

AMENDMENTS TO THE SLOVENE CONSTITUTION

Even before the start of the Non-Aligned Conference Jović had begun to raise a fuss, demanding that the Presidency discuss the amendments to the Slovene Constitution that were then being considered by the Slovene Assembly. I denied his request on the grounds that we could not address the issue before the conference; instead we would do so after it. The amendments strengthened Slovenia's autonomy, albeit still within the Yugoslav federation. Some of the amendments in particular attracted considerable attention. With this Constitution Slovenia was introducing a legal basis for political pluralism and the possibility of secession. One of the changes that upset Jović and public opinion in Yugoslavia, especially Serbia, was the constitutional amendment whereby the Presidency would no longer be able to declare a state of emergency in Slovenia without the consent of the Slovene Assembly. Interestingly, I was not warned in Slovenia that political conflict with the federation was expected over the adoption of the constitutional amendments. We did not prepare for this jointly; rather, I reacted to the sometimes surprising events that were to come as I judged best. After the Non-Aligned Conference I spent a couple of days in Slovenia. I

needed a rest and so went to the Čemšenik hills. I had yet to face some serious trials in Belgrade. Jović repeated his demand for a discussion of the Slovene amendments at the Presidency session. He said the amendments signalled Slovenia's secession and the collapse of the federation. I agreed that we could talk about it, but at a so-called meeting of the Presidency rather than a formal session. The meeting was on Thursday 14 September about 30 km from Belgrade in Dobanovci, the location of one of the federal residences. The residence had formerly been used by Tito. During my term in office as President I cannot have visited a quarter of all Tito's former residences, most of which were still functioning. In Dobanovci I went jogging perhaps two or three times. The Presidency meeting was very rancorous. I clashed with Jović, and also with Bučin and Zelenović. These three always worked together and had already acted in concert during the discussion of Kosovo, "isolation" and human rights, taking it in turns to attack me while the other members of the Presidency for the most part just sat there and listened. Now and then Stipe Šušvar meekly tried to back me up. The conflict was generally between me and these three other Presidency members. In the discussion of the Slovene amendments, however, we were also opposed by the other Presidency members, although more civilly. Jović and the other Serbian members demanded that the Presidency condemn the Slovene amendments on the grounds that they were counter to the federal Constitution and that their adoption by the Slovene Assembly should therefore be prevented. I countered this by citing the Slovene arguments and also the formal objection that the Presidency could not rule on the constitutionality of the amendments; only the Constitutional Court of the SFRY could do that. I blocked the adoption of any anti-Slovene resolutions and we agreed on a fresh meeting in Belgrade in the evening, to which we invited representatives from Slovenia. Janez Stanovnik, Andrej Marinc and Miran Potrč came. They called in at my bureau beforehand and were really quite worried. Nothing was achieved at the second meeting either. The Slovene representatives defended their positions from attacks by the others. I led the meeting in such a way that we departed without agreeing any specific resolutions. I returned to Slovenia for the weekend. On Monday I was due to attend the opening of the Zagreb Fair, which was then Yugoslavia's largest trade fair, with international participation and a considerable tradition behind

it. I was due to open the event and give an inaugural speech. On Sunday evening I drafted a short speech which was nevertheless fairly hard-hitting and stressed the need for free-market reform. I barely got through the next day. I had a terrible cold but I had to speak. All day I was surrounded by crowds of people, the entire Croatian leadership and a series of other such cliques, as well as television cameras and journalists. I had to give several interviews for Yugoslav and Soviet television. I visited the Soviet pavilion and those of some other countries such as the USA, Germany and France. Wherever I went I was expected to talk to the delegations and ambassadors and to be interviewed. I thought the day would never end. By then I was getting to know one of the "perks" of the job pretty well, that is protocol engagements, a large entourage, much pestering and a duty to fulfil your engagements even when you are least up to it, including times when there are many serious issues to be resolved. From Zagreb I travelled on to Belgrade, where the main topic of discussion was still the Slovene constitutional amendments. Another onerous engagement awaited me on Thursday 21 September. I had to receive the Army leadership as Federal President and commander-in-chief. The rest of the Presidency was also present. The occasion was the retirement of certain top generals, Špegelj and others, and the promotion of senior officers such as Koljšek to the rank of colonel-general. I gave an opening speech, which was followed by a ceremony and communal lunch. Such meetings with the military top brass were always rather stiff and awkward. The unease may have been especially strongly felt on my part. Again the generals and I regarded each other a little oddly, as though we did not know quite what to say to each other. Next it was time to prepare for New York, where I was to address a session of the United Nations General Assembly on 25 September. My speech had been scheduled for the Monday, the first day of the session, on the same day as US President George Bush and other leading statesmen. I would be speaking both as President of Yugoslavia and chairman of the non-aligned countries. We prepared the speech for this appearance; in the meantime, on 21 September, the US ambassador Warren Zimmerman wanted to talk to me. It was a mysterious meeting. Zimmerman and I had met on various occasions before. Later we began playing tennis together, and, moreover, at his residence, which particularly unnerved my colleagues in Belgrade. I often joked with him that probably the only

time we were not eavesdropped on by "our people" was when we played tennis.

It was initially scheduled to be a normal meeting, then my secretary received a call at my Belgrade office from someone at the American embassy who said Warren Zimmerman wanted to meet me one-to-one. I suspected this might be interesting and agreed. Zimmerman arrived together with his adviser, whom my bureau chief stopped outside as instructed, so that Zimmerman initially entered my office alone. We talked a while, although not about anything special. Zimmerman confirmed that President Bush might meet with me in New York on Monday after my speech to the UN General Assembly. We exchanged views on the current political situation. Zimmerman asked a number of questions on subjects including the Slovene amendments. Then he left. Afterwards we tried to establish what it had all been about, who had actually suggested it, who had made the phone call requesting a one-to-one meeting. But we were unable to find out. This to me was a challenge. I often made a point of ignoring diplomatic protocol and had therefore agreed to the rather unusual one-to-one meeting. But the next day at the Presidency meeting Jović raised the question of why I as Federal President had met one-to-one with Zimmerman, saying that it was unusual, not customary, and that the Presidency should have something to say about it and take a stance on the matter. I responded rather sharply. Jović was very uncivil, as were his seconds Bučin and Zelenović, and we had a major set-to. This was another of the heated meetings of that period. Clearly they were trying to pressurise me and break my resolve by various means, by baiting me and launching premeditated attacks. This was presumably part of the preliminaries or softening-up tactics ahead of the Slovene Assembly's session on the amendments. They wanted to wear me down before the session took place. On the Friday, the day before my departure, Jović again asked to talk to me. He came to my bureau and was very pleasant, and requested that we discuss the Slovene amendments, as it might be necessary to call a session of the Presidency on the matter while I was absent in New York, when as Vice-President he would be deputising for me. I said the Presidency session should await my return since I would only be gone a few days. He then said he might call a session of the Council for the Protection of the Constitutional Order.

The next day, on Saturday, I flew from Belgrade to New York, where on Sunday I continued to work on my speech and gave a few interviews, and where a meeting with Yugoslav journalists had been arranged without my knowledge or desire. They wanted to ask me about the Slovene amendments. I kept abreast of events in Slovenia and kept in constant contact with my bureau in Ljubljana. On the Monday, the day of my speech at the UN, a session of the Central Committee of the League of Communists of Yugoslavia was called to discuss the Slovene amendments to the Constitution and adopt a political stance on the matter. The session went ahead, lasted all night and was televised. The Slovene party leadership always ensured heavy media coverage in Slovenia. It was all highly dramatic and most of the participants at the Central Committee's session condemned Slovenia's actions. This was supposed to provide a political basis for action by the Presidency. That same day Jović convened the Council for the Protection of the Constitutional Order, at which it was said, as I later found out from the stenograph, that the adoption of the amendments should be prevented. The Presidency also met without me and called on Slovenia to withdraw the amendments. I gave my speech at the UN on Monday afternoon and on Tuesday met President Bush, whom I told about the situation in Yugoslavia and the economic and political reforms. Before that, at a lunch given by UN Secretary-General Perez de Cuellar, I met with a dozen or so other leaders, in particular Norwegian Prime Minister Brundtland, President Sarney of Brazil and Perez of Venezuela. On Tuesday I met Jeffrey Sachs, an old acquaintance of mine, in a hotel. A Harvard economist, Sachs was already quite well known. We had first met in Washington in 1985 at a conference organised by the International Monetary Fund. On this occasion I invited him for a talk so that I could consult with him on the economic situation in Yugoslavia and on how to stop hyperinflation. We had a long and interesting talk at which Sachs' colleague David Lipton was also present. I invited him to Yugoslavia, where we would discuss the details of an anti-inflationary programme and his collaboration on it. He agreed and the visit took place in November. But more of that later.

I was due to stay in New York the next day too, when I was scheduled to give several interviews, and to fly back to Belgrade on Wednesday evening.

In the course of the day, as I followed the situation in Yugoslavia and heard that Jović had convened the Council for the Protection of the Constitutional Order and a session of the Yugoslav Presidency, that a session of the Central Committee was in progress, that everyone was coming out fiercely against Slovenia and that things were being dramatised, I decided to leave New York that evening and fly home early. I chose to fly to Ljubljana. JAT had a scheduled flight from New York to Belgrade. I instructed the pilot to make an unscheduled stop at Ljubljana. On Wednesday morning local time, half-asleep and jetlagged, I arrived at Ljubljana's Brnik Airport, where I was awaited by the Slovene political leadership headed by President Stanovnik, and by the press and television reporters who wanted a statement there and then on the situation in Slovenia and Yugoslavia and on the constitutional amendments.

During the night, on the plane, I had been considering what to say when I arrived in Ljubljana. I knew the media interest would be very strong, and the situation was very tense. It was one of those particularly clear-cut situations of sheer contradiction, or conflict, between Slovenia, which I represented in the Federal Presidency, and the federation, which I also represented as Federal President. Whatever I did would have a powerful public impact and doubtless also repercussions. If I explicitly supported Slovenia in the adoption of the constitutional amendments I would be supporting Slovene separatism; at least, that was how the rest of the country would look on it. If I did not do so and took a "federal" stance instead, that too would lead to an absurd situation, since I would have to stand against my own republic. And that was out of the question. On my initial departure for Belgrade I had already been expecting such a situation. And I had firmly resolved to come out clearly in support of Slovenia if such a situation arose, even if that meant immediately stepping down as Federal President. Now that situation was upon me. Throughout the preceding months I had striven to be correct towards the other republics. I constructively sought answers to all unresolved questions, the question of Kosovo and other issues. I tried to do so in dialogue with others, appealing to reason and greater toleration during negotiations. But when the time came to decide, Slovenia or the federation, there was no dilemma. My decision to leave New York a day early and land in Ljubljana rather than Belgrade in itself signalled a

fundamental decision: to go to Slovenia, to the Slovene Assembly. At Brnk Airport outside Ljubljana I was greeted with great emotion by all the members of the Slovene leadership, especially by President Stanovnik; it is fair to say that they were delighted and touched that I had come. While still at the airport I gave a statement for the press which was then broadcast throughout the day in Slovenia, in the rest of Yugoslavia and abroad. In it I called for reason and for problems to be resolved through dialogue, and distanced myself from any other means of resolving problems, which would of course have entailed repression and the use of force. However, the statement was quite carefully considered so that, while its basic message was clear support for Slovenia, it offered the other side a way forward and opened the possibility of further negotiation and an easing of the situation. From the airport I went home, changed and left immediately for the Slovene Assembly, where all of the Assembly delegates were gathered at a special session. The mood was very special, heightened somehow. The night before they had followed the session of the Central Committee and listened to numerous threats and attacks being directed at Slovenia. There was a powerful atmosphere of suspense. Yet the issue was not in doubt. Everyone was prepared to go ahead and vote for the amendments. The only question was what Belgrade would do, whether it would accept the fact or carry out some form of repressive intervention. It should be borne in mind that a state of emergency already existed in Kosovo and that one of the most controversial amendments was precisely that the federation, or Federal Presidency, should no longer be able to impose a state of emergency in Slovenia.

When I entered the chamber of the Slovene Assembly there was an initial hush, followed by enthusiastic applause. A great weight seemed to have been lifted from everyone's shoulders and there was a strong sense of relief. As I made my way towards my seat I overheard remarks to the effect that all would be well now that I was there. My contribution was simply to attend the formal opening of the session of the Slovene Assembly. I did not need to speak; my presence spoke for itself. The President of the Yugoslav Presidency attended the session of the Slovene Assembly at which the constitutional amendments were adopted. I knew, however, that this would provoke angry reactions elsewhere in the federation. Some members of the Slovene leadership urged me to stay all

day at the Slovene Assembly's session, at which the constitutional amendments were due according to procedure to be formally adopted towards evening. However, I considered the basic task, my expression of where I stood to have been fulfilled. It seemed to me better to go to Belgrade, since that was where it would be decided what would happen next and how. Naturally, I would have much preferred to stay in Ljubljana. Under the circumstances, having acted as I did, travelling to Belgrade was a very hard thing to do. Yet I felt I would be shying away from my duty if I did not brave the trip to Belgrade and confront whatever awaited me there. I faced the same difficult decision whether or not to go to Belgrade on several later occasions, when I ventured there despite misgivings.

In Belgrade everything was initially calm. I spoke to the members of the Presidency to ascertain the situation. They were not keen to talk to me, and some showed a negative attitude, implying I had made a mistake by supporting Slovenia. Predictably, in the evening the Belgrade media carried negative reports attacking Slovenia. The following day there were several demonstrations – in Titograd, Novi Sad and elsewhere. The demonstrations were anti-Slovene and called for a military mobilisation so that the Army could enforce order. Placards were carried with the words "Down with Drnovšek". Articles appeared in some sections of the press denouncing me as a traitor for not acting as I should as Federal President. Over the next few days the witch-hunt continued in the Belgrade and other Serbian media, especially in Montenegro, but as each day passed the fury died down and there was less and less likelihood of further measures being imposed against Slovenia. In talks with various people I calmed the situation down. I somehow lasted the week in Belgrade. There were still occasional media attacks on me and Slovenia, but it was clear that the crisis was past. All kinds of stories were circulating, including in the press. Among them was a widespread rumour that I had returned from New York to Ljubljana in a presidential jet lent to me by President Bush.

Subsequently I often wondered whether there had been any actual danger of repressive measures and a state of emergency being introduced. A dramatic situation had been created, blown up hugely by the media, and especially in Slovenia people had been seriously alarmed. The Central Committee of the League of Communists had held dramatic all-

night discussions, as had the Federal Assembly. Most had opposed Slovenia. At that time the other republics were not prepared to go so far in their desire for greater political autonomy and democracy. I am sure the possibility of repressive action, i.e. a state of emergency, was seriously considered in my absence. If I analyse those events before the session of the United Nations General Assembly and the adoption of the Slovene amendments it is fairly clear that I was put under systematic pressure over several weeks in order to win me over or break my resolve before the Slovene Assembly actually met to pass the amendments. The fact was that the Army leadership and others knew that the process of Slovenia's secession, and in some sense the break-up of federal Yugoslavia, had begun with the Slovene amendments. Indeed, they said so in their discussions and arguments among themselves. My answer was that it was they who had begun it, that they had damaged federal Yugoslavia with the Kosovo crisis, the repression there and the abuse of human rights, and that what was happening in Slovenia was in fact nothing more than a normal response to the undemocratic progress of events in Serbia, and specifically in Kosovo, and a defensive reaction the ever more explicit Greater Serbian nationalism that was threatening the other nations in Yugoslavia and which had already brought down more democratic regimes in Montenegro, Vojvodina and Kosovo and was now threatening others.

My arrival in Ljubljana from New York, dramatic and unexpected, meant I had sided directly with Slovenia and the Slovene Assembly at the most critical moment so far. I had acquired considerable international and domestic credibility with my policies of dialogue and constructiveness. Weighing up whether or not to act against Slovenia, they now decided that measures should not be taken. This was a very tough test for me, but a valuable one which had a lasting impact on people in Slovenia. In a way it was an unexpected development, particularly since I had not anticipated such severe complications and violent reactions. I had been preoccupied with the Non-Aligned Conference, which was a major task for me personally, and the events that followed in connection with the Slovene amendments somehow crept up on me. However, I got through this most difficult of situations, although it was very hard mentally. After the wonderful success of the non-aligned summit and all its accolades, it came as a rude

awakening to be attacked in that familiar rabble-rousing style. It was not nice being the immediate target of such attacks. And there was clearly more to come.

Text of my statement on arriving at Brnik Airport from New York on 27 September 1989:

"You are now in a different mood from the one I sensed on the other side of the ocean. I must say that the meeting of the United Nations General Assembly took place in a very constructive atmosphere and in a spirit of detente, characterised by a new dialogue between East and West, and that such tones could be heard in all the discussions, on the part of both President Bush and Soviet foreign minister Shevardnadze. All spoke of dialogue, of democratisation around the world. The message I myself delivered to the participants at the meeting on behalf of this country and also the non-aligned summit was on a similar note of detente and new dialogue, so that the prevailing tones of international relations are very much at odds with our present situation, with the dialogue or absence of dialogue in this country. In this connection I would like to declare my total confidence in the responsibility and maturity of the Slovene Assembly, which will today discuss constitutional amendments. So all constitutional disputes that might arise can and must be resolved in a purely peaceful and constructive way, through dialogue, as laid down in the present Constitution, so that there can be no question of any unconstitutional means being used to defend the existing Constitution, since this would naturally be an unacceptable contradiction in terms. I hope and believe there is sufficient commitment and maturity in this country for such a dialogue. In the present international context the alternative form of communication seems totally unacceptable and contrary to all that is happening in the world today, all that is considered enlightened and civilised."

AMNESTY FOR AZEM VLASI

In the story of Kosovo the arrest of Azem Vlasi, a leading Albanian politician, has an important place. Vlasi was imprisoned by the Serbian police and charges drawn up against him. He was alleged to have been one of the instigators and supporters of the Albanian demonstrations. The general opinion was that this was a political trial mounted at the behest of the Serbian political leadership. Needless to say, passions were stirred on all sides. The Serbs cheered and applauded, while public opinion in the rest of Yugoslavia, especially Slovenia, and abroad was strongly against it. The move was of course in quite the opposite spirit to my efforts. I had tried to calm the situation and achieve political dialogue over Kosovo, whereas such developments served only to inflame passions and provoke fresh confrontations.

Although Vlasi had been arrested several months before the start of my term as President, I tried nevertheless, as in the case of the Four, to secure his release from prison. After several informal attempts, on 20 September in my capacity as Federal President I addressed a formal proposal for the release of Azem Vlasi to the Presidency. Again I tried to win over particular members of the Presidency and also urged the Serbs

to agree to the release. I tried to persuade them that it would be best for Serbia to play an active role in this, for it to make a gesture, and that this would raise their standing and lead to an improvement in the situation in Kosovo. However, this was categorically ruled out. The Serbian media was in full cry. In October Stipe Šušvar, the Croatian member of the Presidency, lent his support to the proposal. I delayed a formal debate at a Presidency session and tried to muster additional votes. I would not have achieved much from a re-run of the events surrounding the Four, when I demanded their release, only for the others to refuse and the matter to go unresolved. Naturally, I myself could have scored political points among my own section of public opinion by simply taking a defiant stand in support of Azem Vlasi and attacking the Serbs. However, this would not have solved the problem but would have made it worse. I then called a meeting of the Presidency on 1 and 2 November to which I also invited President Milošević of Serbia and President Kamdočaj of Kosovo. Public prosecutor Prleta, General Kadijević and General Gračanin also attended. In the discussion I tried to be very constructive. I presented arguments in favour of a release and tried to persuade the Serbs that it would be to their advantage. I suggested that this should be an act of conciliation between Serbs and Albanians. I said that "such an act would result in a relaxation of tensions and greater mutual trust and an improvement of the situation in Kosovo". It was all to no avail. Milošević refused, the Serbs refused. By the end the position was that Šušvar and I were firmly in favour of a release, while Bogićević, Tupurkovski and Sapundžija were inclined to agree in principle but thought it too early for the Presidency to take such a decision. Jović, Zelenović and Bučin were strongly opposed. In the end Milošević was shocked that the Presidency did not reject the proposal by a more convincing majority.

We continued the session for a second day. We discussed changes to the penal code and confirmed what I had been advocating all along, including publicly, namely changes to the notorious Articles 113 and 133, the so-called verbal delict, which was the basis for detaining political prisoners. The Presidency also discussed preparations and documentation for the joint session of all the republic presidents. We were also supposed to discuss nationalism and the general situation within the country. This had already been discussed by the Council for

the Protection of the Constitutional Order, which was now led by Jović. The documentation contained some interesting conclusions. It used phrases such as "linkage between the external and internal factor in the destruction of the constitutional order" and "an assault on our self-management socialist system according to models that have been tested and are becoming established in the Eastern European countries, their overall objective being to destroy the system". Later on it was again claimed that "they are using individual human rights as an instrument for destroying the socialist system". Of course, I myself had been speaking publicly, at home and abroad, of human rights, changes to the Yugoslav political system, political pluralism and so on. Now the Presidency was once more faced with hardline attitudes and old dogmatic characterisations. Clearly the battle had not yet been won, although democratic processes were in full swing in Hungary, East Germany and Poland. Jović and I clashed at the session over these formulations. When I reminded Jović that even in the Soviet Union perestroika was underway, he replied:

"No one is talking about perestroika here. We are talking about the destruction of the socialist system. In the Soviet Union the socialist system is not being destroyed. Here we are talking only about cases in which the socialist system is being replaced by other systems. I don't think that here we have yet adopted the stance that we will replace the social system of the state." (From the transcript of the session.)

The discussion continued, but we did not say all we had to say on that occasion. It was interesting that there were such reactions. It is true that I initially avoided direct confrontation at sessions of the Yugoslav Presidency over these issues. To have done so too early, when a majority of the Presidency might have opposed me, would have reduced my room for manoeuvre in public, where I advocated changes to the political system. We had embarked on this idea in the initiative to revise the Constitution, although it is true that I personally went further in my interpretations and took it as self-evident. Now, however, the dogmatists of self-management and socialism had awoken. The same thing was to happen several times, although on the whole my tactic worked. I publicly explained the ambiguous positions of the Presidency in my

own way, clearly and unambiguously. Through such manoeuvres the democratic processes had come so far that there was now no way back.

The discussion continued in a similar vein at the session of 22 November, at which certain members spoke in much the same way as Jović had done on the previous occasion.

Some excerpts from the transcript of the session:

Janez Drnovšek: "I cannot agree... It seems to me overly pessimistic to regard all global movements today purely in terms of a clash between two global systems and two military blocs, each manipulating its own people and attempting to manipulate people on the other side. Such polarisation rules out an optimistic view of the general human values that are now developing more and more in all corners of the earth, in all systems, and which should in the final phase converge on a universally acceptable way of life around the world that should be based on the maximum freedom of each human being, of each individual, on the maximum economic efficiency of each system and the possibility for all individuals to express themselves creatively to the maximum extent within such a system. My thinking is more optimistic. I think that within the current processes taking place in the world there are tendencies towards general democratisation, a tendency towards the assertion of human rights as a universal process of civilised development. Within the Non-Aligned Movement we have now attempted to define this as a goal, as a universal civilised value. The detente that is taking place around the world should also be a constant goal of our state. Now that this is happening, however, we ourselves are highly mistrustful and construe all this as directed against us and stage-managed."

And later on:

"In my opinion the key point is that people cannot live for decades on ideological drugs alone, that a system cannot maintain itself for decades by repressive means, without a minimum of efficiency, a minimum of democracy and rights. I think this is a fact that all systems have accepted one after another. At the moment no one would surrender his power unless forced to do so by the facts, because his economic system does not work, because in this system, political and

economic, he cannot find a way of improving it and making it more efficient, while at the same time people cannot be deceived any longer that it will be better in another world or in some future time, since everyone can see that it is possible to operate more efficiently and with greater freedom."