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POLITICAL-LEGAL PERSPECTIVE OF DEVELOPMENT OF THE FORMER REPUBLIC OF YUGOSLAVIA

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ABSTRACT

The political-legal perspective of the development of the republics of the former SFRY can be obtained by a precise analysis of political developments in the former SFRY, viewed from the legal aspect, and under the influence of domestic and international factors that create a political reality in each individual republic. Building and taking care of a healthy, institutionally solid, legally dignified political system of one state is a challenge for every government, and therefore the government is a creator of an image of the political system, but also of innovative, economic, diplomatic, economic activity, which in many ways determines the level of democracy, the standard of living, the degree of political culture, constitutional and legal progress, the development of local self-government, and thus forms the image of a given society viewed through the lens of the political system. After its creation, the SFRY was a supranational state, with a federal political system, formed on the ruins of the outdated monarchist form of government, it had the futuristic contours of a real reality and, per its ideological concept, was significantly ahead of the time in which it existed. It was a symbol of sociological progress, synonymous with concepts that modern authors of political-legal thought today call cosmopolitanism. In this paper a comparative method of research will be applied, and based on it, will be presented the key determinants that define the social situation in the republics of the SFRY today, altogether with the proposals for the implementation of positive experiences, as well as the proposals for overcoming the potential difficulties of certain republics that they are facing today, considering that they have successfully overcome other similar obstacles.

Key words: political system, standard of living, social progress, economic parameters, economy, culture, state.

INTRODUCTION

The dissolution of the SFRY had a nationalistic, and then an international cause. Strengthening of nationalism led to the escalation of the conflict, which was a long-standing desire of the world's greatest powers. The role of religions in strengthening of national identities outweighed religious frameworks. Transnationalism is experiencing a defeat after almost half a century. Now there is no longer Yugoslavs as a nationality, but rather an identification with pre-Yugoslav identity, but in other boundaries. The first step is the use of the police. Police is very important because it can very early reveal dissatisfied groups

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and eliminate them before the need for a “major surgical procedure” (as the planners in the documents name it.[1]

DECOMPOSITION OF FEDERATION OF THE SOCIALIST REPUBLIC OF YUGOSLAVIA

The international community made great mistake in the initial premise that the SFRY was a danger. Based on this initial premise, it practically supported the escalation of nationalism and further strengthened right-wing ideologies. A comprehensive and militarily skilled Yugoslavia would be a danger for the great world powers of the twentieth century, and this danger should have been completely annihilated. The process of annulment began with the dismantling of Yugoslavia, under the protectorate of the NATO Pact, with a strategic and planned media campaign against the Serbian people that was supposed to be presented as a terroristic, barbaric and aggressive nation. They succeeded in that intention to a great extent.

The Dayton Peace Accords that arose as a result of “Dayton negotiations” is not a legal, but a political document. Regardless of its political character, it is used exclusively as a legal document that guarantees the construction of a Bosnian state, with a new, experimental state order, which is a bad copy of the Constitution of the United States. When the constitution of a country is adopted, it is necessary to consider all aspects of people, geographical space, culture, religion, economic positions, legal acquisitions, and many other factors. However, the Dayton Peace Agreement was brought swiftly, without meritorious legal and political studies. It is made exclusively by the will of international actors and, as such, today it can certainly not be the cornerstone of the construction of a new state, from the perspective of serious legal and political and academic observation.

Every country emerged from the former SFRY in its development aims to magnify national or homeland warriors, national heroes and giants of the modern era, which was apparently practically confirmed by the 2006 Croatian Parliament by adopting the “Declaration on the conviction of crimes committed during the totalitarian communist system in Croatia (1945-1990)”, and the Constitutional Court of Slovenia annulled the decision of the City Municipality of Ljubljana, which wanted to name one section of the road by the president of the former state - Josip Broz Tito. This was a clear indication of the indicator and deletion of supranational beliefs that have been built over half a century and an obvious proof of changing modern history and the desire to break every relationship with that time.

YUGOSLAVIA AS A POLITICAL FORMATION

Yugoslavia was not just a political-legal creation. It was also a cultural formation, based on the civic ideals of a free left-wing society. It cherished a progressive scientific thought and one of its characteristics was strengthening and building of universities and university centers, which contributed to the creation of a left-wing, enthusiastic-intellectual elite. The biggest contradiction that the newly emerging countries could have affected was the trend of mass construction of religious buildings, while university development experienced a completely different fate. It is a common feature of all political systems in the countries of the former Yugoslavia after the breakup of the SFRY. Analyzing “the principles that should

lie at the base of the state that would suit our wishes,” Aristotle analyzes the size of the state and the population; hence, when the number of population in question is not important, than the ability of people to work for the benefit of the city becomes important. [2]

The breakup of Yugoslavia and the so-called “homeland war” led to a sociological phenomenon which is a feature of the Croatian political system, one of the “nationally purest states of Europe”, with 89.63% of the population declared as Croats of the Roman Catholic faith.

The specificity of the BiH legal system is also reflected in the fact that the legislative power is executed by a two-way parliament, that is the BiH Parliament, and it consists of the House of Peoples and the House of Representatives. The executive power, as in all other republics of the former Yugoslavia, is performed by the Council of Ministers and the BiH Presidency, with the Federation of BiH executing the executive power: President of the Federation of BiH, the vice-president of the Federation of BiH and the Government of the Federation of BiH. The Constitution of the Federation of BiH takes into account the national representation, so even the Constitution prescribes that the President and the Deputy Prime Minister of BiH should not be of the same nationality. This clearly shows us that the conflict that lasted in this region was exclusively national and religious, and that even today, a quarter of a century later, this is still a burning issue and a stumbling block for the further political and legal development of the state and society. It is, of course, a measure of the development of the political culture of the peoples and authorities of this region.

However, there is a lot in common to all republics and political and legal systems of states originating from the SFRY. In all countries, the military is professionalized, which means abolishing regular military service and introducing a mercenary army; all countries have a multi-party system, so it is rightfully said that the common denominator of all former Yugoslav republics is the so-called “Political Pluralism”. The end of the Cold War freed the impressive torrent of rhetoric that convinced the world that the West would now be able to continue its traditional commitment to freedom, democracy, justice and human rights, unhindered by supercilious rivalry, although there were some - we call them supporters of realism in international relations - warned that by “letting idealism have almost exclusive control over our foreign policy” maybe we go too far and that we can endanger our interests.[3]

The post-socialist, cosmopolitan heritage that was synonymous with Yugoslavia was degraded and fundamentally ruined, and the so-called “Post-conflict Nationalist Society” emerged, which outlines the multicultural conception of consociational democracy.

Also, “Economic migration of the population” is common to all the countries of the former Yugoslavia. This phenomenon is, to the least extent, according to statistical data, present in the Republic of Slovenia, while in all other republics year after year it is more pronounced. This process of abandonment of the states of origin and the departure for a dignified life of a worthy human being originates from the time of the dissolution of the SFRY. It is interesting that this process was not expressed in the period of the existence of the SFRY, especially in the period from 1945 to 1980.

On the territory of the former SFRY, the Republic of Macedonia and Bosnia and Herzegovina (according to the number of Islamic believers who are citizens of these countries and represent the national minority population), are on second place in Europe with a Muslim minority, except for the countries with the majority Muslim population.

Of all the states of the SFRY, today, two countries have the upper and lower houses of Parliament - Federation of BiH and the Republic of Slovenia, all other countries have a one-body Parliament - representatives of the legislative authority.

What stands out as the brightest example of representative democracy of all former SFRY countries today is the fact that in the Republic of Slovenia, the Constitution defined that the second house - "the State Council" - which has a total of 40 deputies, consists of four representatives of employers, employees, craftsmen, peasants and independent professions, six representatives of extracurricular activities and 22 representatives of local self-government. This is a good example of care about all the fundamental professions of a society and at the same time a good example of the distribution of a mandate that can serve all other states of the former SFRY. Also, the Republic of Slovenia is the only one of the six former republics where the economic migration is at the least extent (almost doesn't exist).

RESULTS OF THE COMPARATIVE ANALYSIS OF THE FORMER REPUBLICS OF SFRY

Significant conclusion of a comparative analysis of the political systems of the states of the former SFRY is that in the Republic of Slovenia the birth rate has been steadily increasing since 2002, while in other countries, the birth rate has a tendency to decline. According to the official census, in 1992, there were 1,964,036 inhabitants, and in 2017, there were almost 100,000 more.

Table 1. „Tabular presentation of the number of inhabitants in the countries of the former SFRY according to the latest available statistical measurements“

LIST OF POPULATION COUNTRIES OF THE FORMER YUGOSLAVIA	
COUNTRY:	NUMBER OF INHABITANTS:
SERBIA	7.186.862
CROATIA	4.238.389
FEDERATION OF BIH	2.206.231
REPUBLIC OF SRPSKA	1.480.000
MACEDONIA	2.022.547
SLOVENIA	2.060.802
MONTENEGRO	620.029

The results of the research have shown that in all countries created from the former SFRY, except in the Republic of Slovenia, the religious conviction strengthens with a significant increase in the number of believers. In the Republic of Slovenia, which currently has a GDP per capita of 88% of the European average, the number of believers drops significantly. During the communist regime in Slovenia, there were 88% Roman Catholics, and only 57.8% of respondents declared themselves in 2017, while a significant percentage of the population was declared as atheists.

What is common to all the republics of Yugoslavia today is the existence of censored media, censorship that certainly does not reflect democracy as a measure of the development of society and the overall political culture.

The results of the survey showed that the total amount of external debt of all former SFRY countries at the end of 2013 was approximately six times higher than at the end of 1991, from which one can draw a unique conclusion that independent republics increased their indebtedness with foreign banks or the IMF, with the tendency of external debt growth. In no country of the SFRY the unemployment rate is not at an enviable level, and the question arises: “In what way do the newly emerging national economies develop and what is their goal?”

Table 2. „Unemployment rate in the countries of the former Yugoslavia according to the official available data of the national statistical institutes“

THE UNEMPLOYMENT RATE IN THE COUNTRIES OF THE FORMER YUGOSLAVIA	
SERBIA	14,4%
CROATIA	14,8%
BOSNIA AND HERZEGOVINA	31,7%
MACEDONIA	23,4%
SLOVENIA	7,3%
MONTENEGRO	16,7%

Since 1991, the erosion of civic, leftist, „eticistic“ and elitist ideas has continued to date, and parallel to the strengthening and raising of false patriotism, which certainly represents a global sociological-scientific phenomenon. The people become an insatiable mass that is tired of false promises, and with such an inert political mass is easily manipulated, such a mass is most suitable for a blind and submissive voting body that does not think and is easily managed.

The Republic of Serbia and the entire positive legal order have undergone many reforms, transformations, adaptation processes, restoration, redefinition of borders, unjustified political blackmail by the international community, experienced three aggressions in one century, but nevertheless managed to rise and build in each, and also in the political-legal sense.

The Republic of Serbia is a candidate for membership in the European Union. Whether this candidacy is a correct political move and how realistic is it in terms of achieving, how realistic it is to set the conditions for joining the Union, is possible to conclude from this time distance already.

The policy of the countries of the region contributes to the political participation of the Republic of Serbia, and this is clearly reflected in the fact that all the countries of the former Yugoslavia, with the exception of the Republic of Macedonia, have become members of the NATO Pact. The strong political influence is in power in the Republic of Serbia and this is evident, in support of this thesis it is said that the airspace above a state belongs to that state, because each territory is three-dimensional (ground, water, airspace). The Republic of Serbia officially does not want to become a member of the NATO pact, but also because of that it can not even strengthen bilateral relations with already sufficiently proven, both in Slovene and in religious terms, close Republic of Russia.

When it comes to bilateral relations, the Republic of Serbia is on the right track in this respect, it is strengthening relations with many countries with which they have not existed

since 1990, old interstate friendships are being restored, new economy is being developed, strengthens the international credibility of the Republic of Serbia, which certainly gives positive consequences to the political-legal system.

In the Republic of Serbia it is necessary to develop a policy of raising births, establishing social democratic principles of economic policy, and abolishing the liberal ie. now the neoliberal economic attitude.

Analyzing strategic documents, the most significant, at the moment, is "Europe 2020", which sets mobility and information as a priority goal - Smart growth, which advocates the development of a knowledge-based economy and innovation, as well as inclusive growth - which implies developing and increasing the economy of high employment, which automatically contributes to the development of social and territorial cohesion.

CONCLUSION

Priority of development of all countries of the former Yugoslavia should be mobility of young people. Youth mobility implies the ability to make free and independent conclusions, to learn about diversity, and thus to develop an appropriate system of values and abilities of rational comparisons, which excludes political factors. The development of information technologies, as a development priority, implies the adoption of the National Strategy on the Development of Information Technologies, which directly contributes to the development of the political and legal system of a society. This is supported by the fact that the SFRY in the 1980s was the fourth country in the world allocated for investment in the development of information technologies.

Building a system of education that implies the development of social innovation as an imperative of the 21st century. Practical training of pupils and students to understand and apply everything that they have adopted through the education system, is the basis of the Youth Development Strategy, which should also be adopted and practically implemented in the social system of the Republic of Serbia.

The common to all the countries of the former SFRY is that, regardless of the smaller oscillations, there is not enough birth rate, however, this form of organization both political, legal, and geostrategic, as well as all others, is just a phase in the history of mankind. Unless we seriously approach the adoption of the Strategy for the increase of a birth rate, every country in the world, as well as the countries of the former SFRY, will be brought into a position of struggle for survival, with a high average of the old citizens, without young, innovative, political and legal perpetrators. With all that taken into account, every society will be doomed .

The political-legal aspect has always been a decisive factor and stability, and economic development, and international politics, and national progression, however, at any moment a socially conscious individual must bear in mind that history changes, that politics adapts to the interests of the stronger, the legal order adapts to the trends and needs of the time in which it exists, only a human resource is a limited category, which has a beginning and an end. Sometimes freedom and order will not be considered undesirable, and accordingly, it seems that some ideals are immortal; and even they are immortal only if they change from time to time.[4]

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