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CONSUMERS AND SELF-MANAGERS: CONSUMER PROTECTION AND ITS CHALLENGES DURING THE YUGOSLAV ECONOMIC CRISIS OF THE 1980s

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ABSTRACT

In the 1970s, a new form of consumer protection system in socialist Yugoslavia was established, firmly grounded in the Constitution and the Associated Labour Act. Relying on the principles of self-management and withering away of the state, the principal role was given to consumer councils in local communities and municipalities, which negotiated with organizations of associated labour. Protection measures and functioning of the councils were coordinated by the bodies of the Socialist Alliance of the Working People. This paper is based on their documentation, especially from the 1980s, when economic crisis and shortages brought new issues in the focus of consumer councils.

Keywords: consumer protection, consumer councils, self-management, Socialist Alliance of the Working People, Yugoslavia, Croatia

CONSUMATORI E AUTOGESTORI: LA PROTEZIONE DEI CONSUMATORI E LE SUE SFIDE DURANTE LA CRISI ECONOMICA JUGOSLAVA DEGLI ANNI OTTANTA

SINTESI

Negli anni '70, si stabilì in Jugoslavia una nuova forma del sistema di protezione del consumatore, saldamente radicata nella Costituzione e nella Legge del Lavoro Associato. Partendo dai principi dell'autogestione e dell'estinzione dello Stato, il ruolo principale venne conferito ai Consigli dei Consumatori nelle comunità locali e nei comuni, i quali trattavano con le organizzazioni di lavoro associato. Le misure di protezione e il funzionamento dei consigli furono coordinati dagli organi dell'Alleanza Socialista del Popolo Lavoratore. Il presente contributo è basato sulla loro documentazione, particolarmente quella degli anni '80, quando la crisi economica e le carenze portarono all'attenzione dei consigli dei consumatori nuovi problemi.

Parole chiave: protezione dei consumatori, Consigli dei Consumatori, autogestione, Alleanza Socialista del Popolo Lavoratore, Jugoslavia, Croazia

INTRODUCTION

A measure that should be explored is a gradual switch to economic rent, and then investment of the surplus funds into apartment construction.¹ To prevent inefficient energy consumption, a new tariff system is introduced to discourage the use of electrical energy for heating apartments and offices, as such practice is considered “resource squandering” and failure to explore other energy resources.² In other domains as well “*the primary purpose of saving is not abstinence, but rather a rational and optimal satisfaction of human needs*”.³ Amidst meat and cattle food shortages, pigs leave for slaughterhouses ten kilograms lighter, poultry 30% lighter, and improved butter production is merely a result of reduced milk fat content.⁴ Syndicate activists “*go around the countryside buying winter stores and boost their price*”.⁵ Driving schools demand uniform prices as these are now set at the municipal level.⁶ Publishing houses and newspaper agencies are denied their request for significant increase of their prices, because even though this demand is in direct correlation with the rise in production costs, customers should not bear the burden alone.⁷

These are just some of the opinions, viewpoints and decisions the Consumer Council of the Republican Conference of the Socialist Alliance of the Working People of Croatia (SAWPC) dealt with directly, or through correspondence with other administrative bodies in the course of the seventies and the eighties. Council members also discussed the retail network situation, working hours, prices, the disposition of sales personnel, and various petty tricks played on customers (Duda, 2017). They were also concerned with the possibility of customers influencing production, trade and supply, water supply, as well as the state of the rest of the infrastructure, long lines in doctors’ offices, and the availability of municipal services and offices. Nonetheless, among this myriad of mundane, practical and organizational difficulties, council members were also focused on essential questions of consumer rights protection in the context of self-managing socialism. The question they posed was whether protection was necessary in the first place, and who should be protecting whom, and from what or whom. Other concerns included how closely the socialist business moral principles are adhered to, what is the best way to approach the citizen’s dual role of the provider and the beneficiary of the service, of the manufacturer and the consumer, and how to resolve this inner conflict and ambivalence in behaviour. The established protection system during the seventies was based on organizing consumer councils which were supposed to adhere to the existing model of self-management,

1 HR-HDA, 1228, 5.2.19.18, 1550, Društveni dogovor o ostvarivanju politike cijena u 1983., 7. 1. 1983.

2 HR-HDA, 1228, 5.2.19.18, 1548, Upit SIŽ-a potrošača električne energije, 2. 12. 1985.

3 HR-HDA, 1228, 5.2.19.17, 1547, Smjernice programa rada, Načrt, 10. 9. 1979.

4 HR-HDA, 1228, D-6578, Informacija o opskrbi tržišta osnovnim prehrambenim proizvodima, 24. 3. 1982.

5 HR-HDA, 1228, D-7152, Rezime sjednice Vijeća potrošača (VP), 20. 9. 1983.

6 HR-HDA, 1228, 5.2.19.18, 1550, Mišljenje u vezi primjene SAS o cijenama osposobljavanja vozača i ispita, 25. 3. 1983.

7 HR-HDA, 1228, 5.2.19.18, 1550, Republička zajednica za poslove cijena – mišljenja i informacije, 26. 4., 28. 4., 4. 5. 1983.

and thus actively engage in self-protection, and at the same time avoid boycotts, and open conflicts with those on the other side of the consumer chain since they were socialist citizens as well. This whole situation generated interesting inter-relations between self-managing at the workplace and self-managing at the place of dwelling, or, in other words, between the socialist citizen during working hours and during his or her leisure time.

These discussions took place in circumstances of an evolved consumer culture, and in an atmosphere which had been developing characteristics of a true consumer society (Duda, 2010; Patterson, 2011; Vučetić, 2012). Fast-paced socialist modernization trend and opening to western influences were conducive to a lifestyle which was in late seventies characterized by the height of purchasing power. The economic crisis of the eighties was therefore harder to bear, especially the sudden shortages at its very onset. All of these events reflected on the consumer protection system which had not been fully developed at the beginning of the eighties, but had a lot on its plate, nonetheless. The system was managed by the SAWP as an umbrella organization which, in this respect as well, called for responsible and cautious behaviour.

And all this in juxtaposition with the assumptions made by reactionary forces, and one part of the foreign press referring to Yugoslavia in the 'post-Tito' period. As always, facts speak otherwise. The optimism and the faith our people have in our future is unwavering. The outside pressure only adds to our uniqueness, and our troubles make us all the more powerful.⁸

The analysis of consumer protection given in this paper is based precisely on the archive materials of the Socialist Alliance: the Croatian SAWP Republican Conference Consumer Council documents, the Council's correspondence with other administrative bodies, and the files contained in the archive collection of the Federal Conference of the SAWP of Yugoslavia. All these sources provide evidence of the painstaking efforts that went into overcoming the economic crisis of the 1980s, and of the awareness of the existing cracks through which it penetrated, revealing and further exacerbating a broader social crisis.

FROM FIRST CONSUMER COUNCILS TO CONSTITUTIONAL PROTECTION

First steps of consumer protection in socialist Yugoslavia happened simultaneously with the introduction of workers self-management and workers councils in 1950 when first consumer councils (*savjet potrošača*) were founded.⁹ The corner-stone of Yugoslav social reform and de-sovietisation policy, labelled by the slogan "factories to the workers", thus also became an impulse towards the awareness of consumer rights. In their first version, consumer councils were administrative bodies formed by municipal bo-

8 HR-HDA, 1228, 5.2.19.18, 1548, Vrijeme pune i kolektivne odgovornosti, Fronta, VII, 1–2 (48–49), 1980.

9 HR-HDA, 1228, D-4034, Sjednica Predsjedništva SSRNH, Magnetofonski zapisnik, 10. 3. 1977.

ards, they acted locally and were not interlinked (Tomic, 1977, 88). They monitored and criticized the state of commercial affairs, supervised craftsmen, tradesmen, prices and working hours, as well as prevented speculation in the years of rationing and scarcity (Hrženjak, 1974, 24). They were replaced by residential communities (*stambena zajednica*) in 1959, the same year when the specialized monthly gazette *Potrošački informator* (*Consumer Digest*) started to be issued in Belgrade and Zagreb. Its publisher was *Porodica i domaćinstvo* (*The Family and the Household*), later named as the Local Community and the Family Conference of Yugoslavia, an organization within the SAWP, whose secretary at the time was Robert Kramer, also the author of an early manual on consumer protection (Kramer & Josipović, 1967).

In the meantime, the 1963 Yugoslav Constitution established local communities (*mjesna zajednica*) as facultative smaller units within municipalities, and they were in charge of a new sort of consumer councils whose activities relied on social compacts (*društveni dogovor*) (Hrženjak, 1974, 63). Depending on different pace in establishing of local communities, the new system of consumer protection spread slowly across the country. The municipality of Osijek in east Croatia turned out to be particularly active, thus becoming a vanguard of consumer protection in Yugoslavia. The first social compact – a consumer code on water supply between the organization of associated labour (Organizacija udruženog rada – OAL) Vodovod and local communities – was signed here on 10 November 1970, the date which was later celebrated as the Yugoslav Consumer Day. Many other contracts followed, municipal Consumer Council members conducted visitations to OALs and often had excellent communication and cooperation.

For the system of organized consumers, a new basis was laid in the new Constitution of 1974 which, together with the Associated Labour Act of 1976, became a turning point for the development of consumer protection. The general view was that new regulations were “*the first instance ever that the position of the consumer was constitutionally regulated, anywhere in the world*”.¹⁰ Protection was defined as a right of consumer and as an obligation of the OAL. According to the Associated Labour Act, OALs were obliged to encourage customers to organized actions, keep track of their needs and make self-management agreements (*samoupravni sporazum*) regarding questions of supply, good customer service, pricing of products and services, as well as customers’ share in revenues.¹¹ This was based on the federal and republican constitutions which two years earlier prescribed that OALs must cooperate and reach agreement with self-managing interest communities (*samoupravna interesna zajednica*), local communities and consumers on activities of common interest. It also defined consumer protection as a matter of common interest and necessity, and urged for synchronization of interests between the workers of OALs and citizens of local communities.¹²

10 HR-HDA, 1228, D-4748, XIV savjetovanje MZ Općine Vukovar, Usklađivanje interesa proizvođača i potrošača u sistemu socijalističkog samoupravljanja, 28. 10. 1978.

11 HR-HDA, 1228, D-4026, Sjednica VP, Prilog 1, Izvod iz zakona, 23. 2. 1977.

12 HR-HDA, 1228, D-6032, Položaj i uloga organiziranih potrošača i korisnika usluga, Izvodi iz propisa, 16. 2. 1981.

The fact that the Constitution turned local community (LC) into a mandatory self-management unit, made it an inevitable counterpart of basic organizations of associated labour (BOAL). Moreover, several federal and republican acts further defined the relations in the field of consumer protection, among them the law on basic business operation of OALs in the domain of goods and services trade, which obliged the OALs to clearly indicate the price, issue a receipt and to reach agreement on e.g. *“the establishment and location of the retail network [...], scope, quantity, quality and price of consumption goods, working hours, and other issues and activities of common interest, and of course, supplying consumer goods to customers”*.¹³

Consumer protection system created in the mid-1970s had its focus on the self-management area between the market and state. The first was not allowed to dominate over consumers, while the latter operated with its inspectorates, in consumer issues mainly with the market inspectorate, and was still forced to intervene in practice, although in theory it was supposed to wither away. The broad area in between was reserved for joint planning, self-management agreements and social compacts (consumer codes) reached by BOAL and LC, or by BOAL's consumer board and LC's consumer council. Third party could be the self-managing interest community (SMIC), specialized for a specific area of activities. The LC consumer council was actually the executive body of the local consumer assembly (*zbor*) which represented all consumers and service users of the LC. Different gatherings (*skup*) and referenda were also a possibility. The LC consumer council had its hierarchical counterparts on the level of municipality, municipal community (region) and the republic. They all functioned as bodies within SAWP and represented the organized consumers.

Croatian Consumer Council was a part of the Republican Conference of the SAWP of Croatia and, after initial meetings in 1974, held its constitutive session on 18 February 1975, a year after the new constitutions were passed by the federal and republican parliaments.¹⁴ The Council members were representatives of the republican Secretariat for Industry, Commerce and Crafts, the Republican Conference of the SAWP, *Potrošački informator*, Women's Social Engagement Conference, the Alliance of Socialist Youth, Republican Market Inspection, the Council of Unions Confederation, Chamber of Economy, Institute of Economy, Industrial Design Centre, Radio Zagreb, nine regional representatives of municipal communities and a representative of the Consumer Council in Osijek. During the late 1970s they discussed theoretical and structural, as well as particular and practical issues, always with the focus on strengthening of the general awareness of consumer protection (Duda, 2017). Moreover, the republican Consumer Council coordinated the activities of municipal councils, and not many of them were able to compete with Osijek. In three years, by 1978, only 33 or less than a third of Croatian municipalities established their municipal consumer council within SAWP.¹⁵ Therefore, the members of the republican Consu-

13 HR-HDA, 1228, D-4026, Sjednica VP, Prilog 1, Izvod iz zakona, 23. 2. 1977.

14 HR-HDA, 1228, D-3010, Sjednica VP, 18. 2. 1975.

15 HR-HDA, 1228, D-4635, Sjednica VP, Magnetofonski zapisnik, 29. 5. 1978.

mer Council could only conclude that “the fight for that citizen right has only just begun” and bitterly comment: “*We have a ton of declarations, legal regulations and firm stances, but we fail at enforcing any of that.*”¹⁶

CONSUMER PROTECTION IN THE TIME OF CRISIS

Consumer Council’s agenda during the 1980s brought about new challenges and new practical issues. At the turn of the new decade, Yugoslavia was faced with the consequences of indebtedness and rising consumption trend of the seventies (Korošić, 1989; Sirotković, 1990; Duda, 2010). The costs of loans and interest rates went up, foreign currency was scarce, imports in decline, and goods which used to be regularly supplied now became difficult to obtain. Inflation rate soared, while the value of the dinar and average salary amount dropped, with a devastating effect on the standard of living. The integrity of the Yugoslav market was diminished, while grey economy started to expand. By mid-1980s, these problems were partly resolved by the long-term economic stabilization plan. Early on, the SAWP managed to detect some of the factors causing the crisis, and took steps to incite a change in behaviour:

*Exuding this camaraderie, strength and pride, we have every right to be sensitive, and embittered to any glimpse of dissonance, lack of social responsibility, selfishness, and cowardice. Heroes are known in times of misfortune, but the weak and the cowardly just as well. As we once again become convinced of the strength and the unity of our community, we also recognize that which is dissonant, and at odds with the wide-ranging endeavour to bolster our economy, and initiate the process of its return to balance. Certain speculations present in particular regions, overindulgent purchasing of various goods and products, creating false shortages only to provoke higher prices, withdrawing domestic and foreign currency savings deposits from the banks, in addition to some other practices indicate that there are certain ill-intentioned forces out there, spreading rumours and falsehoods, attempting to create panic, and that there are those who fall victims of their deceit.*¹⁷

Under such circumstances, dubbed in the beginning as “market disorders”, it was expected that “*the consumer council and the committee will be more than casual observers and instead act promptly*”.¹⁸ In Croatia, the SAWP Republican Conference Consumer Council considered their undertakings as conducive to stabilization: under a new slogan, “*fighting for quality, fighting for stable supply*”, they continued to discuss “the business moral” and “socialist ethics”, control system and inspections, price-quality ratio, and improving the quality of service, filling up the stocks in stores,

16 HR-HDA, 1228, D-4635, Sjednica VP, Magnetofonski zapisnik, 29. 5. 1978.

17 HR-HDA, 1228, 5.2.19.18, 1548, Vrijeme pune i kolektivne odgovornosti, Fronta, VII, 1–2 (48–49), 1980.

18 HR-HDA, 1228, 5.2.19.18, 1548, VP Karlovac, Plan rada 1980.

as well as the introduction of pre-packed meat and fruit, and automatic scales.¹⁹ Several times a year, at their conference meetings, council members were informed about the sowing and harvesting seasons, the state of cattle industry and meat supply, price policies, winter stores, fire wood supply and other energy resources.²⁰ Also discussed were the prices of utilities, quality and selection of available products, the need for more stores in rural areas, the inefficiency and lack of consolidation within the existing trade network, improving eating habits of the entire population, and offering ready meals and ready-to-cook meals so as to bring food to the table of workers and their families more easily.²¹ The Consumer Council was well acquainted with the conclusion drawn by the Croatian Parliament and other bodies on the situation in the trade sector where a small window of opportunity started to open for private entrepreneurs so as to improve the quality of supply, but with keeping a close eye on any attempts of unjustified amassing of wealth, and especially in those areas where circumstances did not allow for publicly owned stores to be opened.²² Furthermore, the Council received reports on the operation of local consumer councils, which speak of, for example, difficulties in closing a self-management agreement with a trade sector in Rijeka, and putting into operation the SMIC there to handle supply, or the problem of the total lack of either any interest on any part, or adequate conditions to form a Consumer Council in Dubrovnik where, despite such unfavourable circumstances, agreements on self-management pertaining to working hours had been successfully closed.²³ However, there are also reports on agreements which were made only as a formality, and were never carried out in reality.²⁴

A major point of interest for consumer councils in the first half of the 1980s were shortages which would occasionally gain some serious momentum, and in this way caused problems with the supply of certain products. In the late summer of 1983, for instance, meat was scarce, as well as detergents, household appliances, oil and oil derivatives (Duda, 2012), while at the same time the supply of oil, sugar, and medication took a turn for the better.²⁵ The winter-spring 1983/84 season was expected to bring about a shortage of potatoes, beans, onions, apples and grapes.²⁶ On occasion, the same period saw the

19 HR-HDA, 1228, 5.2.19.18, 1548, Bilješka sa sastanka na temu Aktivnosti na unapređenju kvalitete usluga i proizvoda kao doprinos ostvarivanja stabilizacije i izvoza, 14. 12. 1982; D-7004, Sjednica VP, 14. 1. 1983, Sažetak konstatacija, stavova i zaključaka.

20 HR-HDA, 1228, D-8033, Sjednica VP, 19. 2. 1985, Pregled sjednica.

21 HR-HDA, 1228, D-8033, Sjednica VP, 19. 2. 1985, Program aktivnosti u 1985., Rezime sjednice.

22 HR-HDA, 1228, 5.2.19.18, 1548, Zaključci (Analiza organiziranosti, funkcioniranja i ekonomskog položaja unutrašnje trgovine u SRH), 21. 3. 1985; Stavovi Akcije konferencije komunista trgovine u ostvarivanju DPES i idejno-političkih opredjeljenja SKJ, 21.–22. 2. 1985.

23 HR-HDA, 1228, 5.2.19.18, 1548, Vijeće potrošača i korisnika usluga Rijeka, 9. 2. 1981; Vijeće potrošača Dubrovnik, 20. 2. 1981.

24 HR-HDA, 1228, 5.2.19.18, 1548, Aktivnost Socijalističkog Saveza na organiziranju i djelovanju potrošača, 14. 3. 1983.

25 HR-HDA, 1228, 5.2.19.18, 1549, Informacija sa sastanka o snabdevanju osnovnim prehrambenim proizvodima, lekovima i energijom, 21. 9. 1983.

26 HR-HDA, 1228, 5.2.19.18, 1550, Poslovna zajednica za voće, povrće i cvijeće, 18. 3. 1983.

problems with milk shortage, and the supply of medical equipment, but in case of many products, a viable short-term solution proved to be the activation of buffer stock, as was the case with wheat, or emergency imports of, for example, coffee.²⁷ To sum up, the conclusion was: “*insufficient amount of many products, narrow selection of products*”.²⁸ This situation did not continue in the second half of the decade, with reports indicating adequate supply; however, this was achieved by timely imports of particular raw materials and products, for example, milk and coffee, as well as securing adequate foreign currency funds to finance such imports.²⁹

Sometimes shortages were caused by the lack of foreign currency, and insufficient imports, sometimes by scarcity of imported raw material needed in domestic production, or inadequate domestic production, as well as by purposefully retaining the merchandise in storage to provoke price increase, or by households hoarding supplies. Therefore, apart from macroeconomic circumstances, the human factor also played a role through “*unprofessional business conduct, poor organization, and the fact that every employee should be focused on doing his part of the job, all the while respecting social compacts and self-management agreements*”.³⁰ For this reason, the SAWP called for a higher degree of responsibility which was supposed to involve taking steps “*against disorder, false speculations, retaining or sending out the merchandise through unsupervised channels*”, and against the negative psychological effects caused by frequent shortages, and the resulting need for hoarding.³¹ The issues of supply and rising prices were the main reasons why the SAWP warned the Croatian government about the whole state of affairs, expressing “deep concern and dissatisfaction” they shared with the public.³²

Buyers and distributors took advantage of this state of instability, “*riding the wave of poor organization or shortages*” and raising the prices, in response to which the consumers could do nothing but comply even when this meant settling for products and services of lower quality.³³ This type of illegal conduct was kept under the watchful eye of competent inspectorates; however, their authority did not receive adequate backup or support from consumers themselves.³⁴ In the latter half of the eighties, market inspectorate – underfinanced and underequipped as it still was – recorded nevertheless a steady rise

27 HR-HDA, 1228, D-7209, Sjedinica VP, 17. 11. 1983, Sažetak Informacije o stanju opskrbljenosti tržišta poljoprivredno-prehrambenim i značajnim industrijskim proizvodima osobne potrošnje.

28 HR-HDA, 1228, D-7209, Sjedinica VP, 17. 11. 1983, Sažetak Informacije o stanju opskrbljenosti tržišta poljoprivredno-prehrambenim i značajnim industrijskim proizvodima osobne potrošnje.

29 HR-HDA, 1228, D-9039, Sjedinica VP, 26. 2. 1987, Osvrt na stanje i probleme opskrbljenosti nekim robama u 1987. (turistička sezona); D-9134, Sjedinica VP, 18. 6. 1987, IVS, Informacija o opskrbi tržišta poljoprivredno-prehrambenim i značajnim industrijskim proizvodima osobne potrošnje.

30 AJ, 142, A-879, Zaključci jugoslovenskog radno-akcionog skupa Ekonomska stabilizacija i ostvarivanje ustavne koncepcije organizovanog delovanja potrošača.

31 HR-HDA, 1228, 5.2.19.18, 1548, Aktivnost Socijalističkog Saveza na organiziranju i djelovanju potrošača, 21. 2. 1983.

32 HR-HDA, 1228, 5.2.19.18, 1550, Predsjedništvo RK SSRNH IVS-u, 13. 1. 1988.

33 HR-HDA, 1228, 5.2.19.18, 1548, Aktivnost Socijalističkog Saveza na organiziranju i djelovanju potrošača, 14. 3. 1983.

34 HR-HDA, 1228, 5.2.19.18, 1548, Aktivnost Socijalističkog Saveza na organiziranju i djelovanju potrošača, 14. 3. 1983.

in the number of consumer reports, in addition to the usual complaints about “*prices not being clearly indicated, receipts not being issued, scale measurement frauds, overpricing, selling faulty and low quality merchandise*”.³⁵ In 1986 and 1987, 359 market inspectors in Croatia conducted over 90 thousand inspections in a year, in sales and restaurant industries, and were reportedly coming across irregularities for which penalties were imposed.³⁶

*It is safe to say that violation of consumer rights has been gaining momentum and becoming increasingly wide-spread to the extent that it has become a serious social issue. The situation is all the graver if we consider the fact that the living standard of working people and citizens in general is already below the satisfactory level, and additional damage of this kind not only lowers this standard further, but also might cause serious and entirely justified discontent on their part.*³⁷

Half of the samples collected during the meat inspection of 1989 did not meet the quality standards, and neither did one third of dairy products, worst of which turned out to be the priciest ones.³⁸ Following these findings, it was demanded that the severity of penalties be increased, and that legislative bodies handle the reported cases more promptly. However, local consumer councils very rarely submitted their reports to the public prosecution whose office hoped to see more initiative on their part, especially if taking into account how widespread frauds of this kind seemed to have been.³⁹

According to Croatian republican and federal sources, by the end of the eighties, consumer organizations remained unsuccessful in achieving the desired impact. Despite the obvious need for legislative amendments in line with the growing importance of the role the market was playing, there clearly was a solid constitutional and legislative framework. Be that as it may, however, in 1985, one third of local communities in Yugoslavia did not have its consumer council.⁴⁰ Many existing councils operated without much success, while the Consumer Council Coordination Board, which operated under the Conference for the Development of Yugoslav Local Communities, made attempts to deal with different republican solutions on a federal level within the SAWP.

35 HR-HDA, 1228, D-9587, Sjednica VP, 12. 5. 1988, Izvještaj o stanju i funkcioniranju organa tržišne inspekcije u SR Hrvatskoj i o značajnijim pojavama u vršenju nadzora u 1987., 2. 1988.

36 HR-HDA, 1228, D-9587, Sjednica VP, 12. 5. 1988, Izvještaj o stanju i funkcioniranju organa tržišne inspekcije u SR Hrvatskoj i o značajnijim pojavama u vršenju nadzora u 1987., 2. 1988.

37 HR-HDA, 1228, D-10007, Sjednica VP, 23. 1. 1989, IVS, Informacija o negativnim pojavama u prometu robe i uslugama, 17. 12. 1988.

38 HR-HDA, 1228, D-10007, Sjednica VP, 23. 1. 1989, Kvaliteta prehrambenih proizvoda i zaštita potrošača, 11. 1988; D-10069, Sjednica VP, 17. 4. 1989, Zaključci, prijedlozi i preporuke Druge konferencije organiziranih potrošača Jugoslavije, Beograd, 17.–18. 3. 1989.

39 HR-HDA, 1228, 5.2.19.18, 1549, Saopštenje Saveznog javnog tužilaštva u vezi društvene akcije Potrošač i udruženi rad.

40 HR-HDA, 1228, D-8246, Sjednica VP, 25. 11. 1985, Prijedlog da Savezno vijeće Skupštine SFRJ bude sudionik u zaključivanju Društvenog dogovora o organiziranju i ostvarivanju prava i dužnosti potrošača i korisnika usluga, 1985.

However, organized action on the part of consumers has not achieved an adequate level of acknowledgement in reality, and consumer organizations have failed in achieving the impact they were, rightly so, expected to make. It is necessary to abandon the idea that the constitutional role of consumer organizations can be realized spontaneously, without continuous, active, and systematic engagement of social-political organizations and social community as a whole.⁴¹

The SAWP was further displeased by the knowledge that such poor outcome is, in part, a result of political lack of interest for consumer protection, a matter which “*did not incite the federal authorities to take the necessary measures to contribute to the development and affirmation of this movement at its very inception, in addition to the fact that adequate material preconditions were also unmet*”.⁴² When referring to European consumer codes in order to provide an example, it was strongly emphasized that “*there is no economically developed country whose government and parliament did not ensure firm material grounds for active engagement of consumer organizations*”, while the Yugoslav state authorities “*lose track of what their own role and responsibilities are*”.⁴³ This is what the atmosphere was like during the last two years of socialism when the number of consumer councils was growing, but the matter of creating a unified network was still in the limelight, as well as the subject of a greater level of self-managing workers’ and internal OAL control. After about fifteen years of building the protection system, concluding that the proscribed cooperation between consumer councils and BOALs is fruitless seemed very dramatic.⁴⁴ Some new developments did, however, take place. First annual Consumer Conferences were organized, and efforts were made to establish consumer associations, and the Croatian Consumer Centre. March of 1988 was proclaimed the first Yugoslav Consumer Month, and on 15th March, the World Consumer Right Day was observed for the very first time.⁴⁵ In 1989, the Yugoslav Consumer Council Coordination Board, together with the publisher Porodica i domaćinstvo (Family and Household), began publishing *YU-Potrošač* (YU-Consumer) magazine. As a result of reorganization, consumer councils became permanent bodies with the Council for Initiatives, Programmes and Projects in the domain of socialist social-economic relations, and the same approach was to be applied on all SAWP levels – while it was still in existence.⁴⁶ Based on experience thus

41 HR-HDA, 1228, D-8246, Sjedinica VP, 25. 11. 1985, Prijedlog da Savezno vijeće Skupštine SFRJ bude sudionik u zaključivanju Društvenog dogovora o organiziranju i ostvarivanju prava i dužnosti potrošača i korisnika usluga, 1985.

42 HR-HDA, 1228, 5.2.19.18, 1549, Najava sastanka na temu Uloga i organizovanje potrošača u sistemu socijalističkog samoupravljanja, 5. 1. 1987.

43 HR-HDA, 1228, D-10069, Sjedinica VP, 17. 4. 1989, Zaključci, prijedlozi i preporuke Druge konferencije organiziranih potrošača Jugoslavije, Beograd, 17.–18. 3. 1989.

44 HR-HDA, 1228, D-10007, Sjedinica VP, 23. 1. 1989, IVS, Informacija o negativnim pojavama u prometu robe i uslugama, 17. 12. 1988.

45 HR-HDA, 1228, D-9521, Sjedinica VP, 10. 2. 1988, Rezime; D-9193, Sjedinica VP, 12. 10. 1987, Mjesec potrošača; 1548, Program rada Vijeća potrošača u 1989. (Prijedlog).

46 HR-HDA, 1228, D-10069, Sjedinica VP, 17. 4. 1989, Rezime; 1548, Dopis konferencijama SSRNH, 9. 10. 1989.

far, members of the new consumer councils were to be appointed “*on account of their interests, predilections, competencies, and willingness to get engaged*”, as opposed to previous practices to select members “*based on a particular set of formalities*”.⁴⁷

THE CONSUMER AND ASSOCIATED LABOUR PROJECT

A rather comprehensive document titled *Okvirni program dugoročne društvene akcije Potrošač i udruženi rad* (Framework programme for the Consumer and Associated Labour long-term project) serves as an excellent catalogue of planned measures and improvements, and as such provides indirectly a very illustrative overview of the consumer protection situation during the eighties. The programme was finalized after several months of meetings and debates on the Yugoslav level, the most critical of which was the counselling which took place in Osijek in February of 1983 organized under the title *Ekonomska stabilizacija i ostvarivanje ustavne koncepcije organiziranog djelovanja potrošača* (Economic stabilization and realization of the constitutional concept of organized consumer engagement). This was a project established within the SAWP programme of activities aimed at social and economic stabilization, but it is also found in the basis of other important documents: the Constitution, Associated Labour Act, assembly resolutions, and *Polazne osnove dugoročnog programa ekonomske stabilizacije* (Long-term economic stabilization programme foundations).⁴⁸ The main goal was to engage municipalities, social-political organizations, academic institutions and the media in making the constitutional concept of consumer protection a reality, as well as self-management in consumer organization which would protect them from administration, and the market having the upper hand over them. This programme also put forth the idea that by bringing together self-management at the workplace and self-management at home “*every worker-manufacturer would be invested in his production process as if he was doing it for himself*”, and this would ensure a better quality of products and services.

The preparations for this project began in July of 1982 in response to initiatives on behalf of the SAWP Osijek Municipal Conference, the Croatian SAWP Republican Conference Consumer Council, Local Communities and Families of Yugoslavia Conference, Yugoslav Trade Unions Council, Yugoslav Chamber of Commerce, and other institutions. The organization board operated under the jurisdiction of the SAWP Federal Conference. The aim was to “*open the path to direct cooperation, agreement and joint planning between work collectives and organized consumers and initiate new developments through long-term collective projects*”.⁴⁹ At meetings that took place in the period until December

47 HR-HDA, 1228, D-10069, Sjednica VP, 17. 4. 1989, Zaključci, prijedlozi i preporuke Druge konferencije organiziranih potrošača Jugoslavije, Beograd, 17.–18. 3. 1989.

48 AJ, 142, A-879, Prepiska i materijali odbora o društvenoj akciji Potrošač i udruženi rad, Okvirni program dugoročne društvene akcije Potrošač i udruženi rad, M(j)esna zajednica, XXV, 4, 1983.

49 HR-HDA, 1228, 5.2.8.11, Koordinacijski odbor za mjesne zajednice, 487, Informacija o pripremama za održavanje jugoslavenskog radno-akcionog skupa na temu Ekonomska stabilizacija i ostvarivanje ustavne koncepcije organiziranog djelovanja potrošača i organiziranju dugoročne opće jugoslavenske društvene akcije Potrošač i udruženi rad, 10. 12. 1982.

that year, as many as 30 institutions joined in, and about 15 work groups were established. Also, pilot programmes were created to be carried out on an experimental basis in about 20 municipalities: Osijek, Vukovar, Rijeka, Karlovac, Split and Zagreb in Croatia, Ljubljana and Maribor in Slovenia, Sarajevo, Banja Luka and Tuzla in Bosnia and Herzegovina, Titograd in Montenegro, Beograd, Niš, Novi Sad and Priština in Serbia, and Skopje, Bitola and Gostivar in Macedonia.⁵⁰ Later on, Celje and Koper in Slovenia also joined in, as well as Opatija and Pula in Croatia (where Split stepped down), and Zenica in Bosnia and Herzegovina.⁵¹ Pilot programmes were focused on a specific issue deemed important for a particular municipality, so Split, for example, was initially in charge of consumer activities aimed at improvement of the fishing industry and Mediterranean agricultural products. Such an extensive initiative demanded extraordinary engagement, so many common activities were connected and adapted to its programme and dynamics.⁵²

The opening statement at the Osijek counselling session was held by Marjan Rožič, a Slovenian politician from the highest ranks of the Yugoslav SAWP, who acted at this event as a representative of the *Consumer and Associated Labour* project organization board.⁵³ This was indeed a very sobering introduction to a two-day discussion that followed. Rožič stated that reasons why the expansion of consumer councils had been so “slow and inconsistent” – around 9,000 councils spread across 14,000 local communities, and 150 municipal councils in 500 municipalities – was a lack of understanding and insight, and moreover, that even in localities where they were established, their efforts were concentrated solely on the trade sector. He, therefore, appealed for respect and consistent application of the existing protection mechanisms, stronger engagement on the part of the Yugoslav SAWP, more effective operation within local communities, and harmonization of legislative measures. He criticised services responsible for supply for their lack of organization, but added that consumers also contributed to a negative atmosphere which in turn created “a vicious circle” as the market became open to speculation, “trust is lost”, and all parties involved “*focus on what others are supposed to be doing only to justify their own failure to act appropriately*”. He advocated the implementation of self-management based solutions, and denounced state interventions:

Only well-organized working people can successfully resolve particular issues and problems, and in this way contribute to further social-economic development based on the principles of self-management in the context of realizing the long-

50 HR-HDA, 1228, 5.2.8.11, Koordinacijski odbor za mjesne zajednice, 487, Informacija o pripremama za održavanje jugoslavenskog radno-akcionog skupa na temu Ekonomska stabilizacija i ostvarivanje ustavne koncepcije organiziranog djelovanja potrošača i organiziranju dugoročne opće jugoslavenske društvene akcije Potrošač i udruženi rad, 10. 12. 1982.

51 AJ, 142, A-879, Prepiska i materijali odbora o društvenoj akciji Potrošač i udruženi rad, Popis adresa.

52 HR-HDA, 1228, 5.2.19.18, 1548, Bilješka sa sastanka na temu Aktivnosti na unapređenju kvalitete usluga i proizvoda kao doprinos ostvarivanja stabilizacije i izvoza, 14. 12. 1982.

53 HR-HDA, 1228, 5.2.19.18, 1549, Uvodno izlaganje (koncept) Dr. Marjana Rožiča na savetovanju Potrošači i udruženi rad, Osijek, 25. 2. 1983.



Fig. 1: *Petrošač i udruženi rad* [Consumer and Associated Labour], a section of the paper *Mjesna zajednica* [Local Community], XXV, 4, 1983.

*term stabilization programme. [...] Furthermore, these efforts have to be based on a class principle, so that working people in the capacity of manufacturers and consumers become aware of themselves, and the true nature of their own position in the current phase of operation of the social-economic, and political system, and that they rely less on administration which, when it comes to irregularities in production and the market, normally seeks a way out through some new, mostly administrative, measures.*⁵⁴

The programme agreed upon in Osijek contained, for the most part, a lengthy list of 33 tasks, each with additional remarks.⁵⁵ Many of these were already familiar, but there were also some very innovative ones which had not been mentioned before in written form. First and foremost, the constitutional concept of free exchange of labour and self-management interest-based organization, while existing negative traits were once again brought in correlation with “deviations” in its application. Therefore, it was necessary to improve the implementation of social compacts and self-management agreements, and push forward the establishment of consumer councils in local communities, as well as councils of services users in SMICs covering social services, economic infrastructure, communal affairs and housing. Initiative was launched to restore consumer co-operatives, and the establishment of credit unions. Consumer mediation proceedings could in future be set to motion to settle out of court the disputes between BOALs and consumers in the same way the existing peace councils had been doing. It was also considered that consumers should participate in planning operations within SMICs, in income realized by a BOAL, and in dealings undertaken by communities of pricing affairs. BOALs would be stripped of any funds acquired at the expense of consumers, and these would be used instead as means of financing protection mechanisms and improving the quality of goods and services. One very pragmatic measure implied awarding consumers the right to participate in final construction works in apartment buildings which would give them not only a chance to add changes according to their own needs and tastes, but also the right to buy a socially-owned apartment which would yield additional finances that would be further invested in building new apartments. There was plenty of vacant space within apartment buildings which could be awarded to owners of small businesses, for instance household appliance repair shops. Furthermore, communication between citizens and municipal authorities was to be regulated by a self-management agreement in order to prevent “delays and inefficiency”, clerks’ unprofessional conduct, and disrespect toward the citizens, or sending them off to roam from one office to another. Consumers were to be duly informed of their rights via special newspaper sections, specialized journals, and booklets, counselling offices, and trained activists.

54 HR-HDA, 1228, 5.2.19.18, 1549, Uvodno izlaganje (koncept) Dr Marjana Rožiča na savetovanju Potrošači i udruženi rad, Osijek, 25. 2. 1983.

55 AJ 142, A-879, Okvirni program dugoročne društvene akcije Potrošač i udruženi rad, M(j)esna zajednica, XXV, 4, 1983.

Another pillar bolstering the rise of consumer culture was advertising industry, but only by giving honest information, rather than broadcasting messages aimed at manipulating consumer behaviour. Moreover, the media could help in promoting the need to conserve energy and collect secondary raw materials.

Another novelty was the possibility of establishing a consumer council within the domain of hospitality services, meaning, in bars, restaurants and hotels. In this way patrons and tourists would in effect become self-managing parties, primarily by observing and commenting the quality of service and prices by filling out questionnaires. Regarding the domain of hospitality services, it was proposed that more self-service restaurants be opened, and taverns which would be serving meals the selection and pricing of which would be suitable for the needs of working people. Similarly, it was also proposed that small hotels and guesthouses offering accommodation at affordable prices be established. Facilities of this kind would complement the existing social tourism infrastructure, and mess halls for workers. It was recommended that menus of these working people restaurants include special diet meals, hire experts in nutrition and diet, and invest in promotion of healthy eating. This would be to the benefit of the population that had apparently been consuming one third of food over what is considered necessary by medical standards, especially when it came to bread, fats, sugar and meat. Fruits and vegetables were to become more easily accessible by introducing the “garden for everyone” initiative which was aimed at offering the entire population a chance to grow their own food in exchange for a small fee (or none) for lot exploitation.

In order to ensure a regular supply of agricultural foodstuff, it was planned to increase production, and careful recording of annual requirements, in addition to establishing SMIC organizations for supply, and contingency stock in every municipality. Municipal supply coupons served merely to conceal the terrible lack of organization and were as such a practice that should be abolished, together with everything else that stirred up chaos, diminished citizens’ trust, and created an impression that social compacts and self-management agreements were useless. It was believed that trade business should be operating on the principle that better sales means lower prices which in turn means better revenues. Municipalities and republics should endorse the open market, and even invest in building big shopping centres which would prevent the creation of monopolies. Consumers were definitely to have a say in matters regarding the imports of merchandise, possibly even by being given samples on display, but the main goal was to avoid imports of low-quality and outdated products.

On the other hand, domestic products were to be given an incentive by way of “economic patriotism” measures, promotion of the slogan “*domestic quality is the best quality*”, and by applying the Yugoslav mark of quality label (Yugoslav standard – JUS). More successful salesmen guaranteed the quality of their merchandise by earning a label with the words: “*Consumer code signatory – trust for trust*”. One of the remarks made in the programme is that product design should be improved, and that “*design for regular people*” should be promoted, such that “*it encourages creative endeavours, the cult of labour, culture of production and consumption which is befitting the humanist traits of our society*”. A good example of this are remarks made about the furniture

which was said to be “*heavy, robust and not functional enough*”, it fit neither the size of an average apartment, nor an average family budget, and was to be replaced with “*a simpler, well designed pieces which better meet the standards of quality and functionality*”. The programme also criticized the assortment of children’s clothing and footwear, poor choice of material and colour, insufficient quality and functionality, all of which was to be dealt with by extending the production to household premises.

In the months following the Osijek conference, work groups were assembled (for example, teams for socialist self-management moral, and good business practices, for savings in the field of consumption, or those in charge of advancement of the retail and open market), whose members were mainly experts from Belgrade and Zagreb. Also underway were preparations to publish manuals, and inform the SAWP branches, and several government bodies, such as the Federal Secretariat for the Market and General Economic Affairs, Market Research Institute, Professional Organization of Yugoslav Department Stores, and Industrial Design Centre.⁵⁶ All parties that had some stake in the matter were invited to work together, and give their contribution to this cause, keeping in mind that the programme agenda was to be taken as a set of guidelines which allowed everyone to demonstrate creativity, and independence in the fieldwork. The Croatian SAWP Republican Conference Presidency, as one of the bodies which launched this initiative, was thanked by the organization board, and was asked to continue the cooperation, while Osijek enthusiasts, in addition to commendation and expression of gratitude, were also asked to stay strong, and persistent in their efforts, and to continue setting example for other municipalities.⁵⁷

The conclusion made after the counselling session was that this was only the first conference in the series of biannual Consumer and Associated Labour conferences.⁵⁸ Two years later, outcomes of actions undertaken in Croatia were evaluated. Consumer councils’ assessment was that the “*programme had on the whole been slow in realization*”, and that significant improvements in terms of quality of products and services could be observed only in Rijeka Municipal Community (region of Istria, Kvarner, Hrvatsko primorje and Gorski kotar), which “*is inconsequential considering the failure to expand this type of action to a republican level*”.⁵⁹ Formally, this initiative still received a lot of attention, and unfulfilled tasks were moved to the following year. Thus, work groups and municipalities were expected to deal with consumer organization in local communities and municipalities in 1985, as well as with informing the consumers, and the quality of food products.⁶⁰ The last four-year Consumer and Associated Labour action programme was planned to last from 1988 to 1992, exceeding the duration of political circumstances that would allow its application.

56 AJ, 142, A-879, Spisak organizacija i institucija kojima se upućuje pismo Organizacionog odbora.

57 AJ, 142, A-879, Organizacioni odbor, Predsjedništvu RK SSRNH Zagreb, 11. 10. 1983; Predsjedništvu OK SSRNH Osijek, 11. 10. 1983.

58 AJ, 142, A-879, Zaključci jugoslovenskog radno-akcionog skupa Ekonomska stabilizacija i ostvarivanje ustavne koncepcije organizovanog delovanja potrošača.

59 HR-HDA, 1228, D-8215, Sjednica VP, 10. 10. 1985, Potrošač i udruženi rad.

60 HR-HDA, 1228, D-8033, Sjednica VP, 19. 2. 1985, Informacija – pregled realizacije programa rada u 1984.

In 1989 however, it was renamed as *Potrošač i tržište* (Consumer and the Market), which turned out to be much more than just a symbolic change.⁶¹

CONCLUSION: UNEXPLORED POSSIBILITIES

In its latter stage, Yugoslav socialism attempted to encourage citizens to active participation in their places of dwelling and turn them into active self-managers by establishing consumer councils. The goal was to reduce the level of state influence, and the need for intervention and supervision of its inspectorates. This vacant position was then supposed to be filled by socialist citizens working together in various capacities: as manufacturers and consumers, salesmen and customers, providers and users of utility and other services. Self-management agreements and social compacts were a consequence of joint efforts of consumer councils, BOALs and SMICs, and acknowledgment of their undertakings was a sign that theory works in practice. This would imply that an active consumer did not depend on the state, but pursued his satisfaction and rights on his own, investing his own efforts within a harmoniously functioning community, and within the framework of self-management and associated labour:

Personal happiness cannot be brought about by the state, or the system, or a political party. A man can achieve his personal happiness only by his own accord; however, not as a separate individual, but only by taking part in equal relationship with people around him (Kardelj, 1978, 14).

Nevertheless, numerous SAWP documents on the subject of consumer protection in fact reveal a system which was supposed to be established, but in reality – despite a huge amount of effort, good will, and some success – very often proved to be non-existent. Ideas that came from above failed to meet on the other side with a sufficient amount of interest, willingness, or minimum conditions for realization, so taken literally, self-management could, on the grassroots level, really be understood as someone perceiving consumer protection as something unnecessary, and that a local consumer council needn't be established, and that such course of action would go unpunished. In this context, infrequent use of book of complaints in trade and hospitality business could imply that consumers had not been motivated enough, that they did not believe their complaint could change something, or that the service was in fact satisfactory. Lack of motivation for saving electrical energy during the years of reductions speaks, on the other hand, of the lack of responsibility for the community, and of the low level of awareness, the consequence of which is the attitude that one light bulb more or less makes no difference whatsoever.

The state was the culprit for frequent shortages, the very same state that wished to withdraw from society; however, by causing disorder on the market during the years

61 HR-HDA, 1228, D-10069, Sjednica VP, 17. 4. 1989, Zaključci, prijedlozi i preporuke Druge konferencije organiziranih potrošača Jugoslavije, Beograd, 17.–18. 3. 1989.

of crisis, it managed in fact to complicate daily living, as well as the relationship between consumer councils and OALs. By promoting self-protection, it also called for self-deprivation. At the same time, the SAWP criticized the state for the lack of investment in the consumer council network. Therefore, the period of the eighties is not only a time of internal conflict felt by every socialist citizen on whose resolution depended the success of the envisioned consumer protection system, but also a time of conflict between state intervention and its withering away. The intention was to equip the citizens with means to protect themselves in their various capacities without entering into conflict. This indeed happened, but not always in the way it was intended to happen, but often in informal, even illicit relationships. It seems that when it comes to consumer protection, self-managing organization implied tolerating a state of what might be considered an accidental lack of organization, or purposeful flexibility. In any case, many possibilities remained unexplored in the huge gap between the individual, the social and the state.

POTROŠNIKI IN SAMOUPRAVLJALCI: VARSTVO POTROŠNIKOV IN NJEGOVI IZZIVI V ČASU JUGOSLOVANSKE GOSPODARSKE KRIZE V OSEMDESETIH LETIH

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POVZETEK

Po prvih poskusih v petdesetih in šestdesetih letih, je bil v sedemdesetih letih v socialistični Jugoslaviji končno vzpostavljen sistem varstva potrošnikov, trdno zasidran v ustavi in Zakonu o združenem delu. Izhajajoč iz načel samoupravljanja, je bila vodilna vloga dodeljena svetom potrošnikov v lokalnih skupnostih in občinah, ki so se tako povezale z organizacijami združenega dela v procesu sprejemanja samoupravnih sporazumov in družbenih dogovorov. Glavni namen je bil omejiti vmešavanje države in njenih inšpektoratov ter tako ustvariti prostor za delovanje, ki je izhajalo iz sodelovanja socialističnih državljanov v njihovih različnih vlogah: proizvajalci in potrošniki, prodajalci in kupci, ponudniki in uporabniki komunalnih in drugih storitev. Varstvene ukrepe so sveti potrošnikov usklajevali z republiško in zvezno konferenco Socialistične zveze delovnega ljudstva, ki sta tudi komunicirali s pristojnimi državnimi organi. Ta članek temelji na njihovih arhivskih dokumentih. Toda proces ustanavljanja lokalnih svetov potrošnikov je tekel zelo počasi in se marsikje ni zgodil pred začetkom osemdesetih let, ko sta gospodarska kriza in z njo povezano pomanjkanje postala že očitna. Sveti potrošnikov so prispevali k reševanju problemov z redno preskrbo, na zvezni ravni pa so sodelovali tudi pri projektu Potrošnik in združeno delo, s katerim so skušali spodbuditi razvoj varstva potrošnikov, racionalno rabo virov ter izboljšanje in doslednejše upoštevanje zakonskih rešitev.

Ključne besede: varstvo potrošnikov, sveti potrošnikov, samoupravljanje, Socialistična zveza delovnega ljudstva, Jugoslavija, Hrvatska

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