soviets. Today, both his former communist colleagues and noncommunist opponents are competing to reveal as many of Djilas's alleged war crimes as possible.

Whether people like or dislike what he did or disagree with what he has been preaching for the past three decades, they cannot deny that the irreconcilable clash between democratic reforms and the rule of a single party would have emerged even without Djilas. Reformist pains have plagued almost all communist-ruled countries throughout the world in the last 30 years and there is little chance that they will soon abate.

Tito's Conflict with Moscow. The source of Djilas's conflict with Tito was Tito's own conflict with Stalin. Stalin and Tito could not agree on anything, and the same was true of Tito and Djilas. There had been a time when it was considered naive to believe that the reformist impulses lying behind Tito's heroic struggle against Stalin would end with Belgrade's

proclamation of Yugoslavia's independence from the bloc. In November 1953 the Sixth Congress of the Communist Party of Yugoslavia (which changed the party's name to the League of Communists of Yugoslavia) had not only protested against "Stalinist tyranny" but also against certain fundamental issues of communist theory and practice. Because Tito had given the green light, Djilas began to modify traditional theories, until Tito was forced to intervene in January 1954.

The two years between the November 1953 congress and the January 1954 expulsion of Djilas were as important as the years of Tito's struggle against Stalin. According to Djilas:

The Yugoslav communist party [during that time] overcame an ideological crisis and began redefining its familiar Leninist-Stalinist values. The Soviet regime was defined by the Yugoslavs as "state-capitalist." The Soviet superiority of the Baltic States and of Eastern Europe was condemned as "imperialistic" and "Yugoslav," and the absolute power of the secret police branded as a betrayal of socialism and democracy. Admittedly there were still no internal reforms in Yugoslavia then [1953]. But the break with the Soviet Union, which seemed radical at the time, raised hopes within the country and revealed new perspectives.¹

What Djilas said was true of the period after 1949. During the first year following Tito's "excommunication," however, Tito and his colleagues vehemently denied that they had had any disagreements with Stalin about theory or that they were anything but the most orthodox Stalinists. They abandoned this position only when it became obvious that Stalin was not ready to forgive Tito's alleged mistakes and that Stalinism was not the best ideology for fighting Stalin. Still, while Tito used Stalinist methods to fight his internal enemies, he encouraged Djilas to find new ways of "constructing socialism."

This was why in late 1953, when the "Stalinist type of Titism" was obviously ebbing, Djilas began to publish a series of articles denouncing the privileges and caste structure of the upper echelons of the Yugoslav party, which he referred to in 1957 as "the new class." He called for "real freedom," which meant the abolition of one-party communist rule.

Idealism and Obsession with Power. According to Djilas, "idealism and obsession with power" are inherent in every revolution until the moment of victory. Having assumed power, the Communists usually forget their former idealism and concentrated on defending their monopoly of power and privileges. It was this monopoly of power that Djilas mercilessly attacked in his articles in Serbia at the end of 1953 and the beginning of 1954. Everyone thought that he was writing under Tito's instructions and consequently (with several exceptions) applauded.

It appears that Djilas foresaw his own fate. In an article on 24 December 1954 he said that his aim was "to escape from the unreal, abstract world of the 'white' and 'chosen' men and to enter at least the real world of simple, hard-working people and ordinary human relationships." His comrades, however, were not prepared like him to question their right to enjoy the fruits of power and privilege for which they had fought so bitterly, first against the old royalist regime and the Axis powers and then against Stalin and Moscow. By the time Djilas had voiced his appeal, it was already too late.

No politically significant groups were receptive to the appeal, since Stalin was already dead and Tito was trying to make peace with Stalin's successors by the time that Djilas began to publish his "heretical" articles. Titoism had evidently triumphed: it was no longer labeled "a form of fascism," and Tito and his colleagues were no longer "fascist murderers." Djilas, on the other hand, had become an obstacle to the process of reconciliation. On 16 January 1954 this obstacle was removed, but Djilas's claim that Tito's rule was essentially a bureaucratic oligarchy unwilling to surrender even the smallest part of its political power has remained valid.

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1. *Excerpt*, September 1979, p. 43.

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