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Yugoslavia, 1918-1941: A Case Study in the Socio-Political Structure with Emphasis on the Peasantry

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YUGOSLAVIA, 1918-1941: A CASE STUDY IN THE SOCIO-

POLITICAL STRUCTURE WITH EMPHASIS ON THE PEASANTRY

(TITLE)

BY

JOHN DENNIS ROY III

THESIS

SUBMITTED IN PARTIAL FULFILLMENT OF THE REQUIREMENTS
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YEAR

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INTRODUCTION

History and geography have very often conspired cruelly against the Balkans, and Yugoslavia lying at their heart, has felt the brunt of several invasions. Illyrians, Celts, Greeks, Romans, and many other stronger powers, have in the past, controlled the component parts of the present state.

The Slavs made their appearance in the Balkan Peninsula in the sixth and seventh centuries. Like their predecessors the Celts, Goths and Huns, the Slavs crossed the Danube, entered the Eastern Roman Empire and caused the same devastation as early invaders.¹

The shattered villas and broken temples of both Greek and Roman Civilizations had left dumb witnesses which testified to the magnificence of these former cultures. As the peninsula remained desolate, devoid of any substantial culture, the Avars and Slavs attacked Constantinople and were defeated by superior forces. Contentions over the role of leadership split the united tribes of Avars and Slavs. The latter remained. In the ensuing centuries they occupied the Balkan Peninsula, from the region north of the Danube and the sources of the Sava and Drava Rivers in the Alps, to the coastal region of the Aegean and the northern highlands of Albania, from the Balkan Mountains to the shores of the Adriatic.²

¹ George Macadam, "Jugoslavia, the New Great State of the Balkans, Comprising the Serbs, Croats and the Slovenes," World's Work, XXXVII (December, 1918), 154-155.

² Ibid., p. 155.

The group who settled in the eastern areas acquired Byzantine influences, while the western group came under the heavy hand of Rome. These pressures became particularly significant after 1054, when there developed the famous fissure between the Pope in Rome and the Patriarch in Constantinople. The River Drina became a major line of demarcation when those Slavs west of it adopted Roman Catholicism, and their neighbors east of the river joined the Orthodox Church.³

Nine centuries later, Yugoslavia, one of the youngest states in Europe, can avow to a history of freedom lost and freedom regained. As a land conquered, divided and redivided, it became the famous crossroad where the civilization of the West had met and struggled with that of the East. As the historical home of several cultures, Yugoslavia has a population of twenty-one million, comprised of the major nationalities within the regions of Bosnia-Hercegovina, Croatia, Dalmatia, Macedonia, Montenegro, Serbia, Slovenia and Vojvodina. This includes many minority groups such as the Shiptars, Hungarians, Turks, Slovaks, Bulgarians, Czechs, Rumanians, Gypsies and several others who embrace three religious faiths, speak three main languages and numerous other dialects.⁴

Highlighting the turbulent interwar period in Yugoslavia, 1918-1941, the purpose of this thesis is to investigate and analyse

³ Stephen Clissold, ed., A Short History of Yugoslavia (Cambridge, England: University Press, 1968), pp. 8-12.

⁴ Robert Paul Jordan, "Yugoslavia: Six Republics in One," National Geographic, CXXXVII, No. 5 (May, 1970), 592-593.

the socio-political structure under which the Southern Slav peasant existed. Emphasizing the suppressive atmosphere produced by a highly centralist-dominated State, it will relate his struggle and determination to preserve his unique cultural traditions and his desire to be separated from the Serbian, hegemonic yoke.

Secondly, this treatise will review the struggle between the forces of centralism and the forces of federalism, interrelated with the principal political vexation of Yugoslavia in the two decades- the largely unsolved "Croatian Question."

Thirdly, the primary and most important organizational spokesman for the peasant, the Croat Peasant Party, will be traced through its political evolution in the interwar period; its reaction and consequent retaliatory tactics employed against the existing political structure in Yugoslavia; the measures it undertook to enhance peasant culture and promote their needs; and the reasons why this party and other affiliated parties failed to offer a satisfactory program of revision that was acceptable to the peasantry.

Fourthly, attention has been placed on reappraising King Alexander's efforts to placate and conciliate the three major national groups, Croats, Serbs and Slovenes, and how, that while his dictatorship failed to resolve the fundamental perplexities of concurrence, it was only a temporary stage in the Monarch's scheme to reconcile all the Southern Slavs into a unified and single State. An attempt has been made to rectify previous testimonies by both British and American historians, who have underrated the King's proficiency in administrative reform and his appreciation and concern for peasant poverty and the advancement

of technology in agriculture.

Fifthly, this paper will discuss the years following King Alexander's assassination and the Regency's reconciliatory attitude toward the sundry national groups after 1934. Demonstrating how the Croat Peasant Party achieved power at the end of the period, this thesis will show that the Sporazum (Agreement), of 1939 had been procrastinated too long, and that it failed to propitiate the Serbs and Croats.

Finally, it will try to assemble in conclusion, the domestic and internal ingredients of Yugoslavia's political dissent and impotence in the period between the wars: the little political, ideological and social cohesion manifested by the ruling class; the position and wide dissatisfaction of the peasant masses; the incapacity of the leading parties to meet the economic and political challenges in the country; and the inability of the political fraternities, who were concerned with particularistic ambitions and the protection of their region's interests, to encounter the economic and political challenges of Yugoslavia as a single unifying force.

In order to understand the essential patterns and problems associated with the Southern Slav peasants, it is necessary to review the mixed and variegated formation of the nationalities in brief. Serbia, the largest region, was an independent state during the Middle Ages, and essentially, the only region to become an independent kingdom in the nineteenth century. While the area is rich in antiquity, revealing evidence of human habitation as far back as the paleolithic period, the first evidence of a strong

dynasty did not come until the twelfth century during the reign of Steven Nemanja, the founder of the Nemanjić Dynasty. Under this family Serbia became a center of unity, good government and growing education.⁵

During the reign of the Nemanjić kings the independent Serbian church became wealthy and powerful and promoted cultural activities and civilization throughout Serbia.⁶ At the same time there were three major developments in Serbian history. The first was an attempt by the Nemanjić rulers to create internal stability and in this they were greatly assisted by leading church officials such as St. Sava who was responsible for giving the Serbians a national church. Secondly, the age was marked by foreign expansion, and finally, it was an epoch of great economic awakening as mining yielded rich copper, tin, silver and gold deposits, wealth that enabled the Serbian rulers to muster a strong mercenary force for defense.⁷

One of the greatest episodes of Serbian history came during the reign of Stephen Dušan, 1331-1355, who after conquering the Bulgarians, was able to be crowned Emperor of the Serbs and Greeks. Under him, Serbia became for a time the chief power in the Balkan Peninsula. The Serbian King extended his sway over Macedonia, Thessaly, Epirus, Albania, Bosnia and part of Bulgaria.⁸

⁵Harold W. V. Temperley, History of Serbia (London: Bell, 1919), p. 40.

⁶Phyllis Auty, Yugoslavia (London: Thames and Hudson, 1965), pp. 25-28.

⁷Clissold, op. cit., pp. 92-95.

⁸Lynn Thorndike, The History of Medieval Europe (Boston: Houghton Mifflin Company, 1928), p. 554.

Shortly after his coronation the King issued the famous Code Zakonik, which consolidated the brilliance of Roman Law with Serbian folkways.⁹

After his death the peninsula witnessed the break-up of the Serbian Empire as disorder and rebellion ran rampant. The final collapse followed after the battles of Maritsa, 1371; Kosovo, 1389; and Smederevo, 1459.¹⁰ The success of the Turks was marked by the fact that after 1440, Moslem rule dominated the greater section of Serbia. While Serbians remained under the rule of the Muslim conquerors, others migrated into the Vojvodina area. The Turkish régime allowed considerable independence and major complaints, which were vocalized against the new government, concerned the recruiting methods employed in the Janissary divisions.

By the seventeenth century, the Ottoman Empire was showing great strains of decline as they were repulsed from Vienna in 1683. By the Treaty of Carlowitz in 1699, Turkey lost Hungary and Croatia-Slavonia; however, Serbia remained under Turkish control until gradual liberation came in the early part of the nineteenth century. In 1804, the Serbians, under George Petrovic, "Kara George," rose against the Janissary army over the question of internal autonomy. In a second rebellion under the auspices of a former collaborator, Miloš Obrenovic, substantial autonomy was gained for the Serbians south of the Danube.¹¹

⁹Malcolm Burr presented an excellent discussion on the Code in The Slavonic and East European Review, XXVIII, No. 70 (November, 1949), 198-217.

¹⁰Clissold, op. cit., pp. 95-105.

¹¹Jozo Tomasevich, Peasants, Politics, and Economic Change in Yugoslavia (Stanford, California: University Press, 1955), pp. 37-41.

The most prominent feature emanating out of the conflict for Serbian freedom was the development of national sentiment which manifested itself in many ways. For instance, the church played an extended role in preserving Serbian national consciousness during the Turkish dominance. This was especially true where parish priests were frequent agitators and leaders in peasant uprisings.

Until the beginning of the eighteenth century the Serbian church acted as a substitution for a state. When the church was showing symptoms of decay, the roots of national, spiritual awakening were breaking through the surface. Serbian students championed the ideas of the Enlightenment and went off to attend Western universities.

Men like Kimitrije Obradović travelled extensively in the West, returned to Serbia, and contributed to Serbia's literary renaissance by spawning interest and work in linguistic studies. Another pioneer, Vuk Karadžić, became inspired by Obradović's talents and developed a deep curiosity for Serbia's past glories and traditions. Essentially a Romantic, he was more concerned with keeping Serbia free from Western influences. In an age when Slavic students were listening to poets like Jan Kollár, one of the founders of Pan Slavism, and Pavel Josef Šafárik, a Slovak scholar, who called for the awakening of distinctive character in existing Slav nationalities, Karadžić collected and studied Serbian popular poetry and stories, and even edited a Serbian dictionary and grammar.¹² Both Obradović and Karadžić were

¹²

H. G. Schenk, The Mind of the European Romantics (Garden City, New York: Doubleday and Company, Inc., 1969), pp. 16-17.

opposed by the strongly conservative Serbian Orthodox church which had lost a great deal of its own literary prestige to the new movements.

After the Treaty of Adrianople in 1829 when Serbia was recognized as an autonomous principality, the new territory engaged in a number of campaigns to free the Serbs beyond its borders. In 1848, the Serbs in southern Hungary rose against the Magyars, and again in 1876, when an anti-Turkish rebellion broke out in Bosnia and Hercegovina. Joining with Russia in 1877, Serbia made war on Turkey. By the terms of the Congress of Berlin both Serbia and Montenegro achieved complete independence and the area of both territories was considerably augmented.¹³

Serbia's political history in the nineteenth century observed the changing of eight rulers between 1815 and 1903. Enervated by the Karadjordjević and Obrenović feuds, intrigues, and scandals, Serbia did not embark on a program of national expansion until the reign of Peter I. There is an agreement among historians that just prior to the opening of hostilities in 1914, constitutional liberalism and the parliamentary system had progressed further in Serbia under the reign of Peter I, than in any other country of Eastern or Central Europe. Furthermore, the Serbian state far exceeded those developments in some countries of Western Europe like Germany and Austria-Hungary.¹⁴

¹³MacAdam, op. cit., p. 157.

¹⁴Alex N. Dragnich, "King Peter I: Culmination of Serbia's Struggle for Parliamentary Government," East European Quarterly, LV, No. 2 (June, 1970), 178.

Croatian history was very much different from that of the Serbs. More subject to northern and western influences, because of her geographical location, Croatia accepted Roman Catholicism and took part in the cultural heritage of the West as reflected in Croatian art and architecture. Religious activity reached a peak in the twelfth century as attempts were made to eradicate the custom of celebrating church liturgy in the vernacular.

As a self-sustaining kingdom, Croatia did not emerge until 924 A.D. when one of the župans of Nin, Tomislav, assumed the title of king. The history of Croatia from the twelfth to the sixteenth century is largely consolidated under Hungarian history. Croatia experienced a great deal of domestic troubles, feudal rivalries, the Turkish menace and peasant unrest during this span of four hundred years.¹⁵

Stimulations for scholarly pursuits into Slavic antiquity were felt as early as the sixteenth century in Croatia. Yuri Krizhanich, a Croatian Catholic priest, travelled to Moscow to propagate the dominion of foreigners. Calling for the union of the Greek and Roman churches, Krizhanich, can be cited as one of the earliest forerunners of Pan-Slavism in the Balkans.

In the nineteenth century nationalistic groups such as the proponents of the Illyrian Movement proposed unification of all South Slavs living in the lands previously known as Illyria. One of its adherents, Bishop Strossmayer, tried to bring about Slav

¹⁵Clissold, op. cit., pp. 23-24.

unity and agreement between Catholic and Orthodox Slavs. Mostly concerned with Croatian autonomy, Bishop Strossmayer was also active in promoting Slavic art, literature, education and politics. Advancing the rediscovery of Croatian culture, he strove to develop national consciousness and to gain independence for Croatia.¹⁶

Between 1868 and 1918, Croatia-Slavonica was under the reign of Hungarian supremacy. It was at this time that the Croats started to develop a political life. The most popular organization was the National Party, which stood for Croatian independence associated with Hungary in the person of a joint king. Another party, the Magyarons, pro-Magyars, claimed that Croatia was part of the lands of the crown of St. Stephen. The Party of Croat Rights, founded by Ante Starčević, 1823-1896, demanded unity of all Croat provinces into one kingdom and that the Sabor of that kingdom should decide whom it would elect as King of Croatia. Many of these early parties vehemently fought the imposition of Magyar rule over Croatia.¹⁷

Following the terms of the Nagoda, the Croat assembly called the Sabor functioned as an advisory board to assist the Hungarian representative-governor, the Ban. Since the assembly was never really represented by the total Croatian population, the principles of self-government were not practiced among the Croatian people.¹⁸

Many Austrian politicians were cognizant of the growing

¹⁶ Karen Krek, "Bishop Strossmayer: Defender of Croatian Nationalism" (Southern Illinois University, unpublished seminar paper, 1970), pp. 27-29.

¹⁷ Z. Kostelski, The Yugoslavs: The History of the Yugoslavs and their States to the Creation of Yugoslavia (New York: Philosophical Library, 1952), pp. 208-209.

¹⁸ Great Britain Naval Intelligence Division, Jugoslavia, Vol II (Norwich, England: Jarrold and Sons Ltd., 1944), p. 319.

uneasiness of the Croatian inhabitants and became apprehensive that they would destroy the equilibrium of the empire. They accepted the program offered by the Trialistic faction, that is, a Croat-Dalmatian-Bosnian State having equality with Austria and Hungary within a triune monarchy.¹⁹ The two chief Croatian parties, of which more will be said later, were autonomist and non-separatist.

The Slovenes were fortunate in having lived in the same territory through many centuries. As one of the smallest regions, Slovenia consisted of a homogeneous national group. The Slovenes have occupied their present territory since the sixth century. During the Medieval period the mountainous region, which never became an independent state, was ruled first by Germans, and in the sixteenth century, it became a comparative part of the Habsburg domain and remained in the Austrian Empire until 1918.

The history of the Slovenes has been regarded by some critics as the history of their struggle against German violence, of which aims varied according to different periods. To political and religious domination and to the acquisition of landed property, which the feudal system needed, was added later on, the traditional policy of the German Emperors: the Drang nach Osten with its aspirations to absorb the Italian lands which lay beyond Slovenia.²⁰

Predominately Roman Catholic, the Slovenes were sporadically influenced during the Reformation by men like Primož Trubar, a

¹⁹ Ludwell Denny, "Pacifist Revolution in Croatia," Current History, XVII (November, 1922), 256.

²⁰ Ivan Zholger, "Concerning the Slovenes," The Balkan Review, I, No. 6 (July, 1919), 445.

religious zealot and social reformer, whose ideas inspired several dissenter groups. As the Counter-Reformation permeated through the Habsburg Empire, heretics were severely persecuted in Slovenia. Shortly after this the Catholic Church played the major role in most of the political and social life of the country.²¹

Balthasar Hacquet, a French philologist, botanist, geologist and physician, travelled through the regions of Carinthia and Cariola between 1779-1786 and in his Abbildung und Beschreibung der südwest-und östlichen Wenden, Illyrer und Slaven, found Slovenian peasants starving and attached "to their stoney land," and condemned "not their laziness, but the waste of resources entailed in excessive church-building."²²

While rural poverty was generally the picture of peasant life in the eighteenth century, the Slovenes stood out in retaining their national character and developed a remarkable literary tradition. In art, the Slovenes produced their own peasant heritage uniquely displayed in their regional costumes, woodcraft, and decorations in home and parish church.

In the nineteenth century, Slovenia underwent great agricultural and industrial change, and through the programs of organization established by political fraternities, such as the Catholic Slovene People's Party, many Slovenes went into learning programs. Slovene nationalism continued to grow and found expression in many cultural, economic, and sports organizations.

²¹L. S. Stavrianos, The Balkans Since 1453 (New York: Holt, Rinehart and Winston, 1958), p. 231.

²²Phyllis Auty, "Yugoslavia," Contrasts in Emerging Societies, ed. Doreen Warringer (Bloomington, Indiana: Indiana University Press, 1965), pp. 349-353.

The first evidences among the Slovenes of political Yugoslavism became apparent with the rise of nationalism when they began to "feel more and more the chains of provincial boundaries," and in "the spring of nations" in 1848 they demanded for the first time a "United Slovenia," while a partition followed, this tendency recurred in 1870, 1878, and once again prior to the First World War.²³ Coinciding with general political tensions, Slovene-Yugoslav co-operation joined hands in witnessing the deteriorations of the Habsburg state. Three Slovene political parties: the All Slovene People's Party, better known as the "Clericals"; the National Progressive Party; and the Yugoslav Social Democratic Party, all of which were formed in the 1890's determined the overall nature of Slovene Yugoslavism.²⁴

One of the outstanding aspects of the Movement was loyalty to Austria, while independence for Slovenes, or Habsburg South Slavs was not considered.²⁵ Among the conspicuous points of the Slovene Liberals was that before the First World War they constituted a stronghold of Russian-orientated Pan Slavism. When several of the Liberals visited Russia they became disillusioned to the evils of Russian autoocracy.²⁶ After the assassination of

²³Anthony J. Klančar, "Slovenia and the Slovenes," Journal of Central European Affairs, VI, No. 1 (April, 1946), 6.

²⁴Carole Rogel, "The Slovenes and Political Yugoslavism on the Eve of World War I," East European Quarterly, IV, No. 4 (January, 1971), 409.

²⁵Ibid., p. 409.

²⁶Hans Kohn, Pan-Slavism, Its History and Ideology, Rev. (New York: Vintage, 1960), p. 245.

the Austrian Archduke, the Slovenian parties dropped their reforming efforts and zeal to unify the Southern Slavs until after the war.²⁷

Macedonia, until recently, one of the poorest regions, has been the most fought over of all the regions within Yugoslavia. A land of high mountains and cultivated plains, Macedonia's strategic importance as an access to the Aegean Sea was early realized by the Greeks, Romans and Byzantines consecutively. During the Serbian interlude in the fourteenth century, Stephen Dušan established his capital at Skoplje. After his death in 1355, Macedonia was conquered by the Turks and many Macedonians were converted to Islam.

In the nineteenth century the strategic value of Macedonia became a contentious subject among the Great Powers. The sentiment of the Macedonian Revolutionary Organization, (IMRO), and those who wanted the incorporation of all Macedonia into Bulgaria. Macedonia was one of the most disputed areas in the Balkans and the peace of Europe, during this era, rested "on a counterpoise of pressure" in this region. By the end of the nineteenth century this area had been partitioned among the various minorities. The Turkish factions wanted to see Macedonia remain in an indigent, ignorant and insurgent condition so that they could claim and retain it.²⁸

After the Balkan Wars, the Treaty of Bucharest partitioned Macedonia to the advantage of Serbia and Greece while Bulgaria was excluded. After the conflict, Macedonia underwent great

²⁷ Rogel, op. cit., 418.

²⁸ Lord Courtney of Penwith, ed., Nationalism and War in the Near East (London: Humphrey Milford, 1915), pp. 81-86.

economic and political transitions.

The smallest of Yugoslavia's regions, Montenegro, is what Wales is to the United Kingdom. Its rugged, mountainous regions lent itself to centuries of guerrilla warfare. As one modern Montenegrin retorted a year ago: "We have freedom; we have always fought for independence. No one has ruled us for long."²⁹ Just how true these statements are is revealed in Montenegrin history. Receiving its name in the fifteenth century, it is the Venetian translation of the native name Crnagora (Tsernagora), which means "Black Mountain." Montenegro obtained its name either from the dark forests within its mountain ranges, or from the "Black Prince," Crnojević, who founded a dynasty there after the fall of the Serbian Empire.³⁰ After the death of King Dusan in 1355, the area to be known as Montenegro emerged as an independent principality.³¹

For centuries it was a loose association of tribal kingdoms ruled by a bishop-prince. Patriarchalism marked the whole make-up of life in the region.³² In 1516, the state was transformed into a theocracy, ruled by the Bishops of Cetinje. Losing sovereignty to the Turks in 1499, the tribes' people resisted until the end of the seventeenth century, when it was revived under Bishop Danilo Petrović.³³

In the nineteenth century, Montenegro witnessed the reign of

²⁹ Jordan, op. cit., p. 631

³⁰ A. H. E. Taylor, "The Future of Montenegro," The Balkan Review, II, Nos. 2 and 3 (September-October, 1919), 93.

³¹ Clissold, op. cit., p. 73.

³² Tomasevich, op. cit., p. 73.

³³ Jara Ribnikar, Yugoslavia-One Long Summer (New York: McGraw-Hill Book Co., 1964), p. 20.

four rulers. Peter I, (1782-1830), furnished Montenegro with its first code of laws. Marked by continual struggle against the Turks, Peter II, (1830-1851), was known as the "poet" Vladika and the last of his line. Danilo II, (1851-1860), assumed the title of Gospodar after deciding to break with past traditions and take himself a wife. Danilo introduced a new constitution in 1852, and he remained a friendly pawn of Austria and stayed at peace with Turkey. Assassinated in 1860, he was succeeded by Nicholas I whose reign was marked by territorial expansion and peaceful development until the outbreak of the Balkan Wars.³⁴

Montenegro's chief source of livelihood throughout its history remained mainly agricultural and the mountainous terrain lent itself to the raising of sheep. With the increasing population in the nineteenth century and a need for arable land, the system of common land, devised to furnish all farmers with ground, was subdivided into holdings for individual families. As a result widespread poverty developed and many families emigrated in a continuous process from Montenegro.³⁵ A movement for union between Serbia and Montenegro was debated after a stretch of territory called the sanjak of Novi Pazar was partitioned between the two. Plans for this union were being drawn up despite the objection of Austria when war broke out in 1914.³⁶

³⁴ Clissold, op. cit., pp. 77-85.

³⁵ Tomasevich, op. cit., p. 129.

³⁶ Clissold, op. cit., p. 86.

For a people who have always looked toward the sea, Dalmatia, represents Yugoslavia's "Window on the Adriatic."³⁷ Since the time when the Roman Emperor Diocletian built his palace in Split and settled there in 305 A.D. to the Byzantine predominance up to 535 A.D., Dalmatia proved to be both an important strategic littoral area for ports and a major emporium for trade along the Adriatic Sea.

After the Byzantine reign both Croatia and Venice jockeyed for power over the region. In the twelfth century Hungary grew interested in the coastal possibilities of Dalmatia and engaged in twenty-one wars with Venice over the valuable coastal cities.³⁸ The Venetians acquired all the vital centers by the first portion of the fifteenth century; however, the new acquisitions fell into the hands of the Ottoman Turks after 1537. They, in turn, quickly established their feudal system and helped increase the Slav character that was superseding the older Latin personality in Dalmatia.³⁹

After the liberation of this fringe province in the early part of the eighteenth century, the Treaties of Karlovo (1699); and ^UPožarevac (1718), respectively recognized Venice's sovereignty over much that this Italian state had lost before. Improvising a land-tenure system, Venice succeeded in setting up a Military

³⁷ Gilbert M. Grosvenor, "Yugoslavia's Window on the Adriatic," National Geographic, CXXI, No. 2 (February, 1962), 219.

³⁸ T. G. Jackson, Dalmatia, The Quarnero and Istria (Oxford: Clarendon, 1890), pp. 118-120.

³⁹ Clissold, op. cit., p. 48.

Frontier in which large tracts of land were assigned to peasant leaders who had previously served in the wars against the Ottomans. These estates were developed into farms and regulated by a curious mandate known as the "Lex Griman," which played an enormous role in governing all sections of agriculture.⁴⁰

The intellectual life in the larger Dalmatian cities between the fifteenth and seventeenth centuries far surpassed the adjacent activities manifested in the neighbor Slavic provinces within the peninsula. Korčula, Šibenik, Trogir and Zara flourished with the same architectural characteristics and patterns displayed in St. Mark's Square, the Ducal Palazzo and the Grand Canal of Venice. Marko Marulić, a famous religious humanist, and Ivan Gundulić, a dramatist and author, spearheaded Dalmatian scholarship between the sixteenth and seventeenth centuries.

Dalmatian civilization declined in the eighteenth century as Venice ended her lengthy career as a great power. From the collapse of this Adriatic power in 1797 to 1805, Dalmatia found a new but disliked ruler- Austria. Increased acceptance of Dalmatia's fast-changing foreign rule came when the Napoleonic defeat of Austria ceded Dalmatia to France after the signing of the Treaty of Pressburg in 1805. The ideas that had developed from the French Revolution, political, cultural and social, were exchanged at Dalmatian gateways into the Balkans and were to have a profound significance in the later political innovations of the

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Tomasevich, op. cit., p. 116.

South Slavs.⁴¹

Between 1809 and 1813, Dalmatia formed part of the Illyrian Provinces. The French occupation was short-lived and by 1814 the last of the Napoleonic contingents were evacuated from the coastal province. During the French interlude there were considerable efforts made to improve the conditions in Dalmatia. Roads were built, commerce thrived, agricultural methods were amended to produce higher yields, some educational advancements were achieved, the establishment of a centralized police system discouraged violations of the law and a great deal of religious toleration was afforded to the Orthodox sects.

At the Congress of Vienna when the allies were dividing up "the Cake of Europe," Austria received, as stipulated in the Treaties of 1814 and 1815, the provinces of Dalmatia. When the heads of the Congress had returned to their respective nations, the distant coastal strip, once ruled by an "iron-willed" Emperor, was streamlined both executively and administratively to meet the conservative tastes of the Viennese bureaucrats.

In 1861, the flowering of national awakening was imminent as several societies spoke out for Dalmatian autonomy. While there were many Unionists demands for dual consolidations with Croatia, Austrian officials turned a deaf ear.

Even though the history of Dalmatia presents a stormy picture, nowhere else have the clashes between East and West in Yugoslavia

⁴¹
Ibid., p. 116.

been more apparent than in Bosnia-Hercegovina. One of the last of the large Medieval South Slav states to lose its independence, Bosnia did not attain collective individuality until the end of the twelfth century. A personage in the early history of this centralized, inland province was Kulin, who in the eleventh century led the move towards national autonomy.

Bogomilism was one of the early facets of Bosnia that generated a great impact in the religious fields. It arose as a protest against the secular interests of the clergy, advocating that material things were the product of the devil. Leading an existence of rigid ascetism, the Bogomil supporters disbelieved many of the Christian tenets, which made them outlaws of the church.⁴²

Another outstanding ruler, Stephen Tvrtko, stands out in Bosnian legends and literature. In 1376, he crowned himself "King of the Serbs, and of Bosnia, and the tideland areas."⁴³ After his death discordance followed in the Bosnian territories and the threatening Ottoman Turks became involved in the turbulent political life of the province. During the fifteenth century, Stephen Vukčić, was granted the title of "Duke of St Sava" and the title in its German form is the origin of the name Hercegovina.⁴⁴

The Bosnian state broke down in 1463, after continual internal struggle and external pressures. One of the salient results of the

⁴² A. S. Peake and R. G. Parsons, An Outline of Christianity: The Story of Our Civilization, Vol. II (London: The Waverley Book Co., Ltd., n.d.), pp. 243-245.

⁴³ Clissold, op. cit., pp. 60-61.

⁴⁴ Ibid., p. 62.

Turkish occupation was that many Bosnians were converted to the Islamic faith. According to some historians this was understandable as the Bosnian nobility recognized in this a chance for them to preserve some of their former property and power. For the peasants it represented a chance to gain freedom.⁴⁵ After the conquest the Turks introduced the same system of land tenure as they had in the other South Slavic States.

The Turkish occupation lasted from 1463 to 1878. When Bosnia became an Austrian province, the territories were still indirectly under Turkish sovereignty until 1908. One momentous consequence of the nineteenth century in Bosnia was the Ottoman Reforms. This was spawned by the same national awakening fever that had affected her neighbors. In order to smother widespread discontent, the Tanzimat (reforms), were started with the dissolution of the Janissaries and of the Spahis in 1862. A number of special laws were passed between 1864 and 1876, that reorganized and rehabilitated political institutions and administrative structures.⁴⁶

Many of these edicts were violently challenged by the Bosnian Moslem nobles, whose abuses the reforms set out to crush. Some of the more influential results were that the obligation of the corvée was abolished, landlords in most areas were obliged to provide housing for their serfs, the army was updated and the collection of the tenth tax was taken away from the former Spahis. The Safer

⁴⁵ Tomasevich, op. cit., p. 96.

⁴⁶ Ibid., p. 101.

Decree of 1859, proclaimed serfs to be tenants, and gave them certain degrees of protection for their menial rights. It pacified the Moslem nobles by proclaiming almost full property rights for landlords and furthered peace and order in a time when the provinces were threatened with intervention by the Great Powers.⁴⁷

The occupation of Bosnia Hercegovina in 1878, by Austria fomented a great deal of irredentistic sentiment among the Southern Slavs. Austria, desiring more land to rule over and wanting to check any attempts by the Serbian state for natural extension of Yugoslav unity, put the regions under a military commander whose administration consisted of Germans, Magyars and Polish-Jewish officials, who had no real understanding of the basic needs of the population. The government was helped by Mohammedan feudalism which continued ruling over the Christian serfs. The Southern Slavs considered the occupation of Bosnia-Hercegovina as the "projected arm of the German imperialism for the frustration of Yugoslav unity."⁴⁸

Some degree of free legislature was allowed by the Habsburg decree after both Orthodox and Moslems asked for a proper constitution in 1910.⁴⁹ The greatest degree of enthusiasm followed the victories of Serbia in the Balkan Wars of 1912-1913. Terrorism and the activities of the "Black Hand", pan-Serb terrorist organ-

⁴⁷ Ibid., pp. 102-106.

⁴⁸ Oscar Jaszi, The Dissolution of the Habsburg Monarchy (Chicago, Illinois: University of Chicago Press, 1961), pp. 411-413.

⁴⁹ Clissold, op. cit., p. 71.

ization, became overtly active. It was this violent group of professionals, who were directly responsible for the violent deeds committed in Sarajevo June 28, 1914.⁵⁰ It was evident when the storm clouds were gathering in 1914, that the future of all South Slav peasants was on the firing line.

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Laurence Lafore, The Long Fuse: An Interpretation of the Origins of World War I (Philadelphia: J.B. Lippincott Co., 1965), pp. 204-205.

CHAPTER ONE

THE NEW YUGOSLAV STATE, 1919-1921

The first effort at Southern Slav unification dates back to the ninth century. Difficulties of communication and other obstacles prevented their fusion in the Medieval Age as attested in the introductory section. Racial sentiment played an integral part in helping these provinces realize their aspirations with one another. The Yugoslavs were a larger racial unit than either the Germans, Hungarians, Poles or Czechoslovaks.¹ Many historians have questioned the probability of early union had not the Turks raided the realms.² Fighting against the Turkish absorption, the Southern Slavs endured through the nineteenth century, and came into contact with the principles that emanated from the French Revolution. Sentiments of kinship united them as intercourse allowed a closer knowledge of one another.³

The peasants in almost all of the pre-war regions vegetated under the feudal régime where great landed estates were the rule and the great land-owners were the highest court of appeal for them on their land.⁴

¹"The Importance of the Jugo-Slavs," Literary Digest, LVIII (August 31, 1918), 20.

²H. Maritch, "Who are the Yugoslavs," The American Review of Reviews, LVIII (September, 1918), 324-325.

³Ibid., p. 325.

⁴Raymond E. Crist, "The Peasant Problem in Yugoslavia," The Scientific Monthly, L (May, 1940), 386-387.

Many of these peasants in the Southern Slav lands had died fighting each other during the "Great War." Bearing the brunt of the war the peasantry was also affected by a host of new conditions. The autarchical position of the Zadruga was challenged and weakened by increased contacts with the outside world. The Agrarian Reform, aimed at solving the peasant problem, liberated large numbers of peasants from economic slavery. In the new Kingdom the surface of the land divided:

amounted to 1,356,253 hcts. (From this number 775,233 hcts were already divided in the former regions Bosnia and Hercegovina by the Austro-Hungarian authorities, which was recognized as law by the Yugoslav government.) The families which took the land numbered 369,156. From this number of hectares, land was divided among 367,327 families interested in agriculture (local farmers and colonists from other regions and the barren districts). The number of optants who received land amounted to 1,829. Public institutions numbered 221, with an entire area of 96,439...Enforcing the agrarian reform the state has spent tremendous sums of money not only on indemnity, but also for the farmers who were to be provided with houses, cattle, implements, etc. The state has spent for that purpose over 100,000,000 dinars. ⁵

One out of every four peasant families actually benefited from this reform and while there were positive outcomes to it, several negative features eclipsed the success of the movement. It neither solved the problem of the peasant's wish for democracy, nor did it answer his goal of adequate living and economic security. Agricultural overpopulation, the unstable connection between what

⁵ Presidency of the Ministerial Council, Kingdom of Yugoslavia: 1919-1929 (Beograd: Central Press Bureau, 1930), pp. 32-33.

the farmer sold and bought against the price of goods, demand for credit and the overburdening and heavy taxation, caused thousands of peasants to look outside their farms for a part of their income and others to emigrate to more promising countries. The peasant was also faced with the competition of an expanding population and the imports of other nations. His housing conditions were bad, his food unsatisfactory and his agricultural methods primitive. Little attention was paid to public health as tuberculosis became the scourge of his people. The advancement of technology was severely hampered by poor communications in his village.

To understand the circumstances of the peasant's dilemma, it is essential to review and analyse the political developments that created and governed his new world. The War brought with it radical changes, as well as political, geographical, ethnical, religious, social and economical developments. While solving many questions it created new ones. One of these questions concerned the Balkan problem. In order to satisfy the desires of the Entente Balkan Allies, Bulgarian territory was cut down to a minimum.

Another open query remained concerning the solution to the national problem of Greece, Rumania and Serbia. When the War had broken out, there were a number of prominent Southern Slavs who were either abroad or had made their escape from their oppressors. Several of these representatives of Yugoslav opinion met in London to form a commission known as the "Committee of London." Some of the better known participants were Ante Trumbić, President of the Croat National Party; Ivan Meštrović, the famous sculptor, Franjo Supilo, and H. Hinković. The purpose of this group, consisting of sixteen members from every Yugoslav province, was

to generate appeal among the allies for the creation of a single State of all Serbs, Croats and Slovenes.⁶

The program called for the deliverance of all Yugoslavs from the Austrian yoke. There was a state of disunion between the nationalistic Serbian Premier Nikolas Pašić, on one hand, and the Progressive and Democratic committee on the other. This proved to be a hinderance in creating an atmosphere where the purpose of absolute equality between the two main branches of the Yugoslav race could be felt.⁷ Pašić was less interested in the creation of a Yugoslavia than in the acquisition of Bosnia which possessed a substantial number of Orthodox Serbs. Those Slavs living under the Habsburg umbrage pressed forth their issue of a unified statehood.⁸

The program reached a zenith when both the Russian Revolution and America's new involvement in the War caused a split in the Serbian Radical Party. The dissenting younger radicals, filled with romantic zeal, called for national unity and equality and on July 20, 1917, the Declaration of Corfu was ratified and endorsed by both Pašić and Trumbić.⁹

The Declaration opened with the statement that the union of

⁶Hugh Seton-Watson, Eastern Europe Between the Wars, 1918-1941 (New York: Harper and Row Publishers, 1967), p. 217.

⁷"A Critical Moment for Jugo-Slavia," Literary Digest (December 21, 1918), 16.

⁸Seton-Watson, loc. cit.

⁹Clissold, op. cit., p. 162.

all Serbs, Croats and Slovenes would combine to form a single nation. The state, itself, was to be a constitutional monarchy, democratic and parliamentary, having at its head a Karadjordjević King. It further declared that the State would be named "The Kingdom of the Serbs, Croats and Slovenes." The Declaration stipulated that the three national denominations would be equal to each other. In its tenth point the Corfu Document directed itself to the Treaty of London, 1915, by assuming that the Adriatic Sea would be free and open to all. The Treaty also designated that national elections of the representatives of the parliament would be by universal, equal, direct and secret vote. This applied to all municipal elections and other administrative polls. The Constitution was to be established by a constituent assembly after the cessation of hostilities. The members of the assembly were to be elected by manhood suffrage.

It was planned that the Constitution would serve as a basis for the entire life of the state. The Constitution was to give all the people power to participate in the affairs of their local autonomous districts.¹⁰ The Constitution had to be adopted by an absolute majority and the laws voted by the constituting assembly had to be sanctioned by the King. The Declaration promised equality for both the Cyrillic and Latin alphabet; freedom of practice among the three major religious sects (Orthodox, Roman Catholic and Moslem); and finally, the right to fly the three autonomous flags.¹¹

¹⁰MacAdam, op. cit., pp. 159-160.

¹¹Kenneth S. Patton, ed., Department of Commerce, Bureau of Foreign and Domestic Commerce, Kingdom of Serbs, Croats and Slovenes, Trade Promotion Series No. 61 (Washington: Government Printing Office, 1928), p. 5.

The growth of the Yugoslav Movement reached a new phase when in May of 1918, it received the support of millions of Czechs in Bohemia who demanded independence. Earlier in March of that year, a gathering of Yugoslavs at Zagreb which included Yugoslav deputies of the Habsburg government, the Croatian Sabor, the legislature which exercised limited local autonomy and other representatives, according to the Hrvatska Drzhava extracts of that month, met and made the following statements:

After having discussed the general political and national situation the assembly has agreed on the necessity of a concentration of all parties and groups which from the point of view of national self-government, demand the creation of a national and independent States of Slovenes, Croats and Serbs founded on the principals of democracy. ¹²

There were obvious echoes of Corfu in these extracts and when the assembly was broken up by police, youths singing Slavic songs rioted. The revolutionary ferment had reached a zenith throughout the regions. The following map in figure one shows the projected state of Yugoslavia.



Figure 1. --Projected State of Yugoslavia

¹² "Growth of the Yugoslav Movement," Current History, VIII (July, 1918), 117.

¹³ Ibid., p. 118.

The Declaration of Independence of the Yugoslavs was eventually signed at Zagreb on September 24, 1918 by the chief representatives of the Slovene, Croat, Serb and other independent groups. The same declaration was accepted by representatives of the people of Bosnia-Hercegovina.¹⁴ Before long Austria-Hungary had ceased to exist and in December of 1918 the Prince Regent Alexander, in formal ceremony, proclaimed the establishment of "The Kingdom of the Serbs, the Croats and the Slovenes."

In celebration throughout the world to inaugurate the new flag, much praise was raised for the new State. In Washington during such ceremony, Dr. Bogumil Voshniak, a member of the original Yugoslav Committee in London, made the following statements in his speech suggesting a great deal of promise for national unity and independence:

The raising of the new flag of the Yugoslav State is a festival of brotherhood. Not by conquest, but by common consent, by a social contract, seven million of Serbs, Croats and Slovenes of Austria-Hungary, who longed unanimously for complete independence will merge with the Serbs of Serbia in a new Commonwealth. The new flag symbolizes the dawn of a better, more generous, more human relationship among all nations. We can expect that after the war the words of Emerson will be realized: 'New men, new thoughts, new lands.'¹⁵

The new Nation was comprised of a large agglomeration of ethnographical origins, languages, religions and customs. The

¹⁴"Jugoslav Declaration of Independence," Nation, CVII, No. 2789 (December 14, 1918), 748. See Appendix I, Item I for text.

¹⁵"Birth of a Nation," Current History, VIII (September, 1918), 487.

Census of January 1921 revealed a mixed population of near twelve million people. Table one below reveals the size and territories of the new State.

TABLE 1

SIZE OF NEW YUGOSLAV NATION

District	Area in Square Miles	Population
Serbia.....	42,098.....	4,955,631
Montenegro.....	3,536.....	238,423
Croatia.....	17,405.....	2,715,237
Bosnia/Hercegovina.....	20,709.....	1,931,802
Dalmatia.....	5,090.....	621,503
Slovenia.....	<u>6,790.....</u>	<u>875,090</u>
Total	95,628	11,337,686 ¹⁶

Many perplexities faced the new system as the various provinces not only possessed different histories and customs, but had their own form of currencies as well as local administrative systems. All of this had to be amalgamated into one efficient, governing whole.

One of the greatest fears facing the new Kingdom was the threat of social revolt. The Russian Revolution appealed to the Southern Slav workers and intellectuals, while the conditions of the peasant precipitated a great spirit of resentment for all governing authorities. The only effective force to maintain order was the Serbian army and police, both of which were unsympathetic and harsh and were only successful in provoking further social unrest.

¹⁶ Herbert F. Wright, "Jugoslavia: A Modern Kingdom," Catholic World, CXIV (February, 1922), 668.



Fig. 2.--Map of Yugoslavia, Showing Provinces and Countries that Constituted the New State

Source: Ludwell Denny, "Pacifist Revolution in Croatia," Current History, XVII (November, 1922), 257.

While the ingredients for insurrection were present, there were no dynamic leaders to direct it.

Until the Constitution received adoption, the administration of Serbia was based on the Serbian Constitution of June 5, 1903, and the administration of the other provinces which formed part of the kingdom, on the local laws and the agreements arrived in December of 1918, between both representatives of Serbia and those provinces who had joined her.¹⁷

In order to discern the rudimentary philosophies associated with the issues of centralism and federalism and the overall socio-political structure during this period, it is necessary to evaluate and analyse the emerging political factions and their evolution within the Kingdom.

The foremost political groups in these early years were the Serbian parties. In 1860, the Liberal Party was the first to fight the bureaucracy depending on the support of the peasantry. It was not until the 1870's in Serbia, that the political and economic aspirations of the peasantry were really championed under the leadership of Svetozar Markovic (1846-75). Markovic sought to apply socialist ideas to the conditions of the peasants through his newly-formed People's Radical Party. Based on the peasant masses, its platform called for local self-government, rights of Parliament against the Crown and bureaucracy, and improved agricultural credit.

17
Ibid., p. 668.

An offshoot of Markovic's Radicals, the Serbian or National Radical Party formed in 1881, became one of the strongest of the Serbian parties under the leadership of its first President, Nikola Pašić. With the direction of Pašić it attempted to adhere to the socialist program formulated by Markovic.¹⁸ Playing an enormous part in the modernization of Eastern Europe, Pašić was also instrumental in its consistent cultural and parliamentary progress.¹⁹

Originally concerned with Agrarian Socialism, the Radicals by 1919 started to reflect the desires of the Serbian bourgeoisie and peasants with lucrative assets. Stressing national unity, the Radicals were centralistic in opposing all demands of the non-Serbs for federalistic autonomy. Many Croatian and Slovenian intellectuals made early predictions of Serbia's schemes for a Yugoslavia which would merely be a "Greater Serbia" with eventual ambitions of becoming a major Balkan power.²⁰ Largely representing the bureaucracy, the Radicals furthered their aim of a strong, unitary government.

Under the Radicals, the next party in prominence directly after the birth of the Nation was the Democrat Party which was composed of a faction of Independent Radicals led by Ljubomir Davidović, who in 1919 joined with members of the former Serbian opposition

¹⁸ Woodford D. McClellan, Svetozar Markovic and the Origins of Balkan Socialism (Princeton, New Jersey: University Press, 1964), pp. 270-271.

¹⁹ B.V.A. Drignakovitch, "Pashitch, Creator of Modern Yugoslavia," Current History, XXIV, (August, 1929), 735. Also See Appendix I, Item II (Nikola Pašić's Political Rise)

²⁰ "Serbia and Jugo-Slavia," Living Age (December 21, 1918), 729.

parties. They, in turn, were leagued with Serbs from Croatia and the Vojvodina under the direction of Svetozar Pribicevic. The Democrats commanded considerable support among the Serbian peasantry, but paid little attention to the interests of the rural class. Sporadic friction and disagreement broke out over Davidovic's liberal programs which were inconsistent with Pribicevic's enthusiasm for a strong state. In many respects the Democrats possessed more of a desire for the Yugoslav ideal than the Radicals. The liberal element, or Davidovic's cohorts were known to show conciliatory measures toward the Croat opposition.²¹

Another Serbian party, but not as powerful as the others, was the Savez zemljoradnika (Union of Peasants), sometimes known as the Agrarian Party, which was created in 1919. It approached the peasant issue as a class problem and its program included many features of Agrarian Socialism. Claiming it was the only purely peasant party, it drew its major strength from Bosnia and Serbia. As the smallest Serbian political faction, it represented the interests of all the peasants and opposed centralism and the governmental favoritism of the townspeople. It lost its value after it split into liberal and reactionary factions. Since it had little political significance and the other two Serb parties had a bourgeois character there is little justification in finding that the Serbs had a peasant party of any great strength.²²

²¹ Naval Intelligence Division, op. cit., p. 338.

²² Jozo Tomasevich, Peasants, Politics, and Economic Change in Yugoslavia (Stanford, California: Stanford University Press, 1955), pp. 252-253.

The second classification of the Yugoslav party structure in the Kingdom can be seen within the division of non-Serbian national groups. Of these, the most influential was the Hrvatska selacka stranka, or HSS (Croat Peasant Party). The HSS had been formed in 1905 by Stjepan Radic. This Croatian demagogue catered to the vast majority of peasants in his province. He was, perhaps, the most colorful figure in interwar politics, frequently baffling his own colleagues and political opponents with his vacillating, mutable, and near schizophrenic behavior.²³

While Stjepan was the organization's political founder and moving power, his brother, Antun, was the creator of its principles and ideology. The aim of the HSS was to take power from the hands of the bureaucratic minority and place it in the hands of the vast peasant majority. Philosophically the HSS maintained that the Croat peasantry alone formed the Croat Nation and that it alone was its creator of an autochthonous national, peasant culture.²⁴ As the strongest peasant party in Yugoslavia, its platform was characterized by Pan-Slav orientation, Croat chauvinism and anti-clericalism against the Catholic Church of Croatia whose anti-nationalism and reactionary tendencies it despised.²⁵

In Slovenia the largest political following was known as the Slovene Clerical Party or the Slovene Popular Party. In 1905 it originated with the union of the Austrian Christian Social Party

²³ See Appendix I. Item III (The Political Rise of Stjepan Radic)

²⁴ Tomasevich, op. cit., pp. 254-255.

²⁵ Ibid., p. 255.

and the Slovene Catholic Party. After 1918, its most influential leader was Father Ante Korosec, a Roman Catholic priest. Korosec was "one of the most striking and complex personalities of Yugoslav politics." He possessed a considerable educational background and rose to prominence during the Habsburg days as a leader of the Slovenes.²⁶

Under the magnetism of Father Janez Krek, an outstanding figure of Modern Slovene history, Korosec became the "exponent of Slovene claims in the Vienna Parliament." As a parallel to the examples set by Krek, Korosec, also propagated Christian Socialism and was involved in the founding of co-operatives and benefit societies in many Slovene dioceses.²⁷ During the World War, Father Korosec gathered the Serb, Croat and Slovene members of the Reichsrat into the Yugoslav Club which foresaw the creation of the Yugoslav Kingdom and issued the declaration of South Slav solidarity in 1917. The Slovene Popular Party was the voice of the Roman Catholic Church and represented their interests. Slovene autonomy, the promotion of co-operatives and clerical control over schools, cultural movements and sports clubs were the main objectives in its platform. Supporting the central government, the party gained a fair amount of administrative control in Slovenia.²⁸ With its chief support in the villages, it was constantly concerned with the economic and cultural improvement of its members. The Slovene Popular Party

²⁶ Hugh Seton-Watson, Eastern Europe Between the Wars, 1918-1941 (New York: Harper and Row Publishers, 1967), p. 233.

²⁷ A. O. Christitch, "Third Partner in Yugoslavia," Contemporary Review, CXXXIII (June, 1928), 767.

²⁸ Naval Intelligence Division, op. cit., p. 339.

dominated by its staunch Catholic political philosophy, held a paternalistic attitude toward the peasantry.²⁹

The MO or Moslem Organization represented the Muslim Slavs of Bosnia. The party led by Dr. Mehmed Spaho was formed in 1919 to protect the interests, religion, culture, and law of the Moslems in Bosnia.

The Communist Party of Yugoslavia, KPJ, was founded when the Social-Democratic Parties, who had suspended their activities during the war, convened in Belgrade for the configuration of the new organization in April, 1919.³⁰ Much of the KPJ's ideology was clearly clarified with the adoption of the "Basis of Unification" and its "Practical Action Program." The former expressed the party philosophy of history and politics, while the latter set the guidelines for initiating political machinations to achieve party ends. In June, 1920, the KPJ joined the Third International, Comintern, and became a "militant organization . . . whose objective was to destroy capitalist society and to create a Communist society by any and all revolutionary means including those most extreme."³¹

One of its earliest legislative documents indicating an interest in the problems of the peasant, the Resolution on the Agrarian Question, assailed undesirable and archaic methods in agriculture and distinguished between the village and country peasant. More

²⁹Tomasevich, op. cit., pp. 253-254.

³⁰Fedor I. Cicak, "The Communist Party of Yugoslavia Between 1919-1934," Unpublished Ph. D. dissertation, Indiana University, 1965, pp. 1-2.

³¹Dinko A. Tomašić, National Communism and Soviet Strategy (Washington, D. C.: Public Affairs Press, 1957), p. 14.

importantly, this document manifested the KPJ's inability to cope with peasant circumstances in a revolutionary situation.³²

The KPJ was more representative of the embittered and impoverished peasants of the South, especially in Montenegro. Because of its factional strife and constant disputes with the Comintern, this party did not play a viable, significant role in interwar Yugoslav politics after its banishment in 1921 when its revolutionary hopes disintegrated and it was thrown into confusion.

The Party of Croat Rights, founded by Antun Starčević, was one of the first to formulate Croatian nationalistic ideology. Starčević, a liberal Croatian intellectual, based his political ideology of Croatian nationalism mainly on the ideas of the French Revolution.³³ After Starčević died, the leadership of the Party of Rights went to Dr. Ivo Frank, a Zagreb lawyer. When several liberals left the party, it became known as the "Frankovici" group or Frankists, standing as the symbol for everything that was reactionary in political, economic and cultural life. This revisionist faction found "their pockets emptied and shorn of power and position in 1919." During the interwar period they attempted to foment animosity between the Serbs and Croats with an eventual goal of regional disintegration within the Kingdom.

The Croat Union, another minor party, merged into the Croat Peasant Party after 1920. It was responsible for bringing

³²Cicak, op. cit., p. 15.

³³Dinko Tomašić, "Les Idées de la Révolution Française et le Développement Politique Croate," L'Eveil des Peuples, VI (1939), 62.

together the moderately nationalistic Croat parties existing before 1919.³⁴

Most of these peasant and urban political groups held conflicting opinions after Alexander issued his proclamation in December, 1918. Soon after this there was summoned to Belgrade a Provisional National Assembly formed out of the old Skupštinas in Belgrade, Cetinje, the Diets at Zagreb, Ljubljana, Sarajevo and Split. The number of these representatives was in proportion to the former strength of those bodies. A ministry was also formed in January 1919 from the political factions represented, according to their respective size. Separate local governments were established at Zagreb, Ljubljana, Sarajevo and Split.³⁵

The National Assembly was not elected directly by the people. It was composed of members of the pre-war national parliaments. Many of the Serbian adherents could trace their political tenure back to 1912. The Serbians felt that since they had displayed greater sacrifices during the war, they should have a greater political representation. The other two major branches of the Yugoslavs feared that the Serbs would absorb them and impose their own kind of government on them.³⁶

A cabinet was formed and consisted of: Stojan Protic, a former Radical chief, as Prime Minister; Korosec, representing

³⁴ Naval Intelligence Division, loc. cit. The electoral performance of the essential Yugoslav political parties during the first years of the Kingdom can be found in Appendix I, Item IV (Yugoslav Political Party Chart, 1919-1922).

³⁵ Pavle Popovic and Jovan M. Jovanovic, "Tri-une Kingdom, Political and Economic," Quarterly Review, CCXXXVI (October, 1921), 421.

³⁶ Vladislav R. Savich, "Two Problems of Yugoslavia," Nation, CVIII, No. 2797 (February 8, 1919), 129.

the Slovenes, as Vice-Premier; and Dr. Trumbić filling the chair of Minister of Foreign Affairs.³⁷ The main duties of this government and assembly were the negotiation of peace treaties, discussions and solutions on land reform, and reconstruction planning.

Between February and April of 1919 the Serbo-Croat Coalition, the Slovene Liberals, and the new element from Bosnia formed a block creating the Democratic Party as described in the previous section. In opposition to this, the Serbian Radicals joined hands with the Croat Union and the Slovenian Clericals, and thereby formed the Parliamentary Union. The other minor political factions remained unimportant. It is significant to note that the phenomenon taking place was a combination of old party divisions according to the similarities of view. For instance, the first clashes between the two political unions were over the agrarian question. The Democratic faction took active sides with the peasants to whom were handed over the landed properties of the Beys and other owners.³⁸ The Parliamentary Union also adopted the cause of the peasants, but had reservations with the landholders. Both groups agreed to recognize the landholders' prerogatives to indemnities for the loss of their landed properties; and the sum of 300 million dinars reserved for the liquidation of these indemnities was paid off over a period of time.³⁹

Protic's government did not retain power for long and on

³⁷ Seton-Watson, op. cit., p. 218.

³⁸ This was more predominate in the territories of Bosnia and Croatia.

³⁹ Popović and Jovanović, op. cit., p. 428.

August 1, 1919, on account of differences with the Minister of Home Affairs and because of "the intolerable conditions which existed in Parliament," he resigned and Davidovic took his place. Davidovic's government met with so much opposition that he was forced to resign on February 15, 1920. Protic again took office on February 5, 1919, but two months later retired, because he was unable to carry a majority.

In May, M. Milenko Vesnic systematized a Coalition government. Vesnic was a leader of the Radicals and had a more flexible temperament than his predecessor. Keeping his government together, Vesnic negotiated the formation of the "Petite Entente" and triumphed in passing the law governing the elections to the Constituent Assembly.⁴⁰ Elections for the assembly to draft a constitution were held on November 28, 1920 and indicated a definite majority for the Democrats and Radicals.

TABLE 2

RESULTS OF 1920 ELECTION FOR CONSTITUENT ASSEMBLY

Party	Parliamentary Seats
Democrats.....	94
Radicals.....	93
Communist.....	58
(Radic-Croatian Autonomy).....	50
Bosnian Moslems.....	24

⁴⁰ Ibid., pp. 424-425.

TABLE 2--Continued

Party	Parliamentary Seats
Catholic Popular Party.....	23
Peasants of Bosnia and Serbia.....	39
Social Democrats.....	10
National Socialist (Slovene).....	2
Minor Parties.....	26
Total.....	430 41

In the middle of January the returns of the elections were legally adjusted so that the total membership was raised from 416 to 430. One of the results of the elections was the appearance in the assembly of new parties previously unrepresented. This was attributed to the new electoral law which favored minorities.⁴² Another outcome can be seen in the membership growth and the electoral success of the Communist Party in 1920. This was imputed to the disappointed nationalities and minorities who had been slighted when the privileges of the new Kingdom were handed out. For example, by voting for the KPJ, the Macedonian peasantry had found a way to protest against the national oppression of Serbia that severely threatened Macedonia's unique cultural heritage, her language and her traditions. The Macedonian vote was also a reaction against the impoverishment of these regions and an

⁴¹ "Record of Political Events," Political Science Quarterly, Supplement (September, 1921), 97.

⁴² "Jugo-Slavia's New Government," Current History, XIII (March, 1921), 527.

expression of the peasants who desired the "abolition of the remnants of feudalism and serfdom and for the expropriation of feudal estates." ⁴³ The Communist declined to take the constitutional oath and withdrew from the assemblage. ⁴⁴

In December Pašić formed a new coalition government. By the middle of January he had reconstructed the ministry with a Serbian majority. The assembly considered a variety of plans in deciding on a constitution for the new State. One, advocated by the Croat Party was to give to the six provincial governments all powers, except jurisdiction over foreign affairs, military affairs, posts, money and other areas which were necessary for the functioning of the central government. The Serbian Democrats, on the other hand, suggested that there should be nine provinces led by nine governor-generals who would be responsible to the central government. ⁴⁵

A Constitutional Monarchy was determined upon, but the peasant and clerical parties of Croatia, desiring a republic issued the following manifesto in February 1922:

...that the Croatian nation was not represented in the Constituent Assembly...the majority of the Croatian national deputies having decided not to send representatives-and that 'the Croatian nation will neither recognize this assembly nor accept its decisions brought against the will of the Croatian people and in the absence of its delegates.' It is charged that the Constitution 'was coerced upon the Croatian nation in a fraudulent manner and has no moral or legal basis...' ⁴⁶

⁴³ Tomašić, op. cit., p. 16.

⁴⁴ Popović and Jovanović, loc. cit.

⁴⁵ Robert Lee Wolff, The Balkans in our Time (New York: W.W. Norton and Co., Inc., 1967), pp: 120-121.

⁴⁶ M. W. Fodor, "A New Country, but Old Mistakes," Foreign Affairs, III (April, 1922), 335-339.

While work on the constitution was delayed, because of disagreement on the issues of federalism versus centralism, Pašić and his following, including both Pribioević and Davidović were able to bring a majority to vote on centralism. In May, a preliminary vote was taken on the governmental draft and provisionally adopted by 227 to 93 votes. On June 28, 1921, the final vote was taken: 223 deputies voted for it, while thirty-five were opposed. The support of the Moslem Organization was a measurable factor in the centralistic victory.⁴⁷

When the final vote came the deputies from the Croat Peasant Part were conspicuously absent, contending with the Slovenes that the centralist decision had been implemented despite their protests. The "Vidovdan Constitution" named after St. Vitus' Day, a Serbian national holiday, was established and went into effect on June 28, 1921. It owed a great deal to the Serbian Constitution of 1888, which was re-enacted in 1903. Many compare it as an extension of the older documents, only to cover new areas.⁴⁸ Similar to the older constitutions, the Vidovdan Constitution provided for representative assemblage and emphasized a parliamentary kind of government. It also called for a unicameral chamber in the legislative branch. The provisions on budgetary control and even for the sessions of the legislature resembled those provided for in the 1903 Constitution. The new Constitution like the earlier,

⁴⁷ Naval Intelligence Division, op. cit., p. 321.

⁴⁸ Howard Webster Wolfe and Arthur Irving Andrews, "The Yugoslav Constitution," Current History (February, 1922), 832.

also provided for proportional representation in elections.⁴⁹

The essential provisions of the Constitution were those dealing with the power of the King, legislative jurisdiction, administrative organization and religious liberty.⁵⁰ The most serious question before the Constituent Assembly was that of the administrative and judicial reorganization of the Kingdom on a unitary and equitable basis. This question was closely bound up with the problem of autonomies, that is, tendencies toward administrative and economic decentralization, in which the particularist school exploited to gain veritable political separatism.⁵¹

The ceremony of Vidovdan was marred by an attempt on the life of the Prince Regent, and a month later, the Minister of Interior, Milorad Draskovic was assassinated by a young Bosnian Communist.⁵² As a result, the Yugoslav assembly passed in August the "Law for the Protection of the State."⁵³ The Communist were declared outlaws by the mandate, and fifty-eight members in Parliament were relieved of their office along with several Communist mayors in

⁴⁹Howard Lee McBain and Lindsay Rogers, The New Constitutions of Europe (Garden City, New York: Doubleday, Page and Co., 1922), 347-348.

⁵⁰See Appendix I, Item V (Constitution of the Kingdom of the Serbs, Croats and Slovenes, 1921)

⁵¹Wright, op. cit., 671.

⁵²Clissold, op. cit., p. 171.

⁵³See Appendix I, Item VI (Law for the Protection of the State)

many large cities. The "Law" also aimed at the nationalist movements in Croatia, Bosnia and Macedonia.⁵⁴ It was very evident that discontent was growing among those provinces who advocated federalism when the Prince-Regent Alexander became King on August 16, 1921, at the death of his father, King Peter I of Serbia.

⁵⁴ "Repression in the Yugoslav State," Nation, CXIII (October 12, 1921), 403.

CHAPTER TWO
PARLIAMENTARY POLITICS, 1922-1928

After the excitement of experiencing national unity had died down, the new State found itself seriously burdened with major problems. Faced with difficulties of administrative integration, economic dislocation and numerous provincial patterns, Yugoslav politicians fought for power instead of uniting their efforts toward the consolidation of the country. The essential political parties emphasized regional orientation instead of programs designed to deal with national questions.¹

The basic task of Parliament was almost wholly neglected between 1922 and 1928 with the result that the country was left without uniform legislation. The greatest issue in Yugoslav internal politics during this period of parliamentary government was the open opposition of the Croats to the coercive dictates of centralism. Intrigue, arrest, murder and personal friction spawned political hatreds and jealousies that aroused Machiavellian craftiness among top party leaders. Propaganda was filtered through the channels of regional newspapers. Editors made "reckless sweeping, and slanderous statements about men in public life."²

¹Joseph S. Roucek, The Politics of the Balkans (New York: McGraw-Hill Book Co., Inc., 1934), pp. 70-71.

²Charles A. Beard and George Radin, The Balkan Pivot: Yugoslavia (New York: Macmillan, 1929), p. 252.

Stjepan Radic and his Croat Peasant Party elucidated their stand prior to the adoption of the Constitution clearly indicating that for the Croat Peasant a Republic was the only hope for national unity.³

The antagonism between the Serbs and Croats was greatly fostered by the vituperative denunciations in the speeches of Radic whose golden gifts of oration allowed him to sway the average Croat peasant into believing that the idea of having a republic would be as a Millennium, something that would fill his agrarian needs. A visiting correspondent inside Croat territory found blind chauvinism backing Radic's short-sighted policies. One Croat shepherd, according to the writer, confronted him with shouts of:

We want a republic! We will have nothing but a republic! A republic is when men are subject to no emperor or governor and are perfectly free to do anything that they may like. There will be no military service, no taxation, no tithes nor grazing taxes! Radic has promised to give us these things. He always keeps his word.⁴

Another important feature evident during this period of experimental politics was the Serbian dominance of the state machine. From December 1918 to January 1929, there were twenty-four different cabinets, directed by approximately seven major ministers. Of the 127 ministers in these cabinets, fifty-five belonged to the Radical Party, sixteen in the Democratic Party,

³"The Croats and Yugo-Slavia," American Review of Reviews, LXV, No. 165 (June, 1921), 838. See Appendix II, Item I (Stjepan Radic's Statement to the Prague Press, April, 1921)

⁴Dudley Heathcote, "The Problem of Croatia," Fortnightly Review, CXXIII (September, 1924), 390.

and thirty-nine in the remaining parties. An additional factor during this precarious stage was that the Serbs held the office of Prime Minister for 117 months; Ministry of the Army and Navy for 121 months; the Interior Ministry, having jurisdiction over the police, for 111 months; Ministry of Foreign Affairs for 100 months; Finance for 118 months; Education for 110 months; and the Ministry of Justice for 105 months.⁵

Besides controlling the essential ministries, the Serbs were in control of the armed forces. Important diplomatic posts were filled with Serbian statesmen. The National Bank, State Mortgage Bank, the Postal Savings System, and the Chartered Agricultural Bank were all headed by Serbs. Taking full advantage of patronage as a political weapon, employment opportunities for government services among the other nationalities were remote.

The Serbian-controlled government used legal and manipulative devices to remain in power. In addition to patronage, this took the form of rigged elections, unfair electoral laws, illegal police methods, bribery, espionage, graft and the redistricting of voting regions.⁶

Political tensions escalated into great intensity after 1921 and in the following year a manifesto was submitted to the government by Croat ex-deputies of the constitutional convention. The members of the "Croatian bloc" declared that the new constitution had been thrust upon their nation in an illegal manner.⁷

⁵Jozo Tomasevich, Peasants, Politics, and Economic Change in Yugoslavia (Stanford, California: University Press, 1955), pp. 241-2.

⁶L. S. Stavrianos, The Balkans Since 1453 (New York: Holt, Rinehart and Winston, 1958), pp. 625-626.

⁷Beard and Radin, op. cit., p. 74.

The second elections took place on March 19, 1923, and although a new census had been published, the Serbians, fearful of losing their strength, made sure that the elections were carried out in accordance with the pre-war census of 1910.⁸ Even though this gave undue advantage to the Serbians, the Croat Peasant Party received more votes than in the preceding election as witnessed in the poll results represented in Table 3.

TABLE 3
PARLIAMENTARY ELECTIONS OF 1923

Parties	Members Elected	Votes	Percent of Total
Serbian Radicals.....	107.....	562,213.....	25.82
Croat Peasants.....	70.....	473,732.....	21.76
Democrats.....	50.....	400,342.....	18.39
Slovene Clericals.....	21.....	126,378.....	5.81
Bosnian Mohammedans...18.....	18.....	117,228.....	5.16
Macedonian Mohammedans.13.....	13.....	71,493.....	3.28
Agrarians.....	9.....	153,379.....	7.05

The elections of 1923 indicated that the government had only obtained a third of the seats in the house and that the new government and opposition had to devise coalitions.¹⁰ In making political alliances, one quarter of the Democrats joined Pašić's Radicals

⁸"Elections in Yugoslavia," Nation, CXX, No. 3112 (February 25, 1925), 223.

⁹Ibid., p. 223.

¹⁰"The Problem of Yugoslavia," Spectator, CXXX (April 7, 1923), 580.

while the other Democrats under Davidović with the Slovenian Clericals and Bosnian Mohammedans joined the Croats in opposing Pašić.¹¹ Another conclusion, not so easily found, was that in the elections political and social distinctions counted less than regional and religious distinctions as the parties with racial emphasis gained considerably.¹²

In May of 1924, the Croat Peasant Party that had been boycotting the Skupština (Parliament), came to an agreement with Davidović. Pašić, who found his majority coalition jeopardized, tried to prevent their acceptance into Parliament by dissolving the session. Refused by the King, he promptly resigned. Alexander requested Davidović to form a new government that would reconcile the Serbs with the Croats and the Slovenes.¹³

The Davidovic government was deeply injured by Radić's erratic habits and lack of political timing. In the summer of 1924, Radić had visited Moscow and, later, officially announced his party's affiliation with the Bolshevik Peasant International. He further provoked the anger of the Serbs in a speech where he declared:

The Soviet Government has promised me, through the medium of Chicherin, (Soviet representative) that it will help us if we are threatened. In such a case we

¹¹NYT, February 8, 1925, Sect. II, p. 4.

¹²Hamilton Fish Armstrong, "Jugoslavia Today," Foreign Affairs, I, No. 4 (June 15, 1923), 88.

¹³D. Mitrany, "The Unmaking of Jugoslavia," New Republic, XLI (January 28, 1925), 254-255.

shall oppose the Belgrade rule with all our strength.¹⁴

His real connection with the International remained superficial and flirtatious, only a "means for forcing compromise at home."¹⁵ Davidović's position became untenable as Radić's negative activities were perpetually aimed against the Serbs.¹⁶ The King, sensing that Davidović could no longer carry out his program, asked for his resignation and Pašić was called back and allowed to dismiss Parliament.

There was joint protest from the whole opposition and the greatest vociferations came from the Croat Union Protests.¹⁷ With the advent of the new year, Radić and hundreds of his fellow-workers were incarcerated and his party outlawed as subversively dangerous to the State.¹⁸ At the trial, the Court of Zagreb acquitted the Croat Peasant Party by dropping accusations of its communistic and revolutionary affiliations, finding it

¹⁴Hamilton Fish Armstrong, "Jugoslavia in the Making," The American Political Science Review, XIX (1925), 605.

¹⁵George D. Jackson Jr., Comintern and Peasant in East Europe, 1919-1930 (New York: Columbia University Press, 1966), pp. 215-216.

¹⁶Radić misjudged the opportunity to work out the Yugoslav Constitutional question in Parliament. Thinking it was a sign of weakness, he intensified his attacks on the army and incessantly disseminated propaganda for a separate Croat Republic. In addition to his relationship with the International, he violently attacked government squandering.

¹⁷"The Croat Union Protests," Nation, CXX, No. 3108 (January 28, 1925), 102. See Appendix II, ~~I~~ II (Croat Union Protests)

¹⁸NYT, January 5, 1925, 6; January 12, 1925, 14.

only "pacific and democratic."¹⁹

With an appeal to the higher courts and the revelation of newly conscripted evidence, Radic and his fellowship were re-arrested and placed "beyond all legal procedure."²⁰ On February 8, 1925, the new elections took place and Pašic, cutting into minorities, increased his representation which constituted a small, but absolute majority.²¹

TABLE 4

PARLIAMENTARY ELECTIONS OF 1925

Parties	Members Elected
Serbian Radioals.....	141
Croat Peasants.....	68
Independent Democrats led by Pribicevic.....	21
Davidovic's Democrats.....	39
Slovene Clericals.....	19
Bosnian Mohammedans.....	13
Others (Forty-Odd Political Parties).....	14
	22

One very significant consequence of the election was the indication that at least half of the population were opposed to Pašic's centralism and were more desirous of regional autonomy.²³

¹⁹"Elections in Jugoslavia," Nation, CXX (February 25, 1925), 224.

²⁰NYT, February 8, 1925, Sect. II, 4.

²¹Hamilton Fish Armstrong, The New Balkans (New York: Harper and Brothers Publishers, 1926), p. 41.

²²Gordon Gordon-Smith, "Yugoslav Electoral Victory for Conservatism," Current History, XXII (April, 1925), 105.

²³NYT, February 10, 1925, 5.

In March the nephew of Stjepan Radic, Paul Radic, presented his uncle's new conviction in a "volte-face" declaration favoring monarchy and complete Yugoslav unity.²⁴ It was obvious that the Croat Peasant Party had heeded the persistent counsels of British Laborites to accept a parliamentary solution.²⁵ In effect, a Pasic Radic coalition was formed after the Croat leader received his liberty from prison and became the nominal Minister of Education. This coalition was doomed from the start and, therefore, on April 4, 1926, it broke down. Radic was completely unable to refrain from vehement attacks and even publicly charged Pasic's son with criminal complicity.²⁶

Pasic continued in power until April 5, 1926 and died on December 10, 1926. His last years in power were marked with both victory and failure. His success in not sacrificing a single paragraph of his political program and short restoration of peace and tranquility after Radic pledged loyalty and support to the Constitution, was marred by his growing senility which obliged him to surround himself with a number of political sycophants and inferiors who sapped his power, in order, to identify their own with the country's interest.²⁷ It was this pernicious system of nepotism that corrupted the fortune of the government and gave Pasic's opponents their chief verbal ammunition to assail his

²⁴ Hamilton Fish Armstrong, "The Serbo-Croat Dispute," Nation, CXXI, No. 3132 (July 15, 1926), 101. See Appendix II, Item III (Speech of Paul Radic, March 27, 1925)

²⁵ "Croat and Serb," American Review of Reviews, LXXI (April, 1925), 426.

²⁶ Beard and Radin, op. cit., p. 166.

²⁷ A. Vidakovitch, "The Yugoslav National Crisis," New Statesman, XXXII (November 3, 1928), 113-114.

centralistic program. One dominant factor in the passing of this great Serbian statesman can be seen in the disintegration of regional characteristics of parties. With the increasing contact of recurring responsibilities in office, these political fraternities were forced to accept more definite social and economic platforms.

The period between the death of Pašić and the election of 1927, was sadly represented with several cabinet crises and Radic's shift in alliance away from Davidovic's Democrats, Slovene Clericals, and Bosnian Mohammedans, toward a reconciliation with Pribičević's Democrats. The elections held on September 12, 1927, resulted in an expected victory for the newly formed coalition government of Vukićević. The Radical Party lost thirty seats and the Croat Peasant seven. Additional results can be seen below in Table 5.

TABLE 5
PARLIAMENTARY ELECTIONS OF 1927

Parties	Members Elected
Serbian Radicals.....	111
Croat Peasants.....	61
Independents and Davidovic's Democrats.....	81
Slovene Clericals.....	20
Bosnian Mohammedans.....	17
Minor Groups.....	11
	28

In February of 1928, the Vukićević government failed in attempting to convince the Croat Peasants to join in a new coalition

28
NYT, September 13, 1927, 50.

government. One of the most remarkable events occurred when the king, desperately trying every method possible to establish political unity, asked Radic' to form a cabinet.²⁹ The Radic' commission miscarried in propitiating the other parties and political bickering continued with tirades of insensate innuendoes.

In June of 1928, demonstrations, coalition failures, party disputes and the seeds of general division reached a dangerous zenith. On the 20th of June the inevitable happened. Punisa Racic', a Montenegrin deputy belonging to the Radical majority, was charged with misappropriation of land in his constituency by several parliamentary deputies including Paul Radic'. A general turmoil followed in the Skupstina and while the President tried to adjourn the session, Racic' fired six shots killing Paul Radic' and Dr. George Basaricic', a noted Croat author and Vice-President of the Croat Peasant Party. Racic' wounded Stjepan Radic', Josip Grandja, Dr. Jelasic' and Dr. Pernar, all members of the Croat delegation.³⁰

This event intensified the hatred between both Croats and Serbs. When the Cabinet sent condolences to the Croats injured, the messages were returned in red pencil "not accepted!"³¹ The King, who himself had recently befriended Radic', sharing his fascination for rare books, arranged for his convalescence under a royal specialist and offered to send Paul Radic's orphans to an

²⁹ Ibid., February 9, 1928, 14.

³⁰ Ibid., June 21, 1928, 1.

³¹ Frederic A. Ogg, "The Political Murders in Yugoslavia," Current History, XXVII (August, 1928), 873.

exclusive school abroad, but was graciously refused.³² Immediately following the shooting, the outraged representatives of the Croat Peasant Party left Belgrade and gathered at Zagreb. They demanded the resignation of the government for a neutral cabinet to carry through free elections.³³

In August, a rival parliament was formed in Zagreb by eighty of the eighty-five seceding Croat delegates. They derisively alluded to the Belgrade government as the "Rump Parliament." The Croats demanded the reconstruction of the whole state and declared the abrogation of the existing constitution. They were especially annoyed with the laxity shown in Račić's trial and sentence, interpreting it as further proof that the government inspired the act.³⁴

Two months after the Skupština slayings, Stjepan Radic died as a result of complication to his wound brought on by dropsy and diabetes.³⁵ While the colorful Croat leader left no political testament, his final views remained steadfast to the tenets he embraced in his political career. In summary he demanded Croat autonomy inside the Yugoslav State with the King serving as the personal union between Belgrade and Zagreb. His greatest ambition

32

George Glasgow, "Serb Dictatorship," Contemporary Review, CXXXV (February, 1929), 249. The closeness between the King and his family with Stjepan Radic in the late twenties is fundamentally described in Stephen Graham's Alexander of Yugoslavia, New Haven, Connecticut: Yale University Press, 1939.

33

"Troubled Jugoslavia," American Review of Reviews (1928), 424.

34

"Belgrade and Zagreb," Spectator, CXLII (January 5, 1929), 5.

35

R. H. Bruce Lookhardt, "Stephen Raditch: Peasant Patriot," Fortnightly Review, XXX (October, 1928), 518.

to establish a united peasant state which would encompass all the Slav peoples of Southern Europe, remained with him to his death. Stjepan Radić can be criticized for many things- immoderate demagoguery, inconsistencies, illogicalities, inflated nationalism, nepotistic selection of officials and revolutionary public denouncements. Although he had poor discernment of political compromise, he exercised a supernatural influence over his fellow Croats who marvelled at his captivating oratory. It was his own puerile, yet sincere idealism that won him the devotion of the Croat peasantry. His death exalted him in the minds of his compatriots far above his real merits. King Alexander offered an official funeral, but was flatly refused.³⁶ Pribičević, Radić's collaborator in the Serbo-Croatian politics was not prepared to concede to full autonomy with only a personal union under the King, and did not retain the confidence of Zagreb.³⁷

Bitterness between Serbs and Croats increased during the latter part of 1928. When the state of affairs had shown that the governing system was on the verge of collapse, the King requested audiences with Dr. Vladko Maček, Radić's successor, and Pribičević. Later he heard the Serb Radicals and the Democrats vocalize their positions. All groups were deadlocked and continued to be unyielding in their demands. At this point Alexander decided that the antagonistic ideas held by the various parties had no hope of solution. On

³⁶"Croatia's Peasant Martyr," Literary Digest, XCVIII (August 25, 1928), 14.

³⁷"Raditch and Croatia," Saturday Review, CXLVI (August 18, 1928), 202.

January 5, 1929, a communique was issued from the royal palace declaring that no parliamentary answer was possible that would preserve the unity of Yugoslavia and on June 6, King Alexander addressed his people with the proclamation that:

The hour has come when there must no longer be any intermediary between the People and the King. Parliament institutions, which as a political instrument were a tradition of my regretted father, have remained my ideal as well. But, blind political passions abused the parliamentary system to such a degree that it became a hinderance to all profitable national work. . . . Agreement-even the most ordinary relations between parties and individuals-became utterly impossible It is my duty to safeguard the unity of the state at all cost. I have resolved to fulfill this duty unhesitatingly to the very end. The supreme ideal of my reign is to maintain the union of the People. This ideal ought to be the supreme law not merely for me but for each individual To seek to remedy the present evil situation by a parliamentary change of government or even by new elections, as has been done heretofore, would be to lose valuable time in more futile attempts of the sort which have absorbed us for several years. We must look for new working methods and blaze new trails. 38

The experiment of parliamentary government had failed and was now to give way to five years of dictatorship under King Alexander.

³⁸ Hamilton Fish Armstrong, "The Royal Dictatorship in Yugoslavia," Foreign Affairs, VII (June, 1929), 600-601.

CHAPTER THREE
 OPPRESSION AND TERRORISM: PEASANT POLITICS
 UNDER THE ROYAL DICTATORSHIP, 1929-1934

King Alexander had made no sudden decision in initiating his proclamation on January 6, 1929. Prior to his issuance of the royal decree, he had withdrawn to a small retreat at Topola, in order to ruminate the immediate political stalemate. Confronted with the fatal convergence of administrative inefficiency, constitutional over-centralization and the lack of genuinely national political parties, Alexander recognized the urgency of responding to the exigencies of the moment.¹

Recollecting his audiences with Dr. Maček and Svetozar Pribičević, the King weighed the proposals of a neutral cabinet with a country divided on historical lines into seven provinces. Not only were these "historical frontiers" hard to define, but the entire plan submitted by the Croat delegates ran the risk of destroying the meagre unity still possessed in the State, the economic development and the defense preparedness of the military.²

P. D. Ostović, supporting the Croat climate of thought, maintained that the concepts of Dr. Maček and Pribičević were

¹Malbone W. Graham, "The Dictatorship in Yugoslavia," American Political Science Review, XXIII (May, 1929), 454.

²Hamilton Fish Armstrong, "The Royal Dictatorship in Jugoslavia," Foreign Affairs, VII (June, 1929), 605-606.

completely passed over with preconceived judgement on the part of the King.³ The truth of the matter rests on Alexander's discreet examination of the alternatives available. Coalition was improbable as it had often failed in the past. New elections under the existing electoral system would return the same political inadequacy in the Skupština as before. The country also risked the prospects of foreign intervention by way of her frontiers.

Bearing the entire burden of the State, Alexander decided to end party wranglings, cabals, partisanships within the political makeup and tear away the barrier that had been erected between him and his people.⁴ His decision averted anarchy and prevented a serious calamity which could have threatened the peace of the Balkans, and perhaps, the peace of the World.⁵

Alexander abolished the Constitution of 1921 and dismissed the Skupština that had been elected on November 1, 1927. He announced that laws then in existence would remain in force unless cancelled by royal command. The dictatorship officially dissolved all minority parties and with its arbitrary electoral reforms and elimination of civil rights, promoted underground contravention from restive anti-Serb spokesmen.⁶

General P. Zivković, a cavalry commander and leader of the

³P. D. Ostrovic, The Truth About Yugoslavia (New York: Roy Publishers, 1952), pp. 148-149.

⁴A. O. Christitch, "King Alexander of Yugoslavia," Contemporary Review, CXLV (February, 1934), p. 52.

⁵"Another Dictator," Living Age, CCCVI (March, 1929), 5.

⁶Andrew Gyorgy, Government of Danubian Europe (New York: Rinehardt and Co., Inc., 1949), 178.

King's Guard, fulfilled Alexander's standards of perfection on loyalty. Lacking national significance and political experience, Zivković won the admiration of the King with his modest and temperant living standards and his diffidence in using personal influence. Stjepan Radić was the first official who suggested in making Zivković, Premier, explaining that the peasants would enjoy the leadership of a Serbian officer "outside of the antagonisms of politics . . . who would likely be impartial."⁷

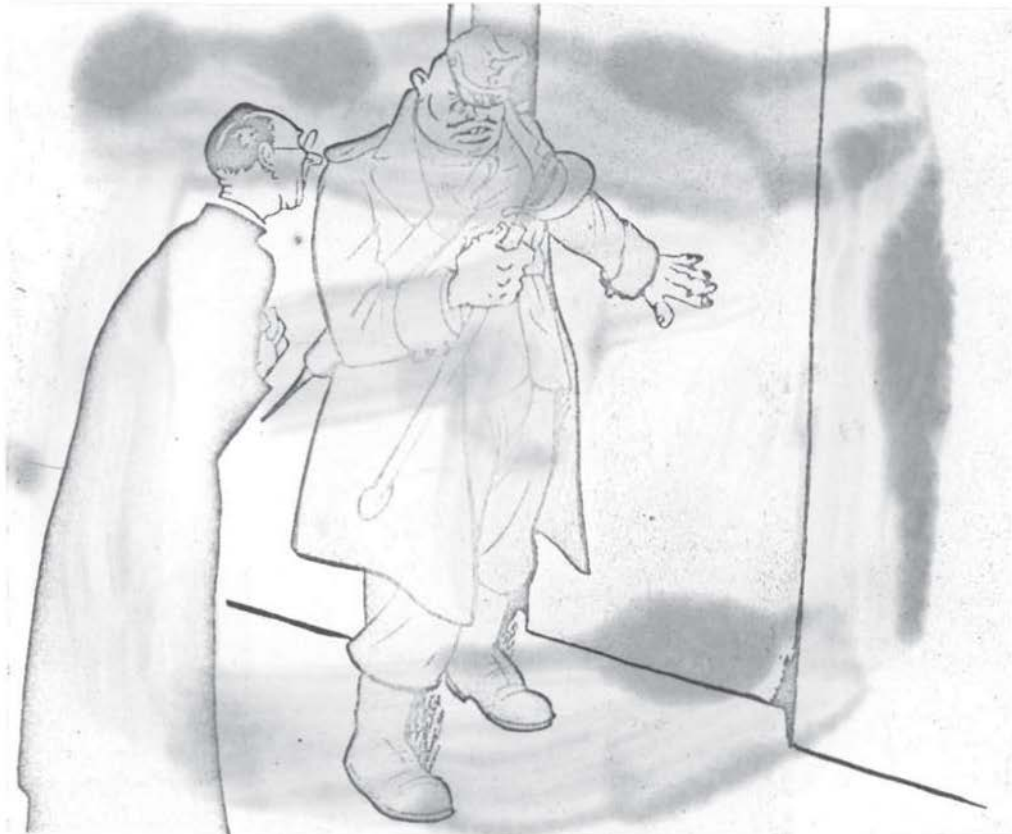
Evaluating Zivković's integrity and potentiality, Alexander appointed him as a neutral Premier, but he could not give him a supporting ministry drawn from capable men who were outside politics. Instead, Alexander collected the strongest cabinet he could from men he felt trustworthy and able. Of the eighteen chosen, nine were Serbs, five were Croats, one was Slovene, and the rest were Bosnians. While the Peasant-Democratic Coalition was not included, the Croat ministers were placed in charge of finance, trade and agriculture, which had been previously exploited by the Serbian officials.

The offices of all the political parties were closed and cordoned off by the police. Newspapers were restricted by an austere censorship law. Spontaneous reaction within the State preferred the new autocracy to the former recurring governmental crises, however Serbian politicians were naturally dissatisfied with the transition that menaced their professional future.⁸

⁷Stephen Graham, Alexander of Yugoslavia (New Haven, Connecticut: Yale University Press, 1939), pp. 160-162.

⁸H. Charles Woods, "The Jugoslavian Coup d' Etat," Fortnightly Review, CXXXI (March, 1929), 388.

In Croatia, the populations in the cities literally "threw their caps in the air for the "coup d' etat," expressing the sentiment that to them it meant the abolition of a despised constitution and the hope of better things to come.⁹ The responsiveness outside of Yugoslavia was mixed. Most journalistic sources interpreted it as a new addition in an area that was swiftly becoming familiar with dictatorships. Meditative estimations can be aptly captured in coeval political caricature like the creation below that directed puns against Zivković.



10

Fig 3--Political Caricature: Caption refers to Yugoslavia's Constitution Going to Pieces. General Zivković to Father Korošec (his predecessor): "A touch of iron, my friend is good for the Constitution!"

⁹ "Dictatorship and Democracy," *New Statesman*, XXXII (January 12, 1929), 432.

¹⁰ "Another Dictator," loc. cit.

The "Christmas Cabinet" commenced its activities with decrees that outlined distinctly the character and composition of the dictatorship. The first three months were exclusively devoted to law-making. The first precept established the position of the King and proclaimed that he was the sole source of power throughout the country. The second mandate dealt with public security and it prohibited the danger of Communistic and Nihilistic elements. It stressed that any nationalist or chauvinist political party would be instantly dissolved. The third statute was a severe press ordinance which limited freedom of comment. All local elective and self-governing bodies were abrogated under the fourth rule which changed the previous law of municipalities and Provinces.¹¹

Entrusting Zivkovic with the task of political administrative renovation, the King recommended the appointment of a "Supreme Legislative Council" of about fifteen lawyers and professors from different parts of the country, which was to consult and advise the Premier on all the proposed laws. With this "brain trust", the King felt certain he could raise the standard of administrative efficiency. Reorganization of the civil service was extremely essential since many of the employees were corrupt and inefficient. They were replaced with more qualified specialists.¹²

In attempting to revitalize the national organism, the King's Cabinet speeded up the machinery of government by centralizing the

¹¹ Frederick Ogg, "The Military Dictatorship in Yugoslavia," Current History, XXIX (February, 1929), 868.

¹² "The Situation in Yugoslavia," Central European Observer, VII (February 1, 1929), 59.

statistical section of all ministries in the Premier's office. While the ministers were reduced and every portion of the country represented by their social classes, the debates on sectional dictatorship were practically dispersed.¹³

Several ministries were consolidated into more uniform departments. The ministries of Post and Telegraph were merged into Public Works; Religion in that of Justice; Agrarian Reform in that of Agriculture; and Health in that of Social Welfare. Duplications were prevented with the aim of saving State expenditures. This affected salaries which were lowered for the same purpose. Increasing the representation of Croats and Slovenes in the diplomatic service, fifty Serbian ministers were coerced into retirement pensions. In the army, thirty six generals were discharged from service and younger officers were commissioned from different sections of the country and were remunerated with lower scales of pay.

By preparing a number of commercial treaties, eliminating graft, setting up a bureau to encourage foreign trade, the administration produced a favorable impression in the economic field.¹⁴ King Alexander substituted the name Yugoslavia for the cumbersome appellation of the Kingdom of the Serbs, Croats and Slovenes, in order to convey the civic equality of Slovenes, Croats and Serbs without priority for any one of the group.

The Premier, in elucidating the King's manifesto, pointed to

¹³Albert Mousset, "Les événements de Belgrade: une nouvelle ère politique en Yougoslavie," L'Europe Nouvelle, XII, No. 570 (January 12, 1929), 48-49.

¹⁴Armstrong, op. cit., 607-608.

the administrative aim of establishing complete order and discipline in order to unify the laws and reconstruct the country's economic life. Zivković also declared that this was a temporary measure designed to promote the return of a more mature national democratic system of government.¹⁵

The immediate impact of the government's legislative drive toward the betterment of the economic condition of the peasantry can be readily observed in the institutionalization of the Privileged Agrarian Bank in August, 1929. Meeting the credit needs of the agrarians with a fiscal lending level of ten percent, with easy terms of repayment and with a dividend of six percent, it substantially ameliorated the need for peasant capital prior to the depression period.

Alexander, who had mingled freely with the common farmers, was sympathetic to the peasant mode of existence. As ruler of Yugoslavia, he dedicated himself to raising the standard of life among the peasantry in the most poverty stricken areas.¹⁶ Alexander, who from early childhood enjoyed botany, was also a farmer of no small repute. In Topola, he frequently competed with local farmers in agricultural produce.¹⁷ As a result of this fond interest, he was instrumental in promoting the inspection and standardizing of various crops, and programs of pesticide control.

One of the largest administrative innovations came in the

¹⁵ NYT, January 11, 1929, V., 3.

¹⁶ Christitch, op. cit., 215.

¹⁷ Ibid., p. 217.

following October. The thirty three administrative divisions which were decreed in 1922, were exchanged by nine provinces or banovinas. Eight of these banovinas were named after historical rivers and the ninth was alluded to as the "Littoral Province." These new frontiers superseded the old national and provincial lines in order to diminish the importance of religious and party factors.¹⁸ Bans or governors were appointed to govern these new provinces and were directed to give first electoral considerations to chief local officials. The population area and capital cities of these nine banovinas presents a clear perspective of this major transition.

TABLE 6

STATISTICS ON THE NINE BANOVINAS FROM THE MARCH 1931 CENSUS

Banovinas	Capital	Population	Per Sq Mile
Dravska.....	Ljubljana.....	1,144,298.....	186.8
Drinska.....	Sarajevo.....	1,534,739.....	142.8
Dunavska.....	Novi Sad.....	2,387,295.....	198.0
Moravska.....	Niš.....	1,435,584.....	146.0
Primorska.....	Split.....	901,660.....	118.9
Savska.....	Zagreb.....	2,704,383.....	172.8
Vardarska.....	Skoplje.....	1,574,243.....	111.2
Vrbaska.....	Banja Luka.....	1,037,382.....	142.0
Zetska.....	Cetinje.....	925,516.....	77.3
Belgrade.....	Belgrade.....	288,938.....	1,979.0

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¹⁸ Borivoje Z Milojevitch, "The Kingdom of the Serbs, Croats and Slovenes: Administrative Division in Relation to Natural Regions," American Geographical Review, XV (January, 1925), 70-73. See Appendix III, Item I for a Comparative Study: Geographical Review of the Administrative Divisions of 1922 and 1929.

¹⁹ M. Epstein, ed., The Statesman's Yearbook: Statistical and Historical Annual of the States of the World for the Year 1934, (London: Macmillan and Co., Ltd., 1934), p. 1374.

Realizing that the Croat autonomies were going too far in proposing the division of the country "on historical lines," Alexander compromised with his administrative division that embodied efficiency, economy and national solidarity.²⁰ Opposition to the régime was partly silenced but was not destroyed. The dictatorship, because of its oppressive nature, engendered disputatious antagonism among the Serbs, Croats and Slovenes. The Serbs complained about the abolition of the democratic institutions and the increase use of espionage. The Slovenes gained the most of all the nationalities but resented the dictatorial interference in their parochial schools. From the first there was a great degree of suspicion in the minds of the Croats who had their Peasant Party dispossessed and party records confiscated.²¹ They felt that the dictatorship was a continuation of the previous state of affairs. The Croats had faith in the King's integrity, although they greatly feared the duplicity of the Serbian politicians in the new government.²² They had ample justification in pointing to the ill-treatment of their former statesmen. Pribičević had been arrested and was not given much needed medical attention in the course of his confinement. While Davidović was arrested and released, Dr. Ante Trumbić, a Croat leader of moderate convictions, was put under police surveillance. The trial and acquittal of Dr. Maček in connection with an alleged complicity in a bomb plot, did more than anything

²⁰ "New Kingdom of Yugoslavia," Foreign Affairs, VIII, No. 2 (January, 1930), 299.

²¹ NYT, January 22, 1929, 31.

²² Milan Billich, "Yugoslav Crisis a Result of Croat's Discontent under Serbian Domination," Current History, XXXI (October, 1929), 133.

else to expose the iniquities of police state methods imposed upon all opposition by a select group of corrupt Serbian officials, who had avoided Alexander's purge. The unfavorable publicity of thousands of people, chiefly students, aroused the King's attention.²³ In 1931, he made his first lengthy visit to Zagreb, winning great admiration among the Croatian people for his simple democratic ways. However, the World Depression made conditions for both the peasant and towns people much worse, especially in cases where small land holders in Serbia, Bosnia, Montenegro and Macedonia lost everything they owned. As the suppression by the gendarmes acerbated the already intolerable conditions of most peasants, unrest steadily grew to new crescendos. Radical sentiment to the dictatorship regime was distinguishably obstreperous among university students. One of the main centers of this revolutionary thought was the University of Belgrade. Several students attending the school had come from impoverished peasant families and had to work themselves mentally and physically into exhaustion, in order to remain in academic residence. Consequently, they grew to hate the system which caused their hardship and suffering and were driven to the conclusion that only revolutionary methods and solutions could improve the country. Both by propaganda and by personal precedent they spread their concepts about the country and magnetized peasants and townspeople alike.²⁴

Of all his reforms, the educational policy of Alexander fared

²³"Reign of Terror in Yugoslavia," Nation, CXXIX (October 23, 1929), 476.

²⁴Hugh Seton-Watson, Eastern Europe Between the Wars, 1918-1941 (New York: Harper and Row, Publishers, 1967), pp. 229-231.

the worst under inconsiderate administrators. This was particularly evident in the establishment of a compulsory system of education and the passage of decrees limiting the scope of the Church and of national minorities in education. Other nationalities in Yugoslavia were victimized by a growing Serbian hegemony in the centralized autocracy. The Macedonians, who had been allowed considerable toleration under Turkish rule were forbidden to use their native language in their schools. Serbian officials added further disgrace to the Macedonians by seizing their church property.²⁵ In recompensing these impositions, the dictatorship had benefited Macedonia by spending money on her roads, markets and schools and by arming the peasant communities so that they themselves were in a position to resist Comitadjis (revolutionary) incursions from Bulgaria.²⁶

After abolishing the Vidovdan Constitution of 1921, King Alexander had promised to grant a new one and had his Cabinet work upon a draft. Between November 1930 and February 1931, several Croatian exiles had compiled and submitted a memorandum on conditions in Croatia. It contained a listing of officials incarcerated and details on the practices of brutality and torture. A group known as the "German League for the Rights of Man" sided with the Croatian plea and appealed to world consensus to bring pressure to bear against the Yugoslav government, most pointedly after its failure to prosecute the assassin of the Croatian scholar, Dr. Milan Sufflay.

²⁵E. Boyle, "Serbian People and Yugoslav Problems," Contemporary Review, XCLII (September, 1923), 302.

²⁶Hamilton Fish Armstrong, "After the Assassination of King Alexander," Foreign Affairs, XIII, No. 2 (January, 1935), 215.

Dr. L. D. Kezman an ex-member of the Skupština from Croatia castigated what he labeled the "dynastic ambitions, militarist organizations and foreign imperialism that oppressed all the Balkan people." 27

In addition to these problems, the King feared a recurrence in Yugoslavia of what had happened in Spain April, 1931. He recognized the economic necessity of French loan support and that in order to obtain it, certain measures had to be taken to appease the opinion of outside observers. This more than anything else stimulated the expedition of the Constitution promulgated on September 3, 1931.²⁸ The new document provided that the State would have a bicameral structure consisting of a Senate and a Chamber of Deputies. Yugoslavia was officially declared a constitutional hereditary monarchy with the Karadjordjević house as the ruling dynasty. The three languages of Serbian, Croatian and Slovenian were announced as the official languages of the State. The Constitution guaranteed personal liberty, equality of religions, freedom of the press and assembly.²⁹

Alexander felt the Constitution represented the first step toward a more meaningful democracy. Keeping royal power intact, it was to insure national unity. The spokesmen of separatism and autonomy attacked what they called the "Sham Constitution," retort-

27

L. D. Kezman, "Tyranny in Croatia," New Republic, LXVII (June 8, 1931), 210.

28

Great Britain Naval Intelligence Division, Jugoslavia, Vol II (Norwich, England: Jarrold and Sons Ltd., 1944), p. 166.

29

For further details reference is made to Appendix III, Item II (The Constitution of 1931)

ing that it was "an insincere return to the constitutional régime" and a "masquerade for the continuation of autocracy and Serbian domination." ³⁰ Other Croatian sympathizers blamed Alexander for "whetting his appetite for personal government" which had been perpetuated by his distrust of popular institutions. To these anti-Serb antagonists and historians like R.W. Seton-Watson, the originators either were very indifferent to public opinion or plainly mediocre in political aptitude.³¹

Aside from contemporary conjecture, a closer scrutiny of the Constitution's ramifications acknowledges that the document was hostile to the formation of minority political parties, because this kind of regional partisanship threatened the coherence aspired by the composers. Nevertheless, the Constitution of 1931 succeeded with only minor amendments, in remaining the public law until the German invasion in April 1941.

The electoral law was published on September 12, with the promise of a later separate mandate to govern the election of Senators. This regulation provided that all voting would be open, that is, both oral and public. It conferred special privileges on parties obtaining majorities and eliminated to a great extent, minority parties from any participation. Voting was to be national, rather than by district, and lists had to carry more than 50,000 votes, in order to be allotted seats.³² The elections on November

³⁰ Emil Lengyel, "Jugoslavia's Sham Constitution," Nation, CXXXIII (November 4, 1931), 449-500.

³¹ R.W. Seton-Watson, "The Yugoslav Dictatorship," Contemporary Review, CXLI (June, 1932), 31.

³² "Yugoslavia's Electoral Law," Current History, XXIV (October, 1931-March, 1932), 612.

9, witnessed 1,200 candidates bid for 310 seats in the lower chamber. Only 2,324,645 votes were cast, despite mandatory requirements that every qualified voter had to sign a ballot. The results of the election strengthened the determination of the Zivkovic Cabinet to continue its suppressive measures against the separatists.³³

Following a wide tide of autonomist vociferations, the Cabinet was reorientated and King Alexander called upon Dr. Maček and M. Aca Stanojevic to form a new government. However since the old contentious Croat autonomist demands and Serbian nonacceptance prevailed, the King fell back on the alternative of creating a nation-wide and uniform Yugoslav Party whose fundamental credo was to be the concept that the free Slav people united under one crown were racially one, that is, there were to be no Serbs, Croats or Slovenes, but only Yugoslavs.³⁴

General Zivkovic, in disagreement, resigned his position to Dr. Marinkovic, who announced the inception of the Yugoslavian Radical Farmers Democratic Party. This departure caused rifts in the government between the "Yugoslavs" and the Serbian Radical faction. The growth of Croatian opposition peaked after the appointment of Dr. Srskic as Premier, who was a known centralist, unpopular with both Croat and Serbs. Added to his political misjudgements, the new Premier received a great deal of pressure in rural areas. Starving peasants in the worst poverty-stricken

³³ "The Election in Yugoslavia," Current History, XXIV (October, 1931-March, 1932), 612.

³⁴ NYT, September 3, 1931, 4.

regions were encouraged by Croat terrorists to rebel against their privations. Furthermore, they were supplied with arms by Italian sponsored organizations. This was complicated by extreme resistance to the government in the beginning of 1933.

The "Zagreb Manifesto" drawn up by the parties of Maček and Pribičević in November of 1932, had fallen into the hands of the government, revealing a resolution denouncing the hegemony of Serbia and advocating the application of popular sovereignty.³⁵ It suggested the restructuring of the State on the basis of an association of interest to safeguard the Serbian, Croat and Slovene nations. The government interned the Slovene and Muslim leaders, who approved of the resolution and Maček was placed on trial in April 1933, and sentenced to five years' imprisonment.

The probability of a Croat insurrection ran very high and was only eclipsed by the fear of Italian aggression. It was during this tense and electrifying period that the King's advisors were diligently at work on a project of law considerably broadening the jurisdiction of the banovinas. It was Alexander's intention of introducing it upon his return from France. It is rather doubtful that he intended on splitting the country into two halves: Serbian and Croatian, as some contemporary Croat propagandist would make the World believe.³⁶

Throughout the dictatorship the Croats remained intransigent and unanimous in demanding separate statehood. The Peasant Party

³⁵See Appendix III, Item III (Resolution Adopted on March 7, 1932, at the Meeting of the Leaders of the Peasant-Democratic Coalition and Dr. Vladimir Maček's Indictment)

³⁶Ostrovic, op. cit., p. 152.

pursued a nonviolent course, sending many of its representatives abroad to urge foreign supporters like France to withdraw their support of the Serbian dictatorship. In part they were successful, although sharp contrasts in Croat tactics can be discerned in the progeny of the Frankist Party, who continued the anti-Serb Croat nationalistic policy of their predecessors. These radicals found the steadfast resistance of the Croat Peasant Party was a debilitating gradualism that would eventually sap the virility of the Croat crusade for autonomy. Finding support among the Croat middle classes, the Croat Youth Movement sprang into life in 1928. Infamously known as the Domobronski Pokret, it produced in 1931 a hard-core faction charged with clandestine political warfare and terrorist activities. Ante Pavelić, a well-known Zagreb lawyer, became its supreme chief or Poglavnik. Pavelić was determined to break up the Pan-Serbian Kingdom at all cost. This Croat Revolutionary organization catered to unemployed youth, disgruntled vagabonds and hardened criminals.

With the leadership assistance of Gustave Perchets and Branimir Yelić, Pavelić made Vienna, which was the emporium for emigrant movements of intelligence services, the center for their early plotting and scheming. Considering Croatia as being at war with their Serbian oppressors, the Ustaše swore to fight militarily for a free independent Croat State. Ardently opposed to the dictatorial régime, the Ustaše heralded King Alexander's death sentence publicly in Belgium, and furthermore its motivations were

clarified at a meeting in Pittsburgh, Pennsylvania.³⁷ The Serbian historian, Valdeta Milicević, analysed the Ustaše and their connection in Europe. He explained in his commentary how recruits enrolled in Croatia were transported to training camps in both Hungary, and later, Italy, where they were trained in terrorism and political murder.³⁸

It was not until October 9, 1934, that the Ustaše achieved their treacherous goal. During a state visit to France, Alexander, and his close friend, Jean Louis Barthou, the French foreign minister, were assassinated at Marseilles by a man known by the alias "Vlada the Chauffeur," a Macedonian terrorist directly affiliated with Pavelić. The identity of the assassin was withheld so that the Yugoslav people, despite their anguish with the régime, would not create a public outcry to declare war upon a country with which they had cordial relations.³⁹ To a people, saddened by the murder of their King, unity in Yugoslavia seemed farther away, and a solution to the Croat problem, an even more distant prospect.

³⁷Tibor Eckhardt, Regicide at Marseille (New York: American Hungarian Library and Historical Society, 1964), pp. 21-23.

³⁸See Appendix III, Item IV (Milicević's Discussion on the "Preparation for Marseille")

³⁹Allen Roberts, The Turning Point (New York: St. Martin's Press, 1970), p. 141.

CHAPTER FOUR

THE CROAT QUESTION: THE SEARCH FOR
UNITY ON THE EVE OF WAR, 1935-1941

Even before Alexander's body was interred in the Karajordjević crypt in Oblenetz near Belgrade, prompt arrangements had to be carried out to insure governmental stability. In the same month of his father's assassination, Peter was proclaimed King in accordance with the national constitution. Since the boy was not of age, a regency had to be selected. King Alexander had left a will appointing a triple regency consisting of his cousin Prince Paul; Dr. Radekno Stanković, a distinguished heart specialist, and Alexander's personal physician; and Ivan Perović, former Ban of the Banat of Sava.¹

Of the three, Prince Paul was vested with the major authority. He had been educated at Oxford and his wife, Princess Olga, was the sister of the Duchess of Kent. Paul was considered more at ease with foreigners than with his own people and, consequently, preferred to be among his European friends than to be Regent of Yugoslavia.² Regardless of his reluctance to assume this post, Paul labored to furnish the country with good administration in a

¹ Frederick A. Ogg, "Yugoslavia's New Rulers," Current History, XLI (December, 1934), 368-369.

² John Gunther, Inside Europe (New York: Harper and Brothers, 1940), p. 457.

trying epoch. In November he was confronted with the "Zagreb Memorandum," which called for the release of Dr. Maček, from prison, amnesty, freedom of movement and free elections. This was supported by an additional memorandum endorsed by eminent Serbs in December of the same year.³

Prince Paul handled the first tests of his new office successfully. Premier Uzunović's efforts to reform his cabinet and pack it exclusively with Serbs, failed. The Regent, adopting a positive attitude, passed the reins of office to a trusted servant of the late King, Bogolub Jevtić, who as Foreign Minister had been assiduously fixing blame on Hungary for the murder of his Monarch. Jevtić began well, and his cabinet contained a number of non-Serbs. He promised free elections and released Dr. Maček from prison and proclaimed his intention of following a progressive program of decentralization and Serbo-Croat reconciliation. Unfortunately, Jevtić proved unable to control his political balance over the opposite demands of either liberalizing the government or extending the foregoing dictatorship. Avoiding the responsibility of making a major decision, he dissolved the Skupština and called for an election.⁴

The elections of May 1935, were scandalous. Voters were intimidated, candidates of the opposition were held in confinement

³ See Appendix IV, Item I (The Zagreb and Belgrade Memoranda)

⁴ Hamilton Fish Armstrong, "Jugoslavia in Transition," Foreign Affairs, XIV, No. 1 (October, 1935), 160-161.

and non governmental parties were impeded from holding campaign rallies. The Jevtić candidates received 1,747,037 votes giving them 303 deputies in the house, whereas their rival secured 1,076,346 with only sixty seven representatives in the Parliament. The latter contested the elections citing abnormalities and acted by boycotting Belgrade. The fatal stalemate of the past loomed ominous again.⁵ Prince Paul anticipating dramatic consequences, conversed with the principle party leaders on the question of settlement. Dr. Maček acquiesced to a Cabinet slate, that was presented to him. This ticket included Dr. Milan Stojadinović, former Finance Minister, as the new Premier. Maček expected in good faith that a new electoral law would be adopted and free elections held.⁶

The new government began to organize a new political party combining all the pro-government components under the title of the Jugoslavenska Radikalna Zajednica (Yugoslav Radical Union, JRZ). It included in its executive committee such notables as Aca Stanojević, Father Korošec and Mehmed Spaho.⁷ The JRZ was utilized by Stojadinović to advance his authoritarian ambitions. This clique in power was viewed with much skepticism by Croat circles. They hoped that Prince Paul's liberal policies would become the dominant factor in the new assemblage.⁸ The JRZ aspired toward the single-

⁵ Ibid., p. 161.

⁶ Ibid., p. 161.

⁷ J. B. Hoptner, Yugoslavia in Crisis, 1934-1941 (New York: Columbia University Press, 1962), pp. 33-34.

⁸ Frederick A. Ogg, "Turbulent Yugoslavia," Current History, XLII (August, 1935), 543.

ness and integrity of the State and believed that this could best be achieved by upholding the Constitution of 1931 and establishing a policy of decentralization on a regional basis among various sections of the population.⁹ Dr. Stoyadinovic's régime was later characterized by nationalist and centralist tendencies and hard-line persistence in refusing to revise the Constitution. He declared:

that such a change could not be made for autonomy and that it would be to concede the principle of secession; and that any further measure of decentralization must inevitably involve a period of time during which public order would be menaced with the methods of the Right.¹⁰

The posture accepted by the Stoyadinovic government did impel many Serb and Croat constituents into the United Opposition, which was guided by the Croat Peasant Party. This was one of the first indications that traditional cleavages could be reconciled.¹¹ Since 1929, the Croat Peasant Party ceased to be a purely peasant party. Croat politics assumed a new monopolistic position as factions of the Zagreb bourgeoisie, jealous of the economic domination of Belgrade which had lasted so long, became intrigued with Nazi and clerical fascist ideology.¹² Conscious of their nationhood, the

⁹Information Department of the Royal Institute of International Affairs, South-Eastern Europe: A Political and Economic Survey (London: Oxford University Press, 1939), p. 79.

¹⁰Ibid., p. 82.

¹¹M. George Zaninovich, The Development of Socialist Yugoslavia (Baltimore: John Hopkins Press, 1968), p. 29.

¹²"Yugoslavia," New Statesman and Nation, XVII, No. 426 (April 22, 1939), 602-603.

peasant movement, which had been the center of Croat national sentiment, possessed a record of anti-clerical traditions. The demands for schools, hospitals, railways, employment, bread and water, and above all, the "raison d' être", freedom and humane treatment, had been rejoined by exorbitant exploitation, gendarme suppression, the building of ministerial palaces by wealthy interventionists, uncontrolled and ineffective armament and the increased membership of Serbian Civil Servants. More trenchantly they could look with scorn at the two percent spent by the State budget on agriculture, while twenty times as much was spent on the army that conveyed Croat divisions to distant provinces.¹³

Never was the need for a resolute and effective transition in the social structure and the State machinery greater. Even the typical Croat peasant recognized the necessity for solutions to correspond to the real problems. Bitter against the Stojadinović régime, he felt that the Croat regions were not fairly treated in the distribution of the tax burden and of governmental benefits.¹⁴ Most of his petitions, that had been drawn in the past from the newspapers and pamphlets of the Croat Peasant Party, were now going unnoticed.

In January 1936, some Croat peasants were shot near Zagreb and in the ensuing month the capital seethed with demonstrations and several thousand armed nationalists threatened uprisings.¹⁵ Regard-

¹³ Rudolf Bicanic, "Central European Stability and Yugoslavia," Journal of Central European Affairs, III (April, 1943), 31.

¹⁴ Philip E. Mosely, "Adaption for Survival: The Varzic Zadruga," Slavonic and East European Review, XXI (March, 1943), 169.

¹⁵ "Yugoslav Cauldron Boiling," Literary Digest, CXXI (April 11, 1936), 15.

less of the civil disorders and internal strife, Stoyadinovic¹⁶ set out to make Yugoslavia militarily powerful, expressing his policy to his country's neighbors that "if the necessity arose, they would not defend their territory by spilling ink." 16

While the Premier was preoccupied with foreign policy, Prince Paul had been seeking some kind of mediation with Dr. Maček over the number one domestic issue- the Croat question. Carefully, the Regent had tried to pull the diverse peoples of Yugoslavia into a working unit scrupulously reaching accord with the Croat leaders over the necessity of federalism.¹⁷

This encouraging sign was dispersed by the fresh animosity bred by the ill-fated Concordat of 1937. The Orthodox Serbs preceived this legislative step as a threat to their prerogatives. According to them, the implications in the bill's text augmented the privileges accorded to the Roman Catholic Church.¹⁸ Maček refused to treat the Concordat as an overture and the majority of the Croats ignored the entire affair. The government exercised belated caution and withdrew the bill, but did not rectify the far-reaching damage sustained by its previous passage. The position of the Croats had been fortified by the agreement, and the antagonism propagated by it resulted in the formation of the United Opposition

¹⁶ Henry C. Wolfe, "Yugoslavia's Design for Democracy," Current History, XLVI (August, 1937), 51.

¹⁷ "Trustee: Prince Paul," Time, XXXII, No. 24 (December 12, 1938), 20-21.

¹⁸ W. B. Sharp, "Yugoslav-Vatican Concordat," Current History, XLVI (September, 1937), 82-83.

Bloc on September 15, 1937. Comprising the Serbian Radicals, who had opposed Stojadinović's policies and the Democratic and Agrarian Parties, this association was formerly known as the United Opposition. Reaching concordance with the Peasant Democratic Coalition, this political formation emerged as the opposition bloc, and possessed considerable potential as a political striking force.¹⁹ The United Opposition Bloc declared its intention to work in conjunction for the furtherance of a democratic government and to strive toward a pragmatic answer to the Croat question.

The adherence of the Yugoslav Nationalists to the United Opposition Bloc meant that the opposition included rigid centralist Conservatives. With a primary aim of a strong government these Yugoslav Nationalists, a right wing splinter section of the Yugoslav Radical Union under the direction of General Zivković and M. Jevtić, it shared with another minority party, the semi-Nazi Zbor, an abhorrence for the Stoyadinović régime, especially for its allegedly liberal tendencies. Surprisingly, this group threw in their lot with Dr. Maček for the purpose of the election of 1938.

By the end of 1938, both Croat and Serb alike, were commonly dissatisfied with Stoyadinović's control. Maček was looked upon more and more as the champion of Democracy and the Messiah of the Peasants. In August of 1938, when he came to Belgrade to confer with Serbian officials, he was greeted by a crowd of 50,000.

¹⁹

John Keyser, "Discord in Yugoslavia," Fortnightly Review, CXLIX (February, 1938), 219.

most of them Serb peasants.²⁰

In a period when the Croat Peasant Party had dropped its Pan-Slavic orientation and had wandered from its primary peasant ideological tenets, Maček and his fraternity negated the hypotheses of mass industrialization propounded by both the Serbian élite and rural classes. The possibilities of transforming thousands of peasants into industrial workers was deemed an outlandish move in which the urban leadership had only their own profits to gain by such a move. This resurgence of members within the HSS, appealing for basic peasant concerns, discerned the revisionists within the Peasant Party, as fellows who had misconceived ideas to curb the increasing agriculture overpopulation. Therefore, they menaced the vital core of the Croat peasantry- its cultural heritage and unique patterns of life style.

The Croat Peasant Party had thus become more than a political organization within the State during the latter part of the inter-war period. Even Maček, who spoke with great authority in Croatia, was acclaimed vodja (leader) by his cohorts and was personally placed in command of the Croat Peasant Guards. Much of Maček's power flowed from the accomplishments of the peasants themselves.²¹ The union of peasants, at which the Croat Peasant Movement aimed, embraced all sides of peasant life; helping them in the building

²⁰ Hugh Seton-Watson, Eastern Europe Between the Wars (New York: Harper and Row Publishers, 1962), p. 236.

²¹ Hoptner, op. cit., p. 152.

up of their economic position; and developing their peasant culture.²² An example of this can be found in the founding of the Gospodarska Sloga (Economic or Farm Agreement) in 1935 as the economic branch of the Croat Peasant Movement. Between 1935 and 1940, it made remarkable progress, assuming leadership of 5,000 village centers and accruing 230,000 recorded members.²³ At the same time that the Gospodarska Sloga was formed, the Seljachka Sloga (Cultural and Educational Agreement) was inaugurated to unite and promote the efforts being made for the enrichment of village cultural life and for raising the standard of peasant education. This Sloga undertook an adult literacy campaign in which tens of thousands of peasants in various regions learned to read and write.²⁴

Even though these nationalistic activities did something to better the standard of living of the peasants, the Government was determined only to let these local agencies have financial succor on its own terms and tried desperately to make the Co-operative Movement a department of the State.²⁵ Dr. Maček, rejected this. He was interested in convincing the Government that an agrarian policy more in tune with peasant ideals was imperative. He objected to the economic manipulation of the peasantry through investment schemes. Aware that only one-fifth of the agricultural population actually owned land and that many small-holders were forced to work

²² Ruth Trouton, Peasant Renaissance in Yugoslavia, 1900-1950 (London: Routledge and Kegan Paul Ltd., 1952), p. 159.

²³ Ibid., p. 160.

²⁴ Ibid., p. 191..

²⁵ Ibid., p. 161.

on bigger estates, Macek wanted more for his people. He did not really want complete separation for Croatia fearing that such a sudden transition would lead to greater economic difficulties. There is the supposition that he preferred progress affected in this direction with the basic end that it might prevail upon his people to reduce their absolute demand for full self-government and social autonomy. If this plane could be reached with the centralists conceding to it, a settlement to the perpetual Serbo-Croat conflict might be obtainable.

The elections in December, 1938, indicated that the government had made no headway, while the United Opposition had made substantial gains. The administration's list procured 1,643,783 votes or 58.9 percent against 1,364,524 or 40.9 percent cast for the opposition; therefore the former received approximately 52,000 fewer, and the latter 250,000 more votes than in 1935.²⁶

After the elections it was reasonable to assume that Dr. Stoyadinovic was still securely in power. What changed that position was the cabinet crisis that occurred in February, 1939. The moral victory of the opposition in the electoral year, 1938, coupled with the growing danger of a European war and the government's growing pro-Axis policies, led to the resignation of the Cabinet. Dr. Stoyadinovic's replacement, Dragisa Cvetkovic, Minister of Social Policy and Health, had been a member of the Government Party. He was charged with the task of reaching an

²⁶ Royal Institute of International Affairs, op. cit., p. 81.

early accord with the Croats.²⁷ Hardly any negotiations were undertaken by the new Premier. The most that Belgrade did was to promise the Croats that after the formal accession of King Peter II upon reaching his majority on September 6, 1941, the Regency Council would allow an objective reëxamination of Serbo-Croat relations.²⁸

The tension in Europe on the verge of war accelerated nationalism in all the Balkan States. This was particularly true in Croatia where public opinion was intense for German protection rather than the continuation of Serbian rule. It was Dr. Maček who acknowledged that it was inadvisable for him and his party to contribute to the disunity of the country by remaining in opposition, while the armies of Hitler were progressing toward the Balkans. Seizing this opportunity, he cleverly utilized the same political stratagem invoked by his predecessor Stjepan Radic when he flirted with the Peasant International in 1924, in order to bluff the Serbian centralists. Only this time the courtship was to be with Hitler's Germany as Maček claimed he would "accept help wherever he could find it" suggesting Germany could even come in and make order.²⁹

The spell was cast, and Prince Paul gave way. Both Maček and Cvetkovic were allowed to impose their will upon the expertise

²⁷ Joseph S. Roucek, Central-Eastern Europe: Crucible of World Wars (New York: Prentice-Hall, Inc., 1946), p. 512.

²⁸ Malbone W. Graham, "Constitutional Development 1914-1941," Yugoslavia, ed. Robert J. Kerner (Berkeley California: University of California Press, 1949), pp. 131-134.

²⁹ "Croatian Coup: Matchek Bluffs his Autonomy out of Yugoslavia's Rulers," Newsweek, XIV (August 14, 1939), 19-20.

of the political theorists whose calculations failed to reach a compromise over the issues. On August 24, 1939 they were instrumental in establishing the Sporazum (Agreement) after many years of bitter controversy. One Balkan apothegm suggests that the only difference between a Croat and a Serb is that a Croat is ten minutes late, a Serb ten minutes later.³⁰ Both had been too late too often to make this new Sporazum mean much. The Sporazum brought together into one administrative unit, the provinces of Croatia and Dalmatia and seven adjoining districts where Croats predominated. The central government retained control of foreign affairs, national defense, foreign trade, commerce, transport, public security, religion, mining, weights and measures, insurance and educational policy. A separate budget and a legislature in Zagreb were granted to the Croats. Its Ban would serve at the pleasure of the crown. Both the Monarch and the Croat legislators would share in the making of the laws.³¹

No one was sure that the Sporazum would pacify the country's internal discontent. The 1939 Serbo-Croat agreement did make Croatia an equal partner with Serbia, although it did not establish an independent Croatia, nor did it solve the national aspirations of the other Yugoslavs.³²

A new government was formed on the basis of the new bond. Cvetkovic¹ was made Premier, with Macek^v as Vice-Premier. In

³⁰ "Sporazum," Time, XXXIV, No. 9 (August 28, 1939), 25.

³¹ Hoptner, op. cit., p. 154.

³² Bogdan Raditsa, "Yugoslav Nationalism Revisited: History and Dogma," Journal of Central European Affairs, XXI (April 1961-January 1962), 483.

Croatia the new autonomous machinery was set in motion as the strident clamor in this region was: "the peasants want to be and will be, the chief factor in their fatherland." ³³

Time, however, had run out in Yugoslavia. The hope and promise procreated by the Sporazum gave way to the barometric wax-and-wane political pattern that was so familiar in the past two decades. German intimidation and their economic dominance in the country had coerced the Regent on March 26, 1941, to sign the Axis Pact. The reaction to this act was expressed in a bloodless "coup d' etat."

On the eve of war, Serbian and Croatian Nationalists fought each other and the powerful Serb elements refused to recognize Croat autonomy. The two important nationalities in this late period remained predominately unreconciled as they were in the beginning. When the invasion came in April, 1941, the peasant reflected upon the last twenty years of political strife and vacillation with much misgiving, finding that the State was nothing to him and, therefore, not worth sacrificing his life for. The experiment had fallen short of its expectation and the State crumbled.

³³ Stephen Clissold, ed., A Short History of Yugoslavia (Cambridge, England: University Press, 1968), p. 200.

CONCLUSION

German occupation ended aspirations that existed in settling the disunity within Yugoslavia. The last glimpse of democratic enthusiasm can be witnessed in the National Revolution of March 1941. Combined with contingents of soldiers and peasants, the Movement's failure was largely attributed to the absence of a stable ideology and a standard base of operations.

In retrospect, the Kingdom that lasted a little more than two decades was dominated by one crisis after another. The greatest political intractability can be seen in the struggle between the issues of federalism and centralism. Under Serbian hegemony continual unrest, animosity and suspicion grew among those national groups who were anxious to preserve their historical, administrative and cultural backgrounds. Political conflict between the Serbian elite and the resisting nations in the Kingdom of Serbs, Croats and Slovenes sharpened with the Skupstina murders.

The absolute collapse of Serbo-Croat relations during the ten years, 1919-1929 of the parliamentary regime made necessary the need for a more objective democracy. Since its immediate inception was an impossibility, the dictatorship that followed stemmed the rising tide of anarchy and endeavored to pave the way toward responsible government by and for the people. It is the contention of this writer that while the Alexandrine Period

initially sought to unify the divergent elements and promote social cohesiveness, this was thwarted by major politicians who would not recognize common political traditions and respect variegated historical differences. Furthermore, politics was utilized for the advancement of individual social and economic desires.

The removal of minority leadership and the prohibition of its organizations merely intensified the social consolidation of the peasantry and its political orientation. While the Croat Peasant Party did not achieve any substantial power until the end of the interwar period, its early motivations were directed toward suppressing the tide of apathy, inertia and torpor among post-war peasants and enhancing agrarian needs in a time when the peasant felt no common bond or could identify himself with the State.

With the dissimilarities germinated between the interests of the city and the countryside, the Croat Peasant Party became intransigent when there was a nation-wide need for settlement. At the same time, the political and economic questions were continually neglected by the ruling élite and intelligentsia whose energies were wasted on hopeless intrigue and theorizing.

The refusal of the Croats and other separatist factions to participate in the government, except on their own terms, created controlled elections and police surveillances. Corruption

and manipulations accompanied the elections as the general resistance to transition and the disunity, maintained by dissent, severely debilitated the socio-political structure within the nation. Reinforced by inflexible constitutional patterns, the government could not concentrate enough attention on the economic situation of the country. Failing to provide the technology of modernization, it caused widespread dissatisfaction with inadequate programming.

The Sporazum gave Yugoslavia only a short-lived political unity and did not resolve the "Croat Question." Its failure to achieve a complete solution can chiefly be attributed to its lateness and, also, that it did little to change the Yugoslav Government. The individual Croat's satisfaction of gaining control of the Banovina Croatia's administration overshadowed the original goal of internal oneness within the country. While the Croat peasant was gleaming with the glory of victory, peasants from other regions found very little change in their situation. Had all the peasant classes, which represented almost eighty percent of the Yugoslav population, occupied the center of political attention, perhaps the country's ability to collectively organize resistance against the enemy and her competency to deal with domestic conflicts might have been greater.

APPENDICES

APPENDIX I

Item I

THE YUGOSLAV DECLARATION OF INDEPENDENCE

Signed at Zagreb on September 24, 1918 by Father Ante Korosec for the National Slovene Council; Dr. Gajo Bulat, for the National Council of Dalmatia; Dr. Ante Pavelic, for the Starcevic Party (Right) of Croatia; Stjepan Radić for the Croatian Peasant Party; Dr. George Drasojevic, for the Radical Serb Party; the Croatian deputies Budisavljevic, Lorkovic, and Dr. Simrak, for the independent groups; and Citizens Bukseg, Korac, and Delic, for the Socialist Party. The same declaration was accepted by representatives of the people of Bosnia-Hercegovina.

The following text is a translation of the one read by Father Korosec before the Austrian Reichsrat on October 2, 1918.

We, the representatives of the Slovenian, Croatian, and Serbian people, deem it our duty first of all to call attention to the known fact that the Austro-Hungarian Government is authorized to speak in the name only of the two peoples, who are the masters of Austria-Hungary, and that, consequently, the principles of peace which the Imperial and Royal Government may propose to the representatives of the belligerent states cannot in any way correspond to the needs of the oppressed peoples of the monarchy. For this reason the future organization of Europe, if carried out on the basis of those principles, far from affording a guarantee of the durable peace which is necessary, would on the contrary carry within itself the germ of new international conflicts, as is already shown by the declarations and desires of responsible statesmen, Austrians as well as Hungarians who, at the very moment when they are presenting themselves before the whole world as apostles of a society of nations equal one to the other, are doing everything to render impossible the political and administrative progress of our action.

It is our profound conviction that the basis of a durable peace can be established only on the new principles of an international law founded on truth and equity.

One of these truths is the fact that the Slovene, Croatian, and Serbian people are ethnically one nation, and that according to a national principle, universally known, this unity should remain indivisible and free from any condition regarding either the permanence of its territory or its situation as a state. It is on this fact that we base our national rights and our claims all of which accord with the principles, internationally

recognized, of the democratic organization of civilized humanity.

Accordingly, relying upon the right, always alive in our people, which every nation has to live its own life, we declare in the name of the Slovene, Croatian and Serbian nation, that we accept absolutely and in its entirety the idea of universal peace based on the right of the people freely to dispose of themselves in the sense already internationally recognized, namely, that the people alone decide the question of their existence and whether they prefer to establish a state of their own or to effect with other peoples a union of states. This right of free disposition we claim also for the Slovene, Croatian, and Serbian nation, and we desire that the unrestricted application of this right may be guaranteed among the nations.

In accord with the democratic aspirations of both belligerent and neutral peoples, we demand also for our people a peace which shall bring us union, independence, and liberty, for only such a peace can assure to our people, who inhabit what has been, since the beginning of the history of these regions, the most dangerous point in Europe, their peaceable and independent development. A peace which subjected to the domination of an alien people even a portion of our geographically continuous natural entity would carry in it the germ of future people to exert all their powers to obtain, for its complete national organism, the right to exist as an independent state.

The Slovenian, Croatian, and Serbian people are conscious of their will and of their strength, and will use their power at every opportunity in order to become a member of the society of nations, and to work with their sister nations for the welfare and the progress of humanity.

In the name of the entire nation we accord to the minorities of other nationalities existing among our people, who are territorially separated, all the rights necessary to their national development, economically and socially.

The Adriatic ports which, by reason of their population, their islands, or their hinterland, belong to the economic domain of our people, shall be open to all peoples, including those who live in our hinterlands, for such commercial needs as they shall eventually have; our nation will conclude international treaties to provide for and guarantee this freedom.

In the name of the entire nation, we further declare that we do not allow any one, not even at the peace conferences to discuss the destiny of our people without our full participation and for this reason, and by virtue of the right of free disposition, we demand the participation of the Slovenian, Croatian, and Serbian people, through its national representatives elected expressly for the purpose, in the future peace congress.

Source: "Jugoslav Declaration of Independence," Nation, CVII, No. 2789 (December 14, 1918), 748-749.

APPENDIX I

Item II

NIKOLA PAŠIĆ'S POLITICAL RISE

To comprehend the motivations behind a politician like Pašić it is essential to survey his background and personal history before 1918. Nikola Pašić was born in the town of Zajetchar near the Bulgarian border in the 1840's.¹ He obtained his formative education in his native Serbia and graduated from the University of Belgrade in civil engineering. In 1868, he went on a governmental scholarship to the Polytechnicum in Zurich, Switzerland. It was here that he came into contact with several political exiles who had been banished from their homelands for revolutionary behavior.

From them, Pašić learned the philosophy of revolution as well as the Russian language.² One relationship in particular with the Russian émigré, Michael Bakunin, a "misfit among the revolutionary intelligentsia," who acknowledged anarchism and dreamed of a mass peasant revoltion in his country, influenced Pašić immeasurably.³

¹ The exact date of Pašić's birth is still left up to conjecture since there are no surviving birth records to substantiate a precise date. According to some records, the late Premier celebrated his eightieth birthday in 1925.

² Pašić never spoke Russian and was known for his inconsistencies in foreign languages. In defense of his ineptitude for linguistics, he explained that in periods of crises he could claim to be misunderstood or misquoted.

³ Jesse D. Clarkson, A History of Russia (New York: Random House, 1963), pp. 324-325.

He admired Bakunin and the two formed a close friendship.

Pašić became convinced from his discussions with the famous Russian anarchist that the support of the Slavic relative, Russia, was necessary for the realization of his idea of national liberation through social revolution. Upon his return to Serbia, Pašić was nominated Municipal Engineer of Pojarevac, a medium-sized, Serbian town. Here he reflected philosophically upon the despotic rule of King Milan Obrenović and became adamant that the constitution was unjustifiable. Later he edited a newspaper entitled the Rad in which he disseminated his liberal ideas about constitutional changes. After the Turkish War of 1876-1877, Pašić was elected to the Financial Committee in Parliament. Pašić was regarded by some as a Communist. His first speeches were far from revolutionary. They revealed "rather the ideas of a village demagogue who seeks to lower taxes and state expenditure to the limit." In all budget debates, as a member of the Financial Committee, he advocated the lowering of counsellor's fees, and the lowering of the salaries of ministers, and the "wiping out" of the dispozicioni fund.⁴ Belonging to the minority, he astonished his peers by issuing a manifesto to the people calling for constitutional reform which led to the dissolution of Parliament. In the ensuing election, his party won forty-four seats out of 141 and by 134 votes he was elected Speaker of the House, however, it failed to receive the

⁴ Gerald G. Govorchin, "The Emergence of the Radical Party in Serbian Politics," The American Slavic and East European Review, XV (1956), 514.

sanction of his bitter enemy, the King.⁵

On January 8, 1881, the paper, Samouprava, (Self-Government), the organ of the party, was started under the supervision of Pašić.⁶ During the 1880's he was very much occupied with the framework of his new organization, laying ground rules, promoting memberships, and selecting officials. The Party then had the following program:

Prosperity of the people and internal liberty; national independence; liberation and union of Serbian elements under Turkish and Austria rule; revision of the Constitution of 1869; reform of the administration of Finance, Judiciary, Public Instruction and the Army; alliances with the Balkan States and, first of all, complete accord with Montenegro and Bulgaria; extension of personal and property rights, and finally, freedom of speech and of the press.⁷

In 1883, bloody skirmishes were fought in Zajecar within the Timocka district between the residents and the Serbian army. Several Radical leaders were indicted for their alleged supererogations in citing the riot. As a result, Pašić and ninety-four members of his party went into exile. During his temporary domicile in Bulgaria from 1883 to 1889, Pašić became involved with the concept of a Serbian-Bulgarian alliance as a step toward Balkan union against the contradicting compulsions of the Turkish and Habsburg powers.

King Milan whose antagonism toward Pašić grew, engineered a war against Bulgaria that met with disaster and was only saved

⁵Ibid., p. 514.

⁶Govorchin, op. cit., 516.

⁷Ibid., 736.

from defeat by Austria. Milan had turned into a staunch Viennese agent and following personal scandals, threats on his life and general discontent with his rule, he abdicated in 1889 in favor of his young son, Alexander, who came to the throne under a regency.⁸

Pašić went back to his native Serbia and took part in the supervising elections. When the votes were counted it became known that the Radicals had won an overwhelming victory taking 108 out of 117 seats in the assembly. Representing Belgrade, Pasic became, first, Speaker of the House in the National Parliament, and in 1891, graduated to the position of Prime Minister. It was at this moment that he began to stamp his name on Balkan politics.⁹ This was also an important turning point in Pašić's philosophy as he exchanged his youthful radical and revolutionary ideological energies for the more somber, conservative inclinations, in order to safeguard Serbia's new constitutional existence.¹⁰

With the new King, Pašić made a state visit to Russia which fortified Russian and Serbian relationships, thereby fulfilling one of the major aspirations of the Serbian Radical Party. Upon his return to Serbia with the Monarch, Pašić found to his dismay that the Radical government had fallen under the political machinations of the former king. Alexander quickly ordered new

⁸Hamilton Fish Armstrong, "Pashitch, the Last of the Balkan Pashas," Current History, XXVI (July, 1927), 612.

⁹K. Boegholm, "Maker of Modern Serbia," Living Age, CCCII (April 15, 1927), 713.

¹⁰Armstrong, loc. cit.

elections and Pašić was restored to his post as Prime Minister.¹¹

From 1893 to 1894, Pašić served as Ambassador to Russia, although ex-King Milan, taking advantage of the Prime Minister's absence, came back to bring about the fall of the government once again. In protest to the action, Pašić formally resigned his posts as Envoy Extraordinary and Minister Plenipotentiary of the Czar's court.

After an attempt on ex-King Milan's life failed, Pašić was taken into custody and accused of conspiring political murder. Consequently, he was sent to Pojarevac prison, and later after Russian intervention through German and Austrian intermediators, was pardoned on condition that he would leave the country.

Pašić reappeared once again in Serbia after King Milan's final banishment. A new constitution was voted on in 1901 and this was followed by the creation of the Senate and Pašić became one of its first members. The National Radical Party and Pašić went into open opposition with King Alexander and Queen Draga. After the military "coup d' etat" on May 29, 1903, the Radicals and their chief leader were cleared of any implications in the bloody regicide. Prince Peter Karadjordjević succeeded to the Serbian throne and Pašić and his Radicals who long held Karadjordjević sympathies, established a new government.

Pašić continued his political career, holding the appointment of ~~Prime~~ Minister from 1909 to 1910, and then again, from 1912 to 1918.

¹¹Drignakovitch, op. cit., 737.

After the Sarajevo Assassination in 1914, the "Jovanovic Revelation" insinuated that Pašić know of the plot and took no effective measures to prevent it. This brought considerable anxiety to the Radicals; however, the revisionist theory had never conclusive proof to substantiate its claim. Pašić acquitted himself of all guilt by declaring:

It is a lie. Ljuba (Jovanovic) may be sorry that a lie which he told for political purposes has hurt the country. That makes it no better. It is a lie. ¹²

As Prime Minister during the war years, Pašić came into contact with members of the Yugoslav Committee and with them co-signed the famed Declaration of Corfu. As head of the Peace Conference in Paris, he was instrumental in assisting to establish the realization of Serbia's territorial aspirations included at Corfu.

Pašić did not foresee clearly the outcome of the fall of both Ottoman and Habsburg powers and tended always neither to forestall nor to precipitate events, but to react with instinct at the proper moment.¹³ This was one of his special qualities as a skilled strategist. He and his party stood, at least in principle, for parliamentary democracy with shadowy emphasis on peasant interests. In Serbian domestic politics he was an advocate of gradualism, standing for traditional Serbia with its faults and

¹² Armstrong, op. cit., p. 614.

¹³ Hermann Wendel, "Nikola Pašić," The Encyclopaedia of the Social Sciences, Vol. XII. ed. Edwin R.A. Seligman (New York: Macmillan Co., 1934), p. 9.

virtues.¹⁴



Nikola Pasic (1845¹⁴-1926), Serbian and Yugoslav Statesman. Eleven times Prime Minister, over thirty times a member of the Government, twice President of the municipality of Belgrade, President of the Supreme Council, Senator, Envoy Extraordinary and Minister Plenipotentiary, Speaker of the House, President of the Peace Conference in Bucharest and head of his delegation at Paris in 1919. Frequently alluded to as the creator of Modern Yugoslavia.

Many foreign correspondents and political satirists have delighted in both characterizing and carioaturizing the classic figure of the late Stateman. H.F. Armstrong, Managing Editor for Foreign Affairs, who frequently visited the new Kingdom in its infancy found that:

He (Pasic) had an impressive face with active, knowing cheerful eyes. His solid shoulders filled out squarely his invariable black broad-cloth. His shoes were square-toed and heavy; he was of medium height and stood

¹⁴Boegholm, op. cit., p. 714.

firmly on his feet, though hunching slightly forward. His hands were short, heavily veined and brown. His whole appearance was of a man of the soil-courteous, cautious, impassive, inflexible. . .

APPENDIX I

Item III

THE POLITICAL RISE OF STJEPAN RADIC

Radic was born on June 11, 1870, at Trebarjevo, a small Croatian hamlet lying on the banks of the Sava. He was one of eleven children living under the roof of impoverished peasant parents. Radic's early life was one of severe penury.¹ Leaving his parents' seven acre farm, he and his brother Antun, despite great financial difficulties, attended the Zagreb Lycée.²

Radic's industry and application were astounding in school even though he suffered from extreme myopia. Born with this ocular malady, he:

was all his life dependent on the kindness of others for his reading and it was doubtless this necessity of sparing his eyes which developed his prodigious powers of memorizing.³

Radic's interest in politics began in his early childhood as he related during his first travels:

¹In October of 1928 the Current History Magazine of the New York Times translated an excellent and enlightening autobiography of Stjepan Radic from Bozicnica, "1926", pp. 55-84. As there are very few translated works on the life of Radic this source has been cited by several Eastern European historians as an excellent repository of information for students pursuing research in the interwar area. It is undeniably valuable in its description of the formation of the Hrvatska seljacka stranka.

²Stephen Graham, Alexander of Yugoslavia (New Haven, Connecticut: Yale University Press, 1939), p. 125.

³R. H. Bruce Lockhart, "Stephen Raditch: Peasant Patriot," Fornightly Review, XXX (October, 1928), 512.

I undertook alone my first student tour from Zagreb to Koprivnica, and then through the Drava and Danube Valleys to Zemun and Belgrade, and through the plain of the Sava returning to Sisak, the governmental district to which my native village belongs . . . I wrote my travel-diary regularly, describing particularly what people thought of officials, of government, the economic position of the peasants in one Department or another, the organization and value of the schools, state of the roads, and so on.

His first demonstration and arrest occurred after a decree suppressed the Croatian Opera. As a first in a series of political escapades that would mark the rest of his life, Radić decided to make a public protest against this decision and:

On April 13 the opera "Nikola Zrinjski" was being played for the last time. The libretto was by the poet Hugo Badalich. I knew that in a passage of the third act the Paska Sokolovich offered Zrinjski, in the name of the Sultan, the crown of Croatia if he would surrender the fortress to the Turks. Zrinjski replied: 'The Croats need no King, for the Ban is King to the Croats.' I took advantage of this scene to shout three times: 'Glory to Zrinjski, down with the tyrant Heder ary!' I was arrested. When . . . questioned . . . I replied that I had made this demonstration with full deliberateness and in the deep conviction that Hedervary was . . . a tyrant.⁵

Radić, who frequently travelled in his younger years, went to Russia and received some of his education in a Russian Academy. There he came into contact with Russian social revolutionaries and acquired from them the first theories of his land reform policy.⁶ He had an extraordinary facility for learning language, and

⁴Stephen Raditch, "The Story of my Political Life," Current History, XXIV (October, 1928), 85-86.

⁵Ibid., 86.

⁶Lockhart, loc. cit.

consequently mastered Russian very rapidly.

Upon his return, he was expelled from his school in Zagreb for discussing politics. His behavior fell under police suspicion and his mental state questioned and, therefore, he was committed to the Brothers of the Misericordia, a Zagreb mental hospital, where he was placed under observation for melancholia neurosis. He was released and managed to complete the first phase of his college career, receiving a BA degree from Zagreb University. After this he organized his first political school and in 1893, was incarcerated for speaking against Count Khuen-Hedervary during a Croatian Centenary celebration. While serving a term of four years of hard labor at Petrinja prison, Radic learned the Czech language. Pardoned shortly after, he went to Prague, where in the course of his studies at the University he met his future wife. A native of Bohemia, her only ambition was to become an elementary school mistress. Later, after marriage she proved an invaluable aid to Radic acting as his amanuensis and a reader during his life.⁷

In 1895, he and his students organized an anti-Hungarian demonstration during which the Hungarian flag was burnt as a protest against what he called "illegal Magyar supremacy."⁸ After serving an additional sentence in the Prague goal, Radic unexpectedly received financial aid for a trip to Moscow from the relatives of the very Chief Justice who had him convicted. From Russia he went to the School of Political Science in Paris and approximately at

⁷Ibid., p. 514.

⁸Raditch, op. cit., p. 89.

the same time, commenced publication on his famous review, Hrvatska Misao (Croatian Thought). Radic married in Prague on September 23, 1898, and with his new bride's help, finalized his thesis, "Croatia of Today and the Southern Slavs," in Paris. The treatise won him great praise and he was recompensed with financial funds and won the honor Laureat des Sciences Politiques.⁹

Radic's life as a journalist began after he completed his scholastic studies in Paris. The Croatian youth had turned into a man and was now "at home in every city and every university, speaking all the principle languages in Europe."¹⁰ In 1899, Radic reappeared in Prague contributing to almost all the literary and national economic periodicals in the country. The nature of his revolutionary writings in two weekly papers, the Samostatnost (Independence) and the Radikalni (Radical Leaves), caused him to be expelled from that city. Deciding to be on Croatian territory, Radic went to Zemun and wrote several reviews and books in Czech for which he won a title in the Czech Literary Society. He remained in Zemun from the Summer of 1900 till the beginning of 1921, spreading pro-Croatian propaganda among the peasants.¹¹ At Zemun much of his compositions reflected the rhetoric that would be included in his program for his peasant policy. In a pamphlet entitled How to Find a Remedy for our Troubles, he listed twelve points that formed the embryo of the social program connected with the Peasant Party. In The Strongest Party in Croatia, 1902,

⁹Ibid., p. 92.

¹⁰Graham, op. cit., p. 126.

¹¹Raditch, op. cit., p. 94.

Radić advocated the idea that the peasants:

. . . constituted the strongest party because their life and their conception of the rights of the State, as well as their national consciousness naturally inspired them with the best of programs, and that it was necessary only to organize them in order to realize this program by means of the real vital forces of the nation.¹²

In 1904 Radić organized the Croat Peasant Party and from the date of its formation till the outbreak of World War I, he bitterly denounced the efforts of the Magyars to denationalize the Slavs of Hungary, and as a countermeasure preached Serb and Croat Union.¹³ In order to sustain the expenses involved in politicking, Radić started a Slavic bookstore and here met with many of his key and essential comrades.

When terroristic tactics were cropping up in the Austria-Hungary Empire, Radić exclaimed:

I was . . . convinced that a terrorist action could hinder the growth of even great nations and could bring about the ruin of a small nation, without considering the fact that terrorism and revolt are outlawed from a moral point of view.¹⁴

Antun Radić, who through the years remained close to his brother, was really responsible for formulating the party's ideology. Antun was especially trained in the social sciences and in regional ethnology. He had made a complete study of his native culture, institutions and philosophy of life of the Croatian and

¹²Ibid., p. 94.

¹³Lockhart, op. cit., p. 514.

¹⁴Raditch, op. cit., p. 100.

other Slav peasants in the Balkans. His idea was that in a country mainly composed of peasants, all exclusive influence on vital questions concerning the life of the community should rest with them. Emphasizing the "great Slav tree" in his writings, Antun's ideal was a world based on the brotherhood of man and "permeated with a sense of humanity, believing that it was characteristic of the Slavs and all peasant people to live in accordance with this ideal".¹⁵

Sejpan Radic's program for his party called for a struggle by legal means for the emancipation of Croatia which had already been conditioned by the spiritual awakening and strengthening of its agricultural population. Following his brother's tenets, Stjepan felt this end would be only achieved by education and elevating both the cultural and economic level of the peasants. Stjepan extended his brother's theories on the peasants by envisioning a new social order which was to be based on the peasant family serving as an economic and cultural unit. By the break-up of the large landholdings, the number of these units would be multiplied. Much of his philosophy for the Peasant Party is contained in his Najjaca stranka u hrvatskoj (Founding of a Croatian Party), published in 1902.¹⁶

Before the outbreak of the World War, Radic advocated a triune system in which Croatia would become the third state in Austria-Hungary. During the war, he was almost conscripted into

¹⁵Dinko Tomasic, "The Struggle for Power in Jugoslavia," Journal of Central European Affairs, I (April, 1941-January, 1942), 150-151.

¹⁶Josef Matl, "Stjepan Radic," The Encyclopaedia of the Social Sciences, V. XIII. ed. Edwin R. A. Seligman (New York: Macmillan Co., 1934), p. 51.

the service by his enemies. Radic¹⁷ was very much a pacifist and not only refuted the concept of class struggle, but also, all national and imperialistic acts of aggression, proposing that his country remain neutral at all costs.

In November of 1918, when the Croatian National Committee voted for union with Serbia, Radic¹⁷ favored the creation of a South Slav State. It was really only after the formation of this State that he entered the opposition.¹⁷ Concerning his wish for a federalistic state he remarked:

We are all federalists in Croatia; at bottom it is only as a matter of tactics that anyone calls himself a centralist, believing he will find this the shortest road to unity. That is a mistake. Our history has made us federalists. Our geographical situation, our orientation toward Hungary—a European state—makes us federalists in order not to become dependent upon the Balkans, which are, whatever one may say, an extension of Asia. Our duty is to Europeanize these Balkans and not to Balkanize the Croats and Slovenians.¹⁸

Preaching a federate republic, Radic¹⁹ explained that the rural people needed a peasant democracy and that "the Croatian peasant wished to be an active agent in politics, not to be acted upon".¹⁹ Radic¹⁹ believed that federalism had to be complete and that only external affairs and finances should be centralized. The personal good fortune of Radic¹⁹ can be visualized in his universal appeal to the peasant mentality. He understood their agrarian and social

¹⁷ Ibid., p. 51.

¹⁸ "Political Parties in Croatia," Nation, CVIII (March 22, 1919), 453.

¹⁹ Ibid., p. 453.

difficulties and won their respect and affection by becoming interested in acquiring land for the landless, in easing the load of alien landlordism and in reducing taxes that were ill-represented. It was because of him that they turned to English rather than the "poets and dreamers" whose "projects of the great day of union" were discussed in the cafes of Belgrade, Zagreb and Sarajevo.²⁰



Stjepan Radic (1871-1928), rose from a humble peasant home to a position of power within his own country as the founder of the Croat Peasant Party. Dorothy Thompson, writing for the New York Evening Post as foreign correspondent in 1928 characterized him as:

A peasant with the face, the manners, the mind, and the methods of a peasant, Raditch spoke for the peasant. All his life he championed the cause of the peasant, fearlessly, unscrupulously, adored by his followers and hated passionately by his opponents. . . .

²⁰ Charles A. Beard, "The Last Years of Stephen Raditch," Current History, XXIX (October, 1928), 82-83.

APPENDIX I

Item V

CONSTITUTION OF THE KINGDOM OF THE SERBS, CROATS AND SLOVENES, 1921

The copy of the Yugoslav Constitution that follows was given to Arthur I. Andrews, then Professor of American Foreign Policy at Charles University, Prague, by the Premier of Yugoslavia, Nikolas Pasic. From it the translation was prepared by Howard Webster Wolfe, a lecturer and instructor at the same Charles University, in collaboration with Professor Andrews. Parentheses (-) are used to indicate freer rendering than a literal translation would justify. Words enclosed in brackets I-I are added to clarify the meaning. The translation had the goal of corresponding to the original text as much as possible.

PART I.

General Provisions

SECTION 1—The State of the Serbs, Croats and Slovenes is a constitutional, parliamentary and hereditary monarchy.

The official name of the State is the Kingdom of the Serbs, Croats and Slovenes.

SECTION 2—The coat-of-arms of the kingdom is a double-headed spread eagle in flight, on a red shield. Over both heads of the double-headed spread eagle stands the crown of the kingdom. On the breast of the eagle is a shield on which are the coats-of-arms, Serb—a cross on a red shield with a single fesse by each bar; Croat—shield with twenty-five fields, alternately red and silver; Slovene—on a blue field three golden six-pointed stars and under this a white half moon.

The State flag is blue, white and red in a horizontal position facing an upright staff.

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SECTION 3—The official language of the kingdom is Serb-Croat-Slovene.

PART II.

Basic Rights and Duties of Citizens

SECTION 4—There is one citizenship in the whole kingdom; all citizens are equal before the law. All enjoy the same protection from [State] authority.

There is no recognition of nobility, nor titles, nor pre-eminence of birth.

SECTION 5—Personal freedom is guaranteed.

No one can be called to account, nor be arrested, nor otherwise be deprived of freedom by any one except in cases that the law has prescribed.

No one can be imprisoned for any crime whatsoever without a warrant of competent authority in writing and furnished with reasons. That warrant must be shown to the person arrested, either at the time of the arrest or, if that be impossible, at furthest within a period of twenty-four hours from the time of the arrest. Against this warrant for arrest he has the right to appeal to a competent court within a period of three days. In case there has been no appeal within that time, the investigating body must send the evidence to the court within twenty-four hours. The court is bound to give its decision within a period of two days from the time of receiving the evidence. The court decision is final.

Official authorities who transgress against these statutes shall be punished for illegal deprivation of freedom.

SECTION 6—No one can be tried by an incompetent Judge.

SECTION 7—No one can be condemned until he shall have been summoned by an official lawfully or in legal manner to defend himself.

SECTION 8—Punishment may be fixed only in accordance with the law and can be applied solely to acts for which the said law stated beforehand that they should be punished according to said law.

SECTION 9—Capital punishment cannot be inflicted for merely political crimes.

Excepted are the cases of the commission of or attempt at assassination on the person of the ruler or members of the royal house, for which the death penalty is fixed in criminal law.

Besides this are also excepted acts in which, to purely political culpability there is added some punishable act for which the death penalty is fixed in the criminal law, and such acts also which military law punishes with death penalty.

SECTION 10—No citizen can be banished from the state. He cannot be driven within the country from one place to another, nor be banished to one particular place except in cases which the law has expressly foreseen.

No one can, in any event, be banished from his own native place without judicial action.

SECTION 11—A dwelling is inviolable.

The authorities (the State) may not undertake any investigation or search in the house of a citizen, except in eventualities which the law has foreseen and in the manner which the law has prescribed.

Before the investigation [or search] the au-

thorities are obliged to give to the person whose dwelling is being searched a written warrant for the search, the authorities [stating] on what grounds the investigation is undertaken. Against this warrant he has the right of appeal to a court of first instance. But this appeal does not prevent the carrying out of the search. The search shall be carried out immediately in the presence of two [other] citizens.

Immediately after the completion of a search, the authorities are obliged to give to the person whose house is searched information about the outcome of the search and a signed list of articles taken away for further examination.

At night police officials may enter a private house only in cases of sudden emergency, as when they shall be called on from the house for help. At this act of the authorities there shall be present the President of the municipality or two neighbors summoned.

Officials of state who have acted contrary to these provisions shall be punished for illegal violation of a dwelling.

SECTION 12—Freedom of belief and conscience is guaranteed. The adherents of different confessions are of equal rights before the law and may practice their religion openly.

The enjoyment of civil and political rights is not dependent on confession or belief. No one can be freed from his civil and military duties and obligations by appealing to the tenets of his faith.

Those faiths are permitted which have thus far obtained legal recognition in any part of the kingdom. Other faiths can obtain recognition only in accordance with the law. Accepted and recognized faiths regulate independently their internal religious affairs and control their own institutions and funds within the limits of the law.

No one is obliged to express publicly his religious convictions. No one is obliged to take part in religious acts, celebrations, rites and practices, except on State holidays and celebrations and in so far as the law enjoins this upon persons who are subject to paternal, guardian's or military authority.

Accepted and recognized faiths may maintain relations with their sovereign superiors even outside the borders of the State, in so far as the spiritual precepts of the several confessions demand this. The manner in which these relations shall be maintained shall be regulated by law.

In so far as is foreseen in the State budget for religion, the outlay is to be divided among the several accepted and recognized faiths, according to the number of their adherents and their clearly shown need.

Religious leaders may not employ their spiritual authority for partisan aims outside their houses of worship, or beyond precepts of a religious character, or otherwise in the fulfillment of their official duty.

SECTION 13—The press is free.

There cannot be established any preventive measure which hinders the appearance, sale and circulation of publications and newspapers. Censorship can be established only during time of war or mobilization, and that in a manner previously specified by law. Forbidden is the circulation and sale of newspapers or printed

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matter which contains abuse of the ruler or members of the royal house, heads of foreign State, the National Subscription, incitement of the citizens to forcible change of the Constitution or laws of the land, or which contains serious offense against public morals. But in these cases the authorities must lay the matter before the court within twenty-four hours of the infringement of the prohibition, and said court must also within twenty-four hours enforce or annul the suppression. In a contrary event, it is considered that the suppression is annulled. The regular courts shall decide about the indemnification for a wrong done, independently of the court decision about the suppression.

For such crime committed by the press are responsible: Author, editor, printer, publisher and circulator. It shall be prescribed by a special law regarding the press, when and in what event the persons enumerated above, and in what manner they shall answer for crimes committed by the press. The regular courts shall try all crimes committed by the press.

SECTION 14—Citizens have the right of assembly and discussion. Further stipulations about this, the law shall provide. They may not come into assembly under arms. Assemblies in the open must be announced to competent authorities at least twenty-four hours beforehand.

Citizens have the right to assemble for purposes which are not punishable under the law.

SECTION 15—Citizens have the right of petition. Petitions may be signed by one or more individuals or by all legal persons. Petitions may be presented to all authorities without distinction.

SECTION 16—Science and art are unrestricted and enjoy the protection and support of the State.

University instruction is unrestricted.

Education is a prerogative of the State.

In the whole land education rests on one and the same plan, being adapted to the purpose for which it is intended.

All schools must give moral instruction and develop the civic consciousness in the spirit of national unity and religious toleration.

Public instruction is individual, general, and obligatory.

Religious instruction is given according to the wish of the parents or guardians respectively, divided into groups according to confession and in harmony with their religious principles.

Technical schools shall be opened in accord with the needs of business.

State education is given without enrollment fees, school tuition, or other charges.

In how far there shall exist private schools and schools of the several religious sects and under what arrangements they shall operate shall be established by law.

All institutions for instruction are under State supervision.

The State shall assist the work of national enlightenment.

To minorities of other race or language elementary instruction shall be given under conditions which the law shall prescribe.

SECTION 17—The right of private correspondence and telegraph and telephone communication is unimpinged except in the case of criminal investigation, mobilization, or war.

All those who violate private correspondence or telegraph and telephone communication shall be punished according to law.

SECTION 18—Every citizen has the right directly and without any sort of (previous) official authorization to bring charges against State courts or minor autonomous (minor civil) officials for criminal acts, which they may have committed against him in official activity.

Special regulations apply to Ministers, Judges and soldiers under the flag.

For a wrong which a State or autonomous official does to citizens by irregular fulfillment of duty, the State or autonomous body is answerable before the regular courts. The official concerned is answerable to them.

A complaint of a wrong is invalid after nine months.

SECTION 19—All offices in all branches of State service are open alike within their legal requirements to all [Jugoslav] citizens by birth as also to citizens who are by birth of Serbo-Croat-Slovene nationality.

Foreign-born citizens can enter State service only when they have been ten years resident in the kingdom; and by the express authority of the Council of State and with the well-founded support of a competent Minister beforehand (previously given).

SECTION 20—Every citizen enjoys the protection of the State in foreign States. Every citizen has the right to renounce his citizenship after fulfilling his obligations toward the State.

The surrender of its own citizens is prohibited.

SECTION 21—Every citizen is under obligation to obey the laws, serve the interests of national unity, protect the fatherland, support the burdens of the State, according to his inherited ability and in accord with the provisions of the law.

PART III.

Social and Economic Provisions

SECTION 22—With the purpose that uniform prosperity be brought to all citizens, the State will provide a place of display for the economic products to which they give their efforts. In keeping with this it will establish a permanent scientific organization and institute constant support of school attendance for capable poor children.

SECTION 23—The working class is under the protection of the State.

Women and children not fully grown are especially to be protected from occupations harmful to their health.

The law shall establish special measures for the security and protection of workers and shall prescribe the hours of work in all occupations.

SECTION 24—The products of mental exertion are the property of the author and enjoy State protection.

SECTION 25—Freedom of agreement in trade relations is recognized in so far as it is not opposed to the interests of society.

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SECTION 26—It is the right and duty of the State to intervene in the public interest and on the basis of the law, in the economic relations of citizens, in the spirit of justice and for the prevention of social friction.

SECTION 27—The State shall give attention to (1) The betterment of general hygienic and social conditions which affect the national health; (2) special care for mothers and young children; (3) the preservation of the health of the whole citizenship; (4) the suppression of acute and chronic infectious diseases, as well as the suppression of the abuse of alcohol; (5) medical assistance without cost, the furnishing of medicines and other necessities without cost for the preservation of the general health of the needy citizens of the nation.

SECTION 28—Marriage shall be under the protection of the State.

SECTION 29—The State shall assist materially the National Syndicate. Likewise the State shall assist materially other national economic organizations which are not working for profit. Precedence shall be given over other private undertakings under otherwise equal conditions to such syndicate and such economic associations within the circle of their activities in view of their co-operation.

There shall be passed a law with reference to associations, which shall apply to the whole nation.

SECTION 30—Farmers' insurance unions shall be established by a special legal enactment.

SECTION 31—The insurance of workingmen against the event of accident, illness, unemployment, incapacity, old age and death shall be established by a special law.

SECTION 32—Invalids, war orphans, war widows and the poor parents, unable to work, of soldiers who fell or died in the war shall enjoy special State protection and help in token of recognition.

In accord with the law, provision shall be made for the feeding of invalids incapable of work and for the training of war orphans for work and for life.

SECTION 33—The right of workingmen to organize for the purpose of obtaining better working conditions is guaranteed.

SECTION 34—Special attention shall be given to the marine and to sea fisheries.

The insurance of persons employed on the sea against the event of sickness, incapacity, old age and death shall be established by a special law.

SECTION 35—The State shall care for the construction and maintenance of all means of Intercommunication wherever the general State interests demand.

SECTION 36—Usury (extortion) of every sort is forbidden.

SECTION 37—Property rights are guaranteed. From property arise also obligations. There shall be no employment of property to the detriment of the public. The content, extent and limitations of private property shall be fixed by law.

Expropriation of private property for the benefit of the public is permitted on the basis of the law in return for just compensation.

SECTION 38—Entail shall be abolished.

Foundations with purely beneficial purposes shall be permitted. It shall be fixed by law in what event aims and objects of foundations shall be changed to meet changed conditions.

SECTION 39—According to law concerning taxes on an inheritance, an interest in the inheritance shall be assured to the State; in this, basing the calculation on the degree of relationship between the heir and the deceased person and the value of the inheritance.

SECTION 40—The requisition of a room and of other necessities for the military shall be done only in return for just compensation.

SECTION 41—Large private forest tracts shall be expropriated according to the law and shall pass into the possession of the State or of autonomous bodies. The law shall stipulate in how far great forest tracts can be the property of other legal bodies which already exist or which shall be founded.

Real forest land, whose forestation furthers climatic and cultural considerations, shall pass likewise in accordance with the law of expropriation into the property of the State or of autonomous bodies, in so far as this forestation cannot be accomplished in any other manner.

Great forest tracts which foreign authority handed over to individuals shall pass, according to the law, into State or municipal possession without any recompense whatever to those individuals. The law regarding forests shall fix the conditions under which peasants cultivating the land, and those who support themselves incidentally by work on the land, may help themselves by cutting wood for building material or fuel, as well as for the pasturing of cattle in State and communal forests.

SECTION 42—Fief relationships are legally regarded as terminated on the day of freedom from foreign domination. In how far injustices were done anywhere before that time by the dissolution of fief relationships or their simulations into private legal relationships shall be passed on by the law of rectifications.

Vassals (serfs), as also in general land workers who till the land in fief-like relationships, shall be established as free possessors of State lands, not paying themselves any sort of compensation whatever for it and shall be regarded as having hereditary rights.

SECTION 43—The expropriation of great possessions and their division into properties for those who till the land shall be regulated by law. The law shall fix also what sort of compensation shall be given for expropriated possessions. For great possessions which belonged to members of former foreign dynasties, and for those which foreign authority bestowed on individuals, no compensation whatever shall be given.

Settlements shall be effected primarily with the help of settlement associations organized freely, and giving attention also thereto that the settlers may be supplied with the indispensable equipment for production.

In settlements, as well as in the division of expropriated tracts, preference shall be given to needy soldiers who fought for the deliverance

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of the Serbs, Croats and Slovenes, and their families.

The amount of ground assigned to the land workers shall be specified by law, also the conditions under which this may not be divided among heirs or in any manner be taken away.

SECTION 44—An Industrial Council shall be created for the working out of social matters and the formulating of industrial laws. Further details about its composition and competency shall be fixed by law.

PART IV.

State Authorities

SECTION 45—All State authorities shall be established in accordance with the provisions of this Constitution.

SECTION 46—The King and the National Skupshtina (Assembly) together shall constitute the law-giving authority.

SECTION 47—The King shall exercise administrative authority through a responsible Ministry in accordance with the provisions of this Constitution.

SECTION 48—The courts shall exercise judicial authority. Their judgments and decisions shall be handed down and carried out in the name of the King on the basis of the laws.

PART V.

The King

SECTION 49—The King shall confirm and proclaim the laws, appoint State officials, and give out military commands according to the provisions of the law.

The King is the Commander-in-Chief of all military forces. He gives out decorations and other distinctions.

SECTION 50—The King has the right of amnesty for political and military criminals. Through amnesty the legal consequences of the criminal act may be lessened, but the right of private persons to compensation for injury cannot be infringed by it. Amnesty may be given before the beginning of court proceedings, during the course of the proceedings, or after the judgment is rendered. Amnesty is general or individual.

For amnesty of a Minister there is necessary a previous concurrence of the National Skupshtina, but this cannot be given to a Minister in any event before the rendering of judgment.

The King has the right of pardon. He can pardon, or shorten, or mollify a punishment fixed by the court. The right of amnesty for acts punishable only through private complaint is fixed by the law regarding judicial procedure in criminal cases.

SECTION 51—The King shall represent the State in all its relations with foreign States. He shall declare war and conclude peace. If the State is not attacked or war declared upon it by some other State, a previous approval by the National Skupshtina is necessary for the declaration of war.

If war be proclaimed on the country or if it shall be attacked, the National Skupshtina must be called together at once.

SECTION 52—The King shall summon the Na-

tional Skupshtina for ordinary or extraordinary session.

He shall open and close the sitting in person, with a speech from the throne or through the Council of Ministers with a message or ukas.

All the Ministers shall countersign a speech from the throne, a message and ukas.

A ukas by which the sittings of one session are closed shall always contain also an announcement of the date of the new session.

The King can at any time, in State necessity, convene the National Skupshtina which had prorogued its sitting.

The King has the right to dissolve the National Skupshtina, but the ukas concerning the dissolution must contain a call for new elections within a period of three months at latest, and a call for a sitting of the National Skupshtina within four months at latest from the day of dissolution of the Skupshtina. All Ministers shall countersign a ukas for the dissolution of the National Skupshtina.

SECTION 53—The King cannot at the same time be the ruler of any other State without the consent of the National Skupshtina.

If the King, contrary to this provision, still accepts the crown of any other State, he shall be regarded as having renounced the throne of the Kingdom of the Serbs, Croats and Slovenes.

SECTION 54—No act of royal authority shall have force nor can it be enforced if a competent Minister has not countersigned it. For all acts of the King, oral or written, countersigned or not countersigned, as also for all his proceedings of political character, a competent Minister shall be responsible.

For the King's acts as military Commander-in-Chief the Minister of War and Marine shall be responsible.

SECTION 55—The King and his heir are of age when they complete eighteen years.

The King's person is unassailable [inviolable]. No charge can be brought involving the King's responsibility, nor can a complaint be made against the King. This [inviolability] does not hold of the King's private status.

SECTION 56—In the Kingdom of the Serbs, Croats and Slovenes the ruler is Peter I., Karageorgevich. King Peter shall be followed by Heir to the Throne Alexander and his male offspring from legal marriage by the right of primogeniture.

If the King has no male offspring he shall appoint an heir to himself from the indirect line with the consent of the National Skupshtina. For that is necessary a decision of half plus one of the full number of the membership of the National Skupshtina.

SECTION 57—The royal house shall consist of the Queen Consort, the living forebears and descendants in direct line with their consorts, the full brothers and their descendants, with their consorts, and the sisters of the ruling King. The relations and status in the royal house shall be defined by a statute which shall be extra legal. No member of the royal house can be a Minister or member of the National Skupshtina.

SECTION 58—In the presence of the National Skupshtina the King shall take an oath which

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swears as follows: I [name], ascending the throne of the Kingdom of the Serbs, Croats and Slovenes, and assuming royal authority, swear by Almighty God that I will preserve the unity and independence of the State and the integrity of State territory, and that I will hold the Constitution inviolable; that I will rule according to it and the laws, and that I will keep before me with all my might the welfare of the nation. So help me, Lord God. Amen!

SECTION 59—The King shall live constantly in the country. If the necessity appears that the King go out of the country for a short time the heir to the throne shall represent him. If the heir to the throne is not of age or if he is prevented (in any way), the Council of Ministers shall represent the King. This representation shall be carried out according to the directions which the King shall give within the limits of the Constitution. This also applies in the event of illness of the King which shall not produce permanent incapacity.

During the time of absence of the King or heir to the throne, the Council of Ministers shall not have the right to dissolve the National Skupstina.

The representation of the Council of Ministers can last at longest six months. At the end of this time shall come into play the constitutional regulations for a regency.

PART VI.

Regency

SECTION 60—The King's authority shall be assumed by a regency: (1) If the King is a minor; (2) If, on account of mental or physical illness, he is permanently incapacitated from assuming the King's authority.

The National Skupstina shall decide by secret vote regarding the establishment and abolition of a regency.

If the Council of Ministers shall decide that the event of the King's incapacity has transpired, it shall impart this to the National Skupstina, together with the opinion of three physicians selected from the National Medical Faculty. The proceedings shall be the same if the heir to the throne is in question.

SECTION 61—The authority of Regent shall fall by right to the heir to the throne, if he is of age. If the heir to the throne, for reasons enumerated in Section 60, cannot assume the authority of Regent, the National Skupstina shall, by secret vote, choose three Regents for the King. Regents for the King shall be chosen for four years; after this time, in the event that the regency must be prolonged at least for a year, there shall be a new election; if the regency is to last longer, a secret election shall be held again for four years.

Eligible for Regents are only those born Serbs, Croats and Slovenes, citizens of the Kingdom of the Serbs, Croats and Slovenes who are 45 years of age and have a higher education.

Before they take the King's authority into their hands, the Regents must take an oath before the National Skupstina which has chosen them that they will be faithful to the King and that they will rule according to the Constitution and the laws of the land.

SECTION 62—If one of the three Regents is for the time absent or (in any way) prevented, the two other Regents shall have authority and shall carry on State business without him.

SECTION 63—The Regents shall care for the education of a minor King. The administrators appointed by the will of a King shall care for the property of a minor King. If the deceased King has not appointed administrators, the Regents shall appoint them, conferring with the Council of State.

SECTION 64—Until the selection of Regents, the Council of Ministers shall exercise, provisionally, the royal authority under their own responsibility.

SECTION 65—In the event of the death or resignation of the King, the heir to the throne, if he is of age, shall assume the Government at once and shall announce this to the nation by proclamation. At the end of ten days he shall take the prescribed oath before the National Skupstina. If the National Skupstina has previously been dissolved and the new one is not yet elected, the old National Skupstina shall be convoked.

SECTION 66—If the King, after his death, has not left male issue, but the Queen should be pregnant at the time of the King's death, the National Skupstina shall choose Regents, who shall exercise the authority of the King only until the time of birth. The Government is bound to submit to the National Skupstina before the selection of Regents, the opinions of three physicians selected from the National Medical Faculty regarding the pregnancy of the Queen. The same requirement holds also in the event that the heir to the throne should die and that his wife should be pregnant at the time of the King's death.

SECTION 67—In the event that the throne, according to the provisions of this Constitution, should remain without an heir, the Council of Ministers shall take into their hands the authority of the King, and shall at once call the National Skupstina to a special session, in which a solution about the throne shall be reached.

SECTION 68—The civil list of the King shall be fixed by law. The civil list, once fixed, cannot be increased without the consent of the National Skupstina, nor decreased without the consent of the King.

The King's Regents shall take from the State Treasury, for the fulfillment of their duties, only so much as the National Skupstina shall fix for them at the time of their selection.

PART VII.

National Skupstina

SECTION 69—The National Skupstina shall be composed of representatives which the nation shall choose freely in a general, direct and secret election, held everywhere at the same time, with representation of the minorities.

For every 40,000 inhabitants one representative shall be chosen. If the excess of inhabitants in any election district shall be more than 25,000, one representative shall be chosen for that remnant.

The National Skupstina shall be elected for

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four years. The further details about the election shall be prescribed by law.

SECTION 70—Every citizen by birth or naturalization shall have electoral right if he shall have reached the age of 21 years.

Active officers, even though not in service, as well as under officers and soldiers under the flag, cannot exercise electoral right or be elected.

The law shall decide also about woman's right to the vote.

SECTION 71—Those persons shall be deprived temporarily of electoral right: (1) Who are condemned to hard labor (imprisonment), until they shall be restored to their rights; (2) who are condemned to the loss of the privileges of citizenship, for the duration of this punishment; (3) who are under restraint (temporarily mentally incompetent); (4) who are under guardianship.

SECTION 72—For representative in the National Skupshtina can be chosen only those persons who have electoral right, regardless of whether they are entered on the electoral list. From every representative are demanded the following conditions: (1) That he shall be a citizen by birth or naturalization of the Kingdom of the Serbs, Croats and Slovenes. Naturalized citizens, if not of Serb-Croat-Slovene birth, must be resident at least ten years counting from the day of naturalization; (2) that he be 30 years of age; (3) that he speak and write the national language.

National representatives cannot be at the same time purveyors or State contractors.

SECTION 73—Political, financial and forest officials as well as officials of the agrarian reform cannot be candidates except they have given up office a year before the announcement of the election.

Other officials who exercise public authority cannot be candidates in the electoral district of their territorial competence.

Officials who shall be chosen for national representatives shall be placed in official retirement during the period of the duration of the mandate.

Ministers, active and in retirement, and professors in the universities can be candidates, and if they are elected shall hold their position.

SECTION 74—Every national representative shall represent the whole nation and not merely those who elected him.

Electors cannot give, and national representatives cannot receive, mandatory and obligatory instructions.

All national representatives shall take oath that they will faithfully preserve the Constitution.

SECTION 75—The National Skupshtina shall meet in the capital city, Belgrade, in regular session every year Oct. 20, if it is not called before that date into extraordinary session by the King's ukas.

If in the event of war the capital is changed, the National Skupshtina shall meet in the provisional capital.

The regular session cannot be dissolved until the State budget shall be fixed.

During the time of war the National Skupsh-

tinu is constantly in session except if it shall decide otherwise.

SECTION 76—The National Skupshtina shall scrutinize the credentials of its own members and shall decide about them.

The National Skupshtina shall prescribe its own order of business.

SECTION 77—The National Skupshtina shall choose for each session its officials from its own membership.

SECTION 78—The Council of Ministers or individual Ministers shall introduce bills on the King's authority.

The right of introducing bills belongs to every member of the National Skupshtina.

SECTION 79—The King shall conclude treaties with foreign States, but a provisional confirmation of the National Skupshtina is necessary for the validity of these treaties. The provisional confirmation of the National Skupshtina is not necessary for the validity of merely political agreements, if they are not contrary to the Constitution and laws of the State.

An agreement that a foreign army shall occupy land of the kingdom or shall go across it is not valid without provisional confirmation of the National Skupshtina.

The National Skupshtina can, if State necessity demands it, by resolution beforehand, empower the Council of Ministers to take measures for the acceptance of a proposed treaty if it cannot be postponed.

State territory cannot be disposed of or exchanged without the ratification of the National Skupshtina.

SECTION 80—The King shall proclaim the laws by ukas which shall contain also the law itself if passed by the National Skupshtina. All the Ministers shall countersign the ukas. The Minister of Justice shall place on it the State seal and shall care for the publication of the laws in the Official News.

The law shall have binding force fifteen days after publication in the Official News, if the law itself does not stipulate otherwise. The day of publication in the Official News shall be counted.

SECTION 81—The National Skupshtina has the right of inquiry and even of investigation in electoral and purely administrative questions.

SECTION 82—Every member of the National Skupshtina has the right to put questions and interpellations to the Ministry. The Ministers are obliged to give answer to them in the course of the same session at the time which the order of business fixes.

SECTION 83—The National Skupshtina shall deal only indirectly with the Ministers.

SECTION 84—Only its members, members of the Government, and Government defendants have the right to speak in the National Skupshtina.

SECTION 85—The National Skupshtina can make a fully binding decision if there are one-third of all the members present in the sitting.

For a fully binding decision a majority of the votes of the representatives present is necessary. In the event of an equal division of votes, the proposal voted upon shall be regarded as lost.

SECTION 86—No bill can be passed in a legal

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manner by the National Skupshtina until it shall have passed first through a competent committee.

Voting in the National Skupshtina is usually open: only elections are decided by secret ballot. A vote can be cast only in person.

Each bill must be voted on twice in the same session of the National Skupshtina before it is finally adopted.

SECTION 87—No one can ever call a representative to account for a vote which he has cast as a member of the National Skupshtina.

For all utterances and proceedings in exercise of a mandate, whether in a sitting of the National Skupshtina, or in a committee, or on an individual mission, or in an individual duty at the direction of the Skupshtina, representatives are accountable only to the National Skupshtina according to the provisions of the order of procedure.

SECTION 88—Without the authorization of the National Skupshtina no members can be held to answer for any crime of whatever degree, nor in any event or on any authority be deprived of their freedom, as long as their mandate lasts, unless they are caught in the very act of crime or misdemeanor. But even in this last event the National Skupshtina, if it is in session, shall be informed at once and shall give or refuse authorization for a competent trial to be carried on during the time of the session.

Right of immunity of the representative begins with the day of election.

If any one becomes a representative before a judgment against him on account of any crime is carried out, the authority which made the inquiry and investigation shall give information about this to the National Skupshtina, which shall give or refuse authorization for the continuance of the proceedings.

A member of the National Skupshtina can be held to account only for that act of which he is charged.

SECTION 89—To the National Skupshtina falls the exclusive right of maintaining order in its midst through its presiding officer. No armed force can be posted in the building of the National Skupshtina, nor in any courtyard, without the consent of the President of the National Skupshtina. Likewise no State officials can perform any acts of authority in the National Skupshtina without his consent.

No armed person may enter the building of the National Skupshtina except persons who are authorized to wear arms and are engaged in service under the National Skupshtina.

PART VIII.

Administrative Authority

SECTION 90—All the Ministers form the Council of Ministers, which stands directly under the King. The King names the President and the members of the Council of Ministers. The Ministers stand at the head of the several branches of the State Administration.

Ministers can also be without portfolio.

In the Ministries there can be placed, where the necessity is shown, State Under Secretaries

for one definite part of the business of these branches of the State Administration. State Under Secretaries, if they are chosen from Parliament, do not lose their mandate.

Ministers name the subordinate State officials according to the provisions of the law.

Ministers before entering upon their duty take oath to support the Constitution and be faithful to the King.

SECTION 91—Ministers are responsible to the King and to the National Skupshtina.

The King and the National Skupshtina can bring charges against Ministers for infringement of the Constitution and of the laws of the land committed in their official capacity. For wrongs which Ministers do by an illegal [act in] fulfillment of duty the State is responsible.

SECTION 92—Charges can be brought against Ministers both during the time of their service and for five years after retirement.

A proposal that charges be brought against a Minister must be made in writing and must contain the charges.

If the National Skupshtina brings charges against a Minister a decision to bring the Minister before the court shall be brought by a majority of two-thirds of the votes of the members present.

SECTION 93—The State Court shall try Ministers. The State Court is formed of six Councillors of State and six Court of Cassation Judges, whom each of these bodies shall choose by lot in their plenary sittings. The President of the Court of Cassation is the President of the State Court.

For those acts which are not foreseen in the said law punishment shall be fixed by the law about Ministerial responsibility.

Further details about Ministerial responsibility shall be set forth in a special law.

SECTION 94—Administrative authority can make the necessary regulations for the application of laws.

By regulations with legal force administrative authority can regulate relations only on the basis of legal authorization which shall be given especially for each case.

The National Skupshtina can by resolution declare without force in whole or in part regulations set forth on the basis of legal authorization.

Regulations may be published and in them must be cited each time the law on the basis of which they are made.

SECTION 95—Administration in the kingdom shall be conducted by departments, circuits, districts and communes.

The division into departments shall be made by law on natural, social and economic bases. One province can have at most 800,000 inhabitants.

Two or more smaller departments can be joined into one larger department. The departmental assemblies of the departments concerned shall make the final decision about this. But even such a department cannot have more than 800,000 inhabitants.

At the head of each department shall be a Great Zupan, whom the King shall appoint and who shall conduct the business of State admin-

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istration in the department through State officials.

SECTION 96—For business of a city, commune, district and departmental character there shall be established local civil autonomous organizations for the city, commune, district and department on an elective basis.

A special law shall be passed regarding the government and autonomy of cities.

Autonomous business shall be cared for by special autonomous officials, according to the provision of the law.

In the range of activity of the autonomous departmental administration shall fall the following sorts of business:

1. Departmental finances: (a) Making up the departmental budget; (b) disposition of departmental public taxes, which are fixed on the basis of the law by the department to cover departmental expenditures.

2. Departmental public works, as also building prescriptions.

3. Care for the furthering of departmental economic interests: Agriculture, stock raising, vine culture, fruit culture, forestry, lake and river fisheries, hunting, as also for technical improvement of the land.

4. Administration of public property.

5. Care for the public health in the departments, as well as for all institutions, through which the health status of the department may be furthered.

6. Care about social problems in the department.

7. Departmental humane institutions.

8. Departmental means of communication.

9. Co-operation in the furtherance of enlightenment in the department.

10. Co-operation in industrial education in the department.

11. Establishment and maintenance of seed institutions, tourist clubs, mutual loan and insurance associations.

12. The expression of opinion at the request of the Government about projects in conformity with the law, which concern the department, as also in general about all other subjects for which the Government asks their opinion.

Also other business can by law be entrusted to the departmental, autonomous administration.

If the department with its means should not be able to carry out the several matters enumerated, the State shall on demand of the departmental Skupshchina and by decision of the National Skupshchina give the necessary means or shall itself take over the carrying out of these matters.

SECTION 97—Autonomous [local] units shall have their yearly budgets. The administration of autonomous units shall be under the supervision of the Minister of Finance and the chief control shall be regulated by special laws.

SECTION 98—The departmental organs of administration are the departmental Skupshchina and the departmental committee.

The departmental and district Skupshchina shall choose for themselves a President, who shall preside over their sittings. They shall choose also a departmental and district committee.

By exception, joint competence can be as-

signed by law for the same branches of special and autonomous work in the department.

The Great Zupan is the chief official of the general State administration in the department; in so far as special competence for one or more departments is not given by law for special business of State administration.

The law shall decide what State business the Great Zupan shall handle in consultation with the departmental committee.

Further details about authority and competence of autonomous bodies—city, commune, district and departmental—shall be fixed by a special law.

SECTION 99—The departmental Skupshchina has the right to make departmental regulation about those matters of its competence. The Great Zupan of the department shall proclaim departmental regulations.

The Great Zupan of the department shall stay from proclamation regulations which he finds are not based on the Constitution and the law. In this event he shall bring such regulations with his opinion to the Council of State for decision, and shall inform the competent Minister about this. If the Council of State shall find that the said regulations are not based on the Constitution or on any law, they shall not be proclaimed or published. The Council of State is obliged to bring in their decision within two months. If the Council of State shall not bring in their decision in that time, the decision of the Great Zupan shall stand.

SECTION 100—The departmental committee shall prescribe provisions and directions for the fulfillment of departmental regulations.

SECTION 101—The State administrative authority exercises supervision over autonomous business authorities through the Great Zupan and individual expert officials. The Great Zupan has the right to stay from execution all decisions of autonomous officials which should not be based on the Constitution, the laws or departmental regulations. Against a ruling of the Great Zupan a complaint can be lodged with the Council of State within the time limit of the law. If the Council of State should not bring a ruling within a month at furthest from the date of its receipt, the decision of the Zupan shall stand.

SECTION 102—For matters of administrative nature administrative courts shall be established. The law shall fix their seat, competence and organization.

SECTION 103—The Council of State is the highest administrative court. The King shall appoint members of the Council of State on the advice of the President of the Council of Ministers, and in the following manner: The King shall name half the members from twice the number which the National Skupshchina proposes, and the National Skupshchina shall choose the other half from twice the number which the King proposes. The filling of the administrative positions of the Councilors of State shall be fixed by a special law which can also deviate from the above stipulations.

For members of the Council of State only those higher officials or public workers who have Faculty (university) preparation or ten

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years' State service or public work can be appointed.

At least two-thirds of the Councilors of State must have diplomas after completing [the work of] a legal Faculty.

Members of the Council of State can be removed from their places, transferred to another branch of State service and placed on pension only on legal action. But when they reach 70 years of age or become ill, so that they cannot fulfill their duty, they must be placed on pension.

The Council of State has the following duties:

1. As the highest administrative court it decides on matters of administrative nature. Matters pertaining to a complaint against a ukas and Ministerial decrees shall be decided by the Council of State in first and last instance.

2. As an administrative organ it heads State Administration and decides about acts of administrative nature for which its approval is not necessary according to special laws.

3. It exercises supervisory authority over autonomous units according to the provisions of the law.

4. It decides conflicts about competence between State administrative authorities as well as conflicts about competence between State and autonomous authorities.

5. It decides also about other questions which shall be placed within its competence by law.

Further details about the constitution of competence and its handling under the Council of State shall be prescribed by special law.

SECTION 104—State competence shall be established according to the prescriptions of the law.

SECTION 105—It shall be prescribed by law how officials shall be named.

SECTION 106—The names of State officials, rights and duties, pay and pensions of State officials according to their office shall be fixed by the law about officials.

SECTION 107—State officials are officials of the whole State and shall work for the general interest.

The use of their authority and position by State officials for partisan aims, as also the influence of a chief on State officials, shall be punished according to the law.

SECTION 108—An official to whom a permanent place shall be assured by law cannot be removed against his will without process of a regular criminal or disciplinary court.

PART IX.

Judicial Authority

SECTION 109—Judges are independent. In the rendering of justice they shall not stand under the influence of any authority, but shall judge according to the law.

Judges and judicial competency can be established only by law. But in no event can extraordinary Judges or commissions be established for investigations.

In family and supervisory business of the Muslims: State Sheriat Judges shall act.

SECTION 110—For the whole kingdom, there

shall be only one Court of Cassation, with its seat at Zagreb.

The Court of Cassation is competent also for the settlement of conflicts between administrative, civil or military authority and judicial authority. Likewise it is competent also for the settlement of conflicts between administrative and regular courts.

SECTION 111—The appointment of Cassation and Appellate Judges and of the President of courts of the first rank shall be made by the King's ukas (decree) on the advice of the Minister of Justice from among the number of candidates which the original body shall select, the constitution of which shall be fixed more exactly by law.

SECTION 112—The Judges of all courts are permanent. Judges cannot be deprived of their office nor from any cause be relieved from duty against their will, without process of regular courts or disciplinary process of the Court of Cassation. Judges cannot be held to account for their judicial work without approval of a competent Appellate Court. For members of the higher courts the Court of Cassation shall give this approval.

A Judge cannot, even provisionally, be assigned to another paid or unpaid public service without his own consent and the approval of the Court of Cassation.

A Judge can be transferred only at his own consent.

A Judge can be in service only until reaching the sixty-fifth year of his life and the Presidents of the Cassation and Appellate Courts till the age of 70 years. Before that time Judges can be placed on pension only on written request or if they have so failed physically or mentally that they cannot fulfill their duty. The Court of Cassation shall bring in the rulings about pensioning in this last event.

PART X.

State Economy

SECTION 113—Each year the National Skupshtina shall draw up a State budget, which it shall fix only for a year.

The budget must be spread before the National Skupshtina at furthest a month after its coming together. At the same time with the budget shall be spread before the National Skupshtina for survey and approval also a complete account of the expenditures of the last fiscal year.

The National Skupshtina cannot increase the showing of the parts, but can decrease and omit them.

The budget shall be approved by parts.

The manner of construction and completion of the budget shall be prescribed by law.

The savings of one part of the budget or budget year cannot be expended in satisfying the needs of another part or year, without the approval of the National Skupshtina.

SECTION 114—Until the budget laid before it shall be approved, the National Skupshtina can approve one-twelfth for one or more months. If the National Skupshtina is dissolved before the budget is fixed, the budget of the preceding fiscal year shall be prolonged by ukas for at most four months.

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SECTION 115—State expenditures and general State outlay shall be fixed by law.

The National Skupshtina shall decide about State loans. The Government is obliged to lay before the National Skupshtina, through the Chief Control, a punctual attested report, whether arrangements about loans are concluded and fulfilled in the sense of the law.

SECTION 116—Tax obligation is general, and all State public expenditures are general for the whole State.

Land tax shall be paid according to taxable worth, and progressively.

The King and heir to the throne shall pay State taxes on private property.

No help whatever, permanent or temporary; no gift or loan can be given from the State Treasury if it shall not be based on the law.

SECTION 117—The Minister of Finance shall have control of State property, so far as the laws do not establish otherwise.

A special law shall be passed about the manner of disposal of State goods.

The right of monopoly shall fall to the State. Ores, medicinal waters and springs and forces of nature are State property.

A special law shall be passed about the giving over of mining, industrial or, indeed, any other privileges.

SECTION 118—A Chief Control shall be established for the oversight of State accounts and supervision of the completion of State and provincial budgets and as head of the Court of Accounts.

The President and members of the Chief Control shall be chosen by the National Skupshtina from a list of candidates, which the Council of State shall prepare and in which shall be nominated twice as many candidates as there are places vacant.

The President and half the members of the Chief Control must be jurists (i. e., members of the bar). The other members must have been Ministers of Finance or must have had ten years of proved service in financial employment.

The President and members of the Chief Control shall enjoy the same right of tenure as the members of the Council of State.

Further details about the composition, authority and procedure of the Chief Control shall be set forth in a special law.

It shall be fixed by law in what events there shall be grounds for complaint against the ruling of the Chief Control to the Court of Cassation.

The Chief Control shall survey, justify and liquidate accounts of general administration and all bills rendered against the State Treasury. It shall watch that no expenditure overstep the budget, and that no sum shall be carried from one part of the budget into another. It shall close up the accounts of all State administration and is obliged to bring together all evidence and information.

A complete State accounting shall be laid before the National Skupshtina in conjunction with explanations of the Chief Control and that, at longest, for one year, reckoning from the completion of each fiscal year.

PART XI.

The Army

SECTION 119—Military obligation is general, according to the ordinances of the law. The organization and size of the army and fleet shall be prescribed by law. The King, depending on the advice of the Minister of War and Marine, shall prescribe the formation of units for both within the prescriptions of the law. How much of the army shall be held under the flag shall be decided each year by the budget.

SECTION 120—The military courts are independent. In rendering justice, the Judge shall not be under any authority, but shall judge according to the law.

The Judges of the Military Appellate Court shall be permanent, but the permanency of the Judges of military courts of first instance shall be regulated by the law.

Judges of a military court of first instance cannot be held to account for their judicial work without the approval of the Military Appellate Court, and Appellate Judges without the approval of the Court of Cassation. Judges of a Military Appellate Court can be transferred only by their own consent, and in the event of promotion to a higher position, and Judges of a military court of first instance in accordance with the ordinances of the law.

SECTION 121—The civil courts shall judge crimes which a civilian associated with the army commits, but during time of war military courts.

SECTION 122—No one, on reaching the age of 20 years, can enter State service or remain in it if he has not served his year according to the ordinances of the law or been excused from military service.

SECTION 123—For the maintenance of internal order, the military can be used only on the request of competent civil authorities.

SECTION 124—A foreign army cannot be taken into the service of our State, as also the army of our State cannot be placed in the service of any foreign State without the previous approval of the National Skupshtina.

PART XII.

Changes in the Constitution

SECTION 125—The National Skupshtina, with the King, shall decide about changes in the Constitution.

SECTION 126—A proposal that something be changed or supplemented in the Constitution can be made by the King or the National Skupshtina.

In such proposal must be named expressly all the points of the Constitution which should be changed or supplemented.

If the King has made the proposal, he shall impart this to the National Skupshtina, but the National Skupshtina can be prorogued at once afterward, and shall be convened anew after four months at longest.

If such proposal originated from the National Skupshtina, decision shall be made about it on the basis foreseen for decisions of legal (constitutional) proposals with a majority of three-fifths of the whole number of members.

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If the proposal shall be adopted in this manner, the National Skupshtina shall be prorogued and convened anew at latest in a period of four months from the day when the proposal was adopted.

And in one and the other event the National Skupshtina can decide only about those changes and supplements of the Constitution which the proposal on the basis of which it was called together contains.

The National Skupshtina shall make decisions with a majority of half plus one of the total number of its members.

SECTION 127—In the event of war or general mobilization the National Skupshtina can suspend for the whole territory of the State, and for the event of an armed uprising for any single part of it, by law temporarily these rights of citizens: The right of assembly, coming together and taking counsel, freedom of movement, noninfringement of dwelling, correspondence and telegraphic communication. For the same reason the freedom of the press can be limited in the event of an armed uprising for the part of the State concerned.

PART XIII.

Transfer of Authority

SECTION 128—In the first session of the Skupshtina after the proclamation of the Constitution the Heir to the Throne Alexander as the Regent of King Peter I. in the sense of Section 58 of the Constitution shall take the oath:

"In the name of his Majesty King Peter I., I swear with the help of God that I will hold the Constitution inviolable, that I will rule according to it and the laws, that I will preserve the unity of the nation, the independence of the State and the integrity of the territory of the State, and that in all my efforts and work I will have the good of the nation before my eyes. So help me, God. Amen!"

SECTION 129—After this the national representatives in the sitting of the Skupshtina before the President of the Skupshtina shall take this oath:

"I [name] swear that with the help of God and by all that is most holy to me under the law and dearest to me on earth, I will hold true to the Constitution in my work as a representative, and that I will have ever the good of the King and the nation before my eyes and the unity of the State in my heart and mind."

SECTION 130—The provisions and provisional laws, with the signatures of the Provisional Government, published in the Official News, given out for the time from Dec. 1, 1918, until the entering into force of this Constitution, shall remain further in force as laws so far as they are not rescinded or changed by other laws.

Within the period of three months from the entering into life of this Constitution the Government shall lay before the Constitutional Committee all those provisions set forth for the time being in the first sitting which are to be annulled, and the Constitutional Committee shall render its decision as to what shall be announced.

SECTION 131—Until the passing of laws regarding the organization of the Ministries, re-

garding the Council of State, regarding the Chief Control, regarding the order of business in the Council of State and regarding Ministerial responsibility, there shall be extended provisionally over the whole State the force of the corresponding laws of the Kingdom of Serbia, with changes and additions which shall be carried out in the manner foreseen in Section 133.

SECTION 132—The statute signed by the King Aug. 30, 1909, and published in the Serb News Feb. 26, 1911, shall remain in force until a new statute shall be passed in the sense of Section 57 of this Constitution.

SECTION 133—For the correlation of legislation and administration in the [newly] founded land a short course of procedure shall be established.

All legal proposals which have for their object the correlation of legislation and administration, originating either from the Government or from individual representatives, shall be referred through the President of the Skupshtina to a legislative committee.

The report of the legislative committee with the proposal which the committee has adopted shall be referred to the National Skupshtina for action. Regarding these legal proposals the Skupshtina shall decide by roll-call vote once and for all whether it shall accept or reject them. Before the vote each Parliamentary group may give short explanation through one representative.

Such rather brief procedure for correlation of legislation and administration in the land can be applied within five years from the day of entering into force of the Constitution, but this time can also be extended by law.

As long as the Constitutional Skupshtina shall last as a legislative Skupshtina the Constitutional Committee shall fulfill the duty of the legislative committee.

SECTION 134—After the entering into force of this Constitution there shall remain for the time being the provisional provincial administrations. A provincial Regent shall exercise administration through a chief of department under the direct supervision of the Minister of Internal Affairs, but as the organ of competent Ministers, on the basis of laws and ordinances hitherto prevailing.

Laws passed after the entering into force of this Constitution cannot assign to provincial administrations new duties.

Regarding the progressive transfer of the business of the provincial administrations to the individual Ministries and to the individual departments, according to provisions set forth in the manner foreseen in Section 135, the Council of Ministers shall make decisions in agreement with the provincial Regent concerned.

As long as the provincial administrations shall be prolonged the subordinates of the several Ministries in the provinces are obliged to consult the opinion of the provincial Regent previous to a Ministerial decision for a project of theirs of general character or which bears on the official personnel.

Parties have the right of appeal to the Council of State as a first and last appeal about ad-

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administrative conflicts in which the provisional provincial administration decides. With respect to this duty, whatever is necessary is prepared in the Court of State. An administrative conflict is only between a private or legal person on the one side and an administrative authority on the other; and they arise there where by regulation or decision of an administrative authority the right of a private or legal person is injured contrary to legal provisions. According to this there is no conflict there where it is established by law for the provisional provincial Executive or administrative authority how he shall handle, judge or decide a matter.

SECTION 135—The project of a law about the division of the country into departments and for the establishment of departments (Sections 95 and 98), as also about the transfer of the previous provincial authority to the Ministerial and Departmental Governments (Section 134), the Government must present to the National Skupshtina for adoption within a period of four months. If the National Skupshtina should not act on these laws within a period of three months, the same shall be carried out under the provisions of Section 133 regarding the correlation of legislation and administration in the country; and in so far as these laws shall not be passed in accordance with this rather short method of procedure in the further time of two months, there shall be made by a decree of the King within one month a division of the country together with the apportionment of the provincial administration in the sense of Sections 95 and 98 of the Constitution. This decree can be changed only in a legal manner. If this division of the country should be made, not in accordance with the first nor the second sentence of this section, but in accordance with the third, then there shall be established in Chorvatia and Slavonia four departments.

Likewise, also, if the country be divided by higher decree, according to this section, Tzrna Gora (Montenegro), of 1904, with the region of Boka Kotorska, but without the circuits of Plavje and Bjelopolje shall constitute a department and shall fulfil the functions of a department according to this Constitution.

In accordance with the law about the apportionment of departments, Bosnia and Herzegovina shall be divided into departments within their present bounds, until this shall be enacted by law, the circuits in Bosnia and Herzegovina shall constitute departments. Filling of these departments shall be carried out by decision of the Departmental Skupshtinas of the departments concerned by a majority of two-thirds of the votes cast within the limitations fixed by the third paragraph of Section 63 of the Constitution. Single communes or districts can be separated from their departments and annexed to another department within the present bounds of Bosnia and Herzegovina or outside of them, if their autonomous representatives consent to this by a decision of three-fifths of the votes and the National Skupshtina approves this decision.

The *clivna* (zupanates) shall remain as units of State administration as far as they are not

abolished by law. The law shall regulate their circuit work.

Liquidation of the autonomous circuits shall be carried through in favor of the departments and districts as soon as the departments shall be organized.

SECTION 136—Until the new law about officials foreseen in Section 106 of the Constitution, the present law about the rights and duties of officials shall hold. The new law shall contain the transfers of authority in the whole compass and schedule of the officials of administration and shall be passed at furthest within three years from the entering into force of this Constitution, until which time the list of officials shall be extended and revised.

SECTION 137—The Presidents of the courts and all Judges to whom permanency is guaranteed by the Constitution or the law shall be maintained further in their positions and duties in court. In other regions than the former Kingdom of Serbia, permanency for the several Judges can be instituted within a period of one year from the adoption of this Constitution. In this time the Minister of Justice will form a commission of the Judges of the higher courts for these regions, with whom he shall formulate a decision, for what Judges by name this permanency shall not hold.

The necessary filling of administrative Presidencies and judicial positions shall be done according to the laws which are now being formulated.

Judges, who are appointed or shall be appointed in accordance with the law about the provisional filling of official positions during time of war or according to any other provisional law or decree, must pass their judicial examination within a year and a half after the entering into force of this Constitution. Whoever of them does not do this within the time decreed, shall be at once relieved from judicial duty.

The Court of Cassation in Belgrade, the Hundred Seven in Zagreb, the High Court in Sarajevo, the Great Court in Podgoritsa and the division of the Court of Cassation in Novy Sad shall continue as hitherto until the new establishment of one Court of Cassation for the whole land and shall be regarded as part of the Court of Cassation.

SECTION 138—The publishing—i. e., the circulation—of newspapers and printed matter can be forbidden if they stimulate hatred against the State as a whole, religious or race discord; likewise if they indirectly incite citizens to change the Constitution or the laws of the land by force, merely if it is seen clearly from the title that they thereby aim at such incitement of the citizens. The provisions of Section 13, Paragraph 3, about the enforcement of suppression, apply also here. If express necessity arises these provisions can be annulled by law.

SECTION 139—Until a law shall be passed about privileges in the sense of Section 117 of the Constitution, all privileges assigned until the day of the proclamation of the Constitution shall be reviewed in the manner foreseen in Section 133 of the Constitution. In the privilege for the cutting of State forests the terms

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fixed in the review shall have retroactive force from Dec. 1, 1918.

SECTION 140—When this Constitution shall enter into force the Constitutional Skupshtina called Nov. 28, 1920, shall be transformed into an ordinary legislative Skupshtina with the time of duration provided by the electoral law for the Constitutional Skupshtins.

SECTION 141—Until a new law is passed regarding the election of representatives on the basis of the Constitution, that law shall continue in force on the basis of which the elections were held on Nov. 28, 1920, with whatever changes shall be made in conformity with this Constitution. These changes shall be made in the manner provided in Section 133 of this Constitution and shall have force as soon as they receive the sanction of the King.

The committee can make the necessary changes in time also, which that law prescribes, but besides that it is empowered to prescribe the manner, too, in which shall be made the

apportionment of the mandates to the several candidate lists in proportion to the number of votes.

PART XIV.

Concluding Ordinances

SECTION 142—This Constitution with the transfer of authority shall come into force when the King signs it, but shall take on binding force when it is published in the Official News. From that day all legal provisions which might be contrary to it shall cease to have force.

The President of the Council of Ministers and all the Ministers shall care for the enforcement of this Constitution.

We recommend to our Provisional Ministry for the Constitutional Skupshtina and Unification of the Law that this Constitution be published, and to all the Ministers that they care for its enforcement; we enjoin the authorities then that they act according to it, and one and all that they submit to it.

Source: Howard Webster Wolfe and Arthur Irving Andrews, "The Yugoslav Constitution," Current History (February, 1922), 833-847.

APPENDIX I

Item VI

LAW FOR THE PROTECTION OF THE STATE,

1921

ARTICLE I. The following activities will be considered crimes within the meaning of this law: (1) Writing, printing, publishing, or distributing books, papers, notices which are of such a nature as to excite hatred of the state or to cause violent demonstrations against the institutions of state prescribed in the Constitution, or to menace the public peace and order; also all anarchist propaganda by the spoken word, or any attempt to convince others that the crime of violence or any form of terrorism is the best means of changing the political or economic structure; (2) the organization, or support of, or membership in, a society which has as its purpose propaganda for communism, anarchism, terrorism, or any of the activities mentioned above; (3) the renting or transfer in any form of buildings or rooms for meetings of persons concerned in preparation or work for any of the purposes mentioned above, if the owner knows the purpose of the renter, or if, after discovery of the purpose he does not report it to the authorities; (4) all propaganda intended to cause mutiny, unrest, or discontent among the soldiers, or to keep citizens or soldiers from their military duties, or to sabotage, hinder, or lessen the manufacture, repair, or transport of military material or provisions, and in general all antimilitarist propaganda; (5) all relations with persons or groups abroad who purpose aid or support of the preparation of a revolution in this country or of any of the activities named above; and all support by persons in the territory of our kingdom of persons or groups abroad which work against public order in our state; (6) all manufacture or assemblage of arms, tools, machines, and explosives for the execution of the purposes mentioned above, and their concealment.

ARTICLE 2. Such activities shall be punished by death or by imprisonment in the House of Correction up to twenty years, and in lighter cases by short imprisonment and loss of civil rights. In such cases the court may set fines of from one to ten thousand dinars. The corpora delicti will be confiscated. In urgent cases house searches may be made at night.

ARTICLE 3. (1) In order to safeguard and assure the extirpation of those prosecuted by the courts, the demolition of peasant houses standing alone may be ordered in regions or communities in which such individuals appear, or conceal, or maintain themselves. Before such measures are taken, however, the political or judicial office concerned is required to give the population of the village fifteen days' notice. If within this period the person sought by the court

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has not been arrested, or has not surrendered himself or been killed. The demolition may follow. (2) Relatives of the individual sought by the court, to the fourth degree of direct or collateral lineage, will be deported to other districts, as will inhabitants of houses against whom there is reasonable suspicion that they have concealed arms, munitions, or an armed person sought by justice, or any criminal. (3) If deportation of such relatives or of inhabitants of suspicious houses does not prove sufficient to obtain delivery or destruction of those sought by justice, and if it appears that the entire village or a settlement supports the person sought by justice the inhabitants of the entire village or settlement will be driven from their homes. Such a decision should be brought to the attention of the Minister of the Interior by the local commander within three days, and the decision becomes valid upon obtaining his approval. Other loyal citizens may be settled in the houses and possessions of those thus deported after other places have been found, in agreement with the Minister of the Interior, for those deported. Persons thus removed from their homes may return only after permission has been granted them by the Minister of the Interior, and then only if there is no danger to public law and order. Whoever shall return to his home without such permission shall be punished by one year imprisonment and shall be returned to the place assigned him.

ARTICLE 4. Concealment of armed persons and of persons sought by justice shall be punished by not more than ten years' imprisonment and by a fine of not more than 10,000 dinars.

ARTICLE 5. In regions where the inadmissible custom of blood revenge persists, and where murder is done or attempted by a child or minor, if it is impossible to prove the joint guilt of others, the child's or minor's father or his male relative to the fourth degree of direct or collateral lineage may be punished by from one to ten years' imprisonment if there is reason to believe that the minor committed the deed because of improper attention of the aforementioned relative.

ARTICLE 6. The state police authorities may ask military forces of the nearest military commandant if their own forces are inadequate to maintain order.

ARTICLE 7. The population of villages or districts to which military forces are sent for the maintenance of order are obligated to receive and feed the soldiers in their houses and at their cost to the limit of their resources.

ARTICLE 8. All other expenses arising out of the disposal of the military force are to be borne by the population; but if order is rapidly restored they will be freed from the payment of these expenses, which will be borne by the state treasury, and those articles which had already been given to the military forces will be restored to them. Persons convicted for actions which caused the use of military force are liable for the expense caused to the state and the population by the calling in of the army. Upon the request of the Minister of Home Affairs, the Minister of the Army and Navy will allow a sufficient number of soldiers to enter the gendarmerie and to serve their terms in that body.

Item VI Cont.

ARTICLE 9. Drunkards and others who cannot prove that they have an honorable means of subsistence may be punished with not more than three months' imprisonment; if vagabonds prove to be morally inferior they may, after serving their term of imprisonment, be transferred to a compulsory labor institution. Vagabonds of minor age thus seized may be sent to institutions up to their twenty-fourth year without legal punishment.

(ARTICLES 10 to 13 treat of the illegal use of explosive material, involving imprisonment of at least five years, and if many persons are thereby endangered, of at least ten years.)

ARTICLE 14. Whoever carries firearms without official permission or conceals them in his house shall be imprisoned for not more than one year.

ARTICLE 15. Whoever violates the regulations regarding the manufacture, importation, and sale of powder shall be further punished by a fine of from 10,000 to 100,000 dinars. The court may also impose this fine in cases under Article 14.

ARTICLE 16. Civil or military officials of the state of autonomous administrations in so far as they exercise state functions, who individually or collectively interrupt their work for the purpose of a strike shall be punished by imprisonment, and their immediate chiefs shall also be punished by a fine of not more than 15,000 dinars.

ARTICLE 17. If persons who are not forbidden to strike seek to disturb other persons in their work, they shall be punished by not more than six months' imprisonment and also with the penalties prescribed for the maintenance of the public order. If such persons do not immediately obey official order to leave places where they have improperly assembled, they shall be punished by not more than one year's imprisonment and by a fine not to exceed 3,000 dinars.

ARTICLE 18. No member of the Communist Party or of any organization forbidden by this law, may fulfill a public post or function; he may not become a deputy or representative of any autonomous body. This applies also to officials of private institutions which enjoy special privileges from the state. Persons now occupying such positions will when this law comes into effect be removed from such positions. Officials thus removed may protest to the State Council but the protest does not delay their removal.

ARTICLE 19. Whoever shall in any public meeting in an open or closed hall, or anywhere else, wear or display any sign, flag, or inscription as a protest against the organized state power or as a sign of challenge in order to influence public opinion to believe that the present system is bad and should be replaced by another by means of revolution, by abolition of private property, or by disturbance of the public peace shall be punished by imprisonment or by fine not to exceed 50,000 dinars or both.

ARTICLE 20. Participation in manifestations such as described in the preceding paragraph shall be punished by imprisonment not to exceed one year, and a fine not to exceed 3,000 dinars, or both.

ARTICLE 21. If the proper authorities have forbidden a manifestation contrary to the interest of the state, all who

participate in such a manifestation or who do not obey on order to disperse, shall be punished by imprisonment; leaders and unruly persons shall further suffer a fine not to exceed 5,000 dinars.

ARTICLE 22. If the administrative authorities determine that an organization or a trade union has altered its legally permissible purposes and is beginning secretly or publicly to concern itself with impermissible or legal activities, such organization shall be dissolved by the authorities. Within three days the legal representatives of the organization may protest the decree of dissolution to the lower court; the authorities may appeal the decision of that court to the Court of Appeals. The legal representative of a dissolved organization shall be punished for their improper activities by arrest and by fine not to exceed 5,000 dinars in so far as no more serious action impends.

ARTICLE 23. (repeals the provincial laws conflicting with the present law.)

ARTICLE 24. If a person pursued in connection with the Press Law is asked to a hearing, and nevertheless hides or flees or remains three days out of his dwelling, and if this be officially confirmed, then the decisions of the court shall be posted upon the door of his house and shall thereupon become legally valid.

ARTICLE 25. (Repeals those provisions of the Serbian Press Law which conflict with the preceding article.)

ARTICLE 26. The courts shall decide according to their judicial judgment all questions concerning the penalties inflicted in proceedings in connection with this law. If the court shall find grounds for moderating the punishment, imprisonment in the House of Correction may be modified to mere imprisonment.

ARTICLE 27. All provisions of the general criminal code and all other criminal laws, including the Press Law and the Coalition Law, which conflict with this law, are abrogated for the period of validity of this law.

Source: "Repression in the Jugoslav State," Nation, CXIII (October 12, 1921), 403-404. Originally translated from the Wien Arbeiterzeitung, August 2, 1921.

APPENDIX II

Item I

STJEPAN RADIC'S STATEMENT TO THE PRAGUE PRESS, APRIL 1921

The following interview which appeared in the Cas, of Prague serves to illustrate a definite statement of Radic's policy:

We recognize the union of Yugo-Slavia and herein we differ from the Frankovatzki Party. This union is our definite goal, and we do not wish to destroy it. Our dispute with Serbia is an internal affair, and is not of an international character. The Serbs and Croats are indeed a racial unit, but they are not one people. In the future we may become one people, but we are not at present. We shall not act against Serbia, but we do not wish to be amalgamated with Serbia; we wish to stand beside Serbia. The question is whether or not Serbia will subjugate Croatia. We do not fear this struggle, for we are the stronger.

The Croats want a Republic, and in this matter we wish to come to an understanding with Serbia. Serbia could continue as a monarchy; the Prince Regent Alexander can remain King of Serbia, but he might at the same time, be head of a Yugo-Slav Federation. We have nothing against him, and we shall not settle our dispute with Serbia by means of a revolution. Revolution is war, and we are opposed to wars. For this reason I am equally opposed to a peasant revolution. If a revolution broke out in Croatia it would be against my will, and the responsibility would rest with the people and not with me. I am also opposed to revolution because we have no arms. If foreigners were to supply arms it would involve obligations on our part, and in that case we should be fighting for foreign interests. All reports, therefore, about revolution are incorrect.

We shall probably not go to the Constituent Assembly. I propose that the constitution be voted by a qualified majority composed of separate majorities: Serb, Croatian, and Slovene. But it seems that Belgrade does not accept my proposal. If the Constituent Assembly passes M. Pashich's draft constitution, we shall not, of course, recognize it, but we shall make use of it and shall submit to it. We shall wait till the next elections, and then it will be seen whether we have on our side a majority not only of Croats, but also of Slovenes and Serbs. And then we shall alter the constitution in accordance with our wishes. Granted that we are carrying on a struggle against Serbia, it is by deliberate intention that we do not pay taxes. I always say to my peasants: 'Only pay up when the authorities compel you by

Item I Cont.

selling your goods; do not give a farthing of your own free will.' The result has been that in Croatia only one-twentieth of the taxes have been paid. I am the instrument of the people's will, I do nothing to alienate the sympathies of the people. We have left it to the people to decide for themselves in internal affairs; only the foreign policy of my party has been confided to me. In this connection my programme is to advocate the alliance of all Slavs with the Germans in place of the Franco-British alliance.

Source: "The Croats and Yugo-Slavia," American Review of Reviews, LXV, No. 165 (June, 1921), 837-838.

APPENDIX II

Item II

CROAT UNION PROTESTS

The protest of the Croat Union was published in the Freies Heim, Zagreb on November 27, 1924. Originally composed in a tabulated form, it reads as follows in translation:

1. Since its establishment the Croat Union has stood upon the principle of the sovereignty of the people. This republican principle is the basis of modern democracy, which declares that the people create the state and that the power of the state is the product of the people's will that the people are the sources of all political authority, and that the power of the state is fully justified only when it is established by the people; the people alone have the right to make the supreme decisions in the state, and no one can exercise the power of the state without a mandate from the people.

This principle of the sovereignty of the people has been expressed by the Croat Union in all its declarations and manifestations, in accordance with the general will of the Croat people, even in the decision of the Croatian parliament of October 29, 1918, which authorized the constituent assembly to make the sovereign decision upon the composition and form of the state.

2. Maintaining this principle but taking account of the form of the kingdom of Serbia with which Croatia was establishing a new relationship, the Croat Union was ready to adopt the following position: Without touching the principle of the people's sovereignty, to create a democratic (which really means a republican) federated state in the form of a monarchy under the dynasty of the kingdom of Serbia.

Upon the assumption that this could be realized as soon as the functions which the people intrusted to the king had been defined and limited by the constitution, and inspired by the example of the democratic spirit of many other progressive European constitutional monarchies, the Croat Union was inclined to accept such a state with an hereditary king as the form of expression of the people's will.

3. Yet the experiences of the last six years, especially recent experiences, convincingly demonstrate that the present-day monarchy does not give the people's will effective expression. If one desires such expression compromises must be abandoned and the democratic principle must be given its formal expression in a republican form of government. That is the conviction today of the Croat Union, which has therefore decided formally to declare for a republican form of government. A short factual summary of past events will justify this conviction.

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4. Even the first so-called parliament, the provisional "People's Assembly," which was artificially formed without an election, demonstrated the possibility of imposing a centralized state system and showed that a democratic regime was still far removed. Through use of the administrative power new types of law were imposed upon the people, the existing laws were changed, and international treaties were ratified in such manner that national territories and national property were disposed of in the name of the people and assumed international importance without the consultation or knowledge of the people. Even in the pretenses of the necessities and difficulties of creating a new state; the true intention to subordinate the people made itself obvious.

5. With the creation of the present constitution, commonly known as the Vidovdan constitution, came an energetic attempt to impose upon the people a definite constitutional situation which took no account of the people as the bearer of the law and the power in the state. Sovereign power was in fact taken from the constituent assembly and a situation was created which made it dangerously easy to force the consent of the assembly. In this fashion the so-called Constitution-Parliament was established which was to vote only upon the constitution which expressed the will of those then in power. Against such an attack upon the sovereignty of the people the elected representatives of the Croats protested vigorously.

6. When even these machinations proved insufficient the most extreme terroristic means were for six months utilized against the representatives of the people, and enough votes were brought to assure an absolute majority. On June 28, 1921, on the day of the Vidovdan catastrophe of the Serbian people, the present constitution was imposed upon the Croat and Slovene peoples despite authoritative promises by the Kingdom of Serbia that the constitution would be adopted only by a qualified majority and without compulsion or oppression.

7. The experience of this constitution has demonstrated to us that this fundamental law was not created with the intention of giving the state a constitutional regime under the protection of a ruler who would be the first to honor and preserve it. Rather it was the intention thus to make it possible to centralize the entire power of the state in Belgrade and secretly to give the trustees of the state power over the people, their property, their life, and their fate.

8. It is therefore no wonder that such a constitution has had desolating results, progressively destroying national achievements in the field of law, politics, culture, and economics, and that it has created the conviction abroad that a state so ruled deserves neither confidence nor respect. In such circumstances it is difficult to speak without irony of parliamentarism, constitutionality, or civic freedom; and the administration, rotten with corruption, is destroying itself by its own lawlessness, stupidity, and anarchy. Furthermore, personal freedom is so threatened that there have been repeated cases of political attacks upon the life and freedom of

Item II Cont.

individuals; there have even been massacres (for instance, in Bjelopolje, Mitrovica, and Pristina). Recently an attempt was made at night upon the life of a deputy while he was in the hands of the police, who were escorting him to prison despite his parliamentary immunity upon the pretense that they could not read his parliamentary papers. This was the engineer August Kosutich, who was attacked at Kastel in Dalmatia.

9. Despite certain passages in the Vidovdan constitution according to which this is a constitutional parliamentary state, other provisions of the same document largely revoke its legislative powers and make its control over the state illusory. So the parliament becomes a fiction and an illusion. And since this parliament was insufficiently subordinate and showed a desire to resume its legal attributes and control the activity of the state, it was thus treated.

10. The Serbian Radical Party (which, despite the fact that it masks itself under the name of the Party of the Serbs, Croats, and Slovenes, is an eminently pan-Slavic Serbian socialist party) desired in December, 1922, to strengthen its position by new elections because it was in a minority in parliament. These elections it wished to carry out in its own fashion using its familiar method. At the election of March 18, 1923, the Government did succeed in increasing the number of deputies of the Radical Party, but the total was only 107 in a parliament of 312. Even this result, which was largely due to reckless utilization of the power of the state for party ends, and to distortion of electoral arithmetic, fails to correspond to the number of votes which this party, rightly or wrongly, received. Upon a proportional basis, the party would have had only 82 instead of 107 deputies.

11. Thus the people expressed their lack of confidence in this party which fought the election—and failed to receive a majority—under the slogan "Preservation and execution of the Vidovdan constitution." Yet by using its power through all sorts of intrigues and pressure it succeeded in retaining the reins of government, treating parliament as an unauthoritative institution which was nevertheless unavoidable in the present democratic atmosphere.

12. In the spring of 1924 an important change occurred in parliament. A few thinking and just Serbian patriots headed by Ljuba Davidovich began to see that this destruction of the people's life would finally lead to reaction and ruin even of the Serbian people in their own territory, and so they decided to begin the task of saving the people. They therefore turned to the idea of an honorable entente cordiale.

13. The representatives of the Croatian people, supported by those of the Slovenes, had always expressed this idea but got no response. When this appeal came from Serbia, despite the fact that it did not yet go far enough, the Croatian Peasant Republican Party (which in the elections of 1923, had carried not only Croatia but also Dalmatia, Bosnia, and Herzegovina) abandoned its previous policy of staying away from the Belgrade parliament (which it had followed so long as there was no offer from the Serbs of an entente cordiale) and for the first time entered parliament to cooperate

Item II Cont.

in its work.

The inevitable result of this step was that the Radical Government under the leadership of Nicola Pachich was put in the minority and had to resign.

14. Then the Pachich Government with the help of irresponsible elements which seems to have gained a decisive influence in the monarchy, sought by underground machinations and intrigues to frustrate the verification of the mandates of the Croatian deputies.

15. When this failed, Nicola Pachich, as leader of the Radical Party, demanded that he be given a mandate to form a coalition Government with Svetozar Pribicevich. Since this demand could not be met at once on account of public opinion Nicola Pachich announced at a meeting in Bjieljina that he was determined to carry through his policy by any means, even by bloodshed. Referring to the solution of the crisis, he said: 'We then asked the king to permit us to ask the people whether they wished this state preserved as it was or changed. Only the people have the right to decide that. The king took oath that he would rule according to the will of the people, not according to the will of individual parties . . . We do not know what the king will decide but the Radical Party will not give up its intention to keep this state as it is and I hope that it will be able to force those who oppose the people's will into obedience.'

Nicola Pachich's hint and threat, in posing as the protector of the state as it is, is plain.

16. Nicola Pachich did not immediately receive a mandate to call an election; he was asked to form a new Government which, even with the support of Svetozar Pribicevich's group, did not have a majority in parliament.

This Government was able to keep parliament closed, knowing that parliament would vote a lack of confidence. Parliament's regular activity was suspended until October 20 when, according to the precise instruction of the Vidovdan constitution, it was to resume its regular activity. This was a violation of the constitution and a coup d'etat; it aroused bitter resentment even in all parts of Serbia. Thus an absolutist Government opposed to parliament, ruling unsupervised and without responsibility, was inaugurated.

17. The opposition, which had a strong and compact majority, did not submit. It proposed, upon the basis of the constitution, that parliament be called into an extraordinary session, especially since certain urgent questions of a social and humanitarian nature for the benefit of the suffering poor needed attention.

18. It was difficult simply to refuse such a proposal based upon the constitution, so a different temporary escape was found. The composition of a working Government was intrusted to the leader of the opposition, Ljuba Davidovich, and this was formed on July 27 with the program of freeing the administration of corruption and preparing the way for an entente cordiale of Serbs, Croats, and Slovenes. Those are the two most important questions for the

settlement and consolidation of conditions in the state.

19. The new Government called parliament together in extraordinary session, worked out a few urgent laws, especially the invalid law and the law against corruption, and won a vote of confidence. A few concrete complaints were brought before parliament with the request that some of the ministers of the Pashich Cabinet should be indicted for dishonorable acts, to prove which concrete data was submitted.

The Croat deputies who expressed their confidence in the Government were prepared to enter it and to accept direct responsibility even under the king although they belonged to a strict republican party.

20. The people breathed more freely, for it seemed that with this political change times would become more endurable. When October 20 drew near, however, the Davidovich Government, although it had the unlimited confidence of the majority, was asked to resign in a manner which is clear in the published text of the resignation:

'Since Your Majesty has expressed the necessity of my resigning in the interest of a continuation of our policy of peace, order, law, attack on corruption, an entente cordiale of Serbs, Croats, and Slovenes, I take the liberty of submitting my resignation.'

Ljuba Davidovich himself recently told a gathering that his Government was systematically hindered in its activity, and that government decrees were held up for weeks. Since the public had no suspicion what was happening an attempt was made to compromise the Davidovich Government which had the people's confidence. Davidovich has openly stated that his Government, which was formed on July 27, felt as early as July 28 that it would be forced to resign. The intrigue was carried by means of false reports which some of the general were asked to submit.

21. This proceeding brought Nicola Pashich back to power for the period of the elections in a Government composed of the Radical Party and the friends of Svetozar Pribicevich. This Government is the embodiment of reaction, ready to use any means to achieve its goals. It is characteristic of the constitutionality and parliamentarism of the period that in the entire six years not one government has been changed because of an insufficient parliamentary majority. Every government has been formed in extra-parliamentary ways.

New elections are set for February 8, 1925, in order to create an artificial parliamentary majority that will blindly follow the present holders of power.

The first attempt to establish a government on the basis of an entente cordiale between the national groups was brutally defeated. Those ministers who were accused of corruption and dishonor have been freed from indictment and they may now cry jubilantly that 'evil spreads over the earth.'

22. A regime of violence and corruption which has proven its complete administrative incapacity is now oppressing all parts of the country, but it is especially hostile to the Croatian people. Our cultural, social, and economic institutions are deliberately destroyed. Civil officials are mercilessly persecuted. The existence of autonomous administrative units has almost been

Item II Cont.

destroyed and government commissars are administering rural communes. Business has become the prey of crooks and conscienceless exploiters. The development and existence of the Croatian people, in their domestic and foreign relations, are threatened; they haven no influence over their own fate.

Thus the Croatian people are forced to work with might and main to become master in their own land. They have proved that they are ready to work peacefully with the true sons of Serbia for the freedom of all and the common good.

Conscious of its duty to the Croatian people, aware of the meaning of public events of the last six years, and standing upon the democratic principle of the sovereignty of the people the Croat Union regards it as an absolute political necessity to accept the republican ideas as expressed by the Croatian deputies and in the above resolution.

Source: "The Croat Union Protests," Nation, CXX, No. 3108 (January 28, 1925), 102-104.

APPENDIX II

Item III

SPEECH OF PAUL RADIC, MARCH 27, 1925

On March 27, 1925, Paul Radic delivered a formal declaration of policy before the Skupstina at Belgrade that marked an important turning point in the Serbo-Croat dispute. The more important passages of this historic statement have been translated and paraphrased by H. F. Armstrong below:

It is necessary to recall what we Croats were under the old Austro-Hungarian monarchy. We were often more or less submerged. We had continually to fight for our own laws, our customs, institutions, and autonomy, but we were never simply slaves. For one thousand years our Croatian juridic system has been maintained. Then we aimed at independence; now we aim at equality with our brethren in this same independence which has been gained. Belgrade of today does not stand to us in the same relation as Vienna of yesterday. Here we feel ourselves in our own houses. . . Our republicanism does not force us to demand any particular form of government. We want the substance rather than the shadow. The opposition bloc took form at a moment when we realized that the idea of a national accord was understood in Serbia. . . However, at this moment the constitution of Vidovdan rules. We recognize this fact as we recognize the dynasty of Karageorgevich. We simply desire that our system evolve little by little along normal ways toward certain adjustments of differences due to the existence of the Croat and Slovene minorities. Our ethnic unity is incontestable, but our past history with its consequences has created three national consciences with three different names for the three divisions of our people. We are forced by natural circumstances to join our forces. We must so work that out of this material unity a spiritual one will be evolved which will make us solid and substantial on the basis of our present state.

Nothing is eternal in this world and nothing is perfect. We must have a constitution, and no one will affirm that the constitution of Vidovdan is an eternal and lasting one, and not subject to change. Reference has been made to our long abstention from participation in the government. Gentlemen, if it took two years to get us into this predicament it will surely take time to get us out of it and to a proper understanding. We are beginning to be understood in Serbia. We earnestly desire a fraternal accord. . . It must be remembered that at that time the authorities practically put no restraint on communist

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propaganda, which continued to strike with violence on our political activity. . . We have always had a fight on two fronts- on the one hand, against the centralist forces; on the other, against the extremists. . . .

Concerning our relations with the Peasant International, Mr. Maximovich has read innumerable documents which I will not analyze judicially because I am not a lawyer, but which I will simply comment on from the point of view of common sense. This mass of evidence consists almost exclusively of letters addressed to Mr. Stephen Radich and to our party, but there is practically nothing from us whatever they wish, but that they do so does not involve our approval or consent. Two capital factors must be accentuated. The first one is that we did not designate an official representative to the Peasant International, as we had been invited to do. The second is that our Central Committee has made no definite decision as to the adhesion to the Peasant International. When our Central Committee can meet it will take the necessary steps to establish positively that we have no relations with the Peasant International.

We recognize integrally the situation created by the constitution of Vidovdan, with the dynasty of the Karageorgevich. . . . We recognize that any modifications in the existing condition of things must be made by a revision of the constitution, effected in fraternal accord by Serbs, Croats, and Slovenes. We have never fought against the state as such or against its interest. The resistance of the population to certain conditions to which I shall make allusion has been unjustly qualified as being anti-state. The conditions which existed on the eve during and after the elections can only create discord and ultimately be fatal to our state. As earnest believers in its future we will contribute all in our power to insure the collaboration of the Croat population in honest good faith for the consolidation of the state- a collaboration which can only be realized on a basis of absolute equality. If this consolidation cannot come after we enter into Parliament, and after we have adhered without reserve to the program read by Mr. Davidovich, the general policy of the Croat people will be forced to change and we shall be powerless to help it; we shall lose direction of the political situation.

As our political organization has existed for twenty years we have experience, power, and moral authority sufficient to guarantee the integral consent of our electorate to any accord which will demonstrate respect for the law and for the will of the people. We do not fear that we shall be reproached with having surrendered. Bad faith may perhaps be charged against us by such journals as the Balkan, but during the last electoral campaign we showed under the most difficult conditions that we will not be broken and that we cannot be made to flinch. More than that, we are willing that it be said that we have given way, because if we do so it is a concession to our own Serbian brothers and for the good of our common future.

With regard to the Peasant International of Moscow, all information coming from foreign sources, English, American, and French, can only confirm our point of view, which is that it has nothing in common with the Comintern, that is to say, with the Communist International. Still less is it an organization belonging to the latter. Independently of this fact, and of the fact that

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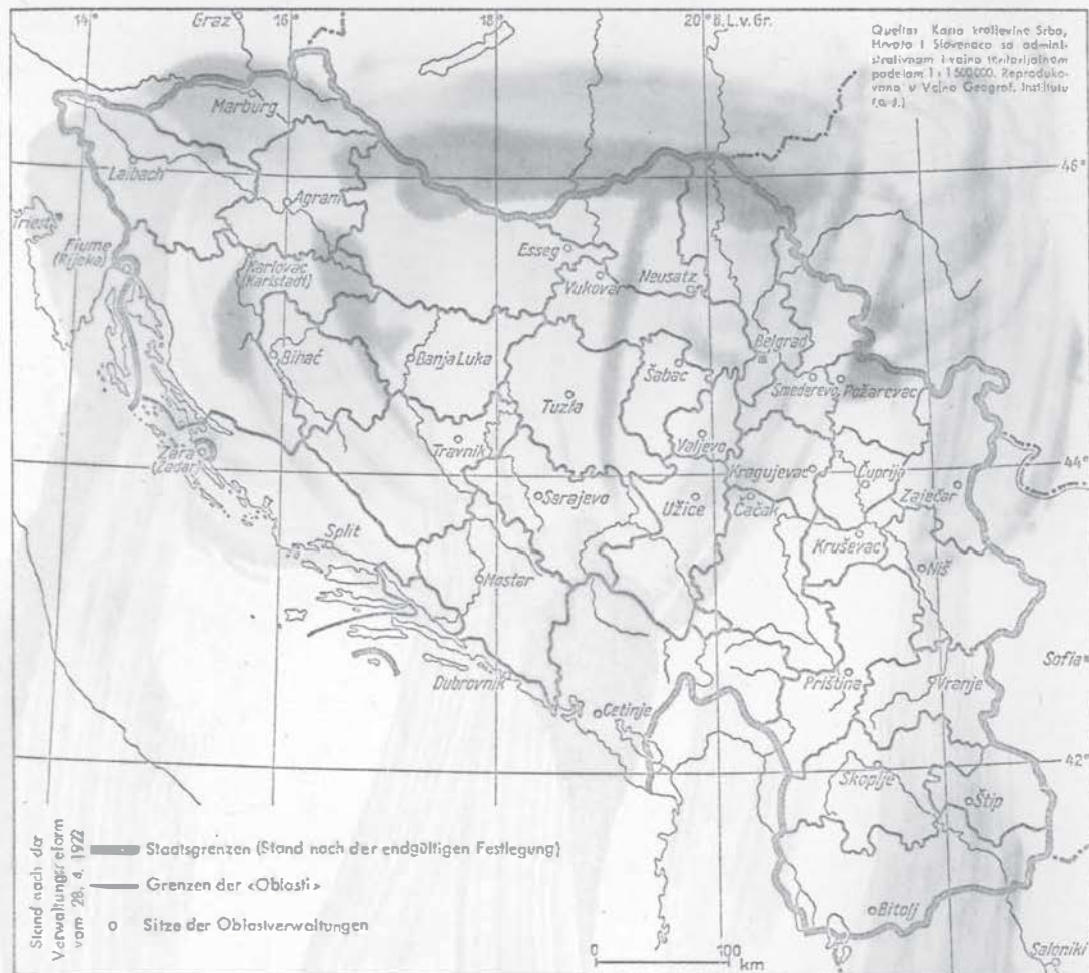
the Croat Peasant Party has not yet adhered definitely to the Peasant International, I declare now that we have taken no engagement and that we have no relations with this Peasant International, and our Central Committee will officially establish this fact at its first meeting. On August 3, 1924, our parliamentary group took up the report of its president, in which he stated that the Croat Peasant Party should join the Peasant International on the condition that it would maintain integrally its own program and tactics. He stressed the fact that he only saw in this the establishment of relations between the Russian people and the Croat people, and that this Peasant International is nothing more than the continuation of the Peasant Pan-Russian Federation founded in 1899 and which in 1904 had thirty million members. The acceptance of this motion to join was simply the expression of the confidence of the group in its president, on whom it absolutely relied.

According to our program the obligation to defend the country ceases only with death. For that reason we consider a good army a national necessity. We do, however, desire to attain in a constitutional manner a reduction of military service and a diminution in the number of military organizations. We believe that military service should include the execution of useful public works, with a view to relieving the people of unnecessary expense.

Source: Hamilton Fish Armstrong, "The Serbo-Croat Dispute," Nation, CXXI, No. 3132 (July 15, 1926), 101-102.

APPENDIX III

Item I

COMPARATIVE STUDY: GEOGRAPHICAL REVIEW OF THE ADMINISTRATIVE
DIVISIONS OF 1922 AND 1929MAP 1. Kingdom of the Serbs, Croats and Slovenes: Administrative
Divisions of 1922

Entwurf: Hans Schwalm

Vb. DIE VERWALTUNGSEINTEILUNG AUF GRUND DER REFORM VOM 28. 4. 1922

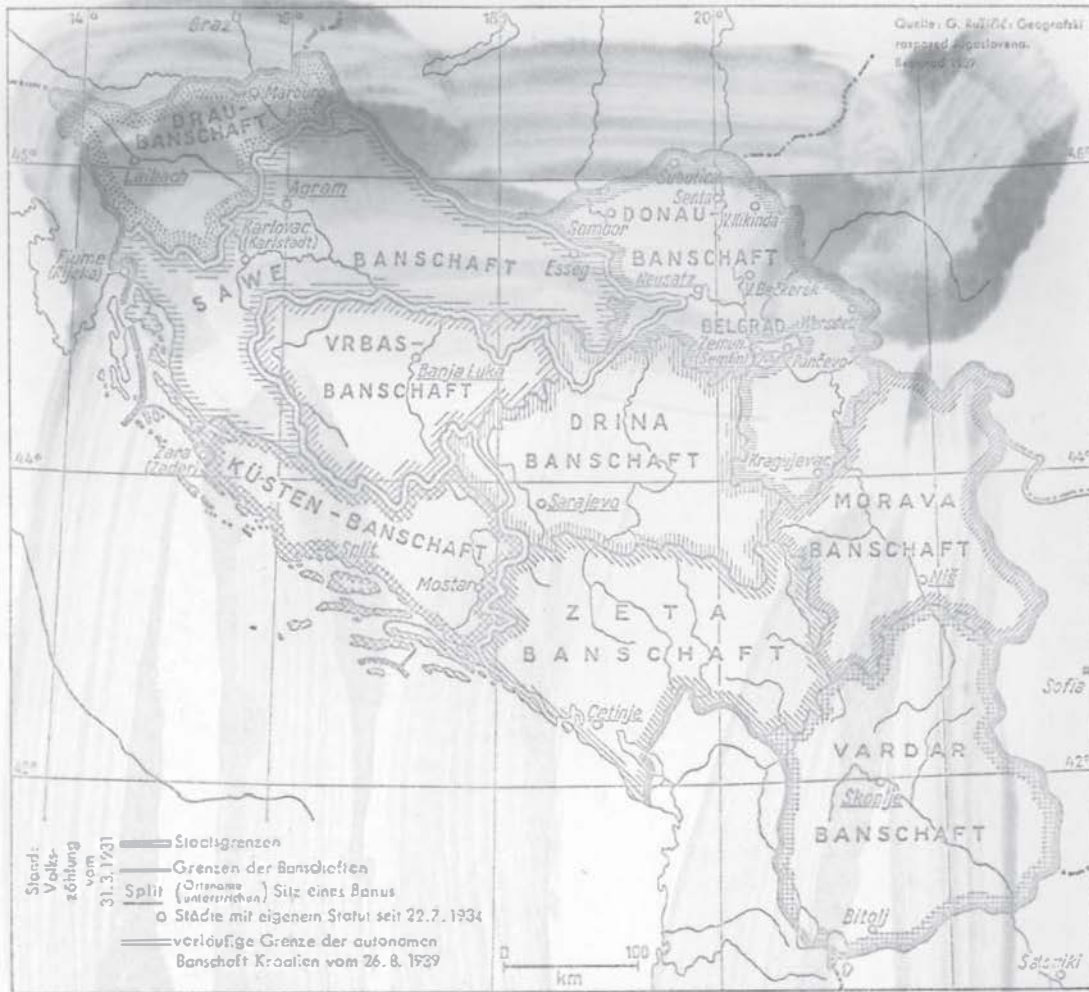
Die in Durchf hrung der Bestimmungen der „Vidovdan-Verfassung“ vom 28. Juni 1921 beschlossene Verwaltungsreform vom 28. April 1922 (erst ab 1924 stufenweise in Kraft gesetzt) war eine ausgesprochen zentralistische Neuordnung nach franz sischem Vorbild. Die bisherigen Prokrajine wurden aufgel st. Aus den  berkommenen „Okruzi“ und „Zupanje“ wurden 33 „Oblasti“ neu gebildet und der Zentralregierung in Belgrad direkt unterstellt. Zwei Zielsetzungen dieser Neueinteilung des Staatsgebiets sind unverkennbar: die Zerschlagung der historischen L nder, an die sich die Autonomiebestrebungen der nichtserbischen Staatsv lker und der f deralistisch eingestellten Oppositionsparteien kn pfen, und die Aufteilung der Siedlungsgebiete der nationalen Minderheiten auf serbische Kern- und Mehrheitsgebiete.

Zwar wurden bei der Neubildung der Oblasti — mit bezeichnenden Ausnahmen in Montenegro und in der Vojvodina — die Grenzen der historischen Landesteile nicht verwischt — wie sp ter bei der Reform von 1929 —; aber in der Aufteilung z. B. Sloweniens in 2, Kroatien-Slawoniens in 4, Dalmatiens in 2 usw., wird die Absicht der Reform offenbar. W hrend in den inner-serbischen Gebieten die alten Okruzi unver ndert als neue Oblasti weiterbestanden, wurden in den deutsch, rum n, bulgar. und alban. durchsetzten Randgebieten gro e neue Oblasti derart gebildet, da  jeweils Teile dieser st rker von Fremden Volksgruppen bewohnten Landschaften mit serbischen Gebieten zu teilweise ganz unorganisch gestellten neuen Bezirken verkn pft wurden. Charakteristisch war dabei die Dreiteilung der Vojvodine, wobei das Theisgebiet mit Belgrad zusammengeschlossen und so Verwaltungseinheiten mit serbischem  bergewicht gebildet wurden. Ebenso augenf llig ist die vierfache Aufteilung des albanischen Siedlungsgebietes in Kosovo-Metohija auf die gro en Oblasti Zeta (Cetinje), Ra ka (Ca ak), Kosovo (Pri tina) und Skopje.  hnliches gilt f r Neubildungen an der Ostgrenze.

H. S.

Item I Cont.

MAP 2. Kingdom of Yugoslavia: Administrative Divisions of 1929



V c. DIE VERWALTUNGSEINTEILUNG DES KÖNIGREICHS JUGOSLAWIEN
AUF GRUND DER REFORM VOM 3. 10. 1929
(Stand: 31. 3. 1931)

Die autonome Banschaft Kroatien nach dem „Sporazum“ vom 26. 8. 1939

Die Verwaltungsreform vom 3. Okt. 1929 (in Kraft getreten 1931) sollte im Zusammenhang mit den Plänen König Alexanders, eine straffere zentralistische Staatsverwaltung zu erreichen, die Fehler der Neugliederung von 1922, die wegen der vielen kleinen Bezirke unübersichtlich und kostspielig war und mangels geeigneter Fachkräfte nicht funktionierte, durch Zusammenfassung in größere Einheiten überwinden. Es wurden 9 Banschaften und eine *Präfektur Groß-Belgrad* gebildet, die der Zentralregierung unmittelbar unterstellt waren.

Die neuen Banschaften wurden unter Mißachtung geschichtlicher Grenzen und volklich-nationaler und stammlicher Verhältnisse abgegrenzt. Durch Zerreißung aller Zusammenhänge und neue Zusammenfassung in „anhistorische“ straff zentralisierte Verwaltungseinheiten sollten die föderalistischen Bestrebungen und Kräfte, insbesondere die der Kroaten, gebannt werden. Hiervon machte bezeichnenderweise nur Slowenien eine Ausnahme, das in der Drau-Banschaft vereinigt blieb. Wirtschaftliche Gegebenheiten blieben unberücksichtigt. Die Banschaften waren so geschnitten, daß in 7 von 10 eine Mehrheit serbischen Volkstums bestand. So wurden z. B. die Vojvodina und Syrmien mit Teilen der serbischen Sumadija zur Donau-Banschaft vereinigt.

Die im „Sporazum“ vom 26. Aug. 1939 aus den Banschaften Sawa und Küstenland und einigen Bezirken der Nachbarbanschaften gebildete „Autonome Banschaft Kroatien“ vereinigte keineswegs alle Kroaten in ihren Grenzen und schloß andererseits serbisches Siedlungsgebiet ein.

H. S.

Source: Werner Maerkert, Osteuropa-Handbuch: Jugoslawien (Köln/
Graz: Bohlau-Verlag, 1954), pp. 86-87.

APPENDIX III

Item II

THE CONSTITUTION OF 1931 IN ITS ORIGINAL FORM

The following text of the constitution, found in the Službeni List, is in cyrillic.

УСТАВНИ ЦЕЛ

427.

MI

АЛЕКСАНДАР I

по милости Божјој и вољи Народној

КРАЉ ЈУГОСЛАВИЈЕ

прописујемо и проглашујемо

УСТАВ
КРАЉЕВИНЕ ЈУГОСЛАВИЈЕ

који гласи:

ОДЕЉАК I

Опште одредбе

Члан 1.

Краљевина Југославија је наследна и уставна монархија.

Члан 2.

Грб је Краљевине двоглави Бели Орао у полету, на црвеном штиту. Врх обе главе Двоглавог Белог Орла стоји Круна Краљевине. На прсима Орла је штит, на коме су: бео крст на црвеном штиту са по једним огњилом у сваком краку, поред њега штит са 25 поља црвених и сребрнатих наизменице а испод њих плави штит са три златне шестокраке звезде и бели полумесец.

Државна застава је плаво-бело-црвена тробојка у подоравном положају према усправном копљу.

Члан 3.

Службени језик Краљевине је српско-хрватско-словеначки.

ОДЕЉАК II

Основна грађанска права и дужности

Члан 4.

Држављанство је у читавој Краљевини једно. Сви су грађани пред законом једнаки. Сви уживају једнаку заштиту власти.

Не признаје се племство ни титуле, нити каква привилегија по рођењу.

Ујемчава се лична слобода.

Нико не може бити узет на одговор, нити бити притворен, нити иначе ма од кога бити лишен слободе, осим у случајевима које је закон предвидео.

Незаконито лишење слободе је кажњиво.

Члан 6.

Никоме не може судити ненадлежан суд.

Члан 7.

Нико не може бити осуђен док не буде надлежно саслушан или законим начином позван да се брани.

Члан 8.

Казна се може установити само законом и применити једино на дела, за која је закон у напред рекао да ће се том казном казнити.

Члан 9.

Ниједан грађанин не може бити изгнан из државе. Он се не може протерати у земљи из једног места у друго, нити заточити у једном месту, осим у случајевима које је закон изречно предвидео.

Нико се не може, ни у ком случају, протерати из свог завичајног места, без судске пресуде.

Члан 10.

Стан је неповредан.

Власт не може предузети никакво претресање ни истраживање у стану грађана, осим у случајевима које је закон предвидео и начином како је закон прописао.

Незаконита повреда стана кажњива је.

Члан 11.

Ујемчава се слобода вере и савести. Усвојене вероисповести равноправне су пред законом и могу свој верозакон јавно исповедати.

Уживање грађанских и политичких права независно је од исповедања вере. Нико се не може ослободити својих грађанских и војних дужности и обавеза позивајући се на прописе своје вере.

Вере могу бити признате само законом. Усвојене и признате вере самостално уређују своје унутрашње верске послове и управљају својим закладама и фондовима у границама закона.

Нико није дужан да своје верско осведочење јавно исповеда. Нико није дужан да суделује у верозаконим актима, свечаностима, обредима и жељама, осим код државних празника и свеча-

ности и у колико то одреди закон за особе, које су подложне очинској, турској и војној власти.

Усвојене и признате вере могу одржавати везе са својим врховним верским поглаварима и вап граница државе, у колико то траже духовни прописи појединих вероисповести. Начин, како ће се те везе одржавати, регулисаће се законом.

У колико су у државном буџету предвиђени за верозаконе сврхе издаци, имају се делити међу поједине усвојене и признате вероисповести сразмерно броју њихових верних и стварно доказаној потреби.

Верски претставници не смеју употребљавати своју духовну власт преко верских богомоља или преко написа верског карактера или иначе при вршењу своје званичне дужности у партиске сврхе.

Исто тако ником није допуштено да у богомољама или приликом верских скупова и манифестација у опште врши ма какву политичку агитацију.

Члан 12.

Свакоме је слободно, у границама закона, изразити своје мишљење путем речи, живе или писане, сликама и другим сходним средствима.

Члан 13.

Грађани имају право удруживања, збора и договора у границама закона. Не може бити удруживања на верској или племенској или регионалној основи у партиско-политичке сврхе као ни у сврхе физичког васпитања.

На зборове се не може долазити под оружјем.

Члан 14.

Грађани имају право молбе. Молбу може потписати један или више њих, као и сва правна лица. Молбе се могу подносити свима властима без разлике.

Члан 15.

Наука и уметност су слободне.

Члан 16.

Поред државних јавних школа могу постојати и приватне у границама закона.

Основно школовање је обавезно. Оно је у државним основним школама бесплатно.

Све школе морају давати морално васпитање и развијати држављанску свест у духу народног јединства и верске трпеливости.

Све установе за образовање под државним су надзором.

Члан 17.

Неповредна је тајна писама, телеграфских и телефонских саопштења, осим у случају кривичне истраге, мобилности или рата.

Сви они који повреду тајну писама, телеграфских и телефонских саопштења, казниће се по закону.

Члан 18.

Сваки грађанин има право непосредно и без ичијег одобрења тужити суду државне и самоуправне органе за кривична дела, која би ови учинили према њему у службеном ралу.

За министре, судије и војнике под заставом важе нарочите одредбе.

За штете које учине грађанима државин или самоуправни органи незаконитим или неправилним вршењем службе, одговарају пред редовним судом службеник као извршилац и држава, односно самоуправно тело.

Члан 19.

Сва зраца у свима струкама државне службе подједнако су доступни под законитим погодбама, свима држављанима.

Члан 20.

Сваки држављанин узима заштиту државе у страним државама. Сваком је држављанину слободно иступити из држављанства пошто испуни своје обавезе према држави.

Забрањује се издавање својих држављана.

ОДЕЉАК III

Социјалне и економске одредбе

Члан 21.

Брак, породица и деца стоје под заштитом државе.

Члан 22.

Својина је зајемчена.

Садржина и обим права својине одређују се законом.

Експропријација приватне својине у општем интересу допуштена је на основу закона, уз правичну накнаду.

Члан 23.

Слобода рада и уговарања у привредним односима признаје се.

Држава има, у интересу целине, а на основу закона, право и дужност да интервенише у привредним односима грађана, у духу правде и отклањања друштвених супротности.

Члан 24.

Као саветодавно тело у питањима привредним и социјалним установљава се Привредно Веће, које ће на тражење Краљевске Палате или Народног Претставништва давати своје стручно мишљење.

Привредно Веће сачињавају претставници привредних редова и стручњаци у привредним и социјалним питањима.

Начин састава и пословања Привредног Већа одређује нарочити закон.

ОДЕЉАК IV

Државна власт

Члан 25.

Државна власт врши се по одредбама овога Устава.

Члан 26.

Законодавну власт врше Краљ и Народно Претставништво заједнички.

Народно Претставништво састављају Сенат и Народна Скупштина.

Члан 27.

Управну власт врши Краљ преко одговорних министара по одредбама овога Устава.

Члан 28.

Судску власт врше судови. Њихове престале и решења изричу се и извршују у име Краља на основу закона.

ОДЕЉАК V

Краљ

Члан 29.

Краљ је затоцик народног јединства и државне целине; Он је чувар њихових свих општих интереса.

Краљ потврђује и проглашује законе, поставља државне чиновнике и даје војне чиновне по одредбама закона.

Краљ је врховни заповедник све војне силе. Он даје ордене и друга одликовања.

Члан 30.

Краљ има право амнестије. Амнестијом се ниште правне последице кажњивог дела, али се њоме не могу враћати права приватних лица на накнаду штете. Амнестија се може дати пре почетка кривичног поступка, у току поступка и после извршене пресуде. Амнестија је општа или појединачна.

Краљ има право помиловања. Он може досуђену казну опростити, смањити или ублажити.

Право помиловања по делима кажњивим само по приватној тужби одређује Законик о судском кривичном поступку.

Члан 31.

Краљ претставља државу у свима њеним односима са туђим државама. Он оглашује рат и закључује мир. Ако земља није нападнута, или јој рат није оглашен од које друге државе, за оглас рата потребан је претходни пристапак Народног Претставништва.

Ако земља буде оглашен рат или она буде нападнута, има се одмах сазвати Народно Претставништво.

Члан 32.

Краљ сазива Народно Претставништво у редован или ванредан сазив.

Краљ отвара и закључује седнице лично, престоном беседом или преко Министарског савета, посланицом или указом.

У случају кад Краљ отвара или закључује седнице престоном беседом Сенат и Народно Скупштина уједно заседавају.

И престону беседу и посланице и указ премапотписују сви министри.

Краљ може у свако доба, по државној потреби, позвати Народно Претставништво.

Краљ има право распустити Народно Скупштину и наредити нове изборе. Указ о распуштању као и указ о новим изборима премапотписују сви министри.

Члан 33.

Краљ не може бити у исто време поглавар друге које државе без пристанка Народног Претставништва.

Члан 34.

Сваки писмени чин Краљевске власти премапотписује надлежни министар односно Министарски савет.

За све чине Краљевске власти одговара Министар односно Министарски савет, који је премапотписао.

За чине Краљеве као врховног заповедника војске, одговара Министар војске и морнарице.

Члан 35.

Краљ и Престолонаследник пунолетни су кад наврше 18 година.

Краљева личност је неприкосновена. Краљу се не може ништа у одговорност ставити нити Краљ може бити тужен. Ово не вреди за Краљево приватно имање.

Члан 36.

У Краљевини Југославији влада Краљ Александар I из династије Карађорђевог. Краља Алек-

сандра наслеђује Његово мушко потомство по реду прворођења.

Члан 37.

Кад Краљ нема мушког потомства Он ће одредити себи наследника из побочне линије. У случају кад Краљ до своје смрти није одредио себи наследника, Народно Претставништво, у заједничкој седници, бираће Краља из исте династије.

Члан 38.

Краљевски Дом састављају: Краљица супруга, живи претци Краљеви у правој линији, из исте династије, са својим супругама, живи потомци Краљеви у правој линији са својим супругама и потомцима, рођена браћа Краљева и њихови потомци са својим супругама, сестре Краља владаоца, и сви женски потомци до удаје, стриц Краља Александра I Кнез Арсен, Кнез Павле са супругом и потомцима, и то женским потомцима до удаје.

Односи и положај чланова у Краљевском Дому уређени су Статутом, који прописује Краљ.

Члан 39.

Ступајући на престо, Краљ полаже пред Народним Претставништвом заклетву која гласи: „Ја (име) ступајући на престо Краљевине Југославије и примајући Краљевску власт, заклинѐм се свемогућим Богом, да ћу чувати изнад свега јединство народа, независност државе и целину државне области и да ћу по Уставу и законима владати, и да ћу у свима својим тежњама добро народа пред очима имати. Тако ми Господ Бог помогао. Амин!“

Члан 40.

Краљ борави стално у земљи. Ако се покаже потреба да Краљ иде из земље на краће време, заступа га по праву Наследник Престола. Ако Наследник Престола није пунолетан, или ако је спречен, Краља ће заступати Министарски савет. Заступништво се врши по упуствима која Краљ даје. Ово вреди и за случај Краљеве болести, која не ствара трајну неспособност.

За време отсуства Краља или Наследника Престола, Министарски савет нема права распуштања Народне Скупштине.

Заступништво Министарског савета може трајати најдуже шест месеци. По истеку тога рока ступају у важност уставни прописи о намесништву.

ОДЕЉАК VI

Намесништво

Члан 41.

Краљевску власт врши намесништво: 1) кад је Краљ малолетан, 2) кад је Краљ због душевне или телесне болести трајно неспособан да врши Краљевску власт.

У случају кад је Краљ трајно неспособан да врши Краљевску власт, о моменту образовања и престанку намесништва решава Народно Претставништво у заједничкој седници.

Кад Министарски савет нађе да је наступио случај Краљеве неспособности, он то саопштава Народном Претставништву заједно са мишљењем три лекара узета са домаћих медицинских факултета. На исти се начин поступа кад је у питању Наследник Престола.

Члан 42.

Намесничка власт припада по праву Наследнику Престола, ако је пунолетан.

Ако Наследник Престола, из узрока побројаних у члану 41, не може да врши намесничку

власт, опла ће намесничку власт вршити три лица, која је Краљ одредио нарочитим актом или тестаментом. Истовремено Краљ одређује сваком намеснику по једног заменика. На случај да се упразни место намесника и његовог заменика, Народно Претставништво бира тајним гласањем, у заједничкој седници, новог намесника од двојице преосталих заменика. Ако је у животу само један заменик онда он долази без избора на упражњено место намесника.

На случај да Краљ није одредио ни актом ни тестаментом намеснике или да услед болести или смрти одређених намесника и њихових заменика није могуће образовати намесништво од бар два намесника, Народно Претставништво бира тајним гласањем, у заједничкој седници, потребан број Краљевских намесника. Намесници могу бити само грађани Краљевине Југославије.

Пре него што узму Краљевску власт у своје руке, намесници ће пред Народним Претставништвом положили заклетву: да ће Краљу бити верни и да ће владати по Уставу и земаљским законима.

Члан 43.

Ако је један од тројице намесника привремено отсутан или спречен, друга два намесника моћи ће и без њега отправљати државне послове.

Члан 44.

О васпитању малолетног Краља стараће се намесници.

О имању малолетног Краља бринуће се старатељи одређени Краљевим тестаментом. Ако преминули Краљ није одредио старатеља, именовале их намесници по саслушању Претседника Државног савета, Касационог суда и Главне контроле.

Члан 45.

До ступања на дужност намесника Министарски савет ће привремено вршити, под својом одговорношћу, Краљевску власт.

Члан 46.

У случају смрти или оставке Краљеве, Наследник Престола, ако је пунолетан, прима одмах Краљевску власт, објављује то народу прокламацијом и полаже прописану заклетву пред Народним Претставништвом.

Члан 47.

Ако Краљ по смрти својој није оставио мушког потомства, али би Краљница у време смрти Краљеве била трудна и на случај да Краљ није актом или тестаментом одредио намеснике, Народно Претставништво бира привремено намеснике, који ће вршити Краљевску власт само до порођаја. Влада је дужна поднети Народном Претставништву пре избора намесника мишљење три лекара узета са домаћих медицинских факултета о Краљичиној трудноћи. То исто вреди и за случај када би Престољонаследник преминуо а његова би жена била трудна у тренутку смрти Краљеве.

Члан 48.

У случају кад престо према одредбама овог Устава остане без наследника, Министарски савет ће узети у своје руке Краљевску власт и одмах позвати Народно Претставништво у нарочити сазив, у коме ће се решити о престољу.

Члан 49.

Цивилна листа Краљева одређује се законом. Једном одређена цивилна листа не може се повисити без пристајка Народног Претставништва ни смањити без пристајка Краљевог.

Краљевски намесници ће за време вршења своје дужности примати из државне благајнице онолико колико им, на предлог Министарског савета, одреди Народно Претставништво.

ОДЕЉАК VII

Народно претставништво

Сенат

Члан 50.

Сенат састављају сенатори: од Краља именовани и бирани. Сенатор не може бити млађи од четрдесет година.

Одредбе о броју бирањих сенатора и њиховом избору прописују се законом.

Краљ може именовати толики исти број сенатора колико их је бирањих.

Нико не може бити у исто време сенатор и народни посланик.

Члан 51.

Мандат бирањих сенатора траје шест година. Сваке три године Сенат се обнавља изборима нових чланова за једну половину бирањих сенатора.

Члан 52.

Мандат сенатора од Краља именованих траје шест година. Они се могу на предлог Претседника Министарског савета разрешити ове дужности услед физичке неспособности или ако су судом осуђени за кривична дела.

Именовани сенатори, ако су активни државни чиновници, не могу задржати чиновнички положај.

Члан 53.

Сенат се састаје кад и Народна Скупштина а престаје радити кад и она.

Сенат сам испитује уредност мандата бирањих сенатора и одлучује о њима.

Народна Скупштина

Члан 54.

Народну Скупштину састављају посланици које народ слободно бира општим, једнаким и непосредним гласањем.

Народна Скупштина бира се на 4 године. Мандат народног посланика може престати и раније у случајевима које предвиђа изборни закон.

Одредбе о броју и изборима народних посланика прописује се законом.

Члан 55.

Право бирачко има сваки држављанин по рођењу или прирођењу, ако је навршио двадесет и једну годину старости.

Официри активни као и подофицири и војници под заставом не могу вршити бирачко право ни бити бирани.

Закон ће решити о женском праву гласа.

Члан 56.

Привремено губе бирачко право: 1) који су осуђени на робњу (тамницу), или затвор дужи од годину дана, док се не поврате у права, 2) који су осуђени на губитак часних права за време док траје та казна, 3) који су под стецнштвом, 4) који су под старатељством и 5) који су пресудом изгубили бирачко право због изборних кривича.

Члан 57.

За сенатора односно народног посланика може бити изабран само онај, који има бирачко право, без обзира је ли уведен у бирачки списак. Од сваког се сенатора односно посланика траже ови усло-

ви: 1) да је држављанин по рођењу или прирођењу Краљевине Југославије. Прирођени држављанин мора бити настањен најмање десет година, рачунајући од дана прирођења, 2) да је навршио 40 односно 30 година старости и 3) да говори и пише народним језиком.

Губитак бирачког права привлачи и губитак мандата сенатора односно народног посланика.

Сенатори и народни посланици не могу бити у исто време државни лиферанти или државни предузимачи.

Члан 58.

Активни државни чиновници не могу се кандидовати за сенаторе и народне посланике.

Полициски, финансијски и шумарски чиновници као и чиновници аграрне реформе, не могу се кандидовати, осим ако су то престали бити годину дана пре расписа избора.

Министри активни и на расположењу могу се кандидовати.

Члан 59.

Сваки сенатор и народни посланик представља цео народ.

Сви чланови Народног Претставништва полажу заклетву, да ће Краљу бити верни, да ће чувати изнад свега јединство народа, независност државе и целину државне власти, да ће Устав чувати и добро народа пред очима имати.

Члан 60.

Народно Претставништво сазива се Краљевим указом у престоници Београду у редован сазив сваке године двадесетог октобра.

Ако је у случају рата престоница измештена, Народно Претставништво састаје се у месту, које је Краљевим указом о сазиву одређено.

Редован сазив не може се закључити док не буде решен државни буџет.

Члан 61.

Народна Скупштина прегледа сама пуномоћства својих чланова и одлучује о њима.

Члан 62.

Народна Скупштина бира за сваки сазив из своје средине своје часништво.

Члан 63.

Законске предлоге подносе, по овлашћењу Краљевом, поједини министри.

Право подношења законских предлога припада сваком члану Народног Претставништва, чији предлог писмено ипомогне најмање једна петина чланова Сената односно Народне Скупштине.

Члан 64.

Законски предлог који Народна Скупштина усвоји шаље се Сенату на рад и обратно. Ако је законски предлог усвојен у целини и од Народне Скупштине и од Сената сматра се да је Народно Претставништво предлог примило. Ако су учињене какве измене или допуне од Сената односно од Народне Скупштине, онда се законски предлог враћа Народној Скупштини односно Сенату на решавање. Када се ове измене и допуне приме од Народне Скупштине односно Сената, сматра се да је Народно Претставништво предлог примило. На случај, да се Сенат и Народна Скупштина у пријему једног законског предлога у целини или у појединостима не сагласе, сматра се да је предлог одбијен и у истом сазиву се о њему не може више поново решавати. Ако се случај понови и у

идућем сазиву, о томе законском предлогу одлучиће Краљ.

Члан 65.

Краљ закључује уговоре са страним државама, али је за потврду тих уговора потребно претходно одобрење Народног Претставништва. За потврду чисто политичких споразума није потребно претходно одобрење Народног Претставништва.

За уговор, да туђа војска поседне земљиште Краљевине или да пређе прско њега, потребно је одобрење Народног Претставништва.

Народно Претставништво може, кад то изискује државна потреба, одлуком у напред овласти Министарски савет, да изда мере за неодложну примену предложеног уговора.

Државна територија не може се отуђити или разменити без одобрења Народног Претставништва.

Члан 66.

Законе проглашује Краљ указом, који садржи сам закон решен од Народног Претставништва. Указ премапотписују сви министри. Министар правде ставља на указ државни печат и стара се о обнародовању у „Службеним новинама“.

Закон добија обавезну снагу 15 дана по обнародовању у „Службеним новинама“, ако сам закон друкчије не одреди. Дан обнародовања у „Службеним новинама“ рачуна се.

Члан 67.

Народно Претставништво има право анкете као и истраге у изборним и чисто административним питањима.

Члан 68.

Сваки члан Сената и Народне Скупштине има право управљати министрима питања и интерпелације. Министри су дужни дати на њих одговор у истом сазиву.

Члан 69.

Сенат и Народна Скупштина опште непосредно само са министрима.

Члан 70.

У Сенату и у Народној Скупштини имају право да говоре само њени чланови, чланови владе и владини повереници за то Краљевим указом одређени.

Члан 71.

Сенат и Народна Скупштина могу пуноважно решавати ако је на седници присутна једна трећина свих сенатора односно посланика.

За пуноважно решење потребна је већина гласова присутних. У случају равне поделе гласова предлог, о коме је гласано, сматра се, да је примљен.

Члан 72.

О сваком законском предлогу мора се гласати два пута у истом сазиву пре него што се коначно усвоји.

Члан 73.

Решавање Сената и Народне Скупштине у заједничком заседању бива само за случајеве за које је изрично речено.

Заједничким заседавањима председавају председници Сената и Народне Скупштине панземеично.

Члан 74.

Сенатор односно народни посланик не одговара за глас који је дао као члан Сената односно Народне Скупштине.

За све изјаве и поступке при вршењу мандата било у седицама Сената или Народне Скупштине или у одборима, или у особитом изасланству или у особитој дужности по одредби Сената или Скупштине, сенатори односно посланици одговарају Сенату односно Народној Скупштини, по одредбама пословника. За оне изјаве и поступке, који садрже кривично дело, сенатор односно народни посланик одговара и пред редовним судовима ако Сенат односно Народна Скупштина даде за то одобрење. Но за увреде, клевете или злочине сенатор односно народни посланик одговара пред редовним судовима и без претходног одобрења Сената односно Народне Скупштине.

Члан 75.

Без овлашћења Сената односно Народне Скупштине, њихови чланови не могу се за кривице учињене ван вршења мандата узимати на одговор нити лишити слободе док траје њихов мандат, осим кад се затеку на самом делу злочина или престапа. Али се и у томе последњем случају Сенат односно Народна Скупштина, ако је на окупу одмах извештава, и она даје или одриче овлашћење да се надлежни поступак продужи за време сазива.

Имунитетско право сенатора и посланика настаје даном избора односно наименовања.

Ако ко постане сенатор или посланик пре него што је над њим по каквој кривици изречена извршна пресуда, власт која врши извиђање и истрагу известити о томе Сенат или Народну Скупштину, која даје или одриче овлашћење за продужење поступка.

Члан Сената и Народне Скупштине може се узимати на одговор само ради овог дела, за који је издао.

Члан 76.

Сенату и Народној Скупштини припада искључиво право да у својој средини одржава ред преко свог претседника. Никаква оружана сила не може се поставити у зградни нити у њезином дворишту без одобрења Претседника. Исто тако без његовог одобрења не могу никакви државни органи чинити у Сенату и Народној Скупштини акт власти.

Нико оружани не сме ући у зграду Сената и Народне Скупштине, осим лица која по пропису носе оружје и налазе се на служби код Сената односно Народне Скупштине.

ОДЕЉАК VIII

Управна власт

Члан 77.

Краљ именује и разрешава Претседника Министарског савета и министре. Претседник Министарског савета и министри чине Министарски савет, који стоји непосредно под Краљем. Министри се налазе на челу појединих грана државне управе.

Министар може бити и без портфеља.

Министри именују ниже државне чиновнике по одредбама закона.

Министри полажу пре ступања на дужност заклетву да ће Краљу бити верни и да ће радити по Уставу и по законима.

Члан 78.

Краљ и Народна Скупштина могу оптужити министре за повреду Устава и земаљских закона учињену у службеној дужности. За штете, које министар учини грађанима незаконитим вршењем службе одговара држава а министар држави.

Члан 79.

Министар може бити оптужен како за време трајања своје службе тако и за пет година после одступања.

Предлог, да се министар оптужи, мора се учинити писмено и мора садржати тачке оптужења.

Кад министра оптужи Народна Скупштина, одлука о стављању министра под суд има се доиети већином од две трећине од укупног броја народних посланика.

Члан 80.

Ближе одредбе о министарској одговорности садржи посебан закон.

Члан 81.

Управна власт може издавати уредбе потребне за примену закона.

Члан 82.

Управа у Краљевини врши се по бановинама, срезовима и општинама.

Члан 83.

Краљевина Југославија има девет бановина и то:

1. Дравска са седиштем у Љубљани;
2. Савска са седиштем у Загребу;
3. Врбаска са седиштем у Бања Луци;
4. Приморска са седиштем у Сплиту;
5. Дринска са седиштем у Сарајеву;
6. Зетска са седиштем на Цетњу;
7. Дунавска са седиштем у Новом Саду;
8. Моравска са седиштем у Нишу;
9. Вардарска са седиштем у Скопљу.

Дравска Бановина: обухвата део територије ограничене, од места где северна граница среза Чабар сече државну границу, државном границом према Италији, Аустрији и Мађарској до места, где државна граница према Мађарској избија на реку Муру (с. и. од Чаковца). Од реке Муре граница иде источном односно јужном границом срезова: Леидава, Љутомер, Птуј, Шмарје, Брежнице, Кршко, Ново Место, Метљика, Чрномел, Кочевје и Логатец, обухватајући све поменуте срезове.

Савска Бановина: ограничена је са северне стране до реке Муре горе поменутом границом Дравске Бановине. Затим граница иде реком Муром и даље државном границом према Мађарској до места где ова напушта реку Драву, одакле иде Дравом и Дунавом до северне границе среза Илока. Од реке Дунава до реке Саве граница иде источном границом срезова: Вуковар, Винковци и Жупања, обухватајући и ове срезове. Даље иде реком Савом до утока Уне, а по том Уном до северноисточне границе среза Двор (ј. з. од Костајнице). Од овога места до Јадранског мора (Моралички канал) граница иде јужном границом срезова: Костајница, Петриња, Глина, Вргин Мост, југоисточном границом среза Војнић, источном границом срезова: Слуњ, Кореница и Д. Јапац. Даље граница иде јужном границом срезова Грачац и Госпић обухватајући и ове срезове. Од ове границе иде теснацом Љубашким, каналом Нова Пољана, између острва Маон и Пљаник и северно од острва Олиб и Слива до државне границе на Јадранско море.

Врбаска Бановина: граничи се од североисточне границе среза Двор (ј. з. од Костајнице) реком Уном до њеног утока у Саву, затим реком Савом, источном границом срезова: Дервента и Грачаница до реке Босне код села Долца. Одатле иде југозападном границом среза Маглај до тремеђе срезова: Тешањ, Маглај и Жепче. Од ове тачке граница иде северном границом срезова: Жепче, Зеница и Травник до планине Влашић (Љуба Грета к. 1740); одатле граница иде преко коте 1446 источном падinom Лесине (к. 1433), к. 1057, Јелић к. 1192, к. 1018, к. 1139, Обреновац к. 1157, па преко Радање планине (к. 1366) и Играница (к. 1085) излази на Раковце (к. 1217). Одатле граница иде између села Подрипци и Султановићи, затим између села Гмићи и Гувна на Осој (к. 888) и даље гребеном преко Шуљаге (к. 1533), Демировца (к. 1724) и Црног Врха (к. 1403) на М. Виторог (к. 1748). Од М. Виторога граница иде источном и југозападном границом Гламочког среза до спрам к. 1156 на планини Старетини; одатле граница пресеца у западном делу Ливањско Поље и на Троглаву (к. 1913) избија на југозападну границу среза Ливно и иде њоме до на Велики Бат (к. 1851). Даље граница иде јужном и западном границиом среза Бос. Петровац до тремеђе срезова Д. Лапац, Кини и Бос. Петровац. Одатле до североисточне границе среза Двор (ј. з. од Костајнице) граница иде означеном границом Савске бановине.

Приморска Бановина: са северне стране граничи се означеним јужним границама Савске и Врбаске бановине све до тремеђе између срезова: Јајце, Бугојно и Травник (Раковце к. 1217). Од овога места граница иде источном границом среза Бугојна и северном границом среза Коњиц; за тим источном границом срезова Коњиц и Мостар до тремеђе срезова: Мостар, Столац и Невесиње. Даље иде границом среза Столац, обухватајући и овај срез. На Јадранском мору граница прелази Неретњанским и Пељешачким каналом до државне границе на Јадранском мору.

Дринска Бановина: ограничена је са западне стране до реке Саве означеним границама Приморске и Врбаске бановине и даље са севера реком Савом до утока реке Колубаре. Од утока Колубаре до западне границе Приморске бановине к. 2058 на п. л. Трескавици (источна граница среза Коњиц) — иде источном границиом срезова: Посавског (Обреновац), Тамнавског, Колубарског, (Мионица) и Пожешког, обухвата срез Љубишки, даље иде источном границиом среза Трнавског и Драгачевског, па источном, јужном и западном границиом Моравичког среза и даље јужном границиом срезова: Ариљског, Златиборског, Вишеградског, Чајничког, Рогатичког и Сарајевског.

Зетска Бановина: ограничена је са северне стране означеном јужном границиом Приморске и Дринске бановине све до тремеђе између срезова: Драгачевског, Жичког и Студеничког. Од ове тремеђе до државне границе према Албанији гранична линија иде источном границиом срезова: Студеничког, Дежевског, Митровичког, Дреничког и Подримског, обухватајући све ове срезове. Даље граница иде државном границиом према Албанији до Јадранског мора.

Дунавска Бановина: са југозападне стране ограничена је означеним границама Дринске и Савске бановине, а са северне и североисточне стране државном границиом према Мађарској и Румунији до места где ова последња избија на реку Дунав. Иде Дунавом до источне границе среза Рамског, скреће на југ источном и јужном гра-

ницом среза Рамског а затим југоисточном границиом среза Пожаревачког. Продужује источном границиом срезова: Моравског, Лепеничког, Крагујевачког и Гржанског до Дуленског Црног Врха (к. 919) на Гледићским планинама, одатле преко Кречана (к. 760) и Брзака (к. 822) избија на границу Дринске бановине на планини Котленик код Црног Врха (к. 768).

Моравска бановина: ограничена је са северне и источне стране државном границиом према Румунији и Бугарској до јужне границе среза Лужничког (код Дешчаног Кладенца). Одатле граница иде јужном границиом срезова: Лужничког, Нишког, Добричког, Прокупачког, Косаничког, Лапског и Вучитрског обухватајући и ове срезове и на тремеђи срезова Вучитрског, Грачаничког и Дреничког избија на означену границу Зетске бановине. Даље граница иде на север означеним границама Зетске, Дринске и Дунавске бановине.

Вардарска Бановина: ограничена је са севера означеним границама Зетске и Моравске бановине, а са истока, југа и запада државном границиом према Бугарској, Грчкој и Албанији.

Спорна питања о детаљним границама појединих бановина решаваће Министар унутрашњих послова.

Члан 84.

Бановине су управне и самоуправне јединице. Нарочити закон одређује поделу бановина на срезове и општине.

Организација општинских управа и делокруг њиховог рада уређује се особеним законом по начелу самоуправе.

Поједине градске општине могу бити законом и на другој основи уређене.

Члан 85.

Град Београд са Земуном и Панчевом чине посебно управно подручје. Под ово управно подручје спадаће и сва околна места, која буду из бановине издвојена и буду ушла у састав општина београдске, земушке или панчевачке.

Члан 86.

На челу бановине стоји бан. Он је претставник врховне власти у бановини.

Бана поставља Краљ на предлог Претседника Министарског савета.

Члан 87.

Бан поставља, премешта, пензионисхе и отпушта управне чиновнике у бановини у границама надлежности одређене законом о банској управл.

Самоуправа

Члан 88.

У свакој бановини, као самоуправном телу, постоји бановинско веће и бановински одбор.

Члан 89.

Бановинско веће се бира па четири године општим, једнаким, непосредним гласањем, према одредбама закона.

Веће бира из своје средине бановински одбор, који је самоуправни извршни орган у бановини.

Бан поставља и разрешава бановинске чиновнике на предлог бановинског одбора.

Члан 90.

Бановинска већа могу уређивати поједине гране бановинске управе и живота бановинским уредбама на основу овлашћења закона о уређењу бановина или другим законима.

Бановинске уредбе имају у дотичној бановини силу закона. Оне не смеју противуречити ни Уставу ни постојећим законима, иначе се у том случају не могу примењивати.

Члан 91.

Бановински одбор спрема предлоге бановинских уредаба, а о њима решава бановинско веће.

Бановинске уредбе проглашује и обнародује бан, који претходно тражи сагласност Државног савета по њиховој законитости. У случају да Државни савет сагласност одбије уредба се не може обнародовати.

Државни савет је дужан дати или одбити сагласност најдаље у року од месец дана. Ако се Државни савет у томе року не изјасни сматра се да је сагласност дата.

Члан 92.

Државна централна власт стара се да самоуправне власти врше своје законске дужности у одређеним границама и да не повреде који општи државни интерес.

Члан 93.

Бан односно законом одређени државни органи, имају права обуставити сва решења бановинског већа и бановинског одбора или општинског збора и одбора, која су противна Уставу, законима и уредбама. Против решења бана има места жалби Државном савету у законом року.

Могу се такође обуставити и она решења и изјаве, које су штетне по опште државне интересе. У том случају жалба се подноси Министру унутрашњих послова у законом року.

Бановинско веће може се Краљевим указом распустити и пре истека четворогодишњег периода на предлог Министра унутрашњих послова и наредити нови избори за дотичну бановину.

Члан 94.

Бановинско веће решава сваке године у свом првом сазиву бановински буџет за наредну годину по предлогу бановинских одбора.

Члан 95.

Бановински буџет одобрава Министар Финансија, а Главна контрола испитује његово извршење путем прегледа завршног рачуна.

Члан 96.

Општине су самоуправна тела. Њима се особеним законима могу ставити у дужност и акта управне власти и оне их врше под надзором одређених управних органа.

Члан 97.

Одредбе о организацији и надлежности бановинских и општинских самоуправних власти прописује закон.

Члан 98.

За спорове управне природе установљавају се управни судови. Закон одређује њихова седишта, надлежност и организацију.

Члан 99.

Државни савет је врховни управни суд.

Посебним законом одређује се начини постављања чланова Државног савета као и састав, надлежност и поступак његов.

ОДЕЉАК IX

Судска власт

Члан 100.

Судови су независни. У изрицању правде они не стоје ни под каквом влашћу но суде по законима.

Судови и судске надлежности могу се установити само законом.

Законом се прописује на који се начин бирају, постављају председници судова и судије.

У породичним и наследним пословима муслимана суде државне шеријатске судије.

Члан 101.

Судије свих судова су стални. Судија не може бити лишен свога звања нити ма из кога узрока уклоњен са дужности, против своје воље без пресуде редовних судова или дисциплинарне пресуде Касационог суда. Судија не може бити тужен за свој судски рад без одобрења надлежног суда.

Судија не може, ма и привремено, бити отпушен на другу плаћену или неплаћену јавну службу, без свога пристаика и одобрења Касационог суда.

Судија може бити премештен само по своме пристаику.

Судија може бити у служби до навршетка седамдесет година свога живота. Пре тога рока судија се може ставити у пензију само по писменој молби или кад телесно или душевно тако ослаби да не може вршити своју дужност. Одлуку о пензионисању у овом последњем случају доноси Касациони суд.

ОДЕЉАК X

Државно газдинство

Члан 102.

Сваке године Народно Претставништво одобрава државни буџет који вреди за годину дана.

Буџет се мора подиети Народној Скупштини најдаље за месец дана од дана њеног састанка у редовном сазиву. Једновремено са буџетом подноси се Народној Скупштини на увиђај и одобрење и завршин рачун последње истекле рачунске године.

Народна Скупштина не може предложене партије увећавати а може их смањивати и изоставити.

Буџет се одобрава по партијама.

Начин састава и извршења буџета прописује се законом.

Уштеда једне буџетске партије или буџетске године не може се утрошити на подмирење потреба друге партије или године без одобрења Народног Претставништва.

Члан 103.

Док не одобри поднесени јој буџет Народно Претставништво може одобрвати дванаестине за један или више месеци. Ако је Народна Скупштина распуштена пре него што је буџет решен, буџет истекле рачунске године продужује се ука-

зом најдуже за четири месеца. Ако се и у том року буџет не реши може се Краљевим указом продужити буџет до краја нове буџетске године.

Члан 104.

Државни порези и опште државне дажбине установавају се само законом.

Влада подноси Народној Скупштини од Главне Контроле оверени извештај о извршењу закључених уговора о државним зајмовима и њиховом утрошку у смислу закона.

Члан 105.

Пореска обавеза је општа и све су државне дажбине једнаке за целу земљу.

Краљ и Наследник Престола плаћају државни порез на приватно имање.

Никаква помоћ стална ни привремена, никакав поклон ни награда не могу се дати из државне благајнице, ако нису основани на закону.

Члан 106.

Државном имовином управља Министар финансија у колико то закони друкчије не нареду.

О начину отуђења државних добара донеће се нарочити закон.

Право монопола припада држави.

Руде, лековите воде и врела и природне снаге својина су државна.

Начин давања рударских, индустријских или ма којих других повластица одређује се законом.

Члан 107.

За преглед државних рачуна и надзиравање над извршењем државног и самоуправних буџета постоји Главна контрола као врховни рачунски суд.

Председника и чланове Главне контроле бира Народна Скупштина из кандидационе листе, коју саставља Државни савет и на којој је предложено два пута онолико кандидата, колико је празних места.

Одредбе о саставу, надлежности и поступку Главне контроле прописује закон.

Законом се одређује у којим ће случајевима против одлуке Главне контроле имати места жалби Касационом суду.

Главна контрола прегледа, исправља и ликвидира рачуне опште администрације и свих рачунополагача према државној благајници. Она мотри да се не прекорачи ниједан издатак по буџету и да се нека сума не преноси из једне буџетске партије у другу. Она завршује рачуне свих државних управа и дужна је прикупљати све потребне доказе и обавештења.

Завршни државни рачун подноси се Народном Претставништву на решење са примедбама Главне Контроле и то најдаље за једну годину, рачунајући од завршетка сваке рачунске године.

ОДЕЉАК XI

Војска

Члан 108.

Војна је обавеза општа по одредбама закона. Устројство и величина војске и морнарице прописује се законом. Формирање јединица у законом одређеном обиму прописује Краљ уредбом на предлог Министра војске и морнарице. Колико ће се војске држати под заставом, одређује се сваке године буџетом.

Члан 109.

Војни судови су независни. У изрицању правде они не стоје ни под каквом влашћу но суде по законима.

Судија првостепеног војног суда не може бити тужен за свој судски рад без одобрења војно-апелационог суда, а апелациони судија без одобрења Касационог суда.

Пресуде војних судова разматра у последњем степену Касациони Суд.

Члан 110.

Кривице које учине грађани у друштву са војником судиће грађански судови а за време рата војни судови.

Члан 111.

Нико по навршетку двадесете године не може добити државну службу или у њој остати, ако по одредбама војног закона није свој рок отслужено или од војне службе ослобођен.

Члан 112.

За одржавање унутрашњег реда војска се може употребити само на захтев надлежне грађанске власти.

Члан 113.

Страна војска не може се узети у службу наше државе, а ни војска наше државе не може се ставити у службу неке стране државе, без претходног одобрења Народног Претставништва.

ОДЕЉАК XII

Измене у Уставу

Члан 114.

О изменама у Уставу решава Краљ са Народним Претставништвом.

Члан 115.

Предлог, да се у Уставу што измени или допуни, може учинити Краљ и Народно Претставништво.

У таквом предлогу морају се изреком именовати све тачке Устава, које би се имале изменити или допунити.

Ако је предлог учинио Краљ, он ће се саопштити Сенату и Народној Скупштини, па ће се затим Народна Скупштина одмах распустити и сазвати нова најдаље за четири месеца.

Ако је такав предлог потекао од Сената односно Народне Скупштине, о њему се решава на начин предвиђен за решавање законских предлога већином од 3/5 од укупног броја посланика. Предлог иде затим пред Сенат односно Народну Скупштину која по њему решава већином од 3/5 од укупног броја сенатора односно посланика.

Кад предлог на тај начин буде усвојен, Народна Скупштина ће се распустити а нова сазваће се најдаље у року од 4 месеца од дана када је предлог усвојен.

И у једном и у другом случају Сенат односно Народна Скупштина може решавати само о оним изменама и допунама Устава, које садржи предлог на основу којег је она сазвана.

Сенат односно Народна Скупштина доноси одлуку већином од половине више један од укупног броја својих чланова.

На случај да се Сенат и Народна Скупштина у пријему предложених измена или допуна Устава у целини или појединостима не сагласе онда је даље поступак исти као и за законске предлоге (члан 64).

Члан 116.

У случају рата, мобилизације, препада и побуне, који би довели у питање јавни поредак и сигурност државе или кад су до те мере у опште угрожени јавни интереси, Краљ може, у том изузетном случају, указом наредити да се привремено предузму све изванредне, неопходно потребне мере у целој Краљевини или у једном њеном делу, независно од уставних и законских прописа.

Све изузетно предузете мере подиће се након Народног Претставништва на сагласност.

Прелазна наређења

Члан 117.

До дана састанка Народног Претставништва Краљ издаје и проглашује законе указом.

Указ премаописује Претседник министарског савета, ресорни министар и Министар правде.

Члан 118.

Сви постојећи закони, сем закона о Краљевској власти и врховној државној управи од 6 јануара 1929 године, остају на снази док се редовним путем не измене или укину.

Члан 119.

Одредбе члана 101 овог Устава неће се примењивати за време од пет година од дана ступања у живот овог Устава.

Закључне одредбе

Члан 120.

Овај Устав ступа у живот и добија обавезну снагу кад се обнародује у „Службеним новинама”.

О извршењу овог Устава стараће се Претседник министарског савета и сви министри.

Препоручујемо Нашем Министру правде да овај Устав обнародује а свима министрима да се о извршењу његовом старају, властима заповедамо, да по њему поступају, а свима и свакоме да му се покоравају.

3 септембра 1931 године
у Београду

АЛЕКСАНДАР с. р.

(Овај Устав објављен је у броју 200, од 3 септембра о. г., од кога дана и важи).

428.

МИ

АЛЕКСАНДАР I

по милости Божјој и вољи Народној
КРАЉ ЈУГОСЛАВИЈЕ

На предлог Нашег Министра унутрашњих послова, Претседника Нашег Министарског савета, прописујемо и проглашујемо

ЗАКОН

О БИРАЧКИМ СПИСКОВИМА

§ 1.

Бирачки спискови по којима се врше избори за Народну скупштину сталини су.

Кад овај закон ступи на снагу, општински судови (општинска поглаварства) дужни су у року од десет дана саставити први сталини бирачки спи-

сак узимајући за основу списак, по коме су извршени избори народних посланика на дан 11 септембра 1927 године и потом у року од даљих 24 сата поднети га у два оригинална примерка надлежном средњом суду на потврду. За оне крајеве где нема средњег суда ову ће потврду стављати надлежни окружни суд. За карони Београд потврду бирачких спискова вршиће Окружни суд за град Београд.

У сталне бирачке спискове уписују се по службеној дужности сви, који имају бирачко право, ако су најмање шест месеци настани у тој општини. Ово последње не важи за државне службенике.

Државни и јавни самоуправни службеници започе се у бирачке спискове оне општине, у којој им је службено седиште.

У општинама, у којима има више гласачких места бирачки ће се списак сиремити у посебним списцима за свако гласачко место.

При крају списка назначиће се словима број уписаних и број листова списка. Затим ће се ставити нумера и датум па ће га општински суд са деловођом (бележницом) потписати и ставити печат.

Средњи односно окружни суд, у року од два дана, потврдиће списак и један примерак задржати за своју архиву а други вратити општинском суду. Ако бирачки списак не би био састављен у законском облику, средњи односно окружни суд ће га претходно вратити општини, да га она у року од два дана саобрази законским прописима.

§ 2.

Бирачко право има сваки мушки држављанин по рођењу или прирођењу, ако је навршио двадесет и једну годину старости.

§ 3.

Официри активни као и подофицири и војници под заставом не могу вршити бирачко право ни бити бирани.

§ 4.

Привремено губе бирачко право: 1) који су осуђени на робњу или затвор дужи од године дана, док се не поврате у права, 2) који су осуђени на губитак часних права за време док траје та казна, 3) који су под стеништем, 4) који су под старатељством и 5) који су пресудом изгубили бирачко право због изборних кривица.

§ 5.

Општински судови (поглаврства) имају по службеној дужности сваке године од првог до тридесет првог јануара закључно извршити исправке тих спискова уводећи у њих својим решењем сва лица која имају изборно право, а нису дотле уведена, а изостављајући на исти начин она, која су то право изгубила.

Општински суд ће војнике, који су отслужили свој рок, по службеној дужности уписати у бирачки списак по отслужењу рока. Исто тако уписаће војнике, који ће у тој години отслужити свој рок.

§ 6.

Најдаље до 5 фебруара општински суд ће послати тако исправљени бирачки списак надлежном средњом односно окружном суду на потврду. У исто време поднеће му у препису све измене бирачког списка, које је извршио у току месеца јануара.

Кад суд прими бирачки списак увериће се, да ли одговара оригиналу који се у његовој архиви налази и потом га у року од петнаест дана ове-

ринги и вратити општинском суду уносећи у свој оригинални списак измене извршене од стране општинског суда у току месеца јануара.

Потврду потписује претседник и секретар средског односно окружног суда или њихови заступници.

§ 7.

Ако општински суд не поднесе у горе означеном року бирачке спискове надлежном средском односно окружном суду, овај суд ће га позвати да то накнадно учини у року од пет дана, а у исто време по званичној дужности предузеће што по закону треба за казну одговорних лица. Ако и после овога рока општински суд не поднесе средском односно окружном суду стални бирачки списак, овај суд ће одредити једног чиновника суда, да у року од месеца дана, у смислу одредаба овог закона, састави стални бирачки списак за ту општину.

До коначне потврде ових спискова важиће постојећи списак.

Чиновнику који буде одређен да овај посао сврши издаће се одмах из општинске касе путин трошак и дневница по постојећим прописима о путиним трошковима државних службеника за службено путовање, а тај и остали издаци пашће на терет одговарајућих часника.

§ 8.

Овако потврђен списак стајаће стално изложен у општинском и средском односно окружном суду.

Сваки има право да бирачки списак прегледа, препише, обзнаи и штампа и да, било за себе, било за другога, тражи његову исправку.

§ 9.

Да је бирачки списак стављен на углед грађанству, мора општински суд обзнанити истог дана, кад се ово учини. Обзнана ова у варошима и варошницама (трговинштима) врши се писменим објавама, прилепљеним на општинским судницама и по улицама а по сеоским општинама још и на начин који је у тој општини уобичајен.

У обзнани мора изречно бити казано, да ће на избору моћи гласати само они, који су у списак уведени.

§ 10.

Исправка бирачког списка тражи се непосредно писмено или усмено од општинског или средског односно окружног суда, а ако је код окружног суда само писмено. Средски односно окружни суд ће акт тражене исправке у року од 24 сата упутити општинском суду на поступак. Усмено тражње ставиће суд у записник. Уз тражење исправке морају се поднети докази.

За доказе могу служити само пуноважне јавне исправе. Ако лице, које је тражило исправку, захтева, да му се о томе изда уверење, суд је дужан то одмах учинити. Свако тражење исправке уводи се истог дана како у деловодну књигу (уручбени записник), тако и у нарочити списак ради лакшег прегледа. Ако општински суд чини исправку у бирачком списку по службеној дужности мора своје решење, којим исправку наређује, образложити пуноважним доказима.

§ 11.

По сваком тражењу исправке бирачког списка, општински суд мора донети своје решење у року од пет дана било да тражење усваја или не. Своје решење предаје ономе, који је исправку тражио,

одмах чим се јави, у року од пет дана. Ако се решење тиче и кога другога, суд га предаје и овоме службено у истом року.

Предаја решења извршиће се интересованом лицу уз писмену потврду пријема а неписменом пред двојицом сведока. На случај, да се интересовано лице не пронађе, решење ће му се прилепити на дом пред двојицом писмених сведока, који ће се потписати на доставници заједно са званичником, који је решење на дом прилепио.

Ако се не зна ни где је дом интересованог лица, те му се предаја не би могла извршити ни на један од изложених начина, онда ће се решење прилепити на општински дом.

Они, који су одбијени што уз тражење нису поднели доказе, какви се траже у § 10 овог закона, могу поново тражити исправку и поднети доказе, ако рок за тражење исправке не буде уопште истекао.

Али ако општински суд у остављеном року по тражењу исправке бирачког списка не донесе никакво решење, сматраће се, да је потражиоца исправке одбио од тражења и овај ће имати право да се жали непосредно надлежном средском односно окружном суду.

У том случају средски односно окружни суд ће од општинског суда одмах тражити потребна акта и према доказима донети решење, поступајући по ставу другом § 10 овог закона. Ако се исправка тиче и другог лица, средски односно окружни суд ће бити дужан у исто време и овога известити.

Општински суд дужан је у овом случају послати средском односно окружном суду потребна акта у року од 24 сата од пријема захтева (отписа) средског односно окружног суда, којим се иста траже.

§ 12.

Како потраживач исправке, тако и онај кога се исправка тиче, имају право у року од три дана од пријема решења жалити се надлежном средском односно окружном суду.

Ако општински суд одбије молбу потраживача исправке бирачког списка, онда лице, кога се то тражење тиче, ако има шта да изнесе или изјави у своју корист, мора то учинити општинском суду у року од три дана од пријема решења, односно судске доставе (§ 11 ал. 7), јер после решења средског односно окружног суда не може више ништа предузети.

Жалба по првом и изјава по другом ставу овог параграфа предаје се усмено или писмено општинском суду. Жалбе или изјаве суд ће ставити у записник и свакоме, ко затражи, издаће уверење, да је и кога дана жалба или изјава дата суду.

§ 13.

Свако своје решење, донесено по § 11 овог закона, општински суд мора послати по званичној дужности у року од два дана по истеку рока жалби, надлежном средском односно окружном суду на оцену, заједно са свима актима, који се на ово одnose. Овај суд ће најдаље за седам дана по пријему аката, донети своје решење којим одобрава или ништа решење општинског суда. У случају жалбе, средски односно окружни суд може и прениачити решење општинског суда. Чим донесе своје решење, средски односно окружни суд истог дана шаље га са свима актима општинском суду, пошто претходно у бирачки списак, који се код њега налази, унесе измену која се и ако се у томе његовом решењу садржи. Решење средског односно окружног суда извршило је.

§ 14.

По тражењу исправке бирачких спискова неће се наплаћивати никаква такса ни по којем ралу или акту, нити на исправе, као: изводе из црквених књига, уверења, потврде итд. које су потребне као докази за ова тражења, већ ће се на њима назначити: у којој се намери издају и да се неће моћи употребити као докази без таксе за какве друге послове. Надлежне власти дужне су потраживачу издати у року од 24 сата све исправе, које се траже ради исправке бирачких спискова.

§ 15.

Кад буде обнародован указ о изборима народних посланика исправке се могу тражити још петнаест дана по обнародовању указа. Свако доцније тражење исправке не утиче на састав бирачког списка, по којем ће се извршити већ расписани избор.

§ 16.

Ако дан избора пада у време од 1 јануара до 25 фебруара закључно, исправљање спискова по званичној дужности одложиће се до после избора и рокови предвиђени у овом закону почињу тећи десет дана од дана избора у место од 1 јануара. Исправке на захтев појединаца моћи ће се и у том случају вршити по одредбама овог закона.

§ 17.

Ко приликом исправке спискова, предвиђене у § 1 овог закона, унесе у списак које лице, или неког из списка избрише без образложеног решења, казниће се затвором од три месеца до две године. Ако би број тако уписаних или избрисаних лица био већи од десет за једно гласачко место, казниће се до пет година затвора.

§ 18.

Ко приликом исправке спискова хотимично пропусти унети у списак лица, која је по званичној дужности дужан унети, а која догле нису била у списку, казниће се до три месеца затвора или новчано до 3.000 динара.

Тако ће се исто казнити и за случај, ако том приликом намерно пропусти избрисати оне, који су умрли или изгубили бирачко право.

§ 19.

Ако општински суд не поднесе сталне бирачке спискове среском односно окружном суду у року одређеном овим законом, казниће се одговорна лица до шест месеци затвора.

§ 20.

Све ове кривице (§§ 17, 18, 19) судиће веће окружног суда.

§ 21.

Послове који се односе на решавање о исправци бирачких спискова у крајевима где нема општинског суда, вршиће општински претстојник (начелник, кнез), или његов заменик заједно са два општинска већника, које ће изабрати општинско веће.

§ 22.

Формуларе бирачких спискова прописује Министар унутрашњих послова.

§ 23.

Уз стални бирачки списак општински суд мора саставити и један заједнички азбучни (абетедни) именик (индекс) свих бирача у општини у којем ће се поред имена сваког бирача означити страна и број бирачког списка, под којим је овај уведен у бирачки списак. При изради првог стал-

ног бирачког списка општински суд ће бити дужан, да овај именик изради у два примерка, од којих ће један задржати срески односно окружни суд за своју архиву. Окружни суд ће потом службено увести сваког новог бирача и у свој азбучни именик.

§ 24.

Општински суд ће сваке пете године преписати оригинални бирачки списак изостављајући оне бираче који су избрисани, а увелећи накнадно уписане. У колико се у већим варошима укаже потреба због нагомиланости аката, срески односно окружни суд може наредити да се тај препис и раније изврши и у два оригинална примерка поново поднесе среском односно окружном суду на потврду, који на тај начин постају стални бирачки спискови.

Прелазна наређења.

§ 25.

За прве наредне изборе народних посланика по ступању на снагу овог закона рок предвиђен у § 7 код прве реченице мења се у рок од два дана а рок предвиђен у истом параграфу код друге реченице мења се у рок од три дана; рок предвиђен §-ом 13 код прве реченице мења се у рок од 24 сата а рок предвиђен у исто параграфу код друге реченице мења се у рок од два дана, и рок предвиђен у § 15 код прве реченице мења се у рок од три дана.

§ 26.

Овај закон ступа у живот и добија обавезну снагу кад се објави у „Службеним новинама“.

6 септембра 1931 год
Београд

АЛЕКСАНДАР с. р.

Претседник Министарског савета,
министар унутрашњих послова,
почасни ађутант Њ. В. Краља,
армијски генерал,

П. Р. Живковић с. р.

Видео и ставио Државни печат,
чувар Државног печата,
министар правде,

Д-р Драг. С. Којић с. р.

Претседник Министарског савета
министар унутрашњих послова,
почасни ађутант Њ. В. Краља,
армијски генерал,

П. Р. Живковић с. р.

(Овај закон објављен је у ванредном броју 205, од 7 септембра о. г., од кога дана и важи).

429.

III

АЛЕКСАНДАР I

по милости Божјој и вољи Народној

КРАЉ ЈУГОСЛАВИЈЕ

На предлог Нашег Министра финансија, а по саступању Претседника Нашег Министарског савета, прописујемо и проглашујемо

ЗАКОН

о продужењу рачунске године по буџетима Краљевских банских управа за 1930/31 буџетску годину

§ 1

Изузетно од наређења става 2, члана 19 Уреда о утврђивању имовине, начину управе и бу

депиралу биновина и о ликвидацији имовинских односа државних средњих и областних самоуправа од 23 октобра 1929 могу Краљевске банске управе вршити исплату на терет одобрених им кредита по буџетима за 1930/31 годину до 30 септембра 1931 закључно.

§ 2

Овај Закон ступа на снагу даном обнародовања у „Службеним новинама“ када престаје важити Закон о продужењу рачунске године по буџетима Краљевских банских управа за 1930/31 буџетску годину од 18 јула 1931.

1 септембра 1931 године
у Београду

АЛЕКСАНДАР с. р.

Министар финансија,
Д-р Ђ. Ђурић с. р.

Видео и ставио државни печат,
чувар Државног печата,
министар правде,

Д-р Драг. Којић с. р.

Претседник Министарског савета,
министар унутрашњих послова,
почасни ађутант Њ. В. Краља,
армијски ђенерал,

П. Р. Живковић с. р.

430.

МИ

АЛЕКСАНДАР I

по милости Божјој и вољи Народној
КРАЉ ЈУГОСЛАВИЈЕ

На предлог Нашег Министра трговине и индустрије, а по саслушању Претседника Нашег Министарског савета, прописујемо и проглашујемо:

ЗАКОН

о Допуни закона о извозу и увозу пшенице, ражи и пшеничног брашна

Члан 1.

Иза § 3 Закона о извозу и увозу пшенице, ражи и пшеничног брашна од 27 јуна 1931 године, додаје се нов параграф, који гласи:

§ 3-а

Овлашћује се Привилегована аграрна банка, да прави зајмове у сврху финансирања извоза и увоза према овом закону и уз државну гаранцију даје у ту сврху кредите Привилегованом акционарском друштву за извоз земаљских производа Краљевине Југославије. Гаранције ће у име државе издавати банци Министар финансија по одобрењу Претседника Министарског савета.

Члан 2.

Овај закон ступа на снагу кад га Краљ потпише, а обавезну снагу добија на дан обнародовања у „Службеним новинама“.

4 септембра 1931 године
Београд

АЛЕКСАНДАР с. р.

Министар трговине и индустрије,

Д-р К. Кумануди с. р.

Видео и ставио Државни печат,
чувар Државног печата,
министар правде,

Д-р Драг. С. Којић с. р.

Претседник Министарског савета,
министар унутрашњих послова,
почасни ађутант Њ. В. Краља,
армијски ђенерал,

П. Р. Живковић с. р.

(Овај закон објављен је у броју 206, од 8 септембра о. г., од кога дана и важи).

431.

ПРАВИЛНИК

о контроли над извршењем прописа Закона о продаји пшенице у земљи

У циљу извршења Закона о продаји пшенице у земљи од 4 септембра 1931, а на основу § 8 овога Закона, прописујем следећи Правилник:

Члан 1.

Контролу над извршењем прописа Закона о продаји пшенице у земљи од 4 септембра 1931 врше службеници Финансијске контроле и специјални контролори, које поставља Привилеговано акционарско друштво за извоз земаљских производа.

Члан 2.

Сваки млин је дужан да најдаље до 10 септембра 1931 саопшти препорученим писмом друштву, поменутом у члану 1 претходног члана, да ли ће се бавити мељавом као трговачки или као ушурски (на ујам) млин.

Члан 3.

Сваки млин, који се у смислу претходног члана пријавио као трговачки млин, дужан је да најдаље до 10 септембра 1931 поднесе друштву, поменутом у члану 1 овога Правилника, препис пријаве поднете по наредби Министра финансија Бр. 61950/III, од 5 септембра 1931, „Службене новине“ Бр. 203, од 5 септембра 1931.

Члан 4.

Сви трговачки млинови подлеже нарочитом надзору и у том циљу може Министарство финансија-Одељење пореза, на тражење друштва, поменутог у члану 1 овога Правилника, поједини млин ставити под стални надзор једног службеника финансијске контроле који ће се сместити у самоме млину. Такав млин је дужан ставити дотичном службенику пристојну просторију са најпотребнијим канцеларијским прибором као и огрев и осветљење на бесплатно располагање. Иначе млинови нису дужни да сnose било какве друге терете ради извршења контроле над млином.

Члан 5.

Сваки трговачки млин мора водити контролну књигу у којој ће уписивати:

- 1) сваку количину пшенице купљене од друштва поменутог у члану 1 овога Правилника;
- 2) сваку продају брашна по количини и квалитету;
- 3) продајну цену за сваку врсту брашна;
- 4) име и презиме као и место становања купца брашна затим и место где се брашно има испоручити.
- 5) број врећа и употребљених пломби;
- 6) дан у који је брашно из млина изашло;
- 7) превозно средство које је за превоз од млина до купца употребљено.

Члан 6.

Свака врећа брашна коју трговачки млин пусти у промет мора бити снабдевена фирмом млина и пломбом, на којој се налази кружни натпис с једне стране „Привилеговано а. д. за извоз“ а на другој страни „Београд“. Ове ће пломбе млин куповати код друштва, поменутог у члану 1 овог Правилника, и оно је једино овлашћено да их израђује.

О свакој количини набављених пломби мора млин водити нарочиту белешку у којој ће се уписивати набављене количине, број пломби стављених на врећама које млин пусти у промет као и број покварених пломби које се морају чувати док их службеник финансијске контроле не повуче, о чему ће он учинити потребну напомену у белешки о пломбама.

Члан 7.

Све радње, које се баве продајом или прерађивањем брашна, дужне су да воде контролну књигу, у коју ће уписивати:

- 1) име млина односно продавца од којег су брашно набавиле;
- 2) набављену количину брашна по квалитету;
- 3) набавну цену;
- 4) превозно средство којим је брашно до њих стигло;

5) белешку о томе да ли су вреће брашна биле снабдевене фирмом млина и пломбом прописаном у претходном члану. Ни један продавац и прерађивач брашна не сме скидати пломбу док не почне употребљавати брашно, а скинуте пломбе је дужан чувати док му их службеник финансијске контроле не одузме, о чему ће он учинити потребну напомену у контролној књиги.

Члан 8.

Сви млинови (трговачки и ушурски) као и сви продавци и прерађивачи брашна дужни су да у радно време допусте службеницима финансијске контроле и специјалним контролорима (члан 1 овога Правилника) приступ у њихове просторије и да им ставе на располагање контролну књигу као и остале пословне књиге са припадајућим исправама ради увиђаја и констатовања првилности у раду.

Члан 9.

О сваком противзаконитом раду као и о сваком раду који би се противно прописима овога Правилника, а које службеници финансијске контроле односно специјални контролори (члан 1 овога Правилника) примете у млиновима или код продаваоца односно прерађивача брашна, има се саставити уредан записник са сопствеником млина односно са продаваоцима или прерађивачима брашна и такав записник доставити управној власти првог степена за даљи поступак у смислу наређења § 8 Закона о продаји пшенице у земљи.

Извод из овога записника доставиће контролни службеници и друштву поменутом у члану 1 овога Правилника.

Члан 10.

Овај Правилник ступа на снагу кад се објави у „Службеним новинама“.

Бр. 62707/III
8 септембра 1931 год.
у Београду

Министар финансија,
Др. Ђ. Ђурин с. р.

432.

На основу § 22 закона о бирачким списковима

ПРОПИСУЈЕМ:

А. *Формулар сталног бирачког списка, који има следеће рубрике: текући број, породично и рођено име бирача, занимање, место становања (улица и број куће — крај, махала) и најзад рубрика за примедбу.*

Формулар А.

Текући број	ПОРОДИЧНО И РОЂЕНО ИМЕ БИРАЧА	Занимање	Место становања (улица и број куће — крај, махала)	Примедба

Б. Формулар заједничког азбучног (абединог) именика који има следеће рубрике: текући број, страна сталног бирачког списка, текући број сталног бирачког списка, породично и рођено име бирача, занимање, место становања (улица и број куће -- крај, махала) и најзад рубрика за примедбу.

Формулар Б.

Текући број	Страна сталног бирачког списка	Текући број сталног бирачког списка	ПОРОДИЧНО И РОЂЕНО ИМЕ БИРАЧА	Занимање	Место становања (улица и број куће --крај, махала)	Примедба

Ш бр. 51045
8 септембра 1931 године
у Београду

Претседник Министарског савета,
министар унутрашњих послова,
почасни ађутант Ђ. В. Краља,
армијски генерал,
П. Живковић с. р.

433.

НАЧЕЛНА ОДЛУКА

Опште седнице Касационог суда о разумевању и примени § 39 Закона о издавању тапија на подручју Касационог суда у Београду и Великог суда у Подгорици од 30 маја 1931 године

Господин Министар правде актом својим од 11 августа 1931, бр. 94370 тражио је да Касациони суд на основу тач. 1 § 40 Закона о издавању тапија донесе највећу одлуку опште седнице по овим питањима:

1) Да ли ће за тапије које су се у време ступања на снагу новог закона о издавању тапија затекле на раду код општинских судова или код средских начелстава, важити прописи старог закона о издавању тапија или новог закона о издавању тапија?

2) Да ли ће суд тапије које су се затекле на раду у време ступања на снагу новог закона о издавању тапија а по којима још није поступно по § 11 старог закона о издавању тапија оглашавати по старом или по новом Закону о издавању тапија?

Касациони суд у данашњој својој општој седници проучио је ова питања па је нашао:

По § 39 Закона о издавању тапија од 30 маја 1931 г. за даљи рад по тапијама које су се затекле код суда, важке прописи овога закона. Међутим овим законом није нормирано како ће се поступити по тапијама које су се затекле код општинских судова и полицијских власти и по којима су већ предузете извесне радње око њихове потврде. Закон о издавању тапија има за циљ да интересована лица на што бржи и лакши начин и са што мање трошкова дођу до тапије од својих имања. Овај би циљ био промашен ако би се одузела важност свима оним радњама које су општински судови, полицијске власти и првостепени судови били предузели по предметима тражених убашти-

љева по одредбама ранијих закона а пре ступања на снагу повог закона о издавању тапија, јер би саображавање досадањег рада по тим убаштињенима садањем закону о издавању тапија било скопчано са губитком времена и трошковима а на штету како интересованих лица, тако и брзог отпављања послова код власти, које раде на убаштињенима. Зато Касациони суд налази да у интересу бржег рада око издавања тапија треба оставити у важности све радње општинских власти и судова које су пре ступања на снагу новог закона о издавању тапија од 30 маја 1931 год. бр. 64504, предузете — извршене саобразно прописима закона о издавању тапија од 14 децембра 1929 год. и других ранијих закона ради састављања тапија. Тако раније састављене тапије по прописима §§ 3, 4, 5, 6, 7 и 8 закона о издавању тапија од 14 децембра 1929 год. имају остати у важности и по новом закону о издавању тапија а не морају се ове формалне радње обновљати према прописима §§ 5, 6 и 7 новог закона о издавању тапија од 30 маја 1931 год. ако су дошле пред суд после 18 јула тек. год. кад је нови закон о издавању тапија ступно на снагу. Али по §§ 36, 37 и 38 новог закона о издавању тапија од 30 маја тек. године на подручју Апелационог суда у Скопљу сем подручја Окружних судова у Враћи, Лесковцу и Пироту упротишеније је и лакше доказивање својине непокретног имања на које се жели убаштинити него што је било по одредбама ранијег закона о издавању тапија и других закона, јер ће суд извршити убаштињење на некретна имања у овим подручјима као и у подручју среза Андријевачког подручја Великог суда у Подгорици и без извештаја аграрних власти да имање не долази под аграрну реформу, ако оне на тражење суда по томе не поднесу извештај у року од месец дана. Сем тога на истом подручју изузев Среза андријевачког, својина некретног имања може се доказивати и сведоцима по новом закону о издавању тапија без обзира на прописе законика о грађанском судском поступку. Тако исто општински судови по § 38 новог закона о издавању тапија а на основу ре-

шења којим Министарство пољопривреде односно надлежне аграрне власти признаје насељенику право својине на додељеном земљишту издаје насељенику тапије без даљих формалности само са ограничењима изложеним у истом решењу и шаље је суду на даљи рад.

Па како се прописима §§ 36, 37 и 38 Закона о издавању тапија од 30 маја 1931 год. још више чине одлакшице за издавање тапија на наведеном правном подручју, него што је чинило ранијим законима, Касациони суд налази да према § 39 новог закона о издавању тапија судови треба да и тапије чије је издање тражено и општински судови извршили припремне радње за њихово састављање или су се затекле на раду код средњих начелстава на дан, кад је нови закон о издавању тапија ступио на снагу, примени наређења речених §§ 36, 37 и 38 новог закона о издавању тапија јер и то иде у прилог да се сопственици некретних имања што пре на исто убаштине што је и циљ Закона о издавању тапија.

Са изложеног а на основу § 40 тач. 1 Закона о издавању тапија од 30 маја 1931 год. бр. 64504 и § 16 тач. 2 Закона о своме устројству Касациони суд је у погледу на истакнута питања донео ову своју

НАЧЕЛНУ ОДЛУКУ

По свима тражењима убаштињења пре ступања на снагу закона о издавању тапија од 30 маја 1931 год., све радње општинских судова и полицијских власти извршене по ранијим законима у циљу састављања и издавања тапија пре 18 јула 1931 год. када је нови закон о издавању тапија од 30 маја 1931 год. бр. 64504 ступио на снагу, имају остати у снази, а даљи рад по тим убаштињењима ма се обавити код судова по новом закону о издавању тапија у смислу § 39 истог закона. Ово важи и у погледу оглашавања тапија, које је питање истакнуто у предњем акту господина Министра правде под 2.

Али и по овим тапијама доказе о својини и основу прибављања имања цениће судови на подручју Апелационог суда у Скопљу, изузев подручја окружних судова у Враћи, Лесковцу и Пироту по прописима §§ 36, 37 и 38 новог закона о издавању тапија од 30 маја тек. год. а у погледу аграрних односа примењиваће судови прописе § 36 истог закона и у подручју Среза андријевачког.

Према § 40 тач. 1 Закона о издавању тапија од 30 маја 1931 год. ова одлука обавезна је за судове.

Бр. 9297. — Из Опште седнице Касационог суда, 24 августа 1931 год., у Београду.

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Стављање ван снаге Наредбе Дирекције поморског саобраћаја од 20 новембра 1929 год.

Решењем Господина Министра саобраћаја П.О.Пов.Бр. 118 од 7 јула 1931 год. ставља се ван снаге Наредба Дирекције поморског саобраћаја од 20 новембра 1929 год. Пов.бр 332,29 отштампана

у „Службеним новинама” бр. 282—СХV, од 1 децембра 1929, односно ограничења пловидбе у шибенском округу.

П.О. Пов.бр. 118/31. — Из Министарства саобраћаја — Управе Поморства и речног саобраћаја — Поморско одељење, 8 јула 1931 год., у Београду.

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ИСПРАВКА

у Уредби о устројству заставних књига на подручју Великог суда у Подгорици

У Уредби о устројству заставних књига на подручју Великог суда у Подгорици отштампаној у додатку „Службених новина” од 12 августа 1931 поткрале су се извесне грешке које се овим исправљају:

1) У првој реченици чл. 10 испрегуран је ред речи на једном месту, тако да дотично место треба да гласи: „онда ће се одобрена застава увести у заставну књигу и уједно ће се на исправи . . .”

2) у другом ставу чл. 22 место речи „имају се преписати нове” треба да гласи „имају се преписати у нове”.

3) у обрасцу судског дневника за заставе рубрика „сума истраживања” треба да гласи „сума потраживања”.

Бр. 107297. — Из Министарства правде, 4 септембра 1931 године.

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ИСПРАВКА

у Закону о издавању тапија

У §-у 30 Закона о издавању тапија, у другој реченици омашком је испала реч „убиштињења” тако да та реченица треба да гласи: „Где средњи судови још нису уведени убаштињења и преносе тапија . . .”.

Бр. 107297. — Из Министарства правде, 4 септембра 1931 године.

437.

ИСПРАВКА

у Правилнику о обележавању пловних путева

У броју 182, од 12 августа ове год., објављен је Правилник о обележавању пловних путева и алинеја прва чл. II отштампана је погрешно, те има да гласи:

„Обални знакови у главном служе за оријентацију и правац, пловни показују границе пловног пута, док забрана пролаза има императивни карактер”.

У.П. и Р.С.бр. 9727. — Из Управе поморства и речног саобраћаја, 31 августа 1931 год., Београд.

APPENDIX III

Item III

RESOLUTION ADOPTED ON MARCH 7, 1932, AT THE MEETING OF THE LEADERS
OF THE PEASANT-DEMOCRATIC COALITION

1. Standing firmly on the principles of democracy, we consider that the sovereignty of the people should form the basis of the organization of the State. The people are the sole source of political sovereignty and of all public authority.

2. Since the peasants form the basis of culture, of the economic life, of the social structure and of the moral values of the nation and since they represent the vast majority of the population, they should also form the basis of the political organization of the nation.

3. We must point out the fact that, from the very beginning, the Serbs from Serbia have imposed their hegemony in Croatia and in all other lands across the rivers Sava, Drina and Danube (that is in all formerly Austro-Hungarian lands). This hegemony rests on immoral methods of violence and oppression. Having seized the monopoly of power, but incapable of wielding it intelligently, the Serbs from Serbia are using it for the purpose of destroying all moral values, all modern institutions and achievements, all material wealth and the spiritual peace of the people. These conditions have culminated in the dictatorship introduced on January 6, 1929, which not only strengthened this hegemony but abolished civil and political freedoms.

4. On the basis of this sad experience, we have come to the inevitable conclusion that we must revert to the year 1918 and take it as the starting point. It is a pressing need, therefore, to organize and conduct a relentless struggle against this hegemony with the intention of eliminating it from all our lands together with those who exert it and wield authority on its behalf.

5. Only the elimination of this hegemony can form the basis for the new organization of the State. Without, at the moment, discussing in detail the plan of this reorganization, we have agreed to the principle that the new commonwealth must exclude the hegemony of one or more of its members and that it must be based on the identity of interest and on the free will of all its members. Thus every member of the commonwealth would have his particular interests safeguarded in his own unit, while all together would co-operate in the common affairs of the commonwealth which are to be determined. Thus, and only thus, can the moral and material progress and prosperity of the Serb, Croat and Slovene peoples be assured. Particular interests of the minorities of foreign speech will be fully safeguarded and guaranteed.

Item III Cont.

Signed: Dr. Valdko Macek, Sava N. Kosanovic,
Dr. Hinko Krizman, Josip Predavic, Dr. Juraj
Sutej, Dr. Ante Trumbic, Veceslav Vilder, Dr.
Mile Budak, Dr. Dusan Boskovic and Reverend
(Serbian Orthodox) Dusan Kecmanovic

DR. VLADIMIR MACEK'S INDICTMENT

Of Dr. Vladimir Maček, etc., that he collaborated in the month of November 1932 in drawing up the demands that the lands beyond the rivers Sava, Drina and Danube, which now form part of the Kingdom of Yugoslavia, be legally returned to conditions as existing in those lands at the time of the dissolution of the Austro-Hungarian Monarchy, in order that these lands might then open negotiations regarding the organization of the Yugoslav State—he is therefore guilty of propaganda intended to convince others that these lands should be separated from Yugoslavia and formed into a separate State. Dr. Maček has therefore committed the crime punishable under paragraph 3 of the Law for the Protection of Order and Security in the State to 5 years in the penitentiary.

Source: P. D. Ostrovic, The Truth About Yugoslavia (New York: Publishers, 1952), pp. 286-288.

APPENDIX III

Item IV

PREPARATION FOR MARSEILLE

In a chapter of his book, under the title "Preparations for Marseille," Milichevitch has published the following unconfirmed data on the background of the crime and the persons implicated in the preparations:

1. The attempt on the King's life was prepared by the Central Committee of the Ustasha in Bologna, Italy, when the news of the impending visit by King Alexander to France was published. (Summer, 1934)

2. "At the same time, Vlada Georgiyeff-Kerin, known also as Vlado Makedonski, chauffeur to Ivan Mihailoff, and terrorist instructor, made his appearance in the Ustashi Camp in Italy. Kerin was now in charge of firing practice in the camp, with the target used being a silhouette in perfect replica of King Alexander."

3. About the end of August, 1934, Ivan Mihailoff, head of the Internal Macedonian Revolutionary Organization went to Rome . . . to arrange with Pavelitch the place, day, and hour of the assassination. He was staying at the Hotel Continental, in which most of the Balkan terrorist organizations had their meetings. Inspector General, Ercole Conti, attended the talks between Pavelitch and Mihailoff. "Count Ciano twice received Mihailoff and Pavelitch together."

4. "Pavelitch and Mihailoff agreed to assemble several groups of terrorists for the actual assassination. The first group was to make its attempt immediately upon the King's landing at Marseille. In the event of the first group's failing, another was to make an attempt with a bomb at a prearranged time. A third group was assembled to operate in Paris. In the event of all three groups in France failing, a fourth group was to operate in England."

5. At Mihailoff's suggestion, it was decided "that the first group be headed by his chauffeur, Vlada Georgiyeff-Kerin, who," he said, "had experienced such assassinations, and would take the first chance he saw."

6. Pavelitch ordered Mijo Bzik, his secretary in the Ustasha camp in Italy, to assemble several groups of terrorists. Bzik went to Vienna and then travelled with Lt. Colonel von Perchevitch to Jamka Puszta in Hungary. Perchetch had just been executed and replaced by Vjekoslav Servatzi as the Leader of the Ustashis in Hungary. Bzik was "now charged with the task of selecting, with Servatzi's help, the terrorists required, and fitting them out with false names and forged passports."

7. Milichevitch notes that "none of the members of the terrorist groups chosen knew either the place or the time of the attempt."

Item IV Cont.

Those data were kept so secret that even his (Milichevitch's) agents in Janka Puszta were unable to give any precise information." The explanation of this ignorance was given by the Marseille Police, whose investigation established that while in Hungary, none of the terrorists had any idea of what their mission would be abroad nor that they were selected to murder the King of Yugoslavia.

8. Simultaneously, the Ustashis sent their political emissaries to Western Europe to represent the Croat cause there. Andrea Artukovitch, a Zagreb lawyer, was sent to London, (in 1941, he became Minister of the Interior) while Stephan Peritch proceeded to Brussels; he was later appointed Minister to Italy by Pavelitch. At the end of September, Kvaternik (later Pavelitch's Minister of Police) left Italy for Switzerland where he was to instruct the arriving detachment of Ustashis sent from Janka Puszta.

Source: Tibor Eckhardt, Regicide at Marseille (New York: American Hungarian Library and Historical Society, 1964), pp. 33-35.

APPENDIX IV

Item I

THE ZAGREB AND BELGRADE MEMORANDA

ZAGREB

At the moment when you, gentlemen Regents, are taking over the prerogatives of the Crown from the hands of Him, who devoted the manifold qualities of His strong personality to His mission as Sovereign and finally sacrificed His life in the fulfillment of His far-reaching plans—at this difficult moment we consider it our duty as citizens to inform you of the state of the country and of the temper of the people. All state authorities should be aware of these conditions and should have due regard for the will of the people. Were it not for the misrepresentations and downright untruths that are both freely published and secretly whispered about these conditions, there would be no need for the step which we are taking, but the very fact that such misinformation is broadcast makes this step particularly necessary as an act of civic duty. All honourable citizens ought to co-operate in eliminating the dangers that arise from the naive or malevolent concealment of truth, and from flattery which, particularly in recent times, has taken forms bordering on bad taste and verging upon insinuations.

Guided by this desire for truth, which is so necessary today and animated by the words of Louis XIV: "Truth is always welcome, if told with respect and submitted without partiality"—we take the liberty of approaching you, gentlemen Regents, with this statement of truth and of the measures that, in our opinion, should follow it.

It is an iniquitous fallacy and the source of much evil to believe that many Yugoslavs, particularly among the Croats, are enemies of the state. Even in the case of the rare individuals who might be so regarded with validity, the causes and motives of these excep-

Item I Cont.

tional instances should be examined. One of the principal causes is beyond doubt the fatal confusion between the terms "state" and "organization of the state."

The truth which can be categorically stated is that the people are loyal to this state and that they want it. This is truth and the very fact that he wants this state should be the foundation of the rights and liberty of every citizen to express freely his opinions regarding the organization of the state and to act in accordance with his own lights. In the interest of the preservation of the state the form of its organization must be flexible, in order to perpetuate the state under changing conditions.

This moment is not an appropriate one to discuss the desired form of the organization of the state, but this is the extreme moment to declare openly that the vast majority of the people reject its present organization. This moment is inappropriate to discuss the organization of the state because the impartial administration of justice is a much more urgent problem. It is symptomatic of the present conditions that the citizens must claim and demand that which is the most elementary characteristic of any state, and on which ordinarily no words need be lost. Many, even the lowest, officials of the state consider themselves endowed with authority arbitrarily to interpret and apply the law in a manner which amounts, very often, to its extreme prostitution and violation. Such violations are a daily occurrence throughout the country and there is hardly a citizen who has not been their victim. In the first place, therefore, an impartial administration of justice must be guaranteed through equitable application of even the severe laws at present in force until they are gradually replaced by milder legislation. Justice must be impartially administered and applied to all citizens alike.

Censorship, which as it is now practiced has reached the peak of unreason, arbitrariness, harmfulness and illegality, is insupportable if truth is to be helped to victory.

The laws governing associations and public meetings must be reformed to exclude the monopoly of only one political party and only one political principle. Loyalty to the state is a sufficient reason and condition for any state to permit freedom of association and public meetings.

Independence of the Law Courts must be guaranteed if the Courts are to become true interpreters of justice. Legal sanctions must be restored against illegal acts of an administration which

Item I Cont.

in practice does not stand on the solid ground of the law. In this connection all government officials should be specifically warned that the misery of a vast number of the population has reached such proportions that it is not only intolerable but directly dangerous to augment this misery by police molestations which tend to increase the irritation and bitterness of the citizens.

It is advisable, if not directly to abolish, then at least to suspend—by way of experiment—the activities of the Court for the Defence of the State, which through its numerous and severe sentences creates an undoubtedly harmful and dangerous impression that the nation produces only enemies of the state, whereas conditions contrary to law produce enemies of such conditions.

In view of existing conditions it is much that the citizens claim and demand, but it is nothing in comparison to what ought to be a *conditio sine qua non* of every state.

As a first visible and convincing manifestation that the policy of the state has entered the path of pure legality it would seem to be of utmost urgency:

1) To release from prison Dr. Vladimír Maček, or, to be more precise, to allow him to exert his legal right to obtain a conditional release. An analogous treatment to be accorded to all other political prisoners as far as they satisfy the conditions required by law.

2) Grant the largest possible amnesty. Amnesty has not been granted for years.

3) Grant freedom of movement to all those who have been deprived of it or restricted for political reasons.

4) The army, gendarmes and police are capable, in our view, of taking care of peace and order in the land, and we consider it not only unnecessary but extremely dangerous to permit other organizations to assume their task.

5) Change the electoral law for rural and urban councils by introducing secret instead of the public ballot as it is at present. Carry out the elections, already provided for by the law, in these communities. Such elections will confirm our contention regarding the untruthful rumours and reports and show the true trend of public opinion. They would do this in a peaceful atmosphere and would be preparatory to national elections, which, we admit, would be premature and dangerous at the present moment.

6) Appoint to the highest positions in the state, like those of Bani (governors), personalities whose past record and character

Item I Cont.

would afford a guarantee that the measures proposed and the good intentions of the Regency would be carried out.

The following measures seem to us to constitute an imperative necessity, in this first moment: to pacify the population, normalize conditions, and inspire the people with faith that conditions will gradually improve. The ground must be prepared for the concentration of all national energies which is so vitally important today. The recent declaration of Mr. Baldwin: "I shudder at the thought of what a weak British government would mean in the present European situation" is equally applicable to our country.

For purely technical reasons the number of signatures on this Memorandum is not very great. The necessity of quick action, in face of the security measures of the police, who hinder loyal citizens from freely consulting about the common weal, that is to say, about the interests of their own country, did not permit us to collect more signatures. The undersigned, however, guarantee with their word of honour that each of them has consulted tens upon tens of loyal citizens of different professions, prominent public men of different political thought, who are all informed of the Memorandum and in agreement with its contents. If we had had the opportunity of deliberate and unhindered action there would have been thousands upon thousands who would have signed it and would have thus manifested the true feeling of the country. We are convinced that this Memorandum would have received a plebiscitary endorsement as representing the minimum of measures that should be undertaken without delay in this critical moment in the interest of the State, of the King, and of the People.

Dr. Ante Bauer

archbishop

Dr. Alojzij Stepinac

archbishop coadjutor

Dr. Klement Bonifačić

bishop of Split

Dr. Svetozar Ritig

parish priest

Dr. Ivo Spevec

lawyer and Municipal Councillor

Dr. Ferdo Šišić

University Professor

Dr. Želimir Mažuranić

Dr. Ivo Krbek

University Prof. and Mayor of Zagreb

Dr. Tomislav Tomljenović

former Ban

Vlado Andrašević

Municip. Councillor, etc.

Vladimir Pexidr-Srića

President of the Commerc. Section of the Chamber for Commerce and Industry

Dr. M. Curčín

Editor of the review "Nova Evropa"

Item I Cont.

Milan Ramušćak <i>President of the Chamber of Artisans</i>	Dr. Ivo Belin <i>Secretary of the Stock Exchange</i>
Dr. Petar Knoll <i>University Prof.</i>	Dr. Djuro Vranešić <i>President of the Medical Chamber</i>
Ivan Peršić <i>former M. P. and Municip. Councillor</i>	Pavle Ostović <i>Secretary of the former Yugoslav Committee in London</i>
Dr. Antun Gottlieb <i>surgeon</i>	Viktor Fabris <i>President of the Assoc. of Artisans</i>
Dr. Adolf Uršić <i>lawyer, Varaždin</i>	Josip Krčelić <i>Municip. Councillor</i>
Dr. Albert Bazala <i>University Professor and President of the Yugoslav Academy</i>	Artur Mahnik <i>former Vice-Mayor of Zagreb</i>
Ing. Djuro Stipetić <i>University Professor and Rector</i>	Krešimir Brovet <i>President of the Assoc. of Merchants</i>
Dr. Ivo Tartaglia <i>former Ban</i>	Dr. Rikard Lenac
Ivan Meštrović	Dr. Ljudevit Šolc <i>lawyer, Varaždin</i>
Milan M. Rojc <i>former head of dept. of Croatian govt. for educational and religious affairs, etc.</i>	Dr. Stanko Hajduković <i>lawyer, Osijek</i>
Dr. Milivoj Dežman	Dr. Ante Kraljić <i>lawyer, Sušak</i>
Nikola Prečca	Dr. August Petrović <i>lawyer, Osijek</i>
Dr. Stanko Švrljuga	

Note: It will be seen that all professions were represented among the signatories, and although all were active in public life, practically none of them was active in daily party politics. The Memorandum was addressed to the Regents. It was actually drafted at the beginning of September, 1934 and would have been delivered to Alexander had he lived. As it is, it was submitted to Prince Paul, the chief Regent, about mid-November. In spite of its moderation, the Memorandum provoked a campaign of wild abuse of the signatories by the government-controlled press inspired by the Serbian oligarchy. However, a group of Belgrade intellectuals, with Stobadan Jovanović at the head of them, greeted the Zagreb Memorandum, and presented a Memorandum of their own to the Regents at the beginning of December, 1934.

Except that Dr. V. Maček and some other political prisoners were released from prison some months later, the Memorandum had no effect. It should be noted that this Memorandum emphasizes the misery of the people and that most of the signers were capitalists or members of the well-to-do class.

The organizations mentioned in point 4 are the chetniks and the Serb-dominated Yugoslav National Defence organization. Both claimed to be super-patriotic and as-

Item I Cont.

BELGRADE

(handed to the Regents in the first days of December, 1934)

In the difficult situation that has arisen through the death of His late Majesty King Alexander, the undersigned group of Belgrade intellectuals consider it their duty to address to the Regents the following statement:

It becomes clearer every day that the murder at Marseilles was an act conceived by foreign enemies of our country with the intention of endangering the integrity of our state. This makes it an obligation for the sons of this country to concentrate all their energies and, leaving aside all particular political programs, to adopt a common program of national salvation as they have always done in the past when the country was in danger.

We welcome the Memorandum of a group of Zagreb intellectuals who, while confirming that the vast majority of the Croats are loyal to this state although opposed to its present political organization, have arrived at the same conclusion that the concentration of national energies represents a dire necessity at the present time. This fortifies us in our conviction that all parts of the nation are equally conscious that to-day more than ever salvation lies in unity.

The Regents have an honourable but serious responsibility to ensure a regime that will lead the country out of the crisis while relying on united energies and enjoying the confidence of the whole nation. We have, therefore, considered it our duty to interpret before the Regents these feelings which, in our opinion, prevail in the ranks of the intelligentsia.

Jovanović Slobodan

Marković Božidar

Mirković Vladimir

(and about forty other signatures)

Note: It is interesting that none of the Serbian Orthodox Church hierarchy signed this Memorandum.

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