MORE CANDIDATES THAN SEATS AT NEXT ELECTIONS IN YUGOSLAVIA

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While in the past, especially in the Cominform era, elections in Yugoslavia were similar to those in all other Soviet bloc countries, resembling, as they did, a "one-horse race," and while in some cases the June 1963 elections were like a race between two horses with only one jockey, it is planned that the next parliamentary elections in Yugoslavia, to be held in the spring of 1965 (only half of the National Assembly's 670 members are to be elected), will offer the voters a choice between more than one candidate.

This is provided by a draft amendment of the current Electoral Law. This law was adopted on 7 April 1963. The amendment was recently discussed by both the Electoral Commission of the National Assembly and the Electoral Commission of the Executive Committee of the front organization called the Socialist Alliance.

As the last move before the plenary session of the National Assembly finally adopts the amendment, the Committee of the Federal Chamber which deals with organizational and political problems also discussed the changes. In 1963 the most important part of the election procedure was not the voting on election day itself, but rather the nomination of candidates which took place beforehand. The nomination of candidates was made either by "meetings of voters" or by groups of at least 200 voters. The procedure was actually taken from the 1953 Electoral Law, which was amended in 1958 to provide for the voters' meetings to choose only delegates to District Nominating Conferences; these in turn then nominated the actual candidates. The nominated candidates were then placed before the voters' meetings, which approved or rejected their nomination by a simple majority.

1) Borba, Belgrade, 4 November 1964
2) Politika, Belgrade, 3 November 1964
3) Borba, 11 November 1964
It goes without saying that all the nominees had to be approved by the Party, which made it impossible for "anti-socialist elements" to infiltrate the ranks of the "working people."

The Background

The Yugoslav electoral system is a very complex one, which is explained by the fact that the aim of the Party has been, while giving the impression that elections are quite free, to take all possible precautionary measures to ensure the election only of persons loyal to the Party. A short review of the procedure for electing the Yugoslav National Assembly would therefore appear to be in order.

The present 670-member-strong National Assembly consists of five chambers: 1) the Federal Chamber (the most powerful political chamber of the Assembly, consisting of 120 deputies plus 70 members of the Council of Nationalities, delegated by six republics and two autonomous provinces); 2) the Economic Chamber; 3) the Educational and Cultural Chamber; 4) the Social and Health Chamber; and 5) the Political-Administrative Chamber. Each of the four last-named chambers also has 120 members (5 x 120 + 70 = 670).

4) Under the March 1954 constitutional amendment to the 1953 Constitutional Law, a bicameral system was introduced: the National Assembly consisted of a Federal Council and a Council of Producers. The former body was composed of 734 deputies. Out of this number 352 were elected on the basis of one deputy for every 60,000 inhabitants, while 282 deputies were elected indirectly -- by the District and Town People's Committees. In addition, 70 deputies were elected on the nationality principle to make up the Council of Nationalities, as is the case today, i.e. they were delegated by the six republics (10 deputies each) and two autonomous provinces (5 deputies each). The Council of Producers was composed of 202 deputies representing the "working people." This body -- both in its functions and its composition -- was a class body aimed at guaranteeing the primacy of the working class. Under the 1963 Constitution, the Council of Producers was abolished and divided into four separate chambers as listed above, plus the Federal Chamber, which replaced the Federal Council. The deputies of the Council of Producers were elected by members of the District Councils of Producers, and each deputy represented 70,000 members of the "productive population," with the peasants allowed to take part in elections only provided they were members of agricultural cooperative groups.
According to Article 169 of the 1963 Constitution, "a candidate shall become a member of the Federal Chamber when he is elected in the Communal Assembly or Communal Assemblies by a legally determined majority and when, after the election, he receives the votes of the majority of all voters in the constituency; and if several candidates are elected, that candidate shall become a member of the Federal Chamber who has received the largest number of votes in the constituency." 5

As far as other chambers of the National Assembly are concerned, this same Article 169 of the Constitution says that a candidate shall become a member of one of these chambers "if he is elected by a legally determined majority in the Communal Assembly or Communal Assemblies." 6

In other words, deputies of these chambers do not have to be confirmed by a referendum of the citizens voting by secret ballot.

Let us now explain, in as simple terms as possible, the highly complicated electoral procedure in Yugoslavia.

The first step is the nomination of candidates both for Communal Assemblies and the Federal Chamber. The Communal Assemblies are the top organs of both State and self-management authorities in a Commune (opština). A Communal Assembly is, according to Article 96 of the Constitution, "the basic social-political community" whose territorial competency "shall be determined by republican law." 7

A Communal Assembly consists of two chambers: 1) the Communal Chamber and 2) the Chamber of Working Communities. The latter chamber is a sort of "central workers' council" representing all working collectives within the territory of a given commune, and not the economic enterprises alone, as was the case with the old institution of the Council of Producers, which was abolished by the new Constitution.

6) Ibid.
7) Ibid., p. 41
More Candidates Than Seats at Next Elections in Yugoslavia

Every voter living in the territory for which a voters' meeting is held has the right to attend it and, if he so desires, to propose a candidate for nomination, both for his Communal Assembly and for the Federal Chamber. If a nomination proposed verbally by a voter at the meeting is seconded by four other voters present, then the nominee is included on the list of nominees for that meeting. This means that there can be several nominees. After the list of nominees is completed, the participants at the voters' meeting vote by a show of hands for one of the nominees. The one who receives the most votes is then proclaimed the candidate of that particular voters' meeting.

This means that the person who has collected the most votes at a voters' meeting is not yet a candidate for deputy of an electoral unit. To become a candidate his nomination must be confirmed at several different voters' meetings, with at least a fifth of all of the voters in this electoral unit participating.

As mentioned earlier, a person can also be nominated by a group of at least 200 voters who have submitted a proposal in writing. All 200 persons have to be from one and the same electoral unit.

A person whose nomination has been confirmed by several voters' meetings can be proclaimed a full-fledged candidate for election to the Communal Assembly only if the competent Electoral Commission has approved his nomination. Prior to the June 1963 elections, the old National Assembly appointed a Federal Electoral Commission, made up of devoted Party people, whose task was to organize and conduct the elections. This Federal Electoral Commission, in turn, appointed Republican and Communal Electoral Commissions, so as to prevent "anti-Socialist elements" from being nominated as candidates. For the Electoral Commission is authorized to reject the nomination of a candidate if his nomination "is not in accordance with the law."

In addition to the candidates for the Communal Assemblies, voters' meetings also have to propose candidates for the District, Provincial, Republican and Federal Assemblies.

8) The whole procedure is prescribed by Article 98 of the Electoral Law, published in Borba of 22 August 1964
The way in which the system functions can best be illustrated by examining the 1963 elections in Yugoslavia, which were divided into three phases:

**Phase One (26 May 1963):** The members of the Communal Chamber and the Chamber of Working Communities of Communal Assemblies were elected, and nominees for candidates for the Federal Chamber as well as for District, Provincial and Republican assemblies proposed.

**Phase Two (3 June 1963):** Communal Assemblies proposed candidates for the District, Provincial, Republican and Federal Assemblies taken from the lists of candidates nominated by voters' meetings.

**Phase Three (16 June 1963):** Candidates selected by Communal Assemblies were then presented to popular referendum ("secret ballot") for confirmation.

While there were in some cases during the course of Communal Assembly elections, more candidates than seats, only one candidate per seat for all other assemblies was presented to a referendum. If the Communal Assembly chose two or more candidates, the one with the most votes was elected as a candidate to be presented to the referendum. During the June 1963 elections it was forbidden to use the term "opposing candidate," because all candidates were considered to be in favor of the policies advocated by the Party and the Socialist Alliance.

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9) According to Borba of 18 May 1963, there were some villages and towns in Yugoslavia where there were more candidates than seats. For instance, in the Croatian town of Kostajnica there were 60 candidates for 58 seats in the Communal Assembly; in the Serbian town of Pirot 75 candidates were proposed to occupy 50 seats in the Communal Assembly, and in the Montenegrin town of Budva there were 54 candidates for 52 seats. The paper also reported, without giving detailed data, that "in many electoral units in Macedonia there were two or more candidates campaigning for one seat in the assemblies."

10) Ibid.
In their election speeches the candidates were not permitted to attack each other or to advocate a line which was against that of the Party. In general, no personality issues were allowed to be introduced into the electioneering. Instead the candidates were instructed to speak about the programs, daily tasks, economic plans and successes thus far achieved thanks to the Party.

On 16 June 1963 the voters in Yugoslavia had only to endorse the choice made by Communal Assemblies, which had proposed 120 persons for membership in the powerful Federal Chamber (in Bosnia and Herzegovina 21 deputies; Montenegro 3; Croatia 27; Macedonia 9; Slovenia 10; and Serbia 50). Most of the top Party leaders were directly elected to the Federal Chamber. This was, however, the case neither with Vladimir Bakaric, the Communist boss of Croatia, Jovan Veselinov, Communist boss of Serbia, nor Djuro Pucar, Communist boss of Bosnia and Herzegovina. They entered the Federal Chamber when their respective republican assemblies elected, previously-mentioned 70 deputies to the Council of Nationalities. This procedure was necessary because only these 70 deputies of the Federal Chamber are allowed to be members both of the Republican Assemblies and of the Federal Chamber. This means that if Vladimir Bakaric, for example, had been elected directly to the Federal Chamber in Belgrade, he would not have had the right to occupy any function in Croatia. However, as a member of the Croatian Assembly, he was elected as one of the 10 members of this assembly to become a member of the Federal Chamber and in this way was able to occupy two posts.

Changes To Be Introduced

All that has been said thus far can serve as a basis for discussion of the changes in the electoral system which have been proposed. First of all, the above-mentioned Article 98 of the Electoral Law is to be changed. This Article "was attacked" by a group of deputies who posed the following question:
Would it be good and useful for the further democratization of the present system if this Article of the [Electoral] Law were changed to the extent that citizens would as a rule be allowed to choose from a minimum two or more candidates for Federal Chamber deputy?  

The parliamentary correspondent of Borba, Sl. Krstanovic, reveals that not only have there been deputies who favored changing Article 96, but also "some who have been against" any change. The deputies who demand change claim that the current system "has favored -- single candidates;" in other words, "citizens actually do not elect but simply confirm or reject proposals made by Communal Assemblies." They point to the fact that citizens are legally entitled to elect "only one candidate, except in cases -- which, in general, are not likely to occur -- where several candidates have received exactly the same number of votes. In all other cases, the second candidate -- even if he has received only one vote less in the Communal Assembly -- cannot be put up for a referendum."  

These deputies who favor a change therefore insist that more than one candidate should be allowed to be presented to popular referendum.

The deputies who are opposed to any change in the present electoral system have presented the matter as follows:

Taken as a whole, what would the electoral system and democracy in general gain by the change?.... They doubt that there would be any great benefit. They say: From the formalistic point of view, the rights of citizens would be extended only superfluously, if one takes into consideration the fact that "electoral duels" would be made legally possible. However, the big question is whether all this would be of any use! For, in place of the favoring of one single candidate, the opponents claim, quite unnecessary rivalries would be encouraged in our system; relations
between the two or more candidates would be aggravated, which would lead to political consequences which cannot be foreseen at present but which would probably be negative.13

A "third way" could also be observed among the deputies, and it "has collected the greatest number of adherents." This "third way" proposes the following solution:

The change should take place, but only to the extent that a candidate who has received a majority of votes in a Communal Assembly should be considered as elected to be presented to a popular referendum, and along with him also any candidate who has received at least 40 per cent of all deputies' votes in a Communal Assembly.14

Under the new draft revision of Article 98 of the Electoral Law, the second candidate must receive, instead of 40 per cent, at least "one-third of all the votes of the deputies in a Communal Assembly" in order to be presented in a popular referendum.15 The members of the Federal Chamber Committee which deals with organizational and political questions clashed at their November 10 meeting in Belgrade over this proposal. The full text of Article 3, Para 2, of the draft revision reads as follows:

If no candidate has received a majority of votes in each Communal Assembly, the citizens shall elect as deputy to the Federal Chamber the one candidate who in each Communal Assembly on the territory of the respective electoral unit has received at least one third of all the votes or has received a majority of the votes of all Assembly members in at least two Communal Assemblies on the territory of the respective electoral unit.16

13) Ibid.
14) Ibid.
15) Politika, 2 November 1964
16) Borba, 11 November 1964
The deputies who oppose this formulation "are afraid that in this way localistic tendencies will be encouraged." They say: "If we allow that a candidate needs for his election only a majority in two Communal Assemblies, we shall make it possible for each Commune (opština) to nominate its own candidate, which in turn may have a negative effect on the relations between individual Communes. Is this not a policy of dividing Communes and political leaders?" — they ask. 17

Those colleagues of theirs who demand changes pose a quite different question: "Why should we not allow each Commune to nominate its own candidate? We cannot simply ignore the view of the majority in two Communal Assemblies. This is a fundamental democratization of the electoral system, and it is up to the political leaders in the Communes... to fight a democratic struggle over 'their own' candidates." 18

According to another parliamentary correspondent of Borba, N. Burzan, "the deputies members of the Organizational-Political Committee have finally adopted the proposed solution I.e. the above-mentioned revised version of Article 3, Para 27, but have made yet another alternative solution, to the effect that the candidate should be elected who has received one third of the total votes in all Communes in the respective electoral unit." 19

Both groups of deputies have, however, agreed that in cases where there is only one candidate — the rules currently in effect still apply.

From a speech made on November 2 by Mme. Lydia Sentjurc (pronounce: Shentyurts), Chairman of the Electoral Commission of the Executive Committee of the Socialist Alliance of the Working People of Yugoslavia, at the first session of the Commission in Belgrade, it can be seen what kind of precautionary measures the Party has in mind to prevent "anti-socialist practices" during the elections. According to a Tanjug report of November 3, Mme. Sentjurc's explanation went as follows:

17) Ibid.
18) Ibid.
19) Ibid.
Speaking of the change in the Electoral Law, Lydia Sentjurc commented on views claiming that the possibility of the nomination of more candidates would open the door for uncontrollable actions, for attempts at demagogic outbidding, etc. The other extreme is represented by the view that one should render possible a contest between several candidates, but on the basis of their differences with respect to means, methods and pace of the implementation of the common aims. Both extremes basically underestimate the role of citizens and their organizations in the electoral procedure and actually represent conservative and outdated concepts.\(^{20}\)

More important, however, is what Mme. Sentjurc has to say in connection with the omnipotent Electoral Commissions, which have obviously also been the subject of a demand for change, rejected by Mme. Sentjurc in the name of the Party. According to the above-mentioned Tanjug report, Mme. Sentjurc said that "the condition for the successful work of the Electoral Commissions has been the full independence, initiative and responsibility of the existing cadre organs in other organizations.\(^{21}\) [Emphasis supplied]. In other words, the Party must keep entirely in its hands the right to decide who shall be permitted to be a candidate for the National Assembly and who not.

Still, however great the precautionary measures that are being taken by the Party to retain full control over the elections, the very fact that more than one candidate may be allowed to compete publicly for popular votes represents a fundamental change in the political system of a Communist country. Once a right, however limited it may be, is granted, it is very difficult to take it away. As for the Yugoslav Communists, it would appear that their already gravely shaken "monolithic unity" will be shaken even more.

\(^{20}\) Politika, 3 November 1964

\(^{21}\) Ibid.