but Titoism is not; and this fact is partly a product of moral and financial support by the Western powers.

We should not overlook the fact that the Yugoslav League of Communists has always contained liberal elements who lack outside support: Djilas in 1953/4, the so-called Croatian nationalists, and the so-called Serbian liberals between 1966 and 1972. These liberal trends can continue to develop. There are signs indicating that many of these liberal elements in the Party wish to unite with a social-democratic opposition in order: (a) to save the Yugoslav community of peoples, (b) defend itself from outside pressure, and (c) institute substantial changes in the state apparatus, the Party, and the broader society.

Yugoslavia is perhaps the only country in Eastern Europe that can develop genuine democratization within the framework of the present regime. The transition period, and the period thereafter, cannot be imagined without a role for the League of Communists; and this League can have a new truly liberal leadership.

Unfortunately, the Western media have entertained only two alternatives for Yugoslavia: either the occupation by a foreign power or a protracted form of post-Titoist dictatorship. But there is another road for Yugoslavian freedom, a road which points to genuine socialism and nonalignment and without a bloody civil war. It is a road which offers a new spiritual vision of the future: true democratization and freedom.

Renewed Repression in Yugoslavia

The Praxis Group

There was a widespread expectation that Tito’s death would result in a process of liberalization in Yugoslavia. That would indeed have been the most rational policy. After the purge of liberals in 1972 there was a rather long period of political repression, social stagnation, total inertia in cultural life, and an ominous erosion of the official ideology. After twenty years of democratization, no matter how slow and inconsistent, it was and remains difficult for Yugoslavs, especially the younger generation, to adjust to the revival of some old Stalinist practices. It seemed that a new period of liberalization was very probable for at least two reasons: First, the absence of a strong center of authority comparable to Tito; second, the need for inner strengthening of the country in the face of a foreign threat. Traditionally, Yugoslav defense capability depended more on strong moral motivation than on weaponry. Well aware of that, Yugoslav leadership responded to Stalin’s threat in 1948 by opening the road to democratization and self-government. This time the response is different, at least in the largest Republic of Serbia.

It was decided to close the case of seven “Praxis” university professors (who were unconstitutionally suspended from teaching in 1975), not by allowing them to return to their normal duties, but by firing them from the University altogether. On June 5, 1980, the law on the Universities was changed (for the fifth time during the last six years) in the Assembly of the Republic of Serbia. It further elaborated article 98, which was introduced in 1975 and which opened up the possibility of suspension of university professors who “damage social interests.” On the basis of such a vaguely-formulated article, eight professors of the Faculty of Philosophy in Belgrade, active collaborators and editors of the journal Praxis, were suspended — although defended for seven years (1968-1975) by their colleagues in the University, by the students of all Yugoslav universities, by many leading Yugoslav intellectuals, and in spite of numerous protests from the international academic community. These eight are: Mihailo Markovic, Ljubomir Tadic, Miladin Zivotic, Zagorka Golubovic, Svetozar Stojanovic, Dragoljub Micunovic, Triva Indjic, and Nebojsa Popov. Suspension meant that they were forbidden to teach, to be elected for any self-governing functions, or to take part in any decision-making. They were also not able to publish or give any public lectures. But they did not lose the status of employees: they were able to receive a (reduced) salary and get free health service.

The new law established that the state of suspension may last only for two years. If a suspended professor does not find
another job outside the university during that time he loses the status of employee, and all resulting rights. Article 104A refers to the specific situation of the seven “Praxis” professors (one of the original eight, Triva Indjic, found work in a sociological institute in Belgrade). Those who have already been suspended for more than two years lose all of their rights within six months unless they find another job outside the University (“in another working organization”).

This is, in fact, an administrative decision to fire seven University professors within six months. It is incompatible with existing Yugoslav law in more than one respect:

(1) Article 13 of the Constitution of the Republic of Serbia (as well as the Federal Constitution) affirms the principle of self-management, which, in the first place, consists of the right of each working organization (and each employee in it) to decide on all personnel issues (allocation of work, election, promotion, dismissal). There are only exceptional cases of mismanagement when a higher-level political body (including the Assembly of a Republic) has the right to intervene. Article 143, which regulates such cases, enumerates several types of intervention. They all concern with management rights, but not with the rights to work. For example, the Assembly can dissolve a worker’s council, or the management, or can reduce the use of self-management rights. But the Constitution does not give it the right to decide on employing and firing: those who lose their managing functions cannot lose their right to work by any such political intervention — except by the decision of the working organization itself. More specifically, Article 317 of the Constitution of Serbia enumerates nineteen specific functions of the Assembly of the Republic. Meddling in decision making on the questions of work and personnel of the University, or other working organizations, is not among them.

(2) The Assembly, as the legislative body, should not at the same time act as an executive organ and take specific decisions about individual citizens. Article 104A of the new University law refers to seven definite persons, and in fact constitutes a decision to terminate their employment status within six months. The form of the law — which by its very nature should have a general character has been abused in order to solve ad hoc a concrete case. Furthermore, this decision is irreversible, and does not involve the right of appeal to ordinary courts. This is incompatible with Article 203 of the Constitution of the Republic of Serbia, which guarantees to each citizen the right to equal protection of his rights and the right to appeal against decisions of the courts and of state organs. But, in this case there is no legal remedy against the decision of the Assembly. Consequently, this is an act of flagrant discrimination against University professors who, according to Articles 98 and 104A of the new University law, cannot — in contrast to other employees — appeal to any court and protect their rights as guaranteed by the Constitution.

(3) The new law contradicts Articles 190 and 193 of the Constitution of Serbia, which guarantee freedom of thought and freedom of scientific research. One cannot freely think and inquire if the results of his research can be declared (without even any specified objective procedure) damaging to social interests, and have as a consequence suspension and dismissal from the University.

(4) The new University law is also in conflict with the Federal Law of Associated Labor of 1976. Articles 197 and 216 of that law enumerate a number of reasons for which an employee can be fired from work. These are: disruption of work, absenteeism for at least five consecutive working days, incapacity for work, age for retirement, arrest for more than six months and others. None of these include such a nebulous clause as “damaging social interests,” or provide for subsequent suspension for two years.

(5) The institution of suspension for political reasons is also in contradiction with the international legal obligations of Yugoslavia undertaken by signing the Universal Declaration on Human Rights, the 1975 Helsinki Covenant on Security and Cooperation in Europe, and the Covenant of the International Confederation of Labor No. 111.

Article 2 of the Declaration establishes that all the rights and liberties reaffirmed in it belong to each person without any discrimination as to faith, politics, or other opinion. Article 19 guarantees to each individual a right to freedom of thought, which involves the right not to be harassed because of one’s thought.

Article 1 of the Covenant of the International Confederation of Labor No. 111 defines discrimination in employment as “making any distinction, exclusion or favoring based on . . . faith (or) political opinion . . . which tends to destroy or disrupt the equality of possibility of employment.” Article 2 of the Recommendation of International Confederation of Labor No. 111 requires that every state pursue a policy that fosters equality of opportunity and of “procedures in employment in order to remove any discrimination.”

If political institutions have the legitimate right to consider the “total conduct” of a university professor (Article 81 of the new law), to discriminate among them on the basis of whether they promote or damage “social interests,” to suspend and eventually fire them, then clearly this destroys equality of conditions for employment and staying employed. This arbitrary interference and discrimination constitutes not only an act of harassment, but also imperils the very conditions of the existence of a scholar.

The revised University law was published in the Official Bulletin of the Socialist Republic of Serbia on June 7, 1980. On June 26, the seven concerned university professors: Mihailo Markovic, Ljubomir Tadic, Zagorka Golubovic, Svetozar Stojanovic, Miladin Zivotic, Dragoljub Micunovic and Nebojsa Popov appealed, through their lawyer Srdja Popovic, to the Constitutional Court of Serbia, requesting that the Court declare Articles 87, 98, and 104A of the revised University law unconstitutional.

They are also ready to appeal to all those international organizations which are concerned about freedom of thought and scientific research, and equal rights to employment without any political or ideological discrimination.

They ask for support and a renewed expression of solidarity from the international academic community in this long uneven struggle for the defense of intellectual integrity and human dignity of scholars in a world dominated by mindless power.