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Self-Determination and Statehood[1]

Dimitrij Rupel

1. A New State in Europe?

Throughout Habsburg and Yugoslav times Slovenian politicians and political theorists were cautious about identifying the concept of the nation with that of the state. Within both the Kingdom of Yugoslavia and its Communist successor formation there was always the risk that the non-Slovenian parent state might squeeze its minority Slovenian nationality out of existence, if only in the course of nurturing a unitary Yugoslav identity. Due to international realities and the small size of the population, the very thought of a Slovenian nation state was felt to be unrealistic. A variety of events, dates, suppositions, and claims vie for pride of place in bringing about the formation of a Slovenian government and establishment of the Slovenian state. New, albeit short-lived Slovenian and Yugoslav authorities emerged simultaneously with the collapse of the Austro-Hungarian Empire. A Ljubljana-based National Council (Narodni svet) was established in August 1918, while an entity with the same name, but in Croatian (Narodno vijeće or National Council), was formed in Zagreb on 6 October. The two national councils assumed power over the territory then referred to as the State of Slovenes, Croats and Serbs on 27 and 29 October, respectively. On 29 October, on Congress Square in the center of Ljubljana, Ivan Hribar, the city's later mayor, standing in for the absent Anton Korošec, "proclaimed Slovenia's secession from Austria-Hungary and its merger with our fellow Slavs, the Serbs and Croats," as Hribar later noted in his memoirs.[2] On 21 October, the leadership of the Zagreb-based Council, which Korošec also led, "at the recommendation of the National Council in Ljubljana" named the government for Slovenia, which was led by Josip Pogačnik. That first government and state lasted exactly one month, until the unification of Yugoslavia on 1 December 1918.

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[1] This overview was originally commissioned by the Slovene Book Agency for inclusion in a much larger anthology of expert introductions to a wide range of facets of Slovenian culture that the Agency is planning to publish in separate English and German editions for the 2023 Frankfurt Book Fair, at which Slovenia will be the Guest of Honor. Slovene Studies extends our sincere thanks both to the Book Agency and to Dr. Rupel for their kind permission to publish the English translation of the article here. For more information about Slovenia as the featured publishing industry at the 2023 Frankfurt Book Fair, visit https://sloveniafrankfurt2023.com/.

[2] Ivan Hribar, *Moji spomini*, vol. 2, *Osvobojevalna doba* (Ljubljana: [s.n.], 1928), 297–301.

The next date of interest is 5 May 1945, when the revolutionary National Government of Slovenia was established in the western town of Ajdovščina with Boris Kidrič as its president. At that point, Slovenia became an integral part of the Yugoslav state and remained so until 1991.

The independent state of Slovenia was established on 25 June 1991, when its parliament ratified a Basic Constitutional Document on the Autonomy and Independence of Slovenia, a Declaration of Independence, and several laws with which Slovenia assumed jurisdiction over functions that the Yugoslav federation had previously performed on its territory. But the establishment of a Slovenian national state was a process that had begun with preliminary steps in the final third of the 1980s that led to a sequence of transformative events: democratic elections, a plebiscite and war for Slovenia, and finally the adoption of a new constitution and international recognition in late 1991 and early 1992.

All these events took place amid great tension at home, within Yugoslavia and in the world. Germany was in the process of reunification while the Soviet Union was on the verge of collapse. We were witnessing the end of the Cold War, the protracted state of tension between East and West, between the former allies of the Soviet Union and the United States that began soon after the end of WW II. Its beginning was forecast by the American chargé d'affaires in Moscow George Kennan in his "long telegram" of February 1946, and by Winston Churchill in his "iron curtain" speech of 5 March 1946. The doctrine that committed U.S. material, financial, and political (but not necessarily military) support to countries threatened by Soviet Communism was articulated by President Harry Truman before the U.S. Congress on 12 March 1946 and 4 July 1948. The Marshall Plan (a program for reconstructing Europe also known as the European Recovery Plan), which Truman signed into law on 3 April 1948, and the creation of NATO on 4 April 1949, were both manifestations of that doctrine. The Soviet Union and U.S. competed in accumulating nuclear weapons and in conquering space, a domain in which the Soviet Union initially had the advantage. Its response to NATO was the Warsaw Pact, founded in 1955 as a military alliance of Eastern European countries under Moscow's leadership. The Cold War went through various phases from containment to détente, unleashing an arms race and aggression (from Korea to Vietnam), but also internal confrontations such as McCarthyism. In 1953–54, Senator Joseph McCarthy fanatically prosecuted Hollywood writers, actors and directors for their leftist convictions and supposed contacts with communists, which the persecuted took to referring to as witch hunts. Of particular significance during the Cold War was the concept of spheres of influence. The West did not intervene in the Soviet occupation of Hungary (1956) or Czechoslovakia (1968), and the Soviet Union was compelled to withdraw from Cuba when it was found to have installed missiles there that threatened the U.S. Divided Germany and especially divided Berlin, whose western sectors the Soviets

tried to cut off from the Federal Republic of Germany, were perennial sources of tension. In 1948, the Americans and their allies solved that problem with the so-called Berlin Airlift, but when the Berlin Wall went up in 1961, U.S. President Kennedy decided that the wall was preferable to war. The Cold War had a number of unpleasant side-effects, such as the formation of the "deep state," Operation Gladio and the Red Brigades in Italy, and the Red Army Faction led by Baader and Meinhof in West Germany. The problems and peculiarities of the Cold War served as the subject of countless books and movies, from *The Third Man* (Carol Reed and Orson Welles) and *Torn Curtain* (Alfred Hitchcock) to the famous spy novels of John le Carré. The Cold War came to an end with the fall the Berlin Wall on 9 November 1989, or perhaps with the OSCE's Charter of Paris for a New Europe of November 1990, or most likely with the collapse of the Soviet Union around Christmas of 1991. This is the context in which the collapse of Yugoslavia and Slovenia's assertion of sovereignty took place. The dissolution of the Soviet Union occurred almost simultaneously with the recognition of independent Slovenia by member states of the European Union.

Independent Slovenia came into being at the end of the Cold War. At the time it appeared that the "end of history" had arrived and the political conflicts that had characterized the Cold War would be supplanted by a "clash of civilizations." The discourse surrounding the clash of civilizations began as a kind of dialog between Samuel Huntington and his student Francis Fukuyama, who at the end of the Cold War and amid the apparent victory of liberal democracy hypothesized that the world might be experiencing the end of history.[3] Huntington's distinctive response was his theory of the clash of civilizations.[4] Instead of national, economic and ideological divisions, the future would be marked by cultural and civilizational wars, the chief players in which would be Western civilization and the Orthodox, Muslim and Eastern (Chinese, Hindu, Buddhist…) worlds. Where once nation, class and ideologies had been predominant, in this coming age civilizations, cultures, churches and faiths would be. In his 1993 article, Huntington wrote:

> … the fundamental source of conflict in this new world will not be primarily ideological or primarily economic. The great divisions among humankind and the dominating source of conflict will be cultural.

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3 Fukuyama published an article with this title in 1989 in the American periodical *The National Interest* 16: 3–18, followed by a book titled *The End of History and the Last Man*, which appeared in 1992 (New York, NY: Free Press).

4 Huntington first replied to his student Fukuyama in an article titled "The Clash of Civilizations?" in *Foreign Affairs* 72 (1993): 22–49, followed by a book published in 1996 entitled *The Clash of Civilizations and the Remaking of World Order* (New York, NY: Simon and Schuster).

> …The most significant dividing line in Europe … may well be the eastern boundary of Western Christianity in the year 1500. This line runs along what are now the boundaries between Finland and Russia and between the Baltic states and Russia, cuts through Belarus and Ukraine separating the more Catholic western Ukraine from Orthodox eastern Ukraine, swings westward separating Transylvania from the rest of Romania, and then goes through Yugoslavia almost exactly along the line now separating Croatia and Slovenia from the rest of Yugoslavia. In the Balkans this line, of course, coincides with the historic boundary between the Habsburg and Ottoman empires. The peoples to the north and west of this line are Protestant or Catholic; they shared the common experiences of European history—feudalism, the Renaissance, the Reformation, the Enlightenment, the French Revolution, the Industrial Revolution; they are generally economically better off than the peoples to the east; and they may now look forward to increasing involvement in a common European economy and to the consolidation of democratic political systems.[5]

The course of history is never steady. Some times are better while others are worse. A Slovene proverb remarks on this truth by distinguishing years of fat cows from years of emaciated cows. Seldom is there complete agreement about which times are good and which bad. Sages, historians, and chroniclers may concur now and then about certain years being wonderful or miraculous (*annus mirabilis*) and others being horrific (*annus horribilis*). Years of great discoveries and inventions belong to the miraculous years, such as 1666 (Isaac Newton) or 1905 (Albert Einstein), while Queen Elizabeth II of England called 1992 a horrible year because of the hardships that befell the royal family that year. For Europeans in all likelihood the years of WW II were worse yet, for Americans it would be the terrorist attacks of 2001, and everyone could agree that the years of the COVID-19 pandemic were bad. Czech(oslovak) President Václav Havel referred to 1989 as a "miraculous year," in part because he was elevated to office and the Prague Castle that year, but most of all because of the fall of the Berlin Wall and the sequence of events leading to the end of the Cold War.

The charm and significance of any given time are best judged from a distance. Among the most reliable authors on this subject is Karl Popper (1902–94), who in the first part of his book *The Open Society and its Enemies* identified the time before the Peloponesian War between Athens and Sparta (431–404) and during it, in other words the fifth century BCE as a milestone. This was a time of great struggles and debates about democracy and

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[5] Samuel P. Huntington, "The Clash of Civilizations?" *Foreign Affairs* 72 (1993): 30–31.

patriotism (which means simply preservation of the time-tested values of one's forefathers). Some of the individuals who distinguished themselves in these debates were Antisthenes (446–366), Aristophanes (446–386), Democritus (b. 460), Gorgias (483–375), Pericles (495–29), Protagoras (481–11), Sophocles (496–406), Socrates (470–399) and Thucydides (460–400). Popper refers to these figures as the "great generation" of personalities and thinkers who defined a revolution in human history.

Thirty years ago (1987–92) modern Europe also underwent a revolution. Influenced and inspired by great individuals, such as Pope John Paul II, U.S. President Ronald Reagan, Soviet leader Mikhail Gorbachev, the Polish leader Lech Walesa, Czechoslovak President Václav Havel, German Chancellor Helmut Kohl and foreign minister Hans-Dietrich Genscher, the iron curtain came down, the Berlin Wall was breached, and historic expansions of the European Union and NATO took place. The Cold War that had begun in 1945 came to an end. Suddenly the order of the day consisted of a set of dilemmas reminiscent of the struggles and debates that faced Greece 1,400 and more years ago.

2. Preparatory Steps (1987–89)

In the early 1980s, shortly after Tito's death, an easing of the political and ideological pressures that had dominated the previous decade in Yugoslavia and Slovenia took place. On 10 June 1980, six Slovenian writers—Niko Grafenauer, Tine Hribar, Andrej Inkret, Svetlana Makarovič, Boris A. Novak, and Dimitrij Rupel—co-signed a letter addressed to Mitja Ribičič, president of the Socialist League of Working People of Slovenia (SZDLS), the implementational arm of the League of Communists of Slovenia, proposing to create a new review (at that point not yet written in capital letters) designed to revive Slovenia's cultural scene. Ribičič was a politician of the Partisan generation, who as late as the 1970s was still actively engaged in carrying out purges of the Party's more liberal members. His closest colleague was Milan Kučan, who would later become president of the League of Communists of Slovenia and, in 1990, president of the collective presidency of Slovenia.

For tactical reasons the signatories stressed that the journal would not be dealing with political matters but would rather feature philosophical essays and poetry and that "criteria for distinguishing ideological projects from genuine art" and "considerations of art for art's sake" would govern the selection of contents. Despite these assurances the proposal to publish the new review generated a level of political unease in Slovenia and Yugoslavia in general, where similar initiatives were a sporadic and generally unsuccessful event, as in the concurrent case of *Javnost* (*The public*), an effort championed by Serbian novelist Dobrica Ćosić and ex-Communist dissident Milovan Đilas, which appeared and gained traction due to increasing

democratic trends in other socialist countries, such as Poland. There, just two months after the letter proposing the Ljubljana initiative was sent, the Solidarity labor union was formed, which in December 1981 would meet with a backlash of political repression and martial law. The inaugural issue of *Nova revija* (The New Review) appeared in 1982, after two years of attacks in the media, political provocations, and all sorts of intrigues. These continued even after the first issues were published. Disregarding the original proposal of the journal's advocates, initially the authorities allowed Tine Hribar alone to serve as its editor.

The 1980s brought a series of surprises that led to a heightening of political tensions. In 1986 Slobodan Milošević became chairman of the Central Committee of the Serbian League of Communists and the Serbian Academy of Sciences and Arts published its famous *Memorandum Srpske akademije nauka i umetnosti* proposing the formation of a new state of Greater Serbia that would have absorbed much of Yugoslavia's territory. The first signs of a Yugoslav crisis became apparent and Belgrade media outlets began criticizing the indifference of Slovenia's leaders. In February 1987, a scandal belatedly erupted concerning a provocative poster designed for that year's Day of Youth celebrations by the arts collective Neue slowenische Kunst that the Communist authorities had initially approved. It turned out that the Slovene artists had practically copied, detail for detail, a Nazi propaganda poster designed by Richard Klein in the 1930s.

On 20 February 1987, issue number 57 of *Nova revija* was published, consisting entirely of "Contributions to a Slovene National Program," with Niko Grafenauer serving as editor and Dimitrij Rupel as assistant editor. Amid much hue and cry from the government-controlled media, both editors were dismissed from their posts by the Communist authorities. On 27 February, the collective presidency of the all-Slovenian conference of the SZDLS met and, according to the editor-in-chief of Slovenia's daily newspaper of record *Delo*, "unambiguously but graciously" rejected the "Contributions," when in fact the Slovene Communist Party's most prominent leaders condemned the authors and editors at that meeting. The harshest attacks, laced with threats of legal prosecution, were directed at the texts written by Ivan Urbančič, France Bučar, and Jože Pučnik. In his contribution, Urbančič had posited that Slovenia was facing a strictly binary option: do nothing and face oblivion or secede from Yugoslavia. Bučar had adduced evidence of the Communist authorities' political illegitimacy, while Pučnik rejected the Communist monopoly of power even more vehemently, seeing secession and a multi-party polity as the only solution. Within a few days and, in some places, within a few hours, all available print copies of issue number 57 were sold out and an additional thousand copies had to be produced as photocopies. At its meeting on 26 February 1987, the collective Presidency of the Central Committee of the League of Communists of Slovenia under Milan Kučan adopted a resolution charging that "issue 57

accuses the League of Communists, its program and the effects of the revolution of being solely responsible for the crises facing Slovenian society," that its "stance toward the Yugoslav People's Army as the joint armed force of the peoples and nationalities of Yugoslavia" was unacceptable, and the journal was encouraging "the dissolution of the League of Communists, the introduction of a multi-party system and Slovenia's exit from Yugoslavia." The Slovene media assured their readers and viewers that the League of Communists of Slovenia would "see to it that the proposals put forth in the "'Contributions' [would] not be realized in practice."

Nova revija was one of the first and most distinctive manifestations of the Slovenian Spring that emerged and took flight as a result of Yugoslavia's crisis and the political ferment then widespread in Eastern Europe.

It almost defies belief that the movement that led to new political parties, the first democratic elections, a plebiscite on independence, the successful military defense against the onslaught of the Yugoslav Army, and international recognition could have resulted from the national program published by *Nova revija*, yet thanks to it Slovenia was able to keep pace with the push for democracy in other parts of Eastern Europe and eventually surpass them. Slovenia's new political parties took shape before the fall of the Berlin Wall, and its first elections and main steps toward independence predated the collapse of the Soviet Union toward the end of 1991. From spring 1987 until the creation of the Slovenian state the editorial office of *Nova revija* in Ljubljana was the place where people involved in the movement gathered, where the newly formed Democratic Opposition of Slovenia (Demos) met, and where the members of the first democratic government were chosen and convened.

Issue 57 of *Nova revija*, published in February 1987, had been the prelude, while concrete political action began with the publication of the so-called "writers' constitution," officially titled *Material for a Slovenian Constitution* in April 1988, the founding of the Slovenian Rural League (12 May 1988), the arrest of Janez Janša (31 May 1988), and the creation of Igor Bavčar's Committee for the Defense of Human Rights (3 June 1988). Days later, on 7 June 1988, the Society of Slovene Writers sponsored the first of a series of "emergency literary evenings" in support of the four Slovenian defendants in the Yugoslav People's Army court martial.[6]

A turning point came on 21 June 1988, when, at six o'clock in the evening on a dazzlingly sunny midsummer's evening, an enormous crowd assembled in downtown Ljubljana's Congress Square. Between twenty and thirty thousand people not just from Ljubljana, but from all parts of the

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[6] See Jaša Zlobec, ed., *Pisatelji za demokracijo* (Writers for democracy). (Ljubljana: Mladinska knjiga, 1989).

country turned out to protest the court martial and official Slovenia's response to it in what had been promoted as a "cultural assembly," at which the country's most prominent authors Drago Jančar, Rudi Šeligo, Veno Taufer, and Dane Zajc delivered speeches, along with Anton Anderlič, Igor Bavčar, and Gorazd Drevenšek.[7] At the time *Nova revija* had its office just a few meters away from the site of the rally and offered one of the very best vantage points for viewing the events from its second-story balcony, which is where most of its editors were crowded together. Janša, who in the course of those weeks had become the iconic face of the Slovenian Spring, was unable to witness the event. On walls and facades, lining roads and in underpasses you could see ubiquitous graffiti featuring the iconic profile of Mount Triglav, but instead of the Liberation Front's initials "O.F." atop its three peaks were painted the initials "J.J."

On separate occasions in early 1989 the Cankar Arts Center in downtown Ljubljana provided the setting for the official formation of the Slovenian Democratic League (SDZ) and the Social Democratic League of Slovenia (SDZS). The Cankar Center's Linhart Auditorium was packed to capacity with participants following and applauding the presentations of these parties' new politicians. As much as half of the live audience had to sit or stand in the lobby and surrounding hallways watching the events on closed-circuit TV monitors.

A huge crowd gathered on Congress Square again on 8 May 1989 to witness the new political opposition's joint proclamation, now known as the May Declaration, to which the Slovene Rural League, the Slovene Democratic League, the Social Democratic League of Slovenia, and the Slovenian Christian Socialist League were all signatories. The new parties had decided on this act because they no longer wished to participate in formulating the so-called Founding Document, which the League of Communists and the Socialist League of Working People had tried to force on them, which called for preserving Yugoslavia. The Declaration, which in its name alluded to the 1917 May Declaration of Anton Korošec, had been written by France Bučar, Janez Janša, Hubert Požarnik, Dimitrij Rupel, Veno Taufer, and Ivan Urbančič. The Society of Slovene Writers joined the political parties as a signatory, after which the document was circulated throughout Slovenia for individuals to sign. The organizers had portrayed the event to the authorities as an expanded session of the collective presidency of the League of Socialist Youth (the youth organization of the League of Communists), but in fact that organization shared the agenda with the opposition parties for an event that turned out to be a protest against the arrest of Janša, the court martial against JBTZ (as the foursome of Janša, Bavčar, Tasić, and Zavrl came to be known) and their imprisonment. Because the co-

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[7] Dimitrij Rupel, *Slovenstvo kot politično prepričanje* (Being Slovene as a political conviction) (Ljubljana: Kres, 1992).

authors of the document didn't want any one of the parties to claim primacy in advancing it, they asked the poet Tone Pavček to read it at the rally on behalf of them all. Among the most prominent speakers at the rally were Igor Bavčar, the novelists Drago Jančar and Rudi Šeligo, Lojze Peterle, Dimitrij Rupel, Jože Školc, and France Tomšič. The text of the declaration was as follows:

> We, the signatories to this document, declare and make known that:
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> 1. we wish to live in a sovereign state of the Slovenian people;
> 2. as a sovereign state we will make our own decisions about associations with Yugoslav and other nations in the context of a renewed Europe;
> 3. given past attempts of the Slovenian people to achieve political independence, the Slovenian state can be based only upon:
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> - respect for human rights and freedoms
> - democracy, including political pluralism
> - a social structure that provides for social and material welfare in accordance with nature's endowments and the human potential of Slovenia's citizens.

3. The First Election and Government

For long years the "greatest generation" in Yugoslavia and Slovenia had consisted of the Communist leaders who assumed the top positions in Belgrade and Ljubljana after the Partisans' victory in WW II. The leading figure of Slovenia's part of that generation had been Edvard Kardelj up until his death, followed by functionaries like Boris Kidrič, Boris Kraigher, Franc Popit, Sergej Kraigher, Mitja Ribičič and, toward the end, Janez Stanovnik and Milan Kučan, who stood out for his attempt to make the leap from his Communist generation to the new, democratic one, an attempt that partially succeeded, considering he became the first president of independent Slovenia.

In fact, Slovenia's new great generation emerged from a dissident and oppositionist culture which had begun to shape its program in *Nova revija* and achieved its final form in the May Declaration of 8 May 1989 and the mass movement and coalition of new political parties (SKZ, SDZ, SDSS, SKD, the Liberal Party, and the Greens) that became known as Demos. In the 1990 parliamentary election, this coalition achieved victory on the strength of its two programmatic demands—for democracy and an independent state. Its victory at the polls was followed by a period of political, economic, and cultural changes, and in summer 1991 by the War for Slovenia, which, as is

typically the case, ended with a peace treaty and international recognition at the end of 1991 and early 1992. More than thirty years have passed since the emergence of that generation.

A peculiarity of this new generation responsible for founding the independent state thirty years ago is the limited extent to which it has been recognized, considering that it still shares the stage with the revolutionary generation that former Yugoslav Communist and early dissident Milovan Djilas in the 1950s referred to as the "new class," which has repeatedly proven extremely reluctant to depart. Its members accuse the newer greatest generation of "self-dealing" and scornfully reject its "independence claptrap." This is the context for understanding a particular event in 1993, when six of the younger generation (Bavčar, Bučar, Janša, Jelko Kacin, Peterle, and Rupel) returned the Gold Medal of Freedom award that President Kučan had presented to them the previous year. Among the group of awardees was Janez Drnovšek, who chose not to return his medal. The six protesting awardees framed their act as a protest against the fact that the medal had also been given to members of the revolutionary generation who had actively resisted the independence movement. Evidence of tension between the state-building great generation and the revolutionary generation of 1945 can be found in in other areas, as well. Slovene veterans' organizations are not just divided between the league of associations of fighters for the values of the National Liberation Struggle (ZZV NOB) and the association for the values of Slovenian independence (VSO), but there are even multiple associations of veterans of the war for Slovenia. National reconciliation is yet another problem all its own. A "memorial to the victims of all wars" was installed on Congress Square, consisting of two bare concrete blocks confronting each other, entirely devoid of inscriptions or any explanation.

The Slovene Democratic League (SDZ) was—following Ivan Oman's Slovene Rural League—the second in a series of new leagues or parties that emerged in 1988 and 1989. One month later, Francè Tomšič founded the Social Democratic League of Slovenia (SDZS). Despite the fact that all three collaborated with the Socialist League of Working People (SZDL) at first, they functioned as a political opposition. Soon they were joined by the Slovenian Christian Democrats, the Greens, and the liberal Slovenian Trade Party. In the parliamentary election of 8 April 1990, the Demos coalition won with a majority of 54.8%. Within the coalition, the breakdown was as follows: the Party of Democratic Renewal (the former League of Communists of Slovenia) 17.3%, the League of Socialist Youth of Slovenia 14.5%, the Slovenian Christian Democrats 13%, the Slovenian Rural League-Populist Party 12.6%, the Slovenian Democratic League 9.5%, the Greens of Slovenia 8.8%, the Social Democratic Party of Slovenia 7.4%, the Socialist Party of Slovenia 5.4%, and the Slovenian Trade Party 3.5%.

In the government whose prime minister was leader of the Slovenian Christian Democrats Lojze Peterle, the Slovenian Democratic League claimed the ministerial seats for defense, justice, and foreign affairs. Francè Bučar served as president of the parliament. The Slovenian Democratic League came to be referred to as the party of intellectuals and theoreticians, approvingly by some, derisively by others. Its orientation resembled that of various European liberal parties, such as Genscher's Free Democratic Party in Germany, Uffe Ellemann-Jensen's Venstre party in Denmark or the Italian Liberal Party of Renato Altissimo. It maintained collegial relations with the Croatian Social Liberal Party (HSLS) of Dražen Budiša and Vlado Gotovac, but since the HSLS never came into power, most of its meetings took place with Franjo Tuđman's Croatian Democratic Union (HDZ).

Franjo Tuđman had been a partisan and later a general of the Yugoslav Army, a historian, political prisoner, founder of the HDZ, and, finally, president of newly independent Croatia (1990–99). Because of his activities as a dissident and his nationalist views he was first imprisoned in 1972, at the time when Croatia's Communist authorities began to crack down on the leaders of the 1971 Croatian Spring or *Maspok* (*masovni pokret*, or mass movement). Upon his release from prison, he became involved in a controversy concerning the number of victims of the World War II Ustaša (Croatian fascist puppet) regime, thus earning himself a second term in prison. In the mid-1980s he paid a visit to the editorial office of *Nova revija* in Ljubljana, offering the journal an article he had written about Jasenovac, the Ustaša wartime concentration camp, but at the last minute he withdrew it for fear of renewed imprisonment for violating the ban on publishing that the authorities had placed on him. Tuđman invited the president of the SDZ to attend the founding congress of the HDZ in the Vatroslav Lisinski Auditorium in Zagreb on 17 June 1989. The HDZ won the 1990 Croatian election and Tuđman became president of Croatia. In May 1991 Croatia held a successful referendum on independence which was passed by 93% of the voters. Independence was declared on 25 June 1991. Two weeks before, on 15 June 1991, the new Slovenian and Croatian leaderships met in Zagreb to coordinate their declarations of independence. When the Slovene side shared its legislation regarding independence in great detail, Tuđman countered that Croata had also prepared similar legislation, although prime minister Gregurić vocally contradicted him, saying that they'd made no progress yet and that drafts of their legislation were still "on ice." In fact, Tuđman was waiting to see how things would progress with Slovene independence. After the end of hostilities between the Yugoslav People's Army's and Slovenia, the war migrated to Croatia and Bosnia-Hercegovina. In August 1995, Tuđman launched Operation Thunderstorm (Oluja), which drove the indigenous Serbian population out of Croatia's Military Frontier (Krajina) and ended the war in Croatia. Later that year, on 14 December 1995, Tuđman, Slobodan Milošević of Serbia, and Alija Izetbegović of Bosnia-Hercegovina

signed the Dayton Accords in Ohio. After the initial affinities in their alliance against Yugoslavia, relations between Slovenia and Croatia cooled to such an extent that for the remainder of Tuđman's lifetime it was impossible to resolve certain problems between them that emerged as a result of the dissolution of the federation. Tuđman's intractability on the issue of Slovenia's maritime border with Croatia was reported to me in 1999 by one of the third-party mediators of the dispute, former U.S. Secretary of Defense William Perry.

The assortment of parties that was Demos[8] failed to achieve an unambiguous victory in the parliamentary election of April 8, 1990. In the presidential election former Communist Party chief Milan Kučan defeated the Demos candidate, Jože Pučnik, an outcome that necessarily built a dynamic of conflict into the government. A period of coexistence of the old and new regimes began, with the president representing a party diametrically opposed to the parliament's ruling majority, a situation that the French refer to as cohabitation.

Kučan exited the narrative of the Yugoslav regime when, on 22 January 1990, he and his Slovenian colleagues demonstratively walked out of the federal Communist Party congress in Belgrade, a step that made it possible for him to continue his career in the new Slovene state. After his initial election as chair of the collective presidency of independent Slovenia in 1990, he repeated the feat twice more—in 1992 and 199—with the difference that then he was elected president of the republic, without the accompanying collective presidency. His 1990 victory provided symbolic and actual insurance for his colleagues, as well as other remnants of the previous system. Kučan's was a unique case in Central Europe which led to a number of persistent problems that troubled the Slovene economy, judicial system, mediasphere, public education, and foreign affairs to the end of the century. After serving three electoral mandates that lasted a total of twelve years (1990–2002), tensions grew between the office of the president of the republic and the government, which was then led by Janez Drnovšek.

For the duration of governments led by Demos, which to all appearances Kučan found a more tolerable sparring partner than Slobodan Milošević, Kučan (sincerely? tactically?) collaborated with the government. Although he intermittently criticized it, at critical junctures—and especially when international recognition was at stake—he generally supported it. That said, one cannot help but be disappointed by revelations such as Italian leftist politician Pier Fassino's description in his book *Per passione* (2003) of how on 27 June 1991, Kučan and Ribičič virtually pleaded with Italian and European socialists not to make a gift to the political right of the former

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[8] Demos in Greek means "people" or "nation," but in its Slovenian political usage it was an acronym standing for **Dem**ocratic **O**pposition of **S**lovenia.

Yugoslav republics' newly declared independence. His wartime speeches in Zagreb and on Brioni give no evidence that he opposed independence and later, although he at first gave every sign of trying to look for alternatives, before the 2003 referendum on Slovenia's entry into NATO he publicly supported that step. It wasn not until several years later that he voiced misgivings. As president of the republic, Kučan was an advocate of Slovenian cooperation with the countries of Central Europe, and particularly with the Visegrad Four.

In an interview with the Slovene newspaper of national record *Delo* on 14 November 2009, Kučan commented on a number of developments since independence, including Slovenian-Croatian relations. He averred that "drawing the border [had been] more or less a technical matter" and said that in their discussions, he and the late President Franjo Tuđman of Croatia had largely reconciled Slovenia's and Croatia's maritime interests, Croatia's primary interest being "to maintain contact with Italy" and Slovenia's "to ensure that our territorial waters connect directly to the open sea." He then added that in 1996 he and Tuđman first drew the border on a map in the presence of top diplomats, and that this was the border that "was later refined and finalized in the Drnovšek-Račan Accord."

Subsequently in the same interview Kučan looked back to the time of the Yugoslav peace conference of 1991–92, claiming that he expected to hear some discussion of his negotiations with Tuđman at the London conference (26 August 1992), but that the new prime minister Janez Drnovšek and foreign minister Rupel "informed [him] that henceforth the government would be handling those matters." But Slovenia did not figure at all in the London conference, having since been eclipsed by the Balkan crisis further to the south, and the only Slovene government official who attended it was the foreign minister. In London the chair of the Hague conference, Lord Carrington, stepped down and the new Yugoslav prime minister Milan Panić made his first appearance.

Based on a pre-election agreement of the parties comprising Demos, the choice of prime minister went to the Slovene Christian Democrats (SKD), who won a simple majority of the votes that, together, had brought Demos victory.[9] After a day's hesitation and uncertainty, during which the SKD considered offering the post to long-time favorite Jože Pučnik, they ultimately settled on Lojze Peterle. The parties of Demos then presented their candidates for various cabinet posts and parliamentary officers. The Slovene Democratic League (SDZ) apparently had the largest number of well-qualified candidates. At a session of the executive council of the SDZ we

[9] The Slovene Christian Democrats won 13%, the Slovene Agrarian League 12.6%, the Slovene Democratic League 9.5%, the Greens 8.8%, the Social Democratic Party of Slovenia 7.4% and the Slovene Trade Party 3.5% of seats in the "sociopolitical assembly" of the Parliament.

proposed France Bučar for president of the parliament, who everyone agreed was an easy and obvious choice. Negotiations took place in the ground floor offices of *Nova revija* on Cankar Street. Whenever it got too stuffy indoors, the participants would take a break and head out into the courtyard, where the exchanges of opinion became even more frank. Progress ground to a halt when the discussion reached Bavčar, whom Peterle at first refused to accept as minister of the interior. But then Rupel and Janša, who was the undisputed candidate for minister of defense, drew Peterle back out to the courtyard and threatened to have the entire SDZ withdraw from the coalition if Bavčar was not appointed, in which case the government would have lost its majority.

4. Ethnic Strife or Democratic Movement?

On 8 May 1989, the May Declaration was published in Ljubljana, containing the demand for an independent Slovenian state, and in late August 1989 Solidarity trade union member Tadeusz Mazowiecki became the first non-Communist prime minister of Poland. On 19 December of the same year, Václav Havel became president of Czechoslovakia. The next month, on 8 January 1990, Demos was founded in Ljubljana and on 13 January, the daily newspaper *Delo* published an article proposing that Slovenia become a full member of the European Economic Community.[10] Four days later, on 17 January a meeting of Demos was held at the Cankar Arts Center and on 8 April, Slovenia had its first multi-party election.

In the course of 1990 and 1991, the views of foreign statesmen concerning the Yugoslav crisis and Slovenian independence changed considerably. In early 1990 the train of Slovenian independence finally left the station it had been waiting at for over a hundred years.

At a bilateral meeting on 20 February 1990, U.S. President George Bush mentioned to Austrian Chancellor Franz Vranitzky a statement by Czech President Václav Havel that certain "historical inevitabilities" were underway, but that they would take place "without any earthquakes." But Vranitzky countered that that would not be the case for Yugoslavia, which was definitely a "candidate for an earthquake." The federal government had dispatched additional army units to Kosovo. Bush wondered if that was just a case of ethnic strife or a genuine "democratic movement." Vranitzky replied that what was at stake was much more than just ethnic strife. The developments in Slovenia could lead to a response that would be very damaging for the Yugoslav federal government. Secession from the federation would force the question of where to go next, and the answer to that was of fundamental concern to Slovenia's two neighbors—Austria and Italy. "We're going to have to decide if we're going to support the advocates

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[10] Dimitrij Rupel, "V Evropo prek Beograda ali Ljubjane? (To Europe via Belgrade or Ljubljana?]," in *Delo*, 13 January 1990.

of secession or the federal government."[11] Bush explained that, because of "all these changes" taking place elsewhere, the U.S. was spending less time on Yugoslavia, but that he had spoken with Yugoslav President Borisav Jović, whom he had recently visited, about providing some financial support. Bush said that since the fall of the Berlin Wall he had been getting advice from some quarters to "be much more forceful" in his statements, but that he did not want to send the wrong signals to Moscow, which, however, wasn not to say that the U.S. was abdicating on its commitment to "freedom, democracy, and self-determination."

On 16 May 1990, Slovenia also got a democratically elected government, although it remained within the Yugoslav system. On 1 October, before the famous 19 November meeting of the OSCE in Paris which is recognized as marking the end of the Cold War, Bush asked Yugoslav president Jović what the U.S. could do to help Yugoslavia? Jović complained that the U.S. wasn't distinguishing between "democratic and disintegrative processes," adding that Yugoslavia was in favor of democracy in Slovenia, but opposed to secession. He then explained that Yugoslavia couldn't be allowed to collapse because its ethnic groups were mixed and it would be impossible to draw new borders. Trying to do so could lead to civil war in the Balkans. Jović also complained that the U.S. secretary of defense had canceled his planned visit to Belgrade.

On 14 February 1991, Janez Janša and Dimitrij Rupel secretly paid a visit to John Kriendler, the deputy assistant secretary general of NATO for political affairs, at his home in Brussels to inform him and thus NATO of Slovenia's plans for independence. The discussion touched on conditions in Yugoslavia and the Soviet Union, the Gulf War and relations between Slovenia and Croatia. Kriendler said he would brief NATO secretary general Manfred Wörner about the discussion. Kriendler would shortly become a professor specializing in European security issues and NATO at the George C. Marshall European Center for Security Studies in Garmisch-Partenkirchen, where Janša and Rupel would meet again with him, this time officially.[12]

In March 1991, one month after Janša and Rupel's first meeting with Kriendler in Brussels and two months before Peterle's and Rupel's meeting with Boris Yeltsin, Bush had discussions with French president Mitterand and foreign minister Dumas. At about the same time Rupel met in Rome with

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11 Based on original notes from the White House discussion, provided to the author several years ago by Dejan Ladika as source material for a Slovenian TV documentary on foreign views of the Yugoslav crisis.

12 See Janez Janša, *Premiki: Nastajanje in obramba slovenske države, 1988–1992* (Ljubljana: Mladinska knjiga, 2013), 151; and Dimitrij Rupel, *Bomo Prusi ali Rusi?: Geopolitični vidiki slovenske osamosvojitve in državnosti* (Ljubljana: Nova univerza, Fakulteta za slovenske in mednarodne študije, 2018), 141.

former Italian prime minister Amintore Fanfani, who expressed concern that Communism's "glue" had worn out and said that he prayed for Gorbachev every day. Bush and Mitterand started their meeting on the subject of Gorbachev, agreeing that they had to be careful not to "force Gorbachev over a cliff," that they'd been able to work with him, Bush added that he hoped Gorbachev would survive politically, but that the U.S. Congress had invited Yeltsin to Washington against Bush's objections. They next moved on to Castro, whom Mitterand defended. At last, they came to the subject of Yugoslavia. Mitterand was pessimistic. "The collapse of Yugoslavia would be an endless source of wars in Europe. We need larger clusters of nations. Despite all its problems the Austro-Hungarian Empire kept peace in that very unstable part of Europe."

On 11 April 1991, Bush spoke about Yugoslavia with an EU delegation headed by Jacques Delors, saying that it was important to the U.S. that the European Community stand with them in advocating for Yugoslav unity. Delors mentioned the unification of Germany and financial assistance to East European countries, particularly Poland and Hungary and stressed the dual message they wanted to send to Eastern Europe of the necessity for reforms and the availability of support from the EC. He expressed his fear of a civil war in Czechoslovakia, and regarding Yugoslavia he said the West had to emphasize to the federal and republic governments alike that the country had to remain intact if it wanted to join the European Community.

On 7 May, Bush met with the Italians. Cossiga emphasized that Yugoslavia had served as an effective buffer zone "between us and the Warsaw Pact" and that the Yugoslav federal government had long been a good neighbor to Italy, but that Yugoslavia was facing a crisis over the fall of Communism. It contained a great deal of economic, ethnic, religious, historical, and cultural diversity, and while Slovenia and Croatia were more like "us" than the other parts of the country, that could not be the West's only guiding factor. "We think" that we have to prioritize human rights and unity. Andreotti suggested that Austria could serve a moderating function, particularly with Slovenia. Their constitutions would have to be changed gradually. The result could be explosive if Slovenia were to push down too hard on the gas. If they opt for secession, they would lose the support of the European Community. "We can't deal with ten different countries." Cossiga pointed to the refugee crisis that could result to the detriment of Italy, Austria, and Hungary

On the same day Slovenia declared independence, 25 June 1991, Bush, U.S. Secretary of State James Baker, and U.S. National Security Advisor Brent Scowcroft met with NATO Secretary General Wörner in the White House, who said that he saw no role for NATO in Yugoslavia, that the Serbs would likely use force and might even call on the Soviets for help. Bush acknowledged that there were no plans in place for an outcome like that.

Baker predicted violence between the Serbs and Croats, which would likely draw in the Greeks and Albanians, as well. Wörner replied that "if they're going to use military force, we have to make it clear to them that there will be limits to that." Baker assumed that the Yugoslavs would send in their army, that NATO would remain uninvolved, and that at most some OSCE resolution would be made. To Scowcroft's question "What is the OSCE going to do?" Baker replied, "Nothing." Wörner then asked if something could be agreed on with the Soviets. Baker replied that at the OSCE meeting in Berlin on 19–20 June a forceful resolution had been adopted, but that "the Yugoslav political demands are so steep that we probably can't avoid a crisis."

As Slovenia's war raged (28 June 1991), the president of the German state of Bavaria, Max Streibl, paid a visit to George Bush and suggested that "we have to give the Slovenes some hope for a more federal solution that will be something like Germany's. He said it was wrong to support the Serbs at the expense of the Slovenes and Croats. Bush replied that "we supported federal unity, but not at the price of freedom."

5. Foreign Leaders on Resolving the Yugoslav Crisis

In early July 1991, Bush, Baker and German federal chancellor Kohl spoke by phone. Kohl expressed his dissatisfaction with the advocates and advocacy of a unified state that did not take the concerns of the Croats into account. He said, "We Germans demanded the right to self-determination and we made use of it. Obviously I can't deny the same right to the Slovenes and other ethnic communities of Yugoslavia." He added that he was no advocate of the collapse of Yugoslavia, but that the unified state could hold together only if the Slavs granted the same rights to all ethnic groups. (It's unclear if Kohl was thinking of the ethnic German minority and Kosovars or if he erroneously thought that Slovenes and Croats weren't Slavs.) He warned Baker that the Yugoslav situation was facing a dead end. In his opinion the Serbs didn't understand what was at stake for the West, that it wanted to preserve a unitary Yugoslav state *so that* the rights of the Slovenes, Croats, and all other ethnic groups would be honored. Baker agreed and mentioned his visit to Belgrade after the meeting of the OSCE in Berlin. A special mission of the European Community could help Yugoslavia identify a new basis for Yugoslav unity, perhaps "a new constitution that would recognize the Slovenes' and Croats' aspirations to democracy and greater independence." Kohl agreed but warned that he saw no signs that the Serbs were likely to change their minds.

The meeting of the G7 in London on 15–17 July 1991, at which Gorbachev was present, dealt with the problem of European political order following the exit of the countries of Eastern Europe from the Soviet "empire." British prime minister Major maintained that the European Community needed to be unified, but that it had definite centripetal

tendencies. Upon the collapse of empires, when the power center disappears, the separate parts naturally go their own way. Unity could not be compelled, federations could not be achieved by force, but the alternative might well be anarchy. Bush spoke about incorporating the Soviet economy into the global economy, but Gorbachev preferred to speak of convergence. "We can't achieve new international relations and a new international security structure today or tomorrow; we won't achieve a balance of interests in the world if each insists on gaining the advantage and is determined to win." The declaration of the London meeting foresaw the creation of a new (Soviet) Union based on consent, not on force, and the realization of an "open society and pluralist democracy." The document also included a few sentences on Yugoslavia, to the effect that the G7 affirmed that only the "peoples of Yugoslavia" could determine their future, but that the situation as it was developing was alarming: "Military force and bloodshed cannot lead to a lasting solution," they said in their joint declaration, which concluded by proposing an EC monitoring mission and an OSCE mechanism. They cited the Helsinki Final Act, the Paris Charter, and the "right of peoples to self-determination in accordance with the charter of the United Nations, within the framework of international law and respect for the territorial integrity of states. Germany's chancellor Kohl offered that they had outsized expectations, but that Eastern and Central Europe were seeing some pragmatic changes. He thanked his G7 colleagues for their support in the reunification of Germany and noted how nice it was that Gorbachev had joined them. "What might have happened if the Yugoslav crisis had happened in 1975?" Kohl asked. "We would have had to try to avert a third world war … as it is, Yugoslavia now remains just a localized conflict."

In London Bush, Baker, Italian prime minister Andreotti and Gianni De Michelis met privately. Bush stressed his preference to leave sorting out the Yugoslav problem to the European Community. Andreotti answered that they would have to forbid the use of force and offer legal help for the country to arrive at a new constitutional order. Yugoslavia was home to a whole range of ethnic groups and "all of them are violent." A "new model of unity" was needed. To this Baker replied,

> Our approach has been based on support for democracy and human rights and the search for a new basis for relations among the republics. The Slovenes acted unilaterally, leading the Yugoslav People's Army to overreact. Do you think the EC 12 will be unified in this, or are some going to want to recognize Slovenia and Croatia?

De Michelis replied, "If there's a coup in Belgrade, the Germans are going to push for recognition. In that case we're going to have problems."

After Brioni and the London meeting of the G7—during the summer of 1991—a number of things happened that accelerated the collapse of

Yugoslavia, first and foremost among them the military coup d'état in the Soviet Union. On 10 October 1991, U.S. President Bush, Secretary of State Baker, and Austrian Chancellor Vranitzky met once again. Bush said that restraint was called for when it came to recognizing new states, that the U.S. respected the desire for independence, but opposed premature recognition. The Austrian chancellor said that the Yugoslav central government was no longer in control of the army and that no ceasefire would be honored, that financial and economic measures and perhaps even an embargo were on the table. Bush then said that premature recognition would put the Americans in a difficult position. "We'd be getting a new entity that couldn't defend itself, and we'd get a truncated Serbian state that would cause problems for years to come… We don't want to get ourselves into a situation that would be a new source of instability." Vranitsky observed that premature recognition could result in an even greater number of Serbian attacks. Bush compared the situation to Hungary in 1956. He pointed to violations of OSCE principles in the form of violations of agreements between central governments and regional authorities, particularly in the case of Macedonia and the Soviet Union. Baker added that similar problems could spring up elsewhere around the world. "If we allow borders to be changed by force or unilateral actions, it's going to cost us in the long run." Bush and Baker raised the question of Ukraine: should the U.S. recognize Ukraine if it declared its independence? "It would be a different matter if Moscow agreed to it." Vranitsky said he had been in Moscow where he learned that Gorbachev, Nazarbaev, and others had agreed to "establish the core of a union." Even if some republics did not join them, they would still be viable.

A few days later (on 22 October 1991), the Americans met with Václav Havel. Bush advanced the position that recognition of Slovenia and Croatia was possible, if there were an agreement among the principal parties, but that the U.S. would not lead any such initiative. He announced a meeting of NATO designed to satisfy the new democracies of Eastern Europe. (Several days later the Yugoslav People's Army withdrew from Slovenia.)

At a meeting of NATO in Rome on 7 November, Bush, Baker, Scowcroft, Kohl, and Genscher met to talk. Genscher mentioned the peace conference in the Hague and offered the opinion that it might be possible to reach an agreement with the Serbs, but wondered what sort of solution might be possible for Yugoslavia. He suggested that they should recognize the current borders and guarantee the rights of minorities. "Other ideas, such as reconstituting Yugoslavia, are an illusion." Genscher said. Then he compared Yugoslavia to the Soviet Union, where Gorbachev and the center were looking for a new kind of relationship to the republics, with Gorbachev doing his best to find a solution. "In Yugoslavia the center is the army, which has no political legitimacy and is determined to prevent self-determination by force. This is not happening in the Soviet Union." Baker disagreed. In his opinion the Yugoslav government had issued an appeal for a peaceful

solution three months before, much as Gorbachev was doing now, but in June the Slovenes and Croats had made their unilateral moves. That is what had started "this whole thing." But then Kohl, considering the fact of the withdrawal of the Yugoslav People's Army from Slovenia, pointed to certain historical differences. "The main difference is that the Serbs and the Yugoslav People's Army have accepted Slovene independence." Baker reminded them that they had to be careful with recognition. Kohl repeated that circumstances had changed and that recognition would come by the end of the year. "I think," he added, "that it's only right for us to be frank about this with you." Scowcroft observed that it would be a catastrophe if they recognized other Yugoslav republics that were incapable of defending themselves. Genscher replied that that was precisely why the Hague conference had to go on. Kohl agreed regarding the Hague but said that recognition with all due guarantees of borders and minority rights had to come, particularly since Germany was facing the pressure of 700,000 citizens of Yugoslav origin, two-thirds of whom were Croats.

On 15 December 1991, one day before a meeting of European Community foreign ministers in Maastricht and ten days before the collapse of the Soviet Union, Bush and Mitterand met once again. The French president maintained that German pressure had brought them to the point where they would have to recognize Slovenia and Croatia. Bush asked if the Germans were intent on recognizing the two countries in any event. Mitterand confirmed that they were and added that the Germans were needlessly pushing for recognition sooner rather than later. The European Community's foreign ministers were scheduled to discuss the issue the next day, he said, and were just then busily trying to settle on a mutually agreeable stance. Bush commented that the U.S. supported U.N. secretary general Perez de Cuellar, Lord Carrington, and Cyrus Vance in their reservations. They thought that recognition would nullify all peacekeeping efforts. Mitterand concluded, "We mustn't delude ourselves. The Germans, followed by the Italians have decided to go ahead with recognition, no matter what."

6. The Brioni Declaration

The meeting on the island of Brioni was both a Slovenian and a European achievement. Subsequently the European Union would defer all further engagement in the Yugoslav crisis to the U.N., which necessarily involved the Soviet Union and later the Russian Federation in any consensus-building process. After the Serbian massacre of 5,000 captive Bosnian civilians at Srebrenica in 1995, NATO and the Americans intervened. In 2008 the secretary general of the U.N. asked Slovenia as then-president of the EU to take over responsibility for clearing unexploded munitions left over from the Yugoslav wars from the U.N. This was a complicated task. In any event,

support for Kosovo's independence was the result of EU and American policy.

On 30 July 1991, the president of the Yugoslav federal government, Borisav Jović, had complained about the Russians:

> The Russians care only about themselves. All they would have to do is say "nyet" to the Americans and we'd be protected from foreign intervention. As it is, if we apply more pressure, the Americans will recognize Croatian independence, then the Croats will call in Western forces and we'll find ourselves in a war with Europe.

During the ten-day war for Slovenia (26 June to 6 July 1991), it was the soldiers who held center stage. During the ceasefire and then peace between Slovenia and the Yugoslav army that followed (on Brioni, 7 July 1991), it was diplomats who were in the starring roles. Soldiers for war, diplomats for peace. Both were needed to establish the Slovene national state, with the diplomatic effort, without which there could be no state, taking somewhat longer than the war. The diplomats completed the preponderance of their work by 16 December 1991, so that Slovenia could enter the U.N. on 22 May 1992 with all the necessary credentials and certifications required of a new member state in hand. Slovenia's statehood received its final confirmation when it was accepted into the EU and NATO in spring 2004.

The times that saw the emergence of a Slovenian state were uncertain and agitated: the fall of the Berlin Wall at the end of 1989, immediately followed by Václav Havel's rise to Czechoslovak president, then Slovenia's first free election that spring (1990), followed by the reunification of Germany in the fall, Lech Walęsa's election as president of Poland in December, and Slovenia's plebiscite on independence on the day after that, after which Jože Pučnik proclaimed that "Yugoslavia is over!" Following the Gulf War in March 1991 half a million American troops began to withdraw from the Persian Gulf and that summer saw the coup d'état in Moscow.

On the eve of Slovenia's war, U.S. president Bush, secretary of state Baker and national security advisor Scowcroft met with NATO Secretary General Wörner in the White House. Wörner suggested that the Serbs were going to use force an call for Soviet assistance. Baker agreed that the Yugoslavs were going to send in their army. A few days later, in response to Bavarian state president Streibl's plea that the U.S. not support the Serbs against the Slovenes and Croats, Bush said, "We've been advocating for unity, but not at the expense of freedom." In early June, with the war in Slovenia still underway, Bush and Baker spoke on the phone with German Chancellor Kohl, who compared Slovenia's and Croatia's right to self-determination with Germany's, "We cannot deny the Slovenes the same right

that we Germans enjoyed!" At a mid-July meeting of the G7 in London, to which Gorbachev had been invited, who was then trying to restructure the Soviet Union into a "federation of sovereign republics," Baker still stubbornly maintained that "the Slovenes took unilateral action and the Yugoslav People's Army has overreacted."

Demos never tried to conceal its state-building ambitions either at home or abroad. It presented its plans to foreign and international institutions and statesmen well before the 1990 election, and once we formed our first government, we only increased our interactions abroad.

For tactical reasons Demos continued to refer to Slovenia's relations with the other nations of Yugoslavia, casting it as the potential framework for a future Balkan Benelux or regional structure for security and cooperation, while in fact it posited closer ties to Croatia and Slovenia's future membership in the European Community. In January 1990, I published an article on the future of Slovenia in the daily newspaper *Delo*, arguing in favor of joining the EC as our own, independent country, rather than as part of some larger Yugoslav package deal. Our discussions on independence took place mostly with the Croats and Austrians, countries which, thanks to the efforts of Austrian Foreign Minister Mock, both supported Slovenia's right to self-determination and the democratization of Yugoslavia overall. The Austrian People's Party (ÖVP), for instance, sponsored a conference in Vienna for political oppositionists from Yugoslavia which was held on the *Mozart*, a cruise ship at anchor in the Danube. Following the plebiscite and in response to intensifying pressures from Belgrade, my Slovenian Foreign Ministry colleagues and I redoubled our efforts at diplomatic outreach. Toward the end of 1990, I joined the Yugoslav delegation at a meeting of the OSCE held in Paris and—against the delegation chief's will—called a press conference at which I presented Slovenia's plans. The situation became deadly serious with the Yugoslav People's Army attack on Slovenia. The first real achievement of our foreign policy was the Brioni Declaration, which affirmed Slovenia's self-determination on condition that we wait three months.

The meeting on 7 July 1991 of Slovenia's leadership with the European "troika" and representatives of the Socialist Federated Republic of Yugslavia (SFRY) on the island of Brioni (where Tito had formerly vacationed, hosted foreign dignitaries and occasionally dressed down insubordinate Yugoslav functionaries) followed the Yugoslav army's attack on Slovenia, two meetings in Zagreb (on 28 June and 1 July) at which the Europeans tried to dissuade the Slovenes (Kučan, Rupel, and Kacin) from independence, and on 2 July a meeting of Slovene representatives (Kučan, Rupel) with Hans-Dietrich Genscher, the German foreign minister who at that time was chair of the OSCE.

On 7 July, with the war still raging, a delegation consisting of Kučan, Bučar, Peterle, and Rupel set out for Brioni, where they were joined by Drnovšek. Four meetings took place on Brioni. The first was between Slovenia and the EU, where the question of civilian oversight of the Yugoslav People's Army was raised. Chairman of the Council of Europe van den Broek attacked the Slovenes for having taken a series of unilateral steps and said that the border regime should be returned to its status from before the war. The Luxemburg politician Jacques Poos advanced several original ideas, such as that three flags (the EU's, Yugoslavia's, and Slovenia's) should fly at the border crossings for three months, that customs duties should be channeled to a special account, and at the end of negotiations the proceeds would be divided. The main question was control of the border crossings.

The second meeting was between Slovenia and Yugoslavia, which was represented by members of the collective presidency and Ante Marković. Drnovšek wore two hats at this meeting, but he exploited the situation to hold a strategic conversation with Borisav Jović. The Montenegrin representative offered that it made no sense to force Slovenia to remain part of Yugoslavia, upon which pandemonium reigned. Rupel paraphrased Poos and proposed a "European regime" for the border crossings, meaning they would be guarded by police, which by default would be Slovenian.

A meeting of the five Slovenian delegates began with multiple complaints about the EU, until van den Broek's assistant Henrietta van Notton entered and handed the delegation a sheet of paper bearing the note "Take it or leave it!" The sheet listed four conditions:

1. restore pre-25 July status at all border crossings
2. customs remain under federal authority
3. Slovenian army will stop barricading Yugoslav army bases
4. the army will return to its bases

Bučar and Kučan were nearly in despair, but Rupel understood the message as an overture to negotiate. Customs would be under EU control and border crossings would come under the European regime, which meant guarded by police rather than the military, and the Yugoslav People's Army would gradually withdraw. Van den Broek essentially accepted our modifications. The result was the Brioni Declaration, which bore the rather awkward title "Further Modalities in Preparation of Negotiations."

Those negotiations as they involved Slovenia were conducted by Hans van den Broek of the Netherlands. Broek was a lawyer, diplomat, and politician of Christian Democratic convictions, Dutch foreign minister from 1982 to 1993, and European Commissioner until 1999. The Slovenes had first met him as the member of the European "troika" who in Zagreb and on Brioni had initially opposed Slovenia's independence, then came to support it. He first relented on Brioni when he retreated from his take it or leave it four-

point proposal. In 1996, President Kučan decorated him with the Golden Order of Freedom of the Republic of Slovenia. Van den Broek steered Europe's foreign policy at a sensitive time and felt personally divided between, on the one hand, a fear that the collapse of Yugoslavia would inspire the collapse of the Soviet Union, which could have fateful consequences for European stability, a fear that the Americans shared and, on the other hand, his belief in conservative, Christian Democratic and free market liberal policies championed by Germany as it led the initiative to recognize Slovenia and Croatia and reject Serbian aims.

In his memoirs, Hans-Dietrich Genscher begins his account of Slovenia's independence movement with his participation in the "concert of reconciliation" that took place in Potsdam outside of Berlin on 29 June 1991. The concert marked the fiftieth anniversary of the German invasion of the Soviet Union. As president of the ministerial council of the OSCE, on 1 July Genscher took a call from the Slovenian foreign minister, after which he decided to travel to Belgrade and Slovenia, believing that, in the spirit of the Helsinki and Paris Charters, it was important to honor nations' right to self-determination. On July 2 he landed in Klagenfurt (Celovec), Austria, where he was met at the airport by president Kučan and Foreign Minister Rupel:

> Let it be known to the entire world that the Chairperson of the OSCE was prevented by military force from visiting the capital city of Slovenia. Not even the Austrian government objected to a meeting on its territory. After President Kučan presented a plaintive descripition of the crisis his country was in, I explained that not just as chairperson of the OSCE, but also as Germany's foreign minister I had an interest in finding a political solution and said that we could under no circumstances allow force to be used.[13]

Genscher continues with accounts of his meetings with European foreign ministers, including Yugoslavia's Budimir Lončar, with various German government and party leaders, with van den Broek, the Slovenian foreign minister and with Janez Drnovšek. The European troika (at first led by Poos, then by van den Broek) became intensively involved in pressing for a ceasefire, followed by the meeting on Brioni, at which, according to Genscher, the following resolutions were negotiated:

1. cessation of hostilities
2. realization of declarations of independence after three months
3. designation of Stipe Mesić as president of the collective presidency of Yugoslavia

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[13] Hans-Dietrich Genscher, *Erinnerungen* (Berlin: Siedler, 1995), 939.

4. inter-Yugoslav negotiiations on the future of the country to begin no later than 1 August 1991

Genscher ascribes the failure of the Yugoslav army's war against Slovenian independence to the resistance of the well-trained and well-armed Slovenian territorial defense force, which refused to transfer its armaments to Belgrade. His fellow European foreign ministers agreed that any effort to maintain Yugoslav unity by armed intervention of the Yugoslav army was hopeless. It is interesting to note Genscher's observation that Italian foreign minister De Michelis vigorously rejected any changes to Yugoslavia's internal borders, which meant that a system of ethnic minorities would have to result that was incontestible by international law. Genscher describes the formation of the Franco-German consensus and the participation of the British; the French advocated for Robert Badinter to arbitrate, while the British proposed Lord Peter Carrington as chair of the peace conference. Genscher portrays his role in the Yugoslav crisis as a mediator and developer of solutions. The culmination of Genscher's efforts and German policy in the crisis was the international recognition of Slovenia and Croatia.

One can learn a great deal by comparing American and German first-hand accounts of these events with published Yugoslav perspectives, such as that of president of the Yugoslav collective presidency Borisav Jović. In his notes from his discussions with the European troika we encounter thanks given him by van den Broek for supporting the candidacy of Mesić for Yugoslav president and his agreement with a statement by Slobodan Milošević that he did not oppose the principle of a nation's right to self-determination. When van den Broek voices his agreement with Milošević, Jović complains to van den Broek that the Europeans are poorly informed about the situation in Yugoslavia:

> If you're not sufficiently informed about the fact that the Yugoslav People's Army did not attack the Slovene territorial defense forces or the Slovene government at all, but that, quite the opposite, the Slovene territorial defense force deviously and violently attacked the Yugoslav People's Army at the order of the Slovene leadership, then you're not going to come to the right conclusions at all…

In a discussion between the highest representatives of Slovenia and Serbia in Belgrade several months before, it had been clearly stated that:

> Serbia has no objection to seeing Slovenia's aspiration to independence fulfilled by peaceful and democratic means and that Serbia will not obstruct that process…
> In spite of the current ceasefire, an extensive war against Yugoslavia and the Yugoslav People's Army is still being conducted, with the army's water, electricity and food supplies

> cut off and their communication lines jammed - everything essential to the survival and functioning of Yugoslav institutions is being disrupted…
> … I can assure you that in Slovenia alone the Yugoslav People's Army has sufficient firepower to disrupt and destroy them within twenty-four hours, but we judge that to be needless.

Jović writes that "we" have few choices left. "Either we go to war or we withdraw." Europe needs to understand the "Serbian problem" and the "Serbo-Croat question." Our goals, writes Jović, must "be focused on the word 'peace' and not on the word 'integrity,'" by which he means that preserving Yugoslavia is no longer feasible. And yet the Serbs oppose a declaration by the Slovenian president that is reported to have said "that there is a chance for independence or a community of states."

> If it comes to sovereign states, then the question of the Serbo-Croat border comes into play. We cannot have Serbs living in a foreign country, since then we would no longer have any role in ensuring their civil and national rights.
> If we're a single country and if the federal state is the guarantor of human rights, we can accept anything…
> We acknowledge the Croatian nation's right to self-determination and demand the same for the Serbian nation.
> You have to understand that the Serbs sacrificed three million lives in two world wars in order to create a state in which they can live together. Now they're about to be confronted with the loss of their country in an utterly stupid, impossible way as it's taken away from them by force.

In his notes from 9 July, Jović reported on Yugoslav People's Army's commander-in-chief General Veljko Kadijević's discussion with Soviet minister of defense Yazov, who told him that the USSR was unable to help militarily or even sell arms to Yugoslavia. This part of Jović's account ends with the assessment that "the greatest powers in the world are sticking their heads like ostriches in the sand, thinking that what has already happened and is now taking place on a grand scale isn't true." Jović's report on the retreat of Yugoslav forces from Slovenia is also interesting. The decision was supposedly made on 15 July, with Drnovšek agreeing with the Serbs, Tupurkovski "barely joining us," Bogičević abstaining, and Mesić being "vehemently opposed" out of fear that "they'll move all their forces from Slovenia to Croatia and use them against the HDZ (Croatian Democratic Union, the leading independence party). Despite the anti-Slovenian charge of his remarks, Mesić's fear was of course justified.

7. Slovenian and German Diplomacy

Slovenia's foreign policy and independence received their first practical validation through international recognition, which many foreign statesmen (Baker and even De Michelis) initially opposed. A series of dates marks this recognition process. The first six symbolic and, as it were, conspiratorial countries to recognize Slovenia—Croatia, Lithuania, Georgia, Latvia, Estonia and Ukraine—came flying into Slovenia's mailbox as early as summer and autumn of 1991. Although the foreign ministers of European Union countries, at Genscher's proposal, agreed to recognize Slovenia and Croatia on 16 December 1991, that decision only went into effect on 15 January 1992. For practical purposes, the first consequential instances of recognition came from Iceland, Germany, Sweden (on 19 December 1991) and the Holy See (13 January 1992). Badinter's arbitration commission at the Yugoslav Peace Conference recommended recognition on 11 January. Other important countries followed, from Russia (14 February 1992) and Japan (17 March 1992) to the U.S. (7 April 1992). Israel followed on 16 April, China on 27 April, and India on 11 May. On 22 May, Slovenia was admitted to the United Nations.

Hans-Dietrich Genscher contributed a great deal to Slovenia's international recognition, while he himself ascribes great importance to the role of the OSCE. After all, many observers mark the publication of the OSCE's Paris Charter in November 1990 as the end of the Cold War. Slovenia had participated in the Paris conference as part of the Yugoslav delegation.

The greatest challenge of German diplomacy after WW II was the unification of East and West Germany (the DDR and BRD). For Genscher and a majority of West German politicians, the option of reunification through *neutrality* was out of the question. There is only the East and the West, with no possibility of a third way, Genscher writes. A unified Germany would not relinquish its membership in the EU and NATO. New opportunities appeared after 1989. The Italian and Dutch foreign ministers tried to prevent or at least complicate negotiations in Feburary 1990 involving the two Germanies and the four Allies in February, but Genscher had the support of U.S. secretary of state Baker. In his conversation with Genscher, Baker doubted the likelihood of Russia's tolerating the inclusion of East Germany in NATO, but Genscher proposed that they offer Russia some concession, such as a reduction of the military presence in a reunified Germany. Solutions such as that only became possible, of course, thanks to the fall of the Berlin Wall and decline of the Soviet Union.

In chapter 19 of his memoirs, Genscher recounts the diplomatic efforts concerning the Yugoslav crisis. Postwar Germany had had problems with Yugoslavia due to the Hallstein doctrine, which since 1955 had required that countries recognize either the BRD or the DDR, but not both. Because

Yugoslavia recognized Eastern Germany, the BRD severed relations with it. Genscher describes the origins and causes of the Yugoslav crisis in detail: the memorandum of the Serbian Academy of Arts and Sciences with its plan for territorial aggrandizement, the retraction of autonomy for Kosovo, Serbian dominance of post-Tito Yugoslavia's collective presidency, intrigues to prevent Croatian poitician Stipe Mesić from assuming his constitutional post as president, etc. He writes:

> … While I was staying in Davos around 3 February 1991, I met Janez Drnovšek, a member of the Yugoslav collective presidency, who shared his concerns with me. On Wednesday, 20 March, I welcomed the president of Slovenia Milan Kučan and the country's foreign minister Dimitrij Rupel, who also shared their concerns about Slovenia's growing push to independence. I urged them not to rush things and above all not to undertake any unilateral initiatives, but to look for ways of preserving the fedeeration in some different constitutional form.[14]

The reality of Yugoslavia required new and different approaches. Genscher worried about German-Yugoslav relations in the aftermath of two world wars. He thought that collective action by the European Community and OSCE was essential. It was important to him to stay in touch with all the parties involved. In this way he hosted the Serbian, Croatian, and Slovenian foreign ministers. Together, he and Chancellor Kohl hosted Tuđman, Macedonian president Gligorov, Kučan, Mesić, and Bosnian President Alija Izetbegović. Genscher in particular underscores the 19–20 June meeting in Berlin of OSCE foreign ministers. Prior to that he invited U.S. Secretary of State Baker to Germany, on the way meeting with Yugoslav Foreign Minister Lončar and his Soviet colleague Bessmertnikov. The Berlin meeting focused on ratifying the principles that had been formulated several months prior in the Paris Charter. Of course, the conference recommended unity, the territorial integrity of Yugoslavia, and the recognition of human rights. Equally important was its statement that only the peoples (*Völker*) of Yugoslavia could freely decide the future of their country. In this point Genscher cited the Yugoslav constitution of 1974, which allowed for the secession of individual nations (*Nationen*).

Genscher and Chancellor Kohl learned of the nighttime sessions of the Slovenian and Croatian parliaments at which both countries were scheduled to declare independence while they were on a state visit to Italy that had begun on 24 June. There they also learned of the deployment of Yugoslav army forces. During dinner in the Villa Madama, Genscher and De Michelis spoke with Lončar, asking him to prevent the army's engagement.

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[14] Hans-Dietrich Genscher, *Erinnerungen* (Berlin: Siedler, 1995), 931.

Subsequently Genscher describeds an urgent phone conversation with Rupel on 1 July and a meeting with Kučan and Rupel on 2 July 1991 in Klagenfurt (Celovec), Austria. Genscher's reaction to their plan to take the train from there to Ljubljana is interesting. The German foreign minister didn't like the idea, probably because the train was also loaded with a large quantity of munitions. In any event, travel to Ljubljana proved to be impossible due to the military intervention by the Yugoslav People's Army. Numerous conversations with European foreign ministers, including Slovenia's, followed, until on 7 July 1991, the Brioni meeting took place, leading to outcomes as already described.

Over the course of the following days Genscher seconded the Italian foreign minister's position that no changes to Yugoslavia's internal borders should be undertaken. This stance was of course at variance with Milošević's intentions. On 19 July, the decision to withdraw the Yugoslav People's Army from Slovenia is noted, followed by a series of diplomatic meetings, among which Genscher ascribes particular significance to discussions with French Foreign Minister Roland Dumas, according to whom the French had devised an arbitration commission under Badinter and the Dutch had recommended Lord Peter Carrington as chair of the peace conference in the Hague. Among Europe's foreign ministers and at the Hague conference the principle had become widespread that international recognition should follow a process of "good-faith negotiations" in which all sides were supposed to take part.

On 27 October 1991, the foreign ministers of the European Community condemned the continued attacks of the Yugoslav army on Croatian cities. Meeting again on the following day, they agreed to distinguish between constructive and destructive republics, Serbia counting among the latter. Things became tangled when they tried to enumerate the various Yugoslav minorities and nationalities (Kosovo refused to be called a minority). Then they discussed Serbian intentions to create a "Greater Serbia," as well as the coup d'état that had taken place within the Yugoslav presidency.

More and more it appeared that the recognition of Slovenia and Croatia and the increasingly internationalized conflict that resulted had, in fact, been the only remaining political solution.

The Badinter Commission determined on 7 December that Yugoslavia was in the process of disintegrating. The German and Dutch chancellors announced their intention to recognize Slovenia and Croatia, at which point (prior to a meeting of the foreign ministers on 16 December) the German and French positions on international recognition were harmonized. What followed was a manifestation of consummate diplomacy thanks to Genscher, who writes in his memoirs:

> … while the number of our colleagues who spoke in favor of recognition was growing, there were still lingering doubts. Greece, for instance, was not fundamentally opposed to recognition, but Greek foreign minister Samaras was apprehensive that once Slovenia and Croatia were recognized, Macedonia would be next and might even demand Greek territory around Thessaloniki…
> … Soon we adjourned to the hall where we normally had meals and where the foreign ministers - along with a representative of the commission and a deputy of the presidency who also noted down our resolutions - would sit around an oval table. At those meetings we normally only spoke French and English. I repeated several times that the credibility of the European Community was at stake. On the one hand, we had the expert opinion of Badinter and Herzog and an announcement that we would make a decision after a two-month postponement. But it was also obvious that the Serbs wanted to prevent an agreement. Yet another postponement would encourage them to continue their war of aggression against Croatia…
> … During the consultations I twice spoke with Chancellor Kohl on the phone… He also believed that the Serbs would interpret a postponement as encouragement to continue the war. Ultimately, twelve foreign ministers drafted the following resolution: "The Community and its member states agree to recognize all Yugoslav republics that fulfill the conditions set out below. This resolution will go into effect on 15 January 1992. We therefore call on the republics of Yugoslavia to declare by 23 December whether they wish to be recognized as independent states and if they assume the corresponding responsibilities … especially for the protection of human rights and the rights of national and ethnic groups…"[15]

Translated from the Slovenian by Michael Biggins

[15] Genscher, *Erinnerungen* (Berlin: Siedler, 1995), 960–61.