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THE POSITION OF BOSNIA AND HERZEGOVINA IN YUGOSLAVIAN COMMUNITY FROM ZAVNOBiH¹ UNTIL THE CONSTITUTION OF SOCIALIST REPUBLIC OF BOSNIA AND HERZEGOVINA²

The developmental process of the national question in our country is characteristic by the fact that it gradually matured. It took a lot of time from the realization that the Southern Slavs compose only one Yugoslav nation until today's multinational structure, and a lot of effort has been made to prove and accept that. Overcoming resistance to understandings regarding the national composition of Bosnia and Herzegovina was the slowest process and got its solution at the latest. The idea of federalism, as a form of state organization, arises along with striving for the liberation and unification of our nationalities into one common state. Although there were very different understandings both in terms of the nations who were to enter a common state, and in terms of the degree of strength of its parts, federalism was declaratively accepted by almost all groups that were deluded with these ideas. Some of them honestly thought that the federalism was the only form that allows an equal relationship in the common state, and that it is the condition

¹ National Anti-Fascist Council of the People's Liberation of Bosnia and Herzegovina (orig. abbrev. ZAVNOBiH)

² This article was published in "Contributions" No. 4, (Institute for history, Sarajevo, 1968, page 331-351)

for the maintenance and normal development of such state, while others were accepting federalism as an attractive slogan and as a tool for accomplishing their own interests.³

As opportunities have matured and opportunities for liberation and unification have taken on more specific prospects, relations between groups have become more aggravated, and their narrower interests were more openly expressed. The groups which nurtured national unity directed their own fighting strategy against the very basis of federalism, namely against the multinational character of the South Slavic community, believing that in that way they will revoke the need and necessity of federalism and reinforce the basis of unity and state unitarism. The national unity of all the Southern Slavs and the fight against separation and political separatism was the core belief of their strategy. The thesis of national unity was represented by people from diametrically diverse positions, and therefore the intentions and goals of those who have represented them cannot be seen or judged in the same way. Some people had a standpoint of national unity amid insufficient knowledge of the national problem and idealistic initiatives, arguing that “one nation - one state” can only guarantee the strength of unity and the strength of the common state. These people assumed that the differences between our nations were not so intensive or distinctive as to form the basis of particular nationalities. According to their understanding, the existing differences are more the result of a separate life and an unfriendly influence, unknown to us, than of a constitutive nature, and that these differences will gradually disappear in a free life together.

This notion remained largely a matter of debates and, to some extent, in political programs, although it experienced its constituent affirmation (the age of the Sixth January regime) in a shorter period of our country's development,

³ Konstantin Bastajic: A Contribution to the History of Federalism in the Yugoslav Countries, published in the book *The Meaning of the Second AVNOJ Session for the Socialist Revolution*, Zagreb, 1963, p. 75.

it proved as completely unrealistic.)⁴ After this experience, the notion has been abandoned, even by those who ardently represented it, as a harmful and dangerous illusion. Others, who viewed the issue of unification narrowly, only from the point of view of the interests of a nation or, more precisely, its ruling class, under the idea of national unity and a single state, advocated the creation of a single economic and political base for their domination.

The holders of this conception were fervent nationalists, but they pushed the unity thesis to cover their intimate spurs, which they could not openly defend at the time. However, even with the advocates of this understanding of national unity, the notion of unity has not been completely clarified. While some stood on the point of view of one united nation, the others stood for the thesis of a united but three-named nation, a nation composed of three tribes, therefore not entirely united. At the time of unification, neither of these two understandings was consistently implemented, but a compromise had been made between national unity and division into tribes.

After the liberation, it was necessary to come to a concrete solution to this question and to provide an answer to it, answer which would become the basis of state regulation. It is known that in the initial period of development of our country this question was constitutively answered. The thesis of one nation with three names received its constitutional confirmation only in the name of the state, and the state regulation was based on a unitarist ground.

In order to prevent the organizational affirmation and recognition of the tribes, the Vidovdan Constitution prohibited the formation of counties (broader territorial local units) within the tribal framework and, in this connection, determined that counties larger than 800,000 could not be formed. Thus, this constitution only declaratively acknowledged the existence of three tribes, and explicitly precluded their separate constitution, even within local self-government. We are particularly interested in the process of developing opinions and attitudes about the national composition

⁴ The Law on the name of the state and division into banates (3rd October 1929) replaced the name of the Kingdom of Serbs, Croats and Slovenes with the name Kingdom of Yugoslavia, and the Constitution of 1931. confirmed that name.

of our republic, in recognizing real facts and in gradually abandoning unfounded assumptions. How much the idea, and the point of view about a unique, three-named nation was prominent is evident in the fact that there was no mention of the existence of other tribes, but the discussion and struggle was about recognizing only three tribes as individual nations. Tribal or national individuality of Macedonians and Montenegrins was not even recognized, but they were considered as part of the Serbian nation.

It is no wonder for the civil parties that they stood on this narrow standpoint, but it is difficult to understand that the Communist Party was also overshadowed by this ruling stance, and that it took a long time for views of national question to mature and that this issue practically resolves⁵. It is characteristic of the pre-war era that all more significant civil parties persisted in opposing the proper understanding and resolution of a national issue, and when it was time for it to nevertheless be asked and formally resolved, they narrowed it down. The Cvetkovic-Macek Agreement, which was supposed to be a solution to the national issue, according to official stance, came from two nations, although, by the relevant ones' interpretation, it allowed the Slovenes the opportunity to obtain autonomous rights, it denied the existence of other nations. In relation to Bosnia and Herzegovina, views were not fully clarified until the founding of the State Council of Bosnia and Herzegovina and the Second AVNOJ (The Anti-Fascist Council for the National Liberation of Yugoslavia) Session. We are primarily interested in the views of the People's Liberation Movement, that is, Communist Party of Yugoslavia (KPJ) as its political core, but in order to clarify things more fully, we will also mention the stance of the bourgeois parties.

It is well known that the old Yugoslavia entered the war with an unresolved national issue, and it fell apart primarily because of its improper treatment of individual nations. Due to its poor resilience, our allies were in the dilemma after a victory, whether to rebuild the state which showed no vitality, or to include our countries in some new state creations. The occupiers immediately revealed their plans and, not waiting for the end

⁵ More on this in J. Broz Tito: Speeches and Articles, Book III, Zagreb 1959, p. 314 et seq.

of the war, made the division of Yugoslavia. After the breakdown in April, there was a lot of confusion in the country regarding the issue of maintaining a common state. A large part of the bourgeoisie of all nationalities has accepted the occupation and division of the country as a *fait accompli*, but even the masses didn't support the restoration of such a state, because they were heavily exploited and oppressed, and during the short-lived war they were convinced that it was weak and unbearable. All the appeals that were made at the beginning of the war for the defence of Yugoslavia failed, not even the call of the Central Committee of the KPJ, because the exploited masses had no reason to fight for it, and the oppressed nations did not have the security of survival, let alone the successful development. The non-recognition of existing nations and the oppression of the working masses led them to not believe in the expediency and justification of maintaining such a state. It would have taken a big hit to change such understandings.

At first, the occupier did so by showing what he thought of our nations and what kind of future holds for them. In our country, and especially the newly created Independent State of Croatia, such calculations arose that the history has not recorded. The greater Croat bourgeoisie, with the help of the occupiers, and through the Ustasha, puts into practice its long-awaited revenge against the entire Serbian people. The Greater Serbian bourgeoisie blames other nations for the failure to defend the country and forges a plan for revenge when given the opportunity. Widespread masses are beginning to realize that they have been overcome by eviler than those endured in the Kingdom of Yugoslavia. In this mix of big events, intersecting interests and very sharp conflicts, plans are revealed, views are gradually cleared, and positions taken. The question is who is for the survival of the common state and who is against.

It could be safely argued that no one was in favour of rebuilding the state as it was, not even those who declaratively stood in the view of the transience of the occupation status and the legitimacy of the king and government abroad. Everyone was aware that it was necessary to change the old regulation, but they were deeply divided as to what changes should be made.

In that respect, polarization was conducted in a way that on the one side there was a bourgeoisie, represented in various groups, which sought to keep the existing social order, either within the special national states, or in a common state, with a more or less changing state organization, and on the other side, the working class, led by the KPJ, which sought to rebuild a common state, but with radical changes not only in state law but also in socio-economic relations. On this line, there will be a growing and deeper polarization of the relations between the forces during the war and the liberation struggle, and the struggle will be fought for the acquisition and active support of the broad masses.

The bourgeoisie wanted to achieve its goal without fighting with the help of foreign powers, but according to which part of the bourgeoisie it was, with the help of occupiers or Western allies. The task of the KPJ was far more complex, because in order to achieve the goal it was necessary to fight on two fronts, against the occupier and the bourgeoisie, regardless of whether it was associated with the occupier or Western allies. It was not easy to convince all the nations of Yugoslavia that it was necessary and useful to rebuild a common state and to raise them in an armed struggle to achieve this goal, but the occupiers' appearance and the repression they undertook and the mutual struggles they caused, facilitated KPJ rise of the armed uprising. Explaining the hostile plans and genesis of the mutual conflicts caused by the occupier, the KPJ was gradually convincing the broad masses that the danger of the occupier was threatening to all, and that only armed struggle against the occupier and those who cooperated with him could eliminate the danger that loomed over each individual nation, and that only the joint forces can exercise their freedom and preserve their independence. Starting from this, political platform of the liberation struggle was set very broadly, it included all nations and all citizens regardless of their social status, if they accepted the fight against the occupier and his associates, no matter what social order they belonged to. In relation to the issue under our consideration, we are particularly interested in the position of the Croatian and Serbian bourgeoisies and their relationship to Bosnia and Herzegovina and its nations.

The separatist-oriented Greater Croatian bourgeoisie regarded the breakdown of Yugoslavia and the occupation as its liberation and historic opportunity to achieve its national goals, in founding a great Croatian state within its historical borders. In order to give its state a clean national base, immediately after conducted occupation, through the Ustasha movement, as her political force, Croatia massacred and expelled the Serb population from the newly formed Independent State of Croatia (NDH). It simply declared Muslims of Bosnia and Herzegovina as a purest part of the Croatian nation. It explained this policy to the Croatian people as a historical necessity for ensuring the survival and normal development of the Croatian state. It set the state organization in such way that it erased the regional individuality of Bosnia and Herzegovina.

The Greater Serbian bourgeoisie, resentful because of the shameful defeat of the war and the downfall of Yugoslavia, linearly accused all Croats and Muslims of treason and demanded exemplary punishment for both. It, too, received the breakdown of old Yugoslavia as a *fait accompli*, and used the invaders and Western allies to accomplish its goals, to create a Greater Serbia and to cleanse the area from Muslims and Croats. With the help of Nedic and his group, it ingratiated itself to the occupier, and it kept in touch with the Western allies through Chetnik Draza Mihailovic. Chetnik movement served for its internal confrontation with Muslims and Croats, and with the help of which detriment on the widest scale was conducted in the area where possible. The subject of this destruction were primarily Muslims, and the explanation for such a course of revenge lies in the fact that they were numerically smaller and weaker, and in the circumstance that the Chetniks operated in the areas where they lived in greater numbers. The Muslim bourgeoisie, if we can call the upper class of Muslim society that way, initially as a majority accepted the position of the Greater Croatian bourgeoisie and the NDH as its state, believing that it would be treated in the same way as the Croatian bourgeoisie. It explained the occupation and creation of the NDH to the Muslim masses as a liberation from Greater Serbian hegemony and sought to bind them to this state, to draw

them into hostile military formations, both for the defence of that state and their own. At first, it was successful in this, especially when the Chetniks revealed their true intentions. Although because of such occasions, Bosnia and Herzegovina is often considered as the most suitable ground for the beginning and development of a national liberation struggle, such conclusions are rather cursory and one-sided. At that time, Bosnia and Herzegovina represented the most complex, opposite intereststhe most intertwined area, in which the broad masses, due to their great backwardness, were strongly influenced by the clergy and their bourgeoisie. It was not easy to separate these masses from the bourgeoisie and tie them to the liberation struggle and the National Liberation Movement (NOP). At first, the Serb peasant masses were quite easily launched into the struggle, as it was about saving a life, and relations within the liberation movement were not yet differentiated but launching of the Muslim and Croat masses was much more difficult. The Muslim bourgeoisie took advantage of the attitude of the Greater Serbian bourgeoisieto keep the masses under scrutiny by intimidation and separate it from the liberation struggle as much as possible. This was compounded by the fact that initially the fighting mass consisted almost exclusively of Serbs and the undifferentiated relations between the Chetniks and the Partisans, so that the Muslim bourgeoisie qualified the whole liberation movement as Greater Serbian and for Muslims dangerous. It took quite a while for the truth about the NOP's goals to penetrate Muslims' masses and that they gradually orient themselves toward the NOP. Added to this is the fact that a part of the Muslim bourgeoisie that has not or has not stronger associated with the occupier and the Ustashas, threatened by the Chetnik terror, carried out in cooperation with the occupier, starts to think about the future realistically.

These circumstances and a fuller awareness of the NOP's goals cause a stratification within the Muslim bourgeoisie and one part of them oriented towards the NOP, but this orientation went rather slowly. It should be noted that most Muslim intellectual and working-class youth were on the NOP side from the beginning, but its impact on the masses was not strong. Within the

Croatian part of our nation, the stratification was even slower, which came from the fact that the peasant masses were strongly influenced by the clergy, and most of the clergy considered the NDH as a Croatian state and tied it to the peasant masses. The part of the Croatian bourgeoisie which wasn't tied toUstasha movement was quite weak and without a strong influence on the peasant masses, so the process of joining the NOP was much slower. Due to this situation, it was not easy for the members of the KPJ and the NOP activists to overcome these opposites and to keep the masses more attached to the NOP, but by persistently explaining the intentions of the occupier and uncompromising fight against it and its associates, as well as explaining the goals of the NOP, these difficulties have been overcome and most masses gradually joined the NOP. By calling on all nations to fight for the liberation struggle, the KPJ guaranteed the equal position of every nation in the state which will be built through the NOB. The principle of equality of nations was expressed in the martial slogan of "brotherhood and unity of our nations" and it became one of the most important means of mobilizing all nations. Although the moment of achieving the ultimate goal of the NOB was still a long way off, it can be stated that this slogan, or national principle, was immediately applied in the process of building a new state. As is well known, two basic levers of this system, the National Liberation Army (NOV) and national government, were built on this principle. The formation of the National Liberation (NO) committees, as local state authorities, was carried out within the framework of individual countries or national units, and the same was true for the formation of the units of the NOV. As soon as the central leadership of the KPJ took the leadership into its own hands, the application of this principle was even more felt. A unique line of organization of the NO Board and the NOV was set up at the consultation in Stolice village. In relation to the NOV organization, it was decided that, in addition to the central leadership embodied in the Supreme Headquarters of National Liberation Partisan Detachments of Yugoslavia (NOPOJ) would also form national, or terrestrial leaderships embodied in the headquarters for each country. After holding consultations in Stolice village, likewise, the formation of the

main NO committees has started in the system of national government, as the central state authorities. Already in November 1941, the Main NO Committee for Serbia was established, and for Montenegro and Boka at the beginning of 1942, which undoubtedly reflects the implementation of the national principle, that is, federality.⁶ In the first place, we are interested in looking at the position of Bosnia and Herzegovina and the question of whether it was included as a separate unit in this process. This question can be answered in the affirmative and it can be observed that the process of forming the NOV as well as the NO committee is set up on the same grounds as in the other countries. However, one can notice a difference in the realization of both aspects of this process. Namely, while the Main Headquarters of NOV for Bosnia and Herzegovina was established immediately after the consultations in Stolice, the main NO committee or its corresponding body was not formed until the establishment of ZAVNOBiH i.e. the end of 1943. What were the reasons that led to this occurrence, was it an accidental or a particular attitude? Another circumstance which should be explained may be added to this question, namely, not even the Supreme Headquarters of Bosnia and Herzegovina have stronger affirmed themselves by its activity. In our historiography this question has not been discussed and therefore this is to be the first attempt to explain this phenomenon. It is known that the Supreme Headquarters existed and operated, but on the basis of the preserved documents it is not possible to reliably estimate the extent of its activity, especially in the area of formation and development of the NO Committees, which is of primary interest to us in treating this issue. In response to this question, we believe it may have been influenced by the fact that, at the time of the process of establishing the central NO committees in the mentioned countries, the Supreme Court with experienced political and organizational staff came to Bosnia and Herzegovina and directly influenced the further process of con-

⁶ The National Liberation Front and its executive committee which served as the General Committee of Slovenia was formed on April 11, 1941 in Slovenia, the main National Liberation Committee (NOO) for Serbia was established in November 1941, it remained in operation until the formation of the Greater Anti-Fascist Assembly of Serbia, and NOO for Montenegro was established in Montenegro on February 8, 1942.

struction and development of NOV's and national authorities. In some of the published works, we have by the way noted this issue and tried to explain it just by this fact. Namely, the arrival of the Supreme Staff reduced the importance and the need for immediate action of the General Staff of Bosnia and Herzegovina and delayed the need for formation of a central NO committee, since the Supreme Staff took over the directing function. It is difficult to ascertain whether this question, i.e. the establishment of a central NO committee, was influenced by an insufficiently clarified issue of Bosnia and Herzegovina's position in the future federation. Specifically, one might ask whether a national committee was not established in Bosnia and Herzegovina because it was not considered a national state, since such doubts existed, or there were some other reasons. Based on the data from the preserved documents, as well as from the memoir literature, it cannot be concluded that any work was done on the preparations for the establishment of such a NO committee until the end of 1943. It is only in the middle of this year that we have a document which directly talks about the intention of establishing AVNO Bosnia and Herzegovina, but this is the time when the Executive Board of AVNOJ has already directed a directive to start the formation of national councils in all countries so accordingly it cannot be concluded that the initiative came from the political leadership of Bosnia and Herzegovina.⁷ This hypothesis could be objected to the fact that no central National Liberation (NO) committee was established in either Croatia or Macedonia, and the position of these countries as national units didn't come to the question. We do not know that this issue has been addressed in the literature so far, but it could be assumed that the reason for that was that the development of NOPs was not uniform in these countries, i.e. it did not cover all countries equally and created a broader and stronger political footing. The formation of a central authority in Bosnia and Herzegovina followed only at the end of 1943, at a time when it has been forming in the other countries, but at the initiative of the Executive Committee of the AVNOJ, in order to complete and select legitimate na-

⁷ Provincial Committee Report to the Central Committee of the KPJ mentioning the possibility of establishing an AVNO for Bosnia and Herzegovina, IRP, cat. no. 1607.

tional delegations for the Second AVNOJ Session which was imminently coming. There is not enough information on the immediate preparations for the formation of ZAVNOBiH in the preserved documents, and the memoirs do not deal with this issue more broadly. In connection with the immediate preparations for the establishment of the National Council, we have only two or three documents preserved, and they refer to the instructions on how to elect delegates for this session in order to obtain as representative character as possible in terms of nationalities living in Bosnia and Herzegovina and in relations to other social structures.⁸ There are also disagreements regarding the date of the founding assembly and the first ZAVNOBiH session due to the different dating of the documents that were adopted at this session. The dilemma is one day, whether this session was held on November 25/26 or 26/27 because these documents carry both dates. The report of the Verification Board is dated November 25th, and the other documents are dated 27th, which was observed during the preparation and publication of the materials related to this session. The basic document of this session, the Resolution, is dated 27th and therefore it became uncertain when this session was held. It is known that the session was held at night and therefore it took two days, but it is uncertain whether it was between 25th and 26th or 26th and 27th November. In the first published collection of documents on the development of national authority, the author stated on the basis of the date of the Resolution that this session was held the night between November 26th and 27th and this view was generally accepted until the appearance of the edition of the "First and Second ZAVNOBiH Sessions" in which it is stated on the basis of the report of the Verification Board that this meeting was held on 25th/26th, but without explanation.⁹ So far, this issue has not been explored in more detail, the dilemma continues to this day. Examining the dates of the documents of this session, as well as the recollections of the living participants, we concluded that the exact date was November 25th/26th. Although the Resolution is the basic document of this session, we believe that the date of the

⁸ IRP, cat. no. 1607, 1704, 1801 and 194.

⁹ ZAVNOBiH First Session, Sarajevo 1953, p. 13.

verification committee's report should be accepted as more credible. This report had to be finalized, submitted and approved, and therefore constituted one completed document at the very beginning of the session, and the Resolution and other acts (minutes, reports, etc.), given the circumstances in which it was all done, could have been completed and dated after the session. Checking this fact from participants' memories we did not receive unique statements. Some replied that they could not remember the exact date, while others who kept their notes claimed that it was on 25th/26th).¹⁰

Accordingly, the report of the verification committee, which can serve as a specific document for this (except that it had to be completed) and (the testimonies of the participants), although very few who provided a specific answer, could serve as a basis for determining the exact date of this session. At this session, the Council demanded that Bosna and Herzegovina take the place of a federal unit in the Democratic Federation of Yugoslavia, and there was no doubt in that regard. Namely, it was known that the Second AVNOJ Session was to be held and that very important decisions on the organization of the new state were to be made at this session. In relation to the issue of the situation of Bosna and Herzegovina, the Resolution of this session may serve as a relevant document on the mood and attitude of the participants of this session. The Resolution firmly states that "the Nations of Bosna and Herzegovina shall participate in a straightforward manner with the rest of our nations in the creation and construction of a new Democratic Federation of Yugoslavia."¹¹ So, as far as the will of the representatives of Bosnia and Herzegovina and the attitude of this session is concerned, there is no doubt at all about the position of our country in the federation of our nations. To treat Bosna and Herzegovina in the same way as all other national countries was not only a wish but also a request of this session. However, despite the clearly and firmly expressed position

¹⁰ Rodoljub Colakovic: "The light of the first day of the Democratic Federal Republic of Yugoslavia shone through the open window" published in the edition: Thus, was born the new Yugoslavia, Belgrade 1963 p. 121

¹¹ GereskovicL.: Documents on the Development of National Power, Belgrade 1948, p. 208.

of the National Council of Bosnia and Herzegovina at the previous conference of representatives of national delegations, held before the AVNOJ session itself, there was a dilemma regarding the situation of Bosnia and Herzegovina. Immediate preparations for the Second Session included the prior exchange of views and the discussion of draft decisions within the narrow circle of representatives of individual national delegations, as well as within each national delegation. Given that among the elected delegates of the national delegations, looking at the pre-war benchmarks, there were also people who belonged to various political parties or groups before the war, and among them, those who actively joined the NOP just before the Second Session, it was necessary to consider all issues before the session, to achieve convergence in views so that this session expresses complete unanimity in all basic issues. This unanimity was necessary for the further development of relations within the country as well as towards allies and the international public at large. The unanimity of this session was supposed to be a decisive response both to the government in emigration and to those allies who intended to interfere with our internal affairs and impose solutions on us. This conference highlighted the dilemma regarding the situation of Bosnia and Herzegovina by those who viewed the issue of federal regulation on a national basis too rigidly. A prominent dilemma is the mixed national composition of Bosnia and Herzegovina and, as such, it cannot take the place of a federal unit, but of an autonomous province. Although this objection did not originate from a significant number of people, and was not insistently raised on it, solely asking this question could interfere with the resolution of this very important issue for us. The objection regarding the national character of our country and the inconsistencies in the application of the national principle came about the Soviet view and resolution of the national question. However, from this point of view, a prominent opinion on the autonomous character of Bosnia and Herzegovina has been criticized. Autonomous provinces in the Soviet model are included in the republics, and this is precisely the complexity of this problem. By including our country in one of two possible federal units (Serbia

or Croatia), the problem of membership of Bosnia and Herzegovina is not solved but it is even more complicated. The opinion that Bosnia and Herzegovina is directly linked to federal bodies and thus remains outside the existing federal units also ran counter to the Soviet model and was contrary to the position of our National Council. For these reasons, the objection raised was removed and agreement on other issues as well as on the draft decision on the federal organization of Yugoslavia has been reached.¹²

The position of our delegations was adopted by all national delegations so that no discussion was even discussed at the session and the decision on the construction of Yugoslavia on the federal principle was unanimously adopted. However, the prominent doubt as to the basis on which Bosnia and Herzegovina's position as a federal unit is based was reflected in the text of this Decision. The Decision on federal construction starts from the principle of self-determination of nations, but it is also supplemented by the regional principle and on that basis, it introduces Bosnia and Herzegovina into the ranks of federal units. Such a text of this Decision leads one to think that at that time the national issue within Bosnia and Herzegovina was not fully understood. It was assumed that only Serbs and Croats live in Bosnia and Herzegovina, and due to numerical ratio and confusion, it was not possible to annex Muslims to any of the two interested national units, nor was it possible to make a division and annex the divided parts to these units. Muslims were not considered as a separate national community, but as potential Serbs or Croats, and although they had largely not declared themselves in the past, it was assumed that, over time, they will and the issue of the national character of Bosnia and Herzegovina would definitely be resolved. This understanding was based on a wrong assumption, in fact, on the adopted bourgeois understanding that had been formed earlier, and on this occasion, unknowingly adopted. The time has proven this understanding wrong. All censuses of the nationality that were conducted in the post-war period in Bosnia and Herzegovina confirmed the groundlessness of this understanding. Most Muslims did not accept this view and whenever

¹² Rodoljub Colakovic: quoted work, p. 118.

they were given the opportunity to declare their nationality, they replied in the negative, they refused to declare themselves as Serbs and Croats. This attitude of Muslims has been differently explained, and unscientifically, and practice has shown that these explanations were incorrect. We will not list them because they are well known.

The decision on the federal construction of Yugoslavia from a state-legal point of view clearly resolved the position of Bosnia and Herzegovina. "Such a solution is an expression of the consistently and flexibly implemented principle of national equality, the realization of which in our country should remove even the smallest trifle reminiscent of the hegemony of any nation from our common life, favouring the further development and expansion of the brotherhood of our nations and in that way strengthening the foundations of our common state", says Rodoljub Colakovic in his memoirs of the Second AVNOJ Session.

He opposes the forcible pushing of Muslims into Serbs or Croats and points out that "Bosnia and Herzegovina is neither Serbs' nor Croats' nor Muslims', but everybody's, Serbs' and Croats' and Muslims' alike"¹³. This way understood the question of the position of Bosnia and Herzegovina and its national composition was correct and it corresponded to the will of the nations of Bosnia and Herzegovina expressed during the liberation struggle. Supporters of other understandings and solutions were on the other side of the front, in Chetniks and Ustashas. The significance of the First ZAVNOBiH Session is not only that Bosnia and Herzegovina has acquired the status of a federal unit and its central national representation, but especially in the moral and political unity of the goals of its nations and their representatives. "For the first time in the history of Bosnia and Herzegovina, the representatives of Serb, Muslim and Croat nations have met, united by a solid brotherhood in the uprising, with the aim of making political decisions which will open the route to our nations to regulate their country as it fits to their will and interests"¹⁴ states the Resolution of this

¹³ Rodoljub Čolaković: quoted work, p. 119.

¹⁴ Gereskovic: quoted work. p.205

Session. During the discussion at this Session, the participants emphasized the spirit of unity, full of understanding and cooperation and saw the basic value of this meeting in it. Until the emergence of the NOB, the nations of Bosnia and Herzegovina have never acted so uniquely but have reacted to new phenomena in their own way and very often came into conflict with each other. If there were joint performances, they were superficial, compromising more formal than real. The spirit of unity, built during the liberation struggle, instilled in this assembly, became a solid foundation for the cooperation of the nations of Bosnia and Herzegovina and a lasting foundation for their policies. All attempts to weaken this foundation, coming from either side, have failed. Likewise, the spirit of self-awareness and unity of all the nations of Yugoslavia expressed itself most clearly at the Second AVNOJ Session in the Federal Construction Decision: "The nations of Yugoslavia never acknowledged the dismemberment of Yugoslavia by the fascist imperialists and in a joint armed struggle they proved their firm will to remain united in Yugoslavia."¹⁵ These words gave a clear and decisive answer to all those who doubted the existence of Yugoslavia and also emphasized the difference in the way of creating old and new Yugoslavia. Although we assume that all our nations wanted unification into a common state, they did not or did not equally participate in the creation of the old Yugoslavia, and the broad masses were not activated in the process. The Greater Serb bourgeoisie considered that they themselves created the state and thus treated the others. Stressing that they created the state, they felt that they had the right to be privileged in it, and they persisted in defending that stance. Other nations' bourgeoisies denied that so there has been a conflict between them from the beginning. This conflict was transmitted to the masses and reflected not only the ruling order but also the state itself. The enemies were using this situation for the purpose of state's destruction. Taking the advantage of the negative phenomena in the life of old Yugoslavia, through their propaganda, they undermined the affinity of the masses toward the state itself, thereby diminishing its resilient power.

¹⁵ Gereskovic: quoted work. p.254

Compared to this, the path of creation of a new Yugoslavia is significantly different. The KPJ firmly stood in the view of the need and justification of a common state based on the full equality of all its nations, and it was clear from the beginning of the liberation struggle that every nation was fighting for its freedom. The great sacrifices made by all our nations during this struggle have created a strong bond between each nation and the new state, to rightly see in it the work of its efforts and sacrifices, and to rightly regard it as their own state, while at the same time a common struggle of all for the same purpose created a strong bond between them. Such understanding cemented an affinity for a common state that was lacking in the old Yugoslavia. The understanding of the full equality of a nation towards nation has become a solid foundation for the existence and development of our country. This understanding has been born and reinforced during the liberation struggle and in the decisions of the Second AVNOJ Session it received its legal confirmation.

The implementation of the decisions of the Second Session and the construction of the state and legal system proceeded so that one part of this task was performed by the AVNOJ Presidency and the other by the National Councils and their Presidencies. The second ZAVNOBiH session represents for Bosnia and Herzegovina the same as the second AVNOJ session represented for the whole Yugoslavia. Although the state system of the Federation of Bosnia and Herzegovina was largely completed with the proclamation of ZAVNOBiH as the supreme authority, it needed to be completed and trained to carry out the upcoming tasks. The decisions of the Second ZAVNOBiH Session enabled only constitution of the Council and its Presidency and the Presidency was authorized to constitute the administration and other institutions. Immediately after the conclusion of the Second Session, the Presidency formed the first departments for particular areas of administrative activity and other institutions which were required for the performance of special tasks. The issue of the formation of a nation-wide political organization, the National Liberation Front (NOF), which did not exist until then, was related to the Second Session of

ZAVNOBiH. In this connection it should be noted that the genesis of such an organization dates to even before, and its increased need with the start of the liberation struggle. A national liberation movement was developing along and under the leadership of KPJ and its task was to bring together and politically activate all those who had accepted the liberation struggle and were ready to actively pursue its goals. The KPJ called on all citizens, regardless of their social status and previous political affiliation, to invite groups, women and entire political parties to actively join the NOP in order to broaden the base of the liberation struggle. Even so, this gathering did not have the character of a political coalition, since all those approaching accepted the leadership of the KPJ without coalition elements in setting and performing tasks. The organizational formation of a general political organization has been gradual and different in individual countries. In Slovenia, in the beginning of preparations for the liberation struggle, such an organization was formed, and in other countries the function of such an organization was performed by the NOP, which included all organized structures in the liberation struggle, such as KPJ, NOO, NOV, AFZ, USAO and others. The role of the local political bodies of the NOP was performed by the NOC until the Second Session of ZAVNOBiH (which is especially emphasized in the Focan Regulations). After that, the NOC needed to be released of the politician's tasks and a special political organization needed to be formed. In Bosnia and Herzegovina, this was done at a national conference held immediately after the Second Session.¹⁶ The NOP, or NOF, as a general political organization, bound peoples and individuals into one very homogeneous political entity capable of withstanding all the difficulties and rising above the regional and nationalist narrow-mindedness that characterized the bourgeoisie both during the pre-war period and during the occupation and liberation struggle. This strong connection stemmed from the belief in the necessity and justification of the liberation struggle,

¹⁶ National Assembly of the NOF was held on July 4, 1944 in the village of Zdeni, Sanski Most municipality, at which the NOF for Bosnia and Herzegovina was formed, and the NOF Executive Board was elected, the local committees were also elected later.

and could only be achieved in the conditions of a fierce and uncompromising struggle in which the people, the military, the leaders, the councillors and the activists were one and the same, exposed to equally difficult living and working conditions and moved by the same goals. Through the gathering of broad masses, the NOF provided the NO committees and the entire liberation movement with the national democratic latitude necessary for the liberation struggle and the partisan way of warfare.

In what follows, we will outline the activities of the ZAVNOBiH Presidency and some phenomena that, although not directly related to the issue we are addressing, more closely illuminate the process of creating a new Yugoslavia, and therefore of the federal Bosnia and Herzegovina. The activity of the Presidency and its organs was very large. On the one hand, it was necessary to make the necessary regulations for the organization, and on the other hand, to resolve ongoing issues in order to meet urgent needs. We are primarily interested in the activities of the Presidency regarding the organization of government. In this area, the Presidency developed a very lively activity by carrying out extensive organizational work until the Third Session. Along with the process of forming its administrative apparatus, the Presidency paid attention to the organizational development of the NO Committee. Due to its complexity, this work was done in two stages. First, in order to unify the organization of the national government, only a single organizational basis was raised and the issue of mutual relations between the NO committees and the administrative bodies was solved.¹⁷ This measure met the urgent need for a single organization, but in further development it proved to be insufficient given the increase and complexity of the tasks. In order to resolve this issue more fully, the Presidency adopted the Ordinance on the organization and operation of the NO committees and NO assemblies, which regulated the composition, election, revocation, competence, mutual relations, internal organization and appeal procedure. One of the peculiarities of the development of the national authority in

¹⁷ Presidency Decision on the Establishment of Public Administration Bodies in Bosnia and Herzegovina, Proceedings of ZAVNOBiH, Vol. 1, doc. no. 61, "Veselin Maslesa", Sarajevo, 1968, 34

Bosnia and Herzegovina was the absence of its own regulations on the national committees. Until the Second ZAVNOBiH Session, we did not have our own regulations, although some federal units previously had them. NO committees were formed and developed in our country on the basis of the regulations of the Supreme Staff adopted in 1942, the instructions of the Supreme Staff and the Executive Committee of the AVNOJ and the Rules of Procedure of the NO Committee, which was adopted by ZAVNOBiH on June 14, 1943.)¹⁸ The decisions adopted by the AVNOJ and ZAVNOBiH at the Second Session solved only the most basic organizational issues and therefore the process of building the system had to be accelerated. This was the main task of the Presidency between the Second and Third Sessions.

Due to the unequal level of development of the NO committees in the various liberated territories and the process of implementation of these organizational measures, the process was running unevenly. The Bosnian Krajina represents the area in which the nation's power was most uniformly developed, and therefore the area in which these regulations were most fully applied. At this time, the Regional NO Committee for the Bosnian Krajina was a developed institution that was able to more closely link the lower NO committees and direct their activities. Due to difficult circumstances, the implementation of the provisions of this Ordinance was much slower at the level of the Regional NO committees for Eastern Bosnia and Herzegovina, so that its full application occurred at the moment of definitive liberation of these areas.¹⁹ For a complete overview of the organizational work of the Presidency, we will also note the measures regarding the judiciary. Up until this time, the organization of the judiciary was unequal and almost unregulated. In the Focan and Krajina regulations with respect to the judiciary, it was found that only the NO committees performed judicial activity, and everything else was left to practices that varied from

¹⁸ Regulations based on which the NOOs were organized during 1942. and 1943. are the Foca regulations, the Krajina regulations, several instructions from the Executive Committee of the AVNOJ, as well as the Rules of Procedure of the NOO, adopted by ZAVNOBiH, Gerskovic: pg. 31, 61, 66, 121, and 169.

¹⁹ Regional NOO for Eastern Bosnia, Report, ZAVNOBiH Proceedings, or. cit., doc. no...

one area to another. The decisions of the Second Session of ZAVNOBiH did not introduce anything new to the organization of the judiciary, so in order to complete the system, the Presidency adopted detailed regulations on the organization and operation of the courts and the public prosecutor's office.²⁰ The period of the second half of 1944 was devoted to intensive organizational work, so that by the end of this year the national government represented one organizational unit.

AVNOJ's decisions did not establish relations between the organs of the federation and the federal units and they developed based on the general principles of federalism. The wartime circumstances and the difficult ties between the AVNOJ Presidency and the National Committee, on the one hand, and the National Councils, or their respective Presidencies, on the other, led to the fact that the National Council Presidencies really independently built the system of government in the federal units. There were difficulties since it was a matter of setting up a brand-new system compared to the old one. Experts preparing the draft decisions and regulations were faced with completely new problems, although, it was generally known how things should be set up, the drafting of these regulations encountered difficulties due to inexperience in the business. For the same reasons, the application of the adopted regulations did not go smoothly. There was either no expert staff at the NO committee or, if any, it was not prepared for this kind of job. As a result, the Presidency had to constantly monitor the implementation of new organizational measures, and to influence in practice the democratic character of the new government and to properly establish relations between the plenum and the executive committees of the NO Committee. A special control service was formed for this purpose.

In the process of stabilization and proper functioning of the NO committees, a very important issue was the relationship between the NO committees and military bodies, especially the background military commands whose tasks were intertwined with those of the committees. In order to

²⁰ ZAVNOBiH Presidency, Instructions on the Organization and Operation of National Courts since October 17, 1944, Proceedings of ZAVNOBiH, or. cit., doc. no. 111

clear the relationship, organizational and enforcement measures have been taken to demarcate the competencies between them and manage relations. At the end of 1942, the Supreme Headquarters issued the Order on Background Military Authorities, but this order generally annexed the scope of the background commands, so that the process of development of these relations had to be constantly monitored.²¹ The background commands were under great pressure from the day-to-day and urgent needs of the military, which had to be met on time, and many of these tasks were carried out in collaboration with the NO committees.

Sloppiness and omissions primarily entailed the responsibility of the background commands and therefore these pressured the NO committees in order to perform the tasks as well as possible. Hence, there were various pressures on the NO committees and immediate interference with their affairs, so that they seemed to be subjugated to military commands, which diminished the committee's authoritative reputation. However, given the state of war and the primacy of military needs, it was difficult to completely close these relations, especially in those areas where NO committees were not organizationally established. Therefore, this problem remained topical throughout the liberation struggle. In the period from the Second to the Third ZAVNOBiH session, the general-Yugoslavia plan involved the recognition of the new Yugoslavia by the Allies, especially the Western ones. The Western allies did not want to acknowledge the revolutionary changes made during the liberation struggle and sought through the reactionary social forces within the country, and especially the Chetniks, to preserve the monarchy and the old social order. Although they were familiar with the nature of our liberation struggle, they harboured the hope that no radical change would occur.

After the Second AVNOJ Session, these changes were declaratively published and legally sanctioned. In this regard, the necessary steps had to be taken for the Allies to acknowledge, in addition to the armed struggle they were using directly, the revolutionary changes that led to this struggle.

²¹ Gerskovic: quoted work. p.75

Stalin himself did not believe in the power of our NOP and the revolution; he was reluctant to look at the more radical changes in social order. Considering such situation in the field of external relations, it was necessary to approach them carefully.

Negotiations to regulate the issue were known to be slow and staged, owing to opposition from Western allies, especially the British government and its president. Despite this opposition, the negotiations were successfully completed and the achievements of the NOB, expressed primarily in the decisions of the AVNOJ, were acknowledged. The issue of the survival and further development of the new Yugoslavia was thus secured on this side. This fact imposed the need to turn the revolutionary situation back to normal both at the federation and federal units. This was done first in the federal units and then in the federation.

In Bosnia and Herzegovina, this was done at the Third ZAVNOBiH session, held in liberated Sarajevo from 26-28. April 1945. The most significant acts of this session are the Law on Amendments to the Decision on the Establishment of ZAVNOBiH and the Law on the National Government of the Federation of Bosnia and Herzegovina. This session enters the history of the state constitution of Bosnia and Herzegovina by turning ZAVNOBiH into the National Assembly and establishing and appointing the first government. Although the legal basis for the appointment of the government existed in the Decision on the constitution of ZAVNOBiH, adopted at the Second Session, it was considered that the new representative body should adopt an act on the formation of one of the most important state bodies in the form of a law. Considering that almost the entire country was liberated at that time, it was necessary to increase the number of ZAVNOBiH members so that representatives of those areas which had not been represented according to their significance at the time of the Second Session, would enter it before being elected to the National Assembly.

This Assembly was provisional, and its main task was to pass laws on the election and convening of the Constitutional Assembly of Bosnia and

Herzegovina. However, it remained together for longer than it was planned and therefore it had to resolve other issues necessary for the further construction and consolidation of the new social and state order. Among the laws passed by this assembly are the Law on the Supreme Court, which completes the judicial system, the Law on the Name of the People's Republic of Bosnia and Herzegovina, on the administrative-territorial division of the country, on the organization of national committees, agrarian reform, and others which resolved urgent issues.

The position of Bosnia and Herzegovina as a federal state in the federated community of our nations depends on the relations established by the constitution of the federation. Therefore, in order to develop the formation of the federal system, it was necessary to follow this process in the federal framework. The third session of AVNOJ and its transformation into the Provisional National Assembly was significant for this issue, as well as the second one concerning the basic achievements of the liberation struggle. This Session also gave an opportunity to those elements who did not participate in the liberation struggle to participate as national representatives in the work of the AVNOJ and the Provisional National Assembly and to try to challenge the revolutionary forces in a straightforward manner to regulate the state in a way that suits the interests of working people and the equality of the nations.

It is known that the allies with Crimea Declaration recommended, in fact, imposed an obligation on AVNOJ to expand with the deputies of the last Assembly of the Kingdom of Yugoslavia and turn it into a National Assembly, which should confirm all acts on the organization of the state passed during the liberation struggle. The DFJ Provisional Government has accepted this recommendation and it was thus committed to doing so. This recommendation was the last attempt in the course of the NOR allies' direct involvement in our internal affairs, with the intention of using the reactionary forces to stop or completely block the revolutionary course of development.

Accordingly, the formation of the Provisional National Assembly came more from foreign policy considerations than from the internal needs of the country, since the constitutional assembly is the most relevant for the confirmation of revolutionary acts. The group of national representatives admitted to the AVNOJ was not numerically strong, as only those who were not compromised by cooperation with the occupiers were admitted. Unlike AVNOJ, which was politically completely unique, the Provisional National Assembly also had a group of national representatives who acted as opposition. Although this group was small in number and could not conceal the will of the revolutionary majority, it expressed its understanding and showed its attitude towards the revolutionary changes that had already taken place. During the deliberations of the Constituent Assembly Law and other laws related to the election of the Assembly, the opposition did not directly, for such an attack did not have the strength, but bypassed trying to delay or at least slow down the constitutionalizing of already implemented revolutionary changes (Branko Petranovic: *Civic Opposition in Provisional National Assembly Against the Decisions of the Second AVNOJ Session*, Published in the *Meaning of the Second AVNOJ Session for the Socialist Revolution in Yugoslavia*, Zagreb 1963, p. 89).

During the liberation struggle, all measures in the process of revolutionary transformation were carried out through revolutionary acts and after the liberation of the country these measures had to be constitutionalized, which was the task of the constituent assembly. This assembly, as the sovereign representative of the nations and the citizens, was to adopt the first constitution which would sanction the made changes. Not because of the attitude of the opposition, but primarily with regard to the position of the NOP itself, which has been clearly expressed and repeated over the course of the NOB, very significant importance was attached to elections of the Constituent Assembly.

This comes from the fact that the basic revolutionary acts pointed out that the final establishment of a new system was related to the confirmation

of national representatives who would be freely elected by all citizens after the liberation of the whole country. (See: Kardelj's article in the *Fight of October 19th, 1941, Tasks and Organization of the NOO - Focan Regulations - Item 1* "whose final and permanent forms will be determined by the liberated people after the expulsion of fascist invaders from our country"; the same in the *Election Order of the NOO, Part II. 1*, then in the *Statement of the Executive Committee of the AVNOJ and the Supreme Staff from February 8th, 1943*).

"Increasingly important measures, both in relation to social life and in state organization, will be resolved after the end of the war by the representatives of the people, who will really be elected by the people themselves"; in the first Decision of the Second AVNOJ Session declaring AVNOJ the supreme state authority in Art. 2 of this Decision is noted "During the National Liberation War" see Gerskovic: quoted work p. 18, 31, 70, 141 and 252).

It should be borne in mind that during the liberation struggle direct elections could not be conducted for the Central Representative Bodies, but the selection of representatives was done through the NO Committee or in any other appropriate way. In order not to call into question the general representative and sovereign character of the constituent assembly, the elections were conducted previously based on the most broad-based general and direct suffrage. These elections, in fact, had a plebiscite character for the new and against the old socio-political order, and this was their special significance.

In that way elected the Constituent Assembly had the full legitimacy to confirm and complete on behalf of all nations and citizens what has been built during the revolution. At its first meeting, the Constituent Assembly resolved the question of the form of government that had been postponed until this time because of its regard for the Allies. By declaring the proclamation of the Federal People's Republic, it gave a new name to the state, and at the same time definitely resolved the issue of monarchy. Given that Yugoslavia emerged from the war as an already organized state, the

Constituent Assembly actually only confirmed the system which has been constructed during the liberation struggle.

The Constituent Assembly of Bosnia and Herzegovina (elected on October 13, 1946), before passing the Constitutional vote, adopted a special decision approving acts passed by the National Council and its Presidency and the National Assembly and its Presidency, and in that way as the highest sovereign authority sanctioned these revolutionary acts. The Constitutional voting took place on February 30, and the solemn proclamation and entry into force on December 31, 1946, by which Bosnia and Herzegovina, from the point of view of building a system of national or state government, entered the normal course of development. The introductory provisions of the Constitution emphasized: "The People's Republic of Bosnia and Herzegovina is a national state of the Republican form" (Art. 1) and "The People's Republic of Bosnia and Herzegovina, achieved in its liberation struggle and the common struggle of all the peoples of Yugoslavia as a people's state, on the basis of the right to self-determination, including the right to secede and to unite with other peoples, expressing the free will of one's people, without distinction of nationality or religion, was united on the basis of the principles of equality with the peoples of the Republic of Serbia, Croatia, Slovenia, Montenegro and Macedonia" (Art. 2).

These two provisions highlighted the statehood of Bosnia and Herzegovina and the way that statehood was realized. These statements have been repeated in all subsequent constitutions, although the slightly modified text constantly emphasized the state character of the republic and its voluntary entry into the federal community. These two facts form the basis of our federation and ensure a harmonious life and smooth development of a common state.

Thus, the issue of liberation and unification of the South Slavic peoples, one hundred years after this idea has been born and the various peripeties which it has been experiencing through the course of historical development, received its final and most complete solution. Complete freedom

in deciding on this unification and full equality in the common state was ensured. Every nation and nationality were guaranteed the freedom of economic, cultural and national development in general and the assistance of the united community in quickly overcoming and eliminating inherited backwardness. In contrast to the chauvinistic nationalism that characterized relations in the pre-war state, our democratic nationalism harmoniously connected our peoples into one state community. Starting from these positions, emphasizing the statehood of our republics was not a weakness and a danger to community but its more secure basis.

In the course of constitutional development, these characteristics have remained a fundamental feature of our federal community. In the first constitution, the statehood of the republics was manifested in a series of phenomena that provide and form the basis of their statehood. Thus, each republic was a national state union in which peoples, on the basis of the right to self-determination, have expressed their will to live together in a federal socialist community; the peoples and their republics are equal in the federation and the federation protects and defends the rights of the peoples and republics; the unity of socio-economic and political organization of the federation and the republics is ensured; republics have their own legislation that should be in line with the federal; the republics have their citizenship, but it is also federal citizenship; the organization of the power of the republic is set in principle by the Federal Constitution, starting from the same settlements and organizational forms that it establishes for the organization of the federation; the division of competencies between federal and republic authorities was characterized by a strong centralization of economic and planning functions, which was a consequence of the economic and political situation throughout the country.

At that time, federalism could not be the subject of precise elaboration, and the experience of the war period required centralized solutions and quick decisions in rebuilding a devastated country and laying the groundwork for the nationalization of basic means of production and the first

single planning decisions. This increased centralism in the conditions of post-revolutionary development had its justification in that it represented a clear guarantee for the success of the revolution and the protection of its achievements. Although the constitution provided state and political equality of the republics, they could not really be in the same position due to different historical conditions of their development. Taking this into account, the Constitution envisaged the obligation of mutual assistance and creation of material basis for the real equality of peoples and republics.

In these conditions, the republics developed and strengthened their system of state power, their social and cultural institutions, creating the conditions for a broader and more advanced culture. The post-World War II era is characterized by a sharp increase in the number of federal states, but the developmental line of federalism as a historical process is neither straight nor uninterrupted. Federalism is a condition of a community in diversity that can be national or regional, and it aims to create a deeper and more developed unity that should eliminate inequality and the resulting conflicts. Experience has shown that imposed federalism lacks the conditions for lasting survival and that such federations sooner or later disintegrate, despite the existence of economic and other reasons for their survival. In federal states created after World War II, state centralism could not be maintained for a long time, and they fell apart if they did not alleviate it.

In federations that have experienced internal crises in relations between the centre and parts, the tendency for consensual unification was becoming increasingly evident, and the principle of equality of peoples or regions, regardless of differences in size and existing power, was presumed for this type of federalism. The modern experience of federalism shows that it is necessary to understand both the necessary authority of the centre and the free consent of the parts and their self-management, and consequently to find new and more appropriate solutions that are more appropriate to modern understandings. Neglecting or underestimating a living national or regional reality inevitably affects federalism and, in such circumstances,

can lead to the disintegration and decay of the federation, as evidenced by a fair number of examples from contemporary life. In a socialist multinational state, the right to self-determination as a basic principle of federalism is a necessary condition for the creation and development of a socialist federation. But in its historical development, socialist federalism cannot only remain tied to inter-ethnic relations but must move towards interpersonal relations in a society that eliminates class, material and cultural conflicts and inequalities, primarily of man to man.

Based on the Constitution and in accordance with its principles on federal relations, our socio-political system, the status and position of the republics and their relation to the federation developed and changed. In the first phase of development, our federalism has broader elements of centralism, which manifested itself in the native role of federal bodies, especially in the area of planning, economic management and disposal of material assets, as well as almost all legislation in the field of the system of government and economy. In the second phase, a new form of federalism develops, which is not expressed solely in the constitutional relations of the bodies of the federation and the republic but in the self-management of working people by means of socially owned property.

In this connection, the constitutional law does not mention the sovereignty of the republics, although it retains the state character of the republic, which is reflected in the state structure and functions of the republic. The Republic is still understood as a national state union based on the power and governance of a sovereign people, which exercises the basic functions of government and regulation in the basic units of society. The process of gradual transformation of the republic from a state into a socialist democratic socio-political community gave the republic and the federation a new content, which was reflected in the reduction of regulatory, and especially administrative rights of state bodies in relation to working organizations. In the organization of their system, principally republics have greater autonomy, since the constitutional law contained only general

principles on the organization of the power of the republic. The constitution of 1963 does not substantially change the role of the republic, but in principle gives it greater importance. The national principle remains the basis of the republic's existence, and the principle of voluntariness and equality.

In this connection, the Constitution, in its basic principles, pays special attention to federalism and formulates it not only as a state law but also as a social self-governing relationship in socio-political communities as a new political form based on social property and self-government. In this way, in addition to the elements of the state, a new form of federalism is emerging and developing, which is based on agreement and voluntary integration of the narrower into the wider units.

In this appendix, we have stayed longer on the previous period, the period of emergence and maturation of the knowledge of the closeness and fatefulness of our peoples, as well as the necessity of their free unification into a common state, but also of the act of various misconceptions that had very harmful consequences. During this period, forces were operating that hindered or impeded the proper development of this process, but also rejoiced and gradually matured new forces that successfully brought this process to fruition. The decisions of the Second AVNOJ Session represent the highest achievement in this process, they also mark the cornerstone of the revolution and are the basis and signpost for the further development of the achievements of this revolution. The specific and especially significant feature of our revolution and the subsequent construction of our socio-political system lies in the fact that the revolution, as well as the whole course of its further development, was and remained autonomous, started and completed by its own forces, without help from outside, and even without obtrusion both in terms of understanding and setting organizational measures.

The revolutionary forces that led the fight to success, maintained freedom and independence in their stance and firmly and persistently defend-

ed it to this day. The elapsed time represents a long twenty-five-year period of the beginning and development of socialist Yugoslavia, and the socialist republic of Bosnia and Herzegovina. This path represents an inseparable whole, but there are also significant periods in this whole that mark the successful stages of this tumultuous development. Those stages are just parts of the same developmental process which are characterized by the main tasks at a given stage. All of them together mark the unique course of continuous development and the constant rise of the construction of a new democratic system of humanized relations between people and nations.

Translated by Samira Musa