

Štiks, Igor. "Brothers as Partners: Centrifugal Federalism, Confederal Citizenship and Complicated Partnership." *Nations and Citizens in Yugoslavia and the Post-Yugoslav States: One Hundred Years of Citizenship*. London: Bloomsbury Academic, 2015. 71–88. *Bloomsbury Collections*. Web. 29 Jan. 2018. <<http://dx.doi.org/10.5040/9781474221559.ch-005>>.

Downloaded from Bloomsbury Collections, www.bloomsburycollections.com, 29 January 2018, 16:34 UTC.

Copyright © Igor Štiks 2015. You may share this work for non-commercial purposes only, provided you give attribution to the copyright holder and the publisher.

Brothers as Partners: Centrifugal Federalism, Confederal Citizenship and Complicated Partnership

Centrifugal federalism, 1967–1974

Introducing centrifugal federalism: The constitutional amendments, 1967–1971

Between 1967 and 1974 Yugoslavia entered a period of intensive constitutional change that started with a series of amendments to the 1963 Constitution and ended with the adoption of a new Yugoslav Constitution in 1974, its fourth in thirty years. One could claim that these changes transformed the country into a confederation of its republics. The centrifugal dynamic of transferring ever more powers from the federal centre to the subunits soon reached the point of making the centre dependent on consensus among quasi-independent republics, empowered even with certain prerogatives usually reserved for sovereign states in the international system.

Centrifugal federalism started to determine political life in Yugoslavia in April 1967 with the adoption of the first six constitutional amendments. Curiously, these far-reaching changes were adopted at the initiative of the Bosnian leadership that, unsatisfied with a decision of the Managing Board of the federal fund for allocation of resources for underdeveloped regions, had convened a special meeting of the Chamber of Nationalities (Burg 1983: 67–68). This usually passive institution got, politically speaking, a second wind and demanded changes in the Constitution that would assure a more important political role for the republics and a more potent political role for the Chamber itself. The reforms were clearly going in the direction of reducing the power of the Federation (see Haug 2012: 203–212; Hondius 1968: 325–326; also Burg 1983; Ramet 2006; Rusinow 1977).

The first constitutional amendment revitalized the Chamber of Nationalities. Beforehand, this Chamber had mandatorily convened only when constitutional changes were debated. Now it acquired an equal status to the Federal Chamber itself. This, in turn, enhanced the power of the republics and, surprisingly, of the autonomous provinces. At the urging of Kosovo and Vojvodina, the minimum number of delegates entitled to convene the session of the Chamber was reduced from ten to five, which happened to be the number of delegates of each autonomous province. Subsequently, this allowed them to act more independently from Serbia. One amendment (4) clearly confirmed the decentralization trend. From then on, the republican public prosecutors were to be appointed by the republican assemblies and not by the federal public prosecutor, which was the direct result of the fall of Ranković a year earlier. The state security apparatus was consequently put under not only federal but also republican control as well (amendment 4, point 1), whereas only the Yugoslav army was left under the exclusive jurisdiction of the centre.

Although these steps were relatively modest in scope, voices discussing the confederalization of Yugoslavia were immediately heard (see Burg 1983: 67; Hondius 1968: 329; Rusinow 1977: 226). Hondius, who finished his study just after the adoption of the amendments, could not have known that this was only the beginning of the progressive confederalization of what he then already called the 'genuine federation' (1968: 329).

The new amendments adopted in 1968 and 1971 not only confirmed the general trend but also went even further. They inevitably brought back to the table 'the national question' or, more ominously, suggested that it was not properly 'solved'. 'Once the amendment process has been initiated,' Burg emphasizes, 'it opens the door for further debate not only over relationships between the constituent units but also over relationships between the nations that inhabit them' (1983: 68). 'It was an irony of history,' Hondius concludes, 'which, in 1967, made Bosnia and Hercegovina take the initiative for the first meeting of the Chamber of Nationalities, which led eventually to a confirmation of the link between peoples and Republics' (1968: 343). More than two decades later, Bosnia, as the only true multinational republic, became the greatest victim of the principle that independent states, after the collapse of Yugoslavia, should be the homogenous nation-states of their ethnic majorities with their borders redrawn accordingly: the principle that would brutally attempt to eliminate its only true (Bosnian) exception.

In December 1968, another set of amendments (numbers 7–19) further empowered the Chamber of Nationalities. The Federal Chamber of the Federal Assembly was abolished with all competences delegated to the Chamber of

Nationalities now consisting of twenty deputies from the republics and ten from the provinces. Since all federal legislation had to be approved by the Chamber of Nationalities, it automatically turned it into the most powerful chamber.

As mentioned above, the flip side of the process of the confederalization of Yugoslavia was the federalization of Serbia, which also started in 1967 and 1968 and was confirmed in the 1974 Constitution. Amendment 7 constitutionally redefined the autonomous provinces as constitutive units of the Federation; they were not mentioned as constitutive parts of Yugoslavia in article 2 of the 1963 Constitution. Vojvodina and Kosovo were basically made equal to the republics. The provinces acquired their own supreme courts and their borders could not be altered without their consent. The League of Communists of Serbia was reorganized and separate Leagues of Communists were established in Kosovo and Vojvodina. Also, all rights usually guaranteed to the constituent peoples of Yugoslavia were guaranteed to all ethnic non-South-Slavic minorities (in this case Albanian and Magyar minorities) such as the use of a national language in public institutions. Nevertheless, the provinces remained subordinated to Serbia's sovereignty. They had neither the right to secede nor the right to their proper citizenship laws, their own police or territorial defence forces. Technically speaking, Serbia was not partitioned into three areas (Vojvodina, Kosovo and Serbia proper). Serbia proper was mostly used as a regional term but was not a political entity, although only in Serbia proper could the Serbian authorities act without confronting the obstacles of the provincial autonomies. In other words, within Serbia, two regions acquired a large autonomy, but remained under Serbia's nominal sovereignty.

In his 2003 study, Dejan Jović dedicates a whole chapter to the reasons why Serbia accepted the constitutional changes between 1967 and 1974 that eventually amounted to its proper federalization (2003a: 157–207). Jović argues that Serbia's political elite accepted Kardelj's ideas on the constitutional changes in Yugoslavia precisely because it saw in these changes the realization of both Serbia's national interests and the general ideological interest of Yugoslav socialist society. The changes were supposed to guarantee the preservation of Yugoslavia with Serbia as equal partner to the other republics and ethnic groups within and without Serbia (eliminating the possibility that Serbia could be accused of dominating and exploiting the others). But if this rationale prevailed among anti-nationalist and liberal-minded Serbian communists, other segments of Serbian society, the cultural and literary scene and, later in the 1980s, the political establishment as well, immediately started to question Serbia's role in the federation, claiming that the constitutional changes were to Serbia's disadvantage.

A year later, in 1969, each Yugoslav republic acquired one of the most important elements of sovereignty and statehood, namely, a proper military force. The new defence law established republican territorial defence forces (*teritorijalna o(d)brana*)¹ – and put them under exclusive republican control. In June 1971, a new series of twenty-two constitutional amendments was adopted. The end result of these amendments was the further reduction of the federal authorities' powers. Amendment 20 – that was to be incorporated into the 1974 Constitution – confirmed the republics' sovereignty, including all sovereign powers except those reserved exclusively for the Federation, now reduced only to foreign affairs, the military, common monetary policy, the regulation of the unitary Yugoslav market and the preservation of ethnonational and individual rights. All federal organs were to be formed on the principle of republican and provincial parity including the State presidency (consisting of 23 members including Tito), the Federal Executive Committee (SIV), the Chamber of Nationalities, the Constitutional Court and the administrative personnel of the federal ministries (see Burg 1983: 204–206).

Another important innovation was the creation of five inter-republican committees within the SIV that were supposed to design common policies in the areas of development, the monetary system, foreign trade and hard currency, the market and finance. Together with the chairman of the SIV, they were composed of nine delegates who were solely responsible to the republics and provinces (Ramet 2006: 248). The work of the committees proved to be very efficient in spite of the new rule (amendment 33) on the harmonization of positions (*usuglašavanje*) and consent in economic matters. On the other hand, as Lampe observes, 'the Committees' very success in making working arrangements between the republics made the federation's legislation process and representatives, whether elected or delegated, seem irrelevant' (2000: 312).

Yugoslavia as confederation: The constitution of 1974

As a whole, the set of forty-two amendments adopted between 1967 and 1971 profoundly and irrevocably confederalized Yugoslavia. These changes provoked opposing reactions. The debates at the Faculty of Law in Belgrade in 1971 caused a scandal. It resulted in a two-year prison sentence (reduced later to nine months) for Mihailo Đurić, a professor of the Belgrade Law Faculty, who claimed that the amendments had changed the nature of the federation, reduced Yugoslavia to a 'geographical term' and created almost independent and mutually opposed national states. He thought that such a development

would significantly affect the position of Serbs who live in great numbers outside Serbia and underlined an inadequacy of republican borders, especially in the case of Serbia.² In Croatia, on the other hand, the amendments were seen as only a first step towards the realization of Croatian national aspirations, many of which were formulated in the pages of *Hrvatski tjednik* (Croatian Weekly), published by the traditional Croatian cultural organization *Matica hrvatska* (Rusinow 1977: 283). By the end of that year, the Croatian Spring mass movement demanding independent state-like autonomy for Croatia in economic and political matters was crushed. Young Croatian leaders (Mika Tripalo, Pero Pirker, Savka Dabčević-Kučar), who tolerated the nationalist 'excesses' of *Matica hrvatska* and the student organizations, were removed from office and replaced with conservative communists from within the Croatian party. Soon after the purge of Croatian leaders and series of arrests of student leaders or public intellectuals, the young Serbian leadership – accused not of nationalism but of liberalism – was also removed. And although this reassertion of Tito's power, i.e. the power of the federal centre and the central organs of the Party, could make one think that the heyday of centrifugal federalism had come to an end, exactly the opposite happened. Centrifugal federalism was fully endorsed and the confederalization of Yugoslavia confirmed in the 1974 Constitution.

One of the longest constitutions in the world (406 articles!) defined the SFRY in its elaborate and complicated first article as:

[A] federal state having the form of a state community of voluntarily united nations [peoples] and their Socialist Republics, and of the Socialist Autonomous Provinces of Vojvodina and Kosovo, which are constituent parts of the Socialist Republic of Serbia, based on the power and self-management of the working class and all working people; it is a socialist self-managing democratic community of working people and citizens and of nations and nationalities, having equal rights³. (*Constitution of SFRY 1974*)

The competing 'sovereigns' – the working class, all working people, citizens, nations and nationalities, republics, peoples of the republics – were again put in the same confusing sentence mixing overlapping political communities. In perfect harmony with the post-1967 spirit of confederalization, the republics were defined as 'states based on the sovereignty of people' and autonomous provinces as 'autonomous socialist self-managing democratic socio-political communities'. The republics were 'states' whereas the federation was only a 'state community' (Dimitrijević 1995: 58). Naturally, these states had the right to self-determination and secession. Serbian legal scholar Vojin Dimitrijević correctly

points out that the Constitution provided this right 'without envisaging the corresponding procedure' (1995: 71). This would leave the use of this right open to contending interpretations in the final years of Yugoslavia.

Three-stage elections for local, republican and federal assemblies took place in April and May of 1974 through a complicated 'system of delegations and delegates' (for details see Rusinow 1977: 331; Višnjić 1977: 73–91). The voters directly elected only members of the tricameral communal assemblies (chambers for labour, local government and social-political issues) who then sent delegates to the similar tricameral republican and provincial assemblies that, in turn, sent delegates to the bicameral federal assembly consisting of the Federal Chamber (thirty delegates from each republic and twenty from each province) and the Chamber of Republics and Provinces (twelve delegates from the republics and eight from the provinces). In the first round, 820,000 delegates were elected from 12,000 communities and 60,000 work units; in the second, 500 communal chambers voted for delegates to the republican and provincial chambers; in the final third round, they elected delegates representing their republics and provinces in the two federal chambers (Lampe 2000: 313). Politically speaking, the system of elections at the lowest level and then three rounds of delegation towards the higher levels secured, in the words of Serbian political scientist Laszlo Sekelj, 'absolute control over the electoral procedure by informal, non-elected, non-institutionalized, and uncontrollable local oligarchies' (in Lampe 2000: 314).

In the federal organs, all decisions were made unanimously through a procedure of harmonization of positions among the republics, i.e. their delegations voting *en bloc* (not their members). Needless to say, the republics had the right of veto over all federal decisions which prevented the federal institutions from acting independently. This was, in Dimitrijević's opinion, 'the real and fatal flaw' of the 1974 Constitution (1995: 60). In 1981, another set of eight constitutional amendments was adopted in order to allow the proper functioning of the federal bodies such as the Federal Executive Committee (the federal government and its prime minister), the Presidency and the Constitutional court (see *Amandmani* 1988 [1981]).

The 1974 Constitution of the SFRY was meant to be the peak of the proclaimed politics of decentralization that started at the Sixth Congress of the Communist Party of Yugoslavia in 1952. Among scholars, observers and participants, a general consensus exists that 1974 Constitution confirmed the confederal structure of the Yugoslav state. Yugoslav politicians called it a 'cooperative federal system' and its main ideologist, Edvard Kardelj, qualified it

already in 1971 as neither ‘a classical federation ... nor ... a classic confederation, but... a socialist, self-managing community of nations’ (in Ramet 1992: 63). This *fédéralisme dénaturé*, as a French observer put it (Drouet 1997: 85), based at the federal level on the rule of consent and unanimity, was characterized by the ever-growing dependence of federal institutions on constitutive republics. The centre had to operate through the republics to ‘implement virtually all policies, to gather revenues and to establish connections with the citizenry’ that, as Valerie Bunce reminds us, amounts to quite a precise definition of confederalism (1999: 111).

The unstoppable decentralization

In April 1969, general elections were held for communal, republican and federal chambers and assemblies.⁴ However, it was also the year of a destabilizing economic affair, known as the road affair or the road building crisis (*cestna afera*) that hit Yugoslavia at its most delicate spot, namely the relations between the federation and its subunits. When the Federal Executive Council decided not to distribute the funds received from the World Bank for certain road building projects in Slovenia, unanimous and loud protests against the federal government erupted in Slovenia (Burg 1983: 88–100). Moreover, at the very beginning of 1970 the Tenth Congress of the LC of Croatia took a strong stance against unitarism and bureaucratic centralism in Yugoslavia. It was the beginning of the ‘Croatian crisis’ during which economic questions and debates – concerning relations between developed and underdeveloped republics, foreign currency and the economic independence of the republics vis-à-vis the federal centre – were inevitably perceived in ethnonational terms and as inter-ethnic conflicts.

The LCY’s presidency adopted a resolution in April 1970 in which it mentioned the ‘sovereignty’ of the republics and provinces. In September 1970 in Zagreb, Tito announced the future reorganization of the Federation and the creation of the Presidency (see his speech in Kobsa et al. 1978: 445–449). New constitutional decentralizing reforms followed suit in 1971 and then finally peaked with the new 1974 Constitution. A year before, in 1973, a Party document defined Yugoslav federation as ‘a function of the statehood and sovereignty of each republic and province’.⁵ In the same year, Edvard Kardelj confirms the confederalization of Yugoslavia by stating that the power of the federation is not autonomous, but rather ‘stems from the republics, and not vice versa’ (in Jović 2003a: 146).

The political and constitutional decentralization of Yugoslavia was followed by a concomitant decentralization – along with a burgeoning self-sufficiency among the republics – in other domains such as economics, media, culture, science and education. The effects of decentralization were evident, for instance, in the independent electricity systems, in the absence of common policy in the important areas of science and education as well as in paradoxical situations such as when Serbia proper imported wheat while its autonomous province of Vojvodina exported it abroad (Udovički 1995: 294). In the media sector there was no federal TV station. Instead, there were independent republican TV centres that created a small amount of common broadcasting. These republican radios and televisions were predictably dependent on republican-level political centres and would become main venues of nationalistic propaganda at the end of the 1980s and in the early 1990s and would play a major political role during the war (Allcock 2000: 292; Thompson 1999). Andrew Wachtel describes the absence of a common educational curriculum in the fields of literature, culture and history (1998). The civil society sector was divided along republican lines as well, even more so after the mid-1960s (see Irvine 1997). In 1981, in a paper on the Yugoslav national question as ‘unfinished business,’ Dennison Rusinow drew an early and revealing comparison between Yugoslavia and the European integration process: ‘The individual republics now have nearly as much control over their economic fortunes and cultural identities as the sovereign states in the European Economic Community (which means that their control is not unlimited or free of intra-Yugoslav and wider interdependence)’ (1981: 10).

The radical decentralization and confederalization of Yugoslavia stripped the federal centre of its classic state prerogatives but, in turn, consolidated the *statehood* of the republics and reinforced their state apparatuses. The process can be described, in the words of Valerie Bunce, as ‘Yugoslavia’s losing “stateness” from the 1970s onwards and its republics gaining statehood during the same period’ (Bunce 1997: 349). Interestingly, Tito seemed to be aware of this in 1971 when he warned the republics not to ‘divide up statism’ among themselves (in Jović 2003b: 176). Jović himself comments that Kardelj’s anti-statist rhetoric actually strengthened *statism* in Serbia, Croatia and Slovenia (2003b: 180). Decentralization was thus contained only at the level of the federal state, but did not take roots at the republican level, except in the case of Serbia whose federalization mirrored the confederalization of the country as a whole. In other words, the *de-étatization* of the Federation went hand in hand with the *étatisme* of the republics. The State, as such, was not actually in the process of withering away in Yugoslavia. What eventually withered away was only Yugoslavia itself.

From federal to confederal citizenship

The hybrid structure of Yugoslavia resulting from the constitutional changes between 1967 and 1974 was also manifested in the constitutional definitions of federal and republican citizenship. According to article 249 of the last (1974) Constitution of the SFR Yugoslavia, citizens possessed a 'single citizenship of the SFRY' and every citizen of a republic was 'simultaneously' a citizen of the SFRY. The third line of the Article confirms that 'a citizen of a republic on the territory of another republic has the same rights and obligations as the citizens of that republic'. In fact, this created confusion in legal literature over the question of primacy between federal and republican-level citizenship. During the high time of socialist Yugoslavia, it was mostly law students who took an interest in this tricky question, the precise answer to which became of utmost importance when the dissolution of the federation occurred. If one takes into consideration the views of legal experts, it is evident that no consensus exists on the question of primacy. Some authors cite the simultaneity and identity of the two citizenships (Pejić 1998) or find, in the equality of the rights and duties of a citizen of one republic living in the other, evidence of 'the primacy of Yugoslav citizenship over those of different republics' (Drouet 1997: 84) and describe the pre-eminence of federal citizenship as 'an important guarantee for minorities facing the majority "nation" of one or another republic' (1997: 91). On the other hand, some authors argue that, although only federal citizenship was legal in the international arena and republican citizenship had an 'exclusively internal legal role', republican citizenship had primacy over SFRY citizenship according to respective provisions of the 1976 law on SFRY citizenship and the republican laws on citizenship (see Muminović 1998: 73; Rakić 1998: 59).

The 1976 law on citizenship of the SFRY brought with it another element that could confirm primacy of the subunits and the confederal nature of Yugoslavia's bifurcated citizenship. The Act regulated conditions for acquisition and termination of Yugoslav citizenship, but transferred the competencies for implementation of the citizenship legislation from the Federal Ministry of the Interior to the republican authorities (art. 21, para 2; Jovanović 1977: 50–51; UNHCR 1997: 8). These competencies included the registration and termination of Yugoslav citizenship. Furthermore, the republican supreme courts were deemed competent in citizenship matters (such as, for instance, complaints against decisions related to citizenship). A somewhat confusing and unique situation – namely that subunits decide on Federal citizenship – prompted the author of an explanatory introduction to the law on Yugoslav

citizenship to question the existence of any role for the federal authority in this domain (Jovanović 1977: 51). Unsurprisingly for a confederated structure like the one Yugoslavia progressively became after the mid-1960s, the citizenship-regulating norms showed some similarities to the norms of international law in cases of legal collisions among sovereign states (Jovanović 1977: 53). Jovanović finds, however, that there is still some room for the Federal authorities on this issue considering that they alone are responsible for citizenship matters in the international arena, but he admits that the only safe conclusion to be drawn is that the new 1976 law does not regulate the matter.

Another striking feature of confederalized citizenship in Yugoslavia was that, following the fact that only republican-level registers existed, only republics (and even autonomous provinces of Vojvodina and Kosovo) were entitled to issue Yugoslav passports with their own numbers (preceded with the letters signalling the republic or the autonomous region of origin). This resulted in a plethora of various Yugoslav passports. For instance, passports issued in Kosovo had the letters KA before the number and were printed in Albanian, Serbian and French; Yugoslav passports issued in Macedonia⁶ were only in Macedonian and French (but not in Serbo-Croatian!).

The almost non-existent awareness of the *dual character* of citizenship in Yugoslavia was shared equally by the citizens and even by legal scholars (Medvedović 1998: 49–52). Since republican citizenship did not have any practical consequences within the Federation – some would even call it a ‘phantom citizenship’ (Pejić 1998: 185) – and since federal citizenship was the stronger guarantor of the rights of citizens living outside of their native republics, a fact that also stimulated the free movement of people between republics, *residence*⁷ became the most important practical factor in the everyday life of Yugoslavs. Yugoslav citizens were, in principle, able to choose their republican citizenship depending on their residency or employment. The law on Yugoslav citizenship, and the republican laws on citizenship, allowed citizens to change republican citizenship. It is interesting to note that after 1964 it was even possible to do so without further formalities. On the other hand, after 1976 change of citizenship was still allowed by republican laws but only under certain conditions and after a legal procedure (Medvedović 1998: 49). Since republican citizenship was of no significant practical relevance, citizens usually did not change their republican citizenship status if they moved to another republic, and sometimes they did not even register change of residence or bother to sort out the republican citizenship of their children. Internal Yugoslav migration established strong personal and family ties across republican borders, while economically motivated

migrations and the resettlement of federal administration personnel resulted in a considerable number of individuals living outside of their republic of origin. To a certain degree, this would affect the balance of ethnic groups in Yugoslav republics, the reality that the new citizenship regimes would try to amend as much as possible.

The progressive political empowerment of the republics over the federal centre finally altered the character of bifurcated citizenship in Yugoslavia from typical federal to confederal citizenship. This change was not explicitly reflected in citizenship legislation, although the above-discussed disputes over primacy show the tendency to legally codify the confederal structure of Yugoslavia in citizenship laws as well. After all, one could hardly imagine how citizenship could have been decoupled from the constitutional changes that transformed Yugoslavia between 1967 and 1974 into a confederation of republics. In other words, the political empowerment of the republics shifted the centre of a citizen's political activity towards his or her republic. Politically, it was basically a one-way street and the traffic flowed from the republics to the federal plateau where republican delegates and representatives discussed and deliberated *unanimously* on their relations and common affairs.

Interestingly, although republican-level citizenship was almost *practically* irrelevant for ordinary citizens in their everyday life, *politically* speaking it was republican belonging and citizenship that increasingly took the leading role. As Rusinow reminds us, powerful republican figures were reluctant to abandon their local republican bases and move to Belgrade to exercise only federal functions. After the death of Tito, the independent position of the republican communist elites towards the centre – actually, dependence of the centre on their practice of harmonization and agreement – became fully apparent.

At the federal political level, only republican 'groups' were allowed access through the system of republican delegations, whereas individual citizens could act only within their republics. Although it was possible to declare Yugoslav *ethnonational* belonging (*narodnost* or *nacionalnost*), those who did so were not recognized as nations or nationalities and were thus not represented. Although it seems paradoxical – this comes as little surprise in the confederated structure that Yugoslavia had become during the last quarter century of its existence – Yugoslavs did not have an exclusive territory on their own. One can safely conclude that the only 'group' within Yugoslavia that could be identified as truly Yugoslav, in the sense of using and practicing benefits of Yugoslav citizenship, were internal *migrants*. And many of them woke up one day in 1991 or 1992 as *aliens* or simply *stateless* in Yugoslavia's successor states.

Broken partnership: From confederal citizenship towards crisis

On 4 May 1980, Josip Broz Tito died in a hospital in Ljubljana. It was exactly 3.04 p.m. Every Yugoslav could easily remember both the day and the hour of Tito's death, since that moment was commemorated throughout the 1980s in all corners of Yugoslavia with wailing sirens. This was the tribute paid by Yugoslav citizens to the 'greatest son of all our nations and nationalities'. He left them locked in a system whose paradoxes and impasses, but also numerous beneficial possibilities, only he was capable of navigating. His successors would not possess the same skills. The slogan 'Even After Tito – Tito!' soon proved to be a useless mantra. Nevertheless, Tito's successors did try hard to make the machine work. The previous year they had lost the only man who could have served as a guide, Edvard Kardelj, statesman and theorist of Yugoslav self-managing socialism. A year later, in the Spring of 1981, civil unrest broke out in Kosovo, in a part of the country that was historically important for some Yugoslavs (especially Serbs) but whose mostly ethnic Albanian population had never felt at ease in the common house of the South Slavs.

This is how the last decade of Yugoslavia began. It was marked, among other things, by nervous attempts at systemic reforms, an economic downturn, the Kosovo crisis, foreign debt headaches, IMF-imposed standby arrangements and following austerity measures, massive strikes, the paralysis of federal institutions, conflicts within the federal LCY and inter-republican rivalries tainted with ominous nationalistic overtones. The fateful rise of Serbia's strongman Slobodan Milošević was followed by Slovenian resistance to his Kosovo policy and his recentralization attempts. Nevertheless, he got both of the Serbian autonomous provinces and Montenegro under his sway before 1990. The story of Yugoslavia's post-Tito *malaise* concluded with the disintegration of the LCY in January 1990 and the first separately scheduled democratic elections in the Yugoslav republics during 1990.

On the other hand, there was a bright side to the 1980s that inspired optimism. The regime's general weakness created an atmosphere of liberalization and many quickly learned how to orient themselves in politics, society, culture or the grey economy under a 'soft dictatorship'. Yugoslavia was still a highly respected member of the international community and historic leader of the non-aligned movement; citizens usually expressed a fairly high level of attachment to their country, tourism developed on the Adriatic coast, the Winter Olympic Games were hosted successfully by Sarajevo in 1984, Yugoslavs could travel freely

and, important for their pride, *shop* abroad, and a sophisticated urban and alternative culture blossomed (see Debeljak 1994; Ramet 2002; Ugrešić 1996).

Many scholars have tried to answer the question of what went wrong in Yugoslavia. One has to start with the various failed efforts to reform Yugoslavia's confederal structure during the second half of the 1980s. They reveal that the republican elites had conflicting visions of the future of their regime and the country in general. Left without the final arbiter and effective federal structures that could serve as a bridge or mediator and confronted with economic inequalities between the republics, a growing debt crisis, as well as vocal demands for political and ideological transformation coming from developing civil society, the gap between these elites only grew in the years preceding the end of the socialist regime and the subsequent democratization of the Yugoslav republics.

Changes in Eastern Europe announced the end of state socialist rule and the advent of liberal democracy. Decentralization, centrifugal federalism and the earlier abandonment of the unifying Yugoslav political project naturally designated the constitutive units as future frameworks of democracy and people's rule. In short, liberal democracy was introduced into a confederated country whose very citizenship – as a general basis for any political activity – was itself politically confederated. Any political activity after the constitutional changes from 1967 to 1974 went from the republics towards the federation, and from the republican communist parties to the federal Party, and not *vice versa*, a fact that transformed the republics into primary political arenas.

Liberal democracy was thus introduced into a malfunctioning multinational confederation and resulted in a further fragmentation of the political space – more and more so along ethnic lines – which would jeopardize not only Yugoslavia as a state but also the prevailing consensus over its internal borders. I will show in the following chapters that insecurity surrounding the issue of citizenship – captured by simple questions such as 'what is the political community and state to which I belong?' and 'what state guarantees my rights and security?' – was one of the critical factors behind Yugoslavia's violent disintegration. Although rarely analysed and not articulated as the problem of citizenship, the citizenship factor must be added to the list of interactive elements that contributed to the Yugoslav drama (see Chapters 6–8). I describe how the ethnocentric conception of citizenship came to dominate political space and how the idea of creating ethnically homogenous states, the project that inevitably challenged the internal borders, unleashed a spiral of violence. But to understand this highly complex

process whose well-known outcomes were far from inevitable, let us turn once more to the final decade of Yugoslavia.

Valerie Bunce identifies three elements necessary for a regime change: leadership succession, great reforms and international change (1999). All three were present in socialist Europe at the end of the 1980s. However, Bunce observes that regime change in Yugoslavia started earlier and, far from being concluded in a matter of 'ten days' or 'ten months' as in some Eastern European countries, it was played out over an entire decade following Tito's death. The potential emergence of a 'new Tito', or at the very least a pan-Yugoslav leader, was aborted by the confederal system itself. The period was thus characterized by a series of more or less unsuccessful successions of leadership and several attempts at economic and political reforms. Finally, once the international system started to change with Gorbachev's accession in 1985 and more dramatically in 1989, Yugoslavia seemed well prepared for regime change. Although many feared the outcome, regime change did not have to entail the dismemberment of the state itself. Although it seemed that everyone in Yugoslavia had acknowledged the need for change, the country experienced a chronic lack of consensus about these changes and common initiatives – with some notable exceptions – that would formulate this vision in pan-Yugoslav terms. Prior to Milošević's accession to power in Serbia in 1987, several groups formed along the dividing lines between conservatives and liberals or between *recentralizers* and *decentralists*. Liberal recentralizers were in power in Serbia, conservative recentralizers controlled Bosnia and Montenegro, liberal decentralists dominated Slovenia and Vojvodina while conservative decentralists held the reins in Croatia, Macedonia and Kosovo (Ramet 2006: 333). Another line of conflict separated those who defended the 1974 Constitution from those who advocated its reform (see Jović 2003a).

The disintegration process in socialist multinational federations began, Bunce argues, 'when crisis over power and reform weakened the regimes, mobilized publics, "republicanized" the state, and "nationalized" political protest' (1999: 98). In the Yugoslav case, the decisive events that would eventually lead to disintegration took place during 1986 and 1987. Slobodan Milošević and Milan Kučan, two crucial players from the final years of Yugoslavia, took over important political positions within their republican parties in 1986. By November of the same year, the Yugoslav republics achieved full fiscal sovereignty (Woodward 1995a: 74), a largely unnoticed event that only confirmed that the centrifugal machine of Yugoslav federalism was still in high gear. In September 1986, a draft of the famous (or infamous) Memorandum of the Serbian Academy of Arts and Sciences (SANU) leaked to the public. This document would later be widely

considered a manifesto for the creation of a greater Serbian state on the ruins of Yugoslavia, a political programme espoused by both left-wing and right-wing Serbian nationalists and, finally, by its champion, Slobodan Milošević.

However, the Memorandum of the SANU was, in Dragović-Soso's view, less a programme for a Greater Serbia and more a litany of Serbian grievances against Yugoslavia. These grievances were formulated in literary circles and Belgrade salons and would resurge in newspapers or in theatre shows. The Memorandum referred to the 'ongoing genocide' against Serbs in Kosovo and employed other appalling language, which resonated strongly within Serb community (2008: 19). Nevertheless, the mere fact that this list of Serbian grievances against Yugoslavia's confederal and Serbia's federal structure was drafted by the members of the most prestigious Serbian intellectual institution and endorsed, with varying degrees of explicitness, by important intellectual figures within the biggest federal unit was in itself – regardless of the initial intentions of the drafters and their later open advocacy of a Greater Serbia – an aggressive attack on the communist solution to the national question, which was perhaps the greatest taboo in socialist Yugoslavia.

In the same year of 1986, the SFRY Presidency started to prepare new amendments to the 1974 Constitution which were intended to solve the Federation's paralysis and deal with 'hot' issues such as the relationship between the federation and its subunits, relations within Serbia itself and the unity of Yugoslav market. In January 1987, the Presidency's proposals included creation of a unified legal system, central control of the railroads, postal and telephone services and the unification of the Yugoslav economy. It is small wonder that proposals for a stronger Federation were welcomed in Serbia and largely rejected in Slovenia (Ramet 2006: 335–337).

On 24 April 1987, Slobodan Milošević came to the village of Kosovo Polje near the site of the 1389 battle between a diverse Christian coalition and the Ottomans that regardless of its real historical significance forms the core of the Serbian national myth. He arrived there as a largely unknown representative of the Central Committee to pacify inter-ethnic turbulence in the southern province. Thanks to Belgrade television, he returned to the Serbian capital as a new Serbian hero and the protector of endangered Serbs in Kosovo and, by extension, in Yugoslavia as whole.⁸ By the end of that year, he had removed the head of the Serbian party (and his political mentor and one-time friend) Ivan Stambolić from office and had become the undisputable chief in Serbia.

The political setting obviously changed dramatically and Yugoslavia in 1988 was a much different political landscape, which allowed competing ideas on

how to define political community or communities – in Yugoslav, republican or ethnic terms? – to flourish. In August 1988, amid an atmosphere of rising suspicion towards Milošević's political intentions and his role in the Kosovo crisis, Serbia drafted a series of amendments to the SFRY Constitution for discussion. The proposed amendments aimed at the recentralization of the Federation and the restriction of the autonomy of Vojvodina and Kosovo. Predictably, any move towards the reinforcement of Serbia's position within the Federation was perceived by other republics as detrimental to their own status and was immediately associated with Serbian nationalism. Serbia suggested the transformation of the Federal Assembly's Chamber of Republics and Provinces and the Federal Chamber into the Chamber of Republics and Provinces, the Chamber of Citizens and the Chamber of Associated Labor. The Chamber of Citizens was supposed to represent citizens proportionally (Ramet 2006: 338–339). For our analysis, centred as it is on citizenship, and from the vantage point of Yugoslavia's later disintegration, this suggestion could be interpreted as a move to reinforce a pan-Yugoslav political culture, a move which could possibly have initiated a pan-Yugoslav (as opposed to republican or ethnonationalist) politics. Nevertheless, in the context in which inter-republican balance was shaken (a balance that more often than not stood for inter-ethnic balance), the proposed amendments were accused of benefiting only one republic, Serbia, and only one group, ethnic Serbs, who were numerically the largest Yugoslav nation. Not surprisingly, all other republics, with the exception of Montenegro, rejected the idea.

Since these reforms failed to break the deadlock, the following year brought several serious attacks on the *de facto* Yugoslav confederation: first, Yugoslavia faced a unilateral attempt at recentralization by Serbia, and Slovenia made an attempt at unilateral decentralization. Belgrade's unilateral recentralization of Serbia attacked both the *de facto* Serbian federation as defined by the 1974 Constitution and, by extension, the confederal constitutional structure of Yugoslavia as a whole. By the end of 1988, massive demonstrations in Vojvodina and Montenegro – the so-called anti-bureaucratic or yogurt revolution – toppled local government officials who were later replaced with individuals loyal to Milošević (see Vladisavljević 2008). On 18 March 1989, the Serbian parliament adopted amendments to the Constitution of Serbia which abolished the large degree of autonomy enjoyed by its two provinces (Vojvodina and Kosovo). These amendments were later confirmed in a new Constitution of Serbia adopted in September 1990. Although Serbia had effectively re-centralized itself unilaterally, it kept the two seats at the SFRY

Presidency reserved for its autonomous provinces. Combined with the loyal vote from Montenegro, Serbia suddenly had four out of eight votes at the Presidency at its disposal, placing the delicate balance between the republics in jeopardy.

In September 1989, Slovenia made a unilateral attempt at decentralization when its parliament adopted amendments to the Constitution of Slovenia. The tenth amendment stated that Slovenia was part of Yugoslavia on the basis of its right to self-determination and secession. Crucially, the seventy-second amendment proclaimed that only the Slovenian parliament could determine how this right should be exercised. The Yugoslav Constitutional Court found this amendment to be in conflict with the SFRY Constitution according to which the borders of the SFRY could not be altered without the mutual consent of the republics and provinces.

Therefore, even before the Fourteenth and last Congress of the League of Communists of Yugoslavia in January 1990, the country that they had resurrected in 1945, unified under their leadership and dictatorship and progressively decentralized together with their own party, was deeply divided along republican and, increasingly, ethnic lines. After his successful recentralization of Serbia and subjugation of Montenegro, Milošević attempted to consolidate his position and impose the recentralization of both the LCY and Yugoslavia as whole. After Slovenian suggestions were rejected *en bloc* by Milošević's supporters, the Slovenian delegation left the Congress, quickly followed by the Croatian delegation. From that point on, the *League* ceased to exist as such. The republican parties hastily organized democratic elections according to their own schedule and without coordinating with other republics. It is interesting to note that the Slovenian and Croatian Parties that left the Congress were formed in 1937 as part of the Communist Party of Yugoslavia's solution to the national question. By that decision, the Party explicitly rejected unitarism – which had been tainted by association with Serbia's dominant role within Yugoslavia – in its internal organization as well as in the organization of a future socialist multinational Yugoslavia. How deeply the national question – and the solution based on the equality of constitutive units and nations – was bound up with the existence of the Party as such was demonstrated at its last Congress: as soon as unitarism threatened to dominate the Party, it dissolved. The open question was whether federal Yugoslavia could survive the Party that had created it. We know the answer today, but back then there were still many possibilities to reform and save the country, or, short of that, to avoid violence.

