

State Authority and Competing Arrangements in the Kingdom of Serbs, Croats and Slovenes/ Yugoslavia (1918–1941)

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Introduction

The important feature analysed in this article is the relations between state authority and the Croatian Peasant Party (*Hrvatska seljačka stranka*) (hereinafter HSS) with its para-state structures in the Kingdom of Serbs, Croats and Slovenes, known as the Kingdom of Yugoslavia, for the period 1929–1941.¹ Para-state structures means the system of organizations organized by the HSS, namely the *Peasant Community* (*Seljačka sloga*), the *Economic Community* (*Gospodarska sloga*) and the *Croatian Civil and Croatian Peasant Protection* (*Hrvatska seljačka i Hrvatska građanska zaštita*) which were the most important ones.² As stated above, relations in the mostly Croatian populated areas of the Kingdom are analysed.³

A general assessment of the relations between state authorities and the HSS and its para-state structures is that these structures were competing with each other during most of the time under investigation here. This is evidenced by the policy of the HSS which opposed the act of forming the Kingdom of Serbs, Croats and Slovenes from the very beginning, while advocating for the formation of a Croatian Peasant Republic at the same time. The HSS opposed the process of enactment

and the content of the unitarian Constitution of 1921 because of this line of thinking, and pursued the policy of not recognizing the Constitution until 1925. Furthermore, the HSS refined its policy from the mid-1930s and significantly developed a system of para-state organizations. Thus, the HSS formed »the state within the state« according to Suzana Leček.⁴ The phrase »competing arrangements« is used in this chapter to indicate the activities of the HSS in opposing state authorities. This, however, does not mean that it was all about competition because cooperation and participation of the HSS in state structures existed to a certain degree as well.⁵ This was particularly apparent during the period from 1925 to 1927 when the HSS was part of the central government. Furthermore, the same type of cooperation existed from 1939 to 1941 when the HSS participated in the central government, took over the control, and formed the autonomous political unit, the Banovina of Croatia at that time. The issue of relations between state authorities and the HSS and the position of the HSS in interwar Yugoslavia has been researched extensively. Nevertheless, an analysis of the normative dimension of these relations is still missing. This chapter, therefore, aims to approach the

relations between state authorities and the HSS and its para-state structures from the point of normativity. The basic assumption the research rests on is that the HSS and its para-state structures developed their normative order in parallel with the state normative order. Therefore, we argue that these two normative orders coexisted within the same social space.⁶ This situation opens the possibility to approach the analysis of these relations from the point of multinormativity.⁷ As Thomas Duve argues, when he speaks about multinormativity, it is necessary to research the »overlap of normative spheres, their coexistence and interactions«.⁸ Following this methodological path, coexistences, interactions and overlapping between the state normative order and the normative order formed by the HSS and its para-state structures are analysed.

The aim of the research is to draw a more complex picture of the legal order in the Kingdom of Serbs, Croats, and Slovenes/Yugoslavia on the mostly Croatian populated areas of the country. This position rests on a methodological approach which positions »our idea of law« in a broader multinormative setting. According to this approach, the law is one of the modes of normativity and a complex understanding of the law can be given only if other normativities are considered as well.⁹ Furthermore, the aim of the research is an analysis of possible implications of multinormativity for state authority, specifically for state administration, and for the HSS and its para-state structures.

The article begins with a brief analysis of the state authority and state normative order in the Kingdom. In addition, the formation of the HSS, its para-state organizations and normativity are briefly considered. The second part of the article analyses the relations between the norms created by state authority and the HSS and its organizations using a few exemplary cases: the literacy campaign, the concept of »peasant justice«, and the passivity of the HSS and its organizations towards the state administration and state judiciary. The research is limited as the relations between state authority and the HSS and its organizations are analysed for the mostly Croatian populated areas of the country. Therefore, the findings in the article represent only part of a broader picture about law and state authority in interwar Yugoslavia.

State Authority and State Normative Order

State authority was the central agent that produced norms in the Kingdom of Serbs, Croats and Slovenes/Yugoslavia; it formed the corpus of state law. Main legislative power to create these norms rested with the king and the Provisional National Assembly until 1921, with the king and the National Assembly from 1921 to 1929 and with the king alone from 1929 to 1931. The king enacted laws together with the National Assembly from 1931 until 1934, while from 1934 onwards, the King's Regency acted instead of the king because the king was a minor. In addition, the King's Regency should enact autonomous laws together with the Croatian Diet in the realm of the autonomy of the Banovina of Croatia from 1939 onwards (although this did not happen because the elections for the Croatian Diet were never held, so the Diet never convened). Besides legislation, the governance of important normative activity was under the king and the central government, an institution that was appointed by and accountable to the king and from 1934 onwards to the King's Regency, while in the period from 1921 to 1929 it was politically responsible to the National Assembly as well. The central government and its ministries issued various decrees and instructions, which by number and relevance often surpassed the normative activity of the National Assembly.¹⁰ Besides the central government, from 1939 on for the territory of the Banovina of Croatia, important competences in the realm of the Banovina's autonomy belonged to the ban and to the Government of the Banovina of Croatia.

A closer look at the formation of state authority and the state normative order indicates that the enactment of the Constitution of 1921 was an important starting point for the consolidation of state authority and for the formation of that order.¹¹ The Constitution defined the state as a parliamentary monarchy ruled by the Karađorđević dynasty. In addition, it proclaimed a very centralized state organization with regions (*oblasti*) as core but artificial administrative units that had to replace the »old historical provinces«, namely the Slovenian lands, Dalmatia, Croatia-Slavonia, Baranja-Bačka and Banat (abbreviated as BBB), Bosnia and Herzegovina, Serbia and Montenegro.¹²

The topmost official of administration in each region was the prefect (*veliki župan*), a chief official appointed by the king based on the proposal of the minister of internal affairs.¹³ The prefect represented the state and took care of central-state interests in the region. So his actions of governance were: working on the implementation of state laws, controlling heads of subordinate districts, giving obligatory instructions to district authorities and controlling their administrative acts. In addition, the prefect had important powers to control the regional self-government.¹⁴ At a lower level, the state administration consisted of districts and municipalities.¹⁵ The latter represented the first level of state administration but they were also self-governing units. Furthermore, the Constitution of 1921 provided limited self-government for regions, in the field of finances, public works, agriculture, cattle breeding, healthcare and education, etc.¹⁶ However, the possibility to exert self-government in regions emerged only in 1927, after the elections for the self-governing institutions were held.

The Constitution of 1921 affirmed the concept of one nation that consisted of three ›tribes‹: Serbs, Croats and Slovenes. Furthermore, the Constitution prescribed a shortened legislative procedure that should make the unification of the system of state law much easier.¹⁷ However, the process of centralizing the state organization and unifying the law through passing laws in the National Assembly went slowly. Instead, the central government and ministers issued various decrees by which they partly unified the state organization and the state normative order.¹⁸

An important impetus for a further unification of the state normative order came with the abolishment of the Constitution of 1921 and the proclamation of dictatorship on 6 January of 1929.¹⁹ The king, as the only legislator, enacted numerous laws, e.g. criminal law, criminal procedure law, civil procedure law, the law on the organization of courts and the school law.²⁰ The legislative activity of the king during 1929 was very intense; it surpassed the legislative activity of both the National Assembly and the king over the preceding decade.²¹ With the dictatorship came a reform of administrative organization as well. The king abolished the regions, and formed nine banovinas and the city of Belgrade as new administrative structures.²² When

compared with the regions, the banovinas represented larger territorial units than the regions (*oblasti*) and crossed former historical borders.²³ Heads of state administration in the banovinas were bans who were high administrative officials directly appointed by the king based on the proposal of the president of the central government.²⁴ While there was no functional change in the position of the ban when compared with the position of the prefect, it is important to note that there were only 9 bans in comparison to 33 prefects, and this helped the central government and the king to control the bans much easier.²⁵ Other important reforms implemented during the dictatorship included the proclamation of the principle of ›integral Yugoslavism‹ and the ban of all organizations that bore ›tribal‹ or religious names.²⁶ The ideology of ›integral Yugoslavism‹ and prohibition of all organizations that contain ›tribal‹ or religious names remained an important feature of the system after the king's enactment of the Constitution of 1931,²⁷ at least until 1935. In 1935 the new regime party, the Yugoslav Radical Union, abandoned the concept of integral Yugoslavism and »recognized three sub-national entities within the Yugoslav nation«. ²⁸ The Yugoslav Radical Union also argued for »a relaxation of the authoritarian government by demanding secret voting and the freedom of speech, press, and meetings« and »proposed local autonomy as a compromise between centralism and federalism«. ²⁹ Therefore, the period 1935–1939 was characterized by a limited relaxation of the regime.³⁰

The fundamental change in the relation to the state organization and state normative order happened in 1939 with the formation of the Banovina of Croatia, an autonomous unit within the Kingdom. From then on, the state authorities officially abandoned policies of centralization, the Croat nation was recognized and the process of a federal reorganization of the state begun. The Banovina of Croatia gained significant competences in the matters of internal administration, education, healthcare, the judiciary, finances, buildings, agriculture, industry, etc.³¹ The authorities of the Banovina of Croatia, controlled by the HSS, were now allowed to form a specific normative order of the Banovina of Croatia in the realm of its autonomous competences. Moreover, as part of the political agreement, the HSS and its coalition partner the Independent Democratic Party entered the central government in Belgrade. This

put them in a position to exert influence on the rest of state matters as well.

Previous remarks indicate that the state organization was centralized and that the state normative order was gradually unified until 1939. While, during the period 1939–1941, decentralization was officially recognized in the form of the Banovina of Croatia and its specific normative order. However, this approach does not recognize the divergent elements that can be observed both in relation to the organization of state authority and to the formation of a state normative order. If we look at the formation of state authority, one can argue that significant diversity in the administrative organization was evident in the period before the enactment of the Constitution of 1921. This resulted from the fact that the pre-1918 established administrative structures, e.g. the Provincial Government in Zagreb or the Provincial Government in Sarajevo continued to operate after 1918. Although the king and the central government forced centralization from 1918 onwards,³² these structures represented important markers of pre-1918 established identities. Furthermore, as Stipica Grgić argues, at that time there were »often conflicts« between the central government in Belgrade and Provincial Governments related to administrative proceedings.³³ In addition, some of these administrative structures, e.g. the Provincial Government in Zagreb continued to operate under a different name called the Provincial Administration in Zagreb even after the formal unification of state administrative organization in 1921, having competent authority over the territory of Croatia–Slavonia. Although the central government tried to implement the provision of the Constitution of 1921, and in this regard issued a decree on 26 April 1922 that divided the country into 33 regions,³⁴ due to resistance and mostly the oppositional activity of the HSS, it was not able to abolish the Provincial Administration in Zagreb until 1925.³⁵ After the project of centralizing the state administration had been completed, an opportunity for institutional and normative diversity emerged within the system of self-government in the period 1927–1929. This is because, the self-governing units could act within self-governing competences and had, although limited, the possibility of power to enact decrees.³⁶ In line with this, as Sabina Ferhadbegović has indicated in the study about self-government in Zagreb and Sarajevo

regions, both regions used self-government as a tool for promoting wider regional or national interests.³⁷ In the same way, the HSS as a political actor used self-government in the Zagreb region.

In addition, diversities existed within the state judiciary and they were kept on lower levels until the enactment of the Law on the Regulation of Courts of 1929.³⁸ On the level of supreme courts, diversity existed until 1941 with five supreme courts that executed supreme judicial power in six legal areas.³⁹ Finally, diversity remained to be one of the basic features of the state normative order since the authorities did not manage to unify most branches of law until 1929. Even after 1929, diversity was evident in each legal area of civil law. Furthermore, the diversity existed, as Pavlović argues, between lawyers from former parts of the Austro-Hungarian Monarchy and those from Serbia and Montenegro and was the result of different legal education and training and therefore different understanding of legal concepts and different usage of legal language.⁴⁰

The HSS, Its Para-State Structures and Normativity

One plausible statement on the importance and relevance of political parties in interwar Yugoslavia would be that the HSS was the strongest and the most important Croatian party at that time. The Party originated already in 1904 in Croatia-Slavonia when this land was part of the Austro-Hungarian Monarchy. Founded by the brothers Antun and Stjepan Radić, the Party at first did not gain strong popular support. However, because of the extension of the franchise to all men in 1920 and its republican platform, as argues Biondich, the Party in the 1920s transformed into a mass movement that completed the process of Croat national integration.⁴¹ An important mark of its popularity were the results of the national elections held in 1923, 1925 and 1927 in which the Party gained dominant popular support in the Croatian populated areas of the Kingdom. Nevertheless, the Party at that time still did not enjoy plebiscitary support all over since it lacked strong support in some cities, e.g. in Zagreb. Therefore, as Biondich argues, during the 1920s the

Party remained a rural party.⁴² However this changed in the 1930s when the HSS transformed into a party that led a broad popular movement.⁴³ From that time on, the HSS »almost lost its peasant character« but kept strong national dimension.⁴⁴

The importance of the HSS and its influence over Croatian peasants and society supported the para-state structures organized by the Party. The development of the Party's para-state structures was a gradual process that began in the early 1920s with its peak in the late 1930s. At first, the HSS tried to organize its para-administrative organization called the *Peasant Community* already in 1920 but it failed in this attempt due to the unwillingness of the state administration to recognize the formation of branches of this organization. However, after the political compromise between the Radical Party and the HSS, the state administration allowed the registration of branches of the *Peasant Community* after the HSS entered the government in 1925.⁴⁵ From that period on until the proclamation of 6 January Dictatorship, the Peasant Community became an important para-state structure that supported the efforts of the HSS in gathering and educating Croatian peasants, and supported the Party's cultural work. During the 6 January Dictatorship, the king banned activities of the *Peasant Community* as well as the activities of the HSS.⁴⁶ However, a limited revival of political activity became possible after 1935. In addition, the HSS revived its system of para-state structures and developed it to a greater extent than was the case in the 1920s. For instance, the HSS in 1935 revived and extended activities of the *Peasant Community*,⁴⁷ and the organization carried out a very extensive literacy campaign in which there were more than 300,000 participants.⁴⁸ The HSS also, in the realm of the *Peasant Community*, developed a specific system of courts called the »Courts of Good and Honest Men« (*Sudovi dobrih i poštenih ljudi*).⁴⁹ According to some estimates, there were 900 such courts in 1939 and the courts at that time resolved more than 10,000 cases.⁵⁰ In addition, the HSS organized the *Economic Community* that worked on building mutual connections and mutual support between peasants, giving them expert advice, and supporting their joint advocacy related to third parties.⁵¹ With these activities, it aimed to achieve higher prices for livestock, grains and vines.⁵² Another structure organized by the HSS was the *Croatian Civil*

and Croatian Peasant Protection, the Party's militia. This militia was in competition with other organized groups such as the *chetniks*, the Organization of Yugoslav Nationalists (ORJUNA), the Serbian National Youth Organization (SRNAO) and the Ustasha Movement.⁵³ Moreover, the militia was to some extent in competition with the state *gendarmerie* as well, although it did not openly challenge state authority.⁵⁴ The *Protections* grew significantly with time and had around 150,000 members at the end of 1938, while they reached a peak at the beginning of 1941 with around 200,000 members.⁵⁵

One of the results of the aforementioned activities of the HSS and its para-state structures was the formation of a specific normative order. This normative order developed gradually. At first, the leadership of the HSS was the central agent that created this normative system, but from the mid-1930s, the HSS's para-state organizations developed significant normative activity as well. The agents created various norms sometimes in a written form and sometimes in the oral form. Political declarations, instructions by the leadership of the HSS to its local party organizations and to its members can be regarded as the important sources of that normative order. Furthermore, norms issued by the HSS's para-state organizations such as organizational rules, rules of conduct, rules on membership in such organizations, educational materials and judgments of the »Courts of Good and Honest Men« represented important elements of this normative order too.

An important axis of the normative activity of the HSS was peasantism.⁵⁶ The ideology of Croatian peasantism was based on the argument similar to that of other peasant movements about tensions (conflicts of interests) between peasants (*seljaci*) and urban elites (*gospoda*) in the society. According to Antun and Stjepan Radić, the tension, in reality, was related to the supremacy of urban elites over peasants and the suppressed position of peasants in the society. The »damage« can be fixed only by improving peasant status in the society, and it can be achieved only by insisting on »peasant rights«.⁵⁷

In parallel with peasantism, the second important axis of the normative activity of the HSS was the Croatian national ideology. Daskalov argues that close interweaving with a nation-building project was one of the specificities of the Croatian peasantism.⁵⁸ The basis

of the Croatian national ideology was the Croatian state right, the concept accepted by Stjepan Radić as part of his political agenda already before 1918.

The close interweaving between peasantism and the Croatian national ideology affected the normative activity of the HSS and its organizations. One distinct example of such interweaving was the »Constitution« issued by the HSS in 1921, which is concerned with the formation of the Croatian peasant republic and therefore clearly combined peasantism and the Croatian state right.⁵⁹ In addition, just like the interweaving of peasantism and the Croatian national ideology, one can see the same phenomenon in some other examples as well, such as the literacy campaign and ›peasant justice‹ which we discuss in the next chapter.

Literacy Campaign

The Constitution of 1921 defined education as a state matter and prescribed that education had to be provided on the same basis in the whole country (Cf. art. 16 paras 3 and 4). Furthermore, the Constitution stated that »all schools have to give moral education and strengthen citizen's consciousness in the spirit of national unity and religious tolerance« (Cf. art. 16. para. 5) and that »all educational institutions are under state supervision« (Cf. art. 16. para. 11). As ›schools‹, state authorities understood also different courses, including literacy courses.⁶⁰ In principle, the Constitution of 1931 repeats the most important norms of the Constitution of 1921.

The constitutional norms provided indicate that the state authorities perceived a state monopoly on education as an important instrument in strengthening the »common national consciousness«.⁶¹

However, at that time the idea of »common national consciousness« was still partly vague. As Wachtel argues, in the 1920s, »even the greatest partisans of Yugoslav unity were constrained to note that concepts such as Yugoslav culture, the Yugoslav person and the Yugoslav nation needed to be sharpened«.⁶² In addition, diversities and deficiencies in promoting the »common national consciousness« were evident practically on all levels of state schools. Peter Troch's study has shown that there was no significant improvement in

implementing a common Yugoslav educational system and policy before 1929.⁶³ This means that differences between educational programs and a significant lack of Yugoslav elements in these programs that were evident before 1918 in certain measures continued during the Kingdom of Serbs, Croats and Slovenes as well.⁶⁴ As Troch argues, the state authorities made significant improvement in implementing a common Yugoslav educational system only during the 6 January Dictatorship, although even then, there were serious deficiencies in the diffusion of state educational policies in the minds of the population.⁶⁵ A departure from the Yugoslav narrative and an inclination towards the dominant Croatian narrative can be observed from the example of various Croatian textbooks used in state schools already after 1935.⁶⁶ However, these textbooks retained a Yugoslav and ›tribal‹ character as well.⁶⁷ Related to state literacy courses, one should say that state authorities already encouraged teachers to take a role in state literacy courses for adults in 1921.⁶⁸ In addition, state authorities perceived teachers »as national educators« and expected them to defend and promote national ideology not only in public schools and literacy courses but also among the population.⁶⁹

In parallel with state authorities, the HSS and its *Peasant Community* pursued their own literacy campaign and took a significant role in the field of education in the mostly Croatian populated territories of the Kingdom in the mid-1930s. The campaign was aimed at illiterate adults, and brought the *Peasant Community* into competition with educational measures provided by state authorities. In the campaign, the *Peasant Community* made lists of illiterate persons, appointed teachers and funded participants who had no money.⁷⁰ It based its education on the textbook *Abecedarka*.⁷¹ The textbook was edited by Rudolf Herceg, the leader of the *Peasant Community*, and at the same time a prominent member of the HSS. All course participants worked with the same textbook which clearly helped in the standardization of the courses.

The analysis of the textbook indicates that the literacy campaign had two main goals. The first goal consisted of reducing illiteracy while the second goal was to promote values and norms that were in line with the political agenda of the HSS. This is proven by the textbook content which clearly speaks of peasant culture and the peasant

way of life and also promotes the ›old values‹ of peasant society. These ›old values‹ included home, fairness, justice, God and life in mutual harmony.⁷² The textbook also promotes Croatian culture and Croatian national consciousness. For instance, the textbook talks about some prominent Croatian poets, like Petar Preradović, and folk songs from the ›Croatian lands‹.⁷³ In addition, the textbook contains the text of the Croatian national anthem and patriotic texts and songs written by the leaders of the Croatian peasant movement.⁷⁴ In one of the texts, the author Antun Radić explicitly defines the Croatian ethnic territory as a territory that consists of six lands: Dalmatia, Istria, Slavonia, Bosnia, Herzegovina and Croatia. Furthermore, there is a map attached to the text⁷⁵ and the back cover of the textbook contains four photos of the leaders of the Croatian peasant and Croatian national movement. The first of them is Stjepan Radić, described as a »founder and organizer of the Croatian peasant movement«, while the second is his brother Ante Radić, called »an ideologist of the Croatian peasant movement«. The third person is Vladko Maček, described as a »leader of the Croatian peasant people« and finally Rudolf Herceg, designated as a »founder and president of the *Peasant Community*«. In the middle of the cover there is also a drawing showing Matija Gubec, a famous Croatian peasant, rebel and martyr from the 16th century.⁷⁶

During the mid-1930s, the *Peasant Community* in its literacy campaign promoted values, norms and loyalties that were partly different from those promoted by the state schools and state courses. While the state schools and state literacy courses provided Croatian but also Yugoslav and other ›tribal‹ content, meaning here Serbian and Slovenian narratives, the courses led by the *Peasant Community* provided adult education in the spirit of peasantism and a separate Croatian nation and identity and did not mention Yugoslavism and other ›tribal‹ narratives. In this way, the courses led by the *Peasant Community* accentuated normative diversity within the Kingdom. It seems that the content which was taught in these courses partly correlated with educational programs applied on the territory of Croatia-Slavonia before 1918.⁷⁷ The HSS's literacy courses therefore to some extent accentuated normativities that were present in the educational system before 1918.

Normative diversity in educational policies meant that Croatian peasants had to take into account two normative systems: one is official and protected by state law and state administration and implemented by public schools, its teachers and the state literacy campaign, and the other an unofficial normative system not recognized by the state or regional administration until 1939. These two systems of norms coexisted separately, while shifting between them occurred during the Banovina of Croatia. The shifting happened because during the Banovina of Croatia, its authorities - controlled by the HSS - strongly supported the literacy campaign led by the *Peasant Community* and, as a way of support, instructed teachers employed in public schools to take part in these campaigns.⁷⁸ So, the literacy campaign ceased to be just a matter of the *Peasant Community* and became a project of interest of the Banovina of Croatia that now had to be supported by state teachers as well. Because of that, the authorities of the Banovina of Croatia and the *Peasant Community* agreed on a set of norms to be applied in the literacy campaign. This was made possible because many notable members of the *Peasant Community* that took leading positions in its literacy campaign were now appointed to the administration of the Banovina of Croatia as experts in the field of education.⁷⁹

Peasant Justice

The HSS from the mid-1930s formed a specific system of courts called the ›Courts of Good and Honest Men‹ that operated within the *Peasant Community*, and had to work in parallel with the state judiciary. As intended by the leadership of the HSS, the courts should help to re-establish ›old honesty‹ which had been disrupted by the state law.⁸⁰ In other words, the courts aimed to »alleviate unpleasant consequences of the influence of the Western-European civilisation« on villages.⁸¹ In parallel, the courts had a broader political function as well, since they had to help in strengthening the influence of the HSS in villages. Furthermore, the judgments of the ›Courts of Good and Honest Men‹ could serve the fulfilment of one of the Party's objectives that was building ›peasant concord‹.⁸²

The ›Courts of Good and Honest Men‹ developed and applied a specific normative order that was different

from state law. Their normative order was based on the concept of ›peasant justice‹ and followed the peasant ideology propagated by the HSS.

The aforementioned phenomena of ›peasant justice‹, as a set of specific normativities, and the ›Courts of Good and Honest Men‹, as a set of specific organizational structures in the field of the judiciary, have at least two interrelated dimensions. One concerns material law and the understanding of the concept of ›peasant justice‹ and its relation to state law. The other is an organizational one and it is related to the structure and scope of activities of the ›Courts of Good and Honest Men‹ and their relation to the state judiciary. The possible collisions and interconnections of normative orders represent situations when multinormativity emerges. In addition, the coexistence of two jurisdictional structures represents an example of »jurisdictional multiplicity«. ⁸³ As Wim Decock argues, in such situations, the issue is not only how different normative orders collide and interact, but also »how two distinct jurisdictions were interacting«. ⁸⁴ Following this approach, we take into account collisions and interactions of normativities, but also possible collisions and interactions of the judicial structures.

When discussing issues related to collisions and interactions of normativities, one should point out the concept of ›peasant justice‹ as a central point of reference. However, the concept itself was vague even to contemporaries. As one of the leaders of the HSS, the lawyer Stjepan Hefer, noted, the courts would disclose peasant understanding of law through practice. ⁸⁵ According to this understanding, a significant part of normativity had to be discovered and was presumably inherent in society and in social relations in villages. ⁸⁶

Considering the lack of the research on the topic of ›peasant justice‹ one should say that the concept still needs to be researched properly. Therefore, the following case serves only as an indication of the concept of ›peasant justice‹ and as an illustration of efforts taken by the HSS in promoting the work of its courts. The report of the court case was published in *Seljačka sloga*, the newspaper of the HSS. According to the report, the case emerged in 1938 and the protagonists in the case were Mara M. and Mijo M., both from Skupica, a village near the city of Karlovac. The case was about a 2,000 dinar loan that Mara M. lent to Mijo M. in 1929. Since Mijo M. did not repay the borrowed money in full, Mara M. filed the case for justice

in the ›Court of Good and Honest Men‹. During the court hearing, Mijo M. accepted the debt to be paid, but also stated a few interesting points which illustrate why he did not repay the debt in full. The debtor pointed out that the money lender had been rude towards him and threatened him seriously many times. In addition, the debtor pointed out that the money lender had unsuccessfully sued him in the state court in Karlovac and pointed out that state law on the protection of peasants liberates peasants from 50 per cent of their debt. The court determined that Mijo M. had already repaid 300 dinars and delivered a judgement that imposed on him the obligation to pay the money lender 900 dinars in money and 900 dinars in kind (wine and meat). Also, the money lender had to promise that he would not be rude anymore towards the debtor. Finally, after the court resolved the dispute, both parties had to sign a statement which stated that »from now on they will live in mutual friendship as conscious members of the Croatian peasant movement«. ⁸⁷ Based on the report, it can be concluded that the money lender was not repaid the full amount of the loan (principal and interest) but received a significant amount of repayment (in comparison to the decision of the state court where the money lender received nothing). On the other hand, the debtor gained moral satisfaction from the money lender's statement.

The aforementioned case indicates that the concept of ›peasant justice‹ and rulings based on it were not bound by the state law. However, this does not mean that the state normative order did not affect the decision making process. An example for this is the argument used by the debtor Mijo M. in which he points out that state law on the protection of peasants liberates him from 50 per cent of his debt towards the money lender. By using this argument before the ›Court of Good and Honest Men‹, the peasant clearly pointed out the existence of another state normative system that should also be taken into consideration when a decision was made by this court.

Similar to the competition of normativities, the competition of jurisdictions played an important role. Some local branches of the *Peasant Community* prescribed rules that stated that members of the organization were obliged to primarily resolve their disputes in these courts, while going to state courts could only be secondary. ⁸⁸ One way of competition with state courts was based on the

argument that the legal reasoning of the ›Courts of Good and Honest Men‹ was governed by norms that were part of the Croatian peasant culture while state law would not always take peasant interests into account. In addition, as a way of competition for peasant support one can interpret the fact that the trial before the ›Courts of Good and Honest Men‹ was free.⁸⁹

As already pointed out, the HSS established the ›Courts of Good and Honest Men‹ as a structure that had to work in parallel to the state judiciary. However, this does not mean that these structures were independent of the state judiciary. In fact, actions taken by and before the ›Courts of Good and Honest Men‹ were partly dependent on the actions taken by state courts, and vice versa. We can conclude this based on the previously analysed case where the money lender filed the case before the ›Court of Good and Honest Men‹ only after he unsuccessfully sued the debtor before the state court. Therefore, if the case had been positively resolved in the state court, the money lender would not have gone to the ›Court of Good and Honest Men‹.

Finally, although the relations between the ›Courts of Good and Honest Men‹ and the state judiciary were initially competitive, there are indications that competitive relations changed after the formation of the Banovina of Croatia. From that formation onwards, we can observe, to some extent, an interweaving of jurisdictions. This is because state authority officially recognized some of these courts. A good example is the recognition of the ›Court of Good and Honest Men‹ in the city of Zagreb as a special municipal court funded by the city budget.⁹⁰ Because of the recognition, it was possible for the state judicial structures and the mentioned courts to be more cooperative. However, the level of cooperation still needs to be researched.

Passivity

The HSS used the literacy campaign and the concept of ›peasant justice‹ as a way of promoting its values and norms. Besides this, as Suzana Leček argues, the HSS promoted a specific policy towards state authorities which can be described as a policy of passivity and not cooperation.⁹¹ In this regard, Leček mentions various examples of this policy such as the HSS's refusal to enter

the National Assembly in the early 1920s.⁹² Developing Leček's argument a bit further, we argue that a policy of passivity can be analysed from the point of view of norms. In other words, it can be argued that one of the results of this policy were specific norms that should guide the conduct of supporters of the HSS.

Several examples can be used to elaborate this theory. The first is the example of the HSS and its *Croatian Civil and Croatian Peasant Protection*. Specifically, the leadership of the HSS issued instructions to members of the *Protections* to be passive towards the state authorities. As an illustration, we can mention a case in March 1937. The protagonist in the case was Franjo Novaković, an emissary of the leader of the HSS Vladko Maček. Novaković's task was to help to form a local branch of the *Croatian Peasant Protection* in the villages of Virovski Konaci and Molve. While doing so, he instructed members of the *Croatian Peasant Protection* in these villages not to respond to the district authorities.⁹³ Such instructions put members of the *Protection* in a difficult position. As members of the *Protection*, they had to obey the instructions of the leadership of the HSS about being passive towards the district authorities, but as citizens of the Kingdom of Yugoslavia they had to cooperate with state authorities and actively respond to its requests. The aforementioned competitive relationship between the *Protection* and the state authority changed with the formation of the Banovina of Croatia. In 1940, the authorities of the Banovina of Croatia recognized the *Protection* as an official organization of the Banovina of Croatia.⁹⁴ Thus, an illegal organization became officially recognized as part of the administration of the Banovina of Croatia and so competition changed into cooperation.

The other example is the passivity of peasants towards the state repressive organs when these organs conducted searches. The HSS leadership instructed peasants to be passive in such situations and not to cooperate with the state authorities. There are many cases which testify to how villagers refused to be present during searches as witnesses and made the searches illegal this way.⁹⁵ Such reasoning by the leadership of the HSS created a norm that was on collision course with state law that expected citizens to cooperate with state authorities when they were undertaking searches.

Using passivity as a means of weakening state power in the field of the judiciary could be cited as another example. The leadership of the HSS instructed peasants not to go to the state courts but to resolve disputes at the ›Courts of Good and Honest Men‹.⁹⁶ The instruction by the leadership of the HSS put the peasants again into a difficult situation and they had to choose between the state judiciary and the judiciary organized by the HSS. This also meant that they had to choose between two normative systems that could be applied to their situation.

Finally, a good example of the policy of not cooperating with the state authorities was the municipalities in the period from 1936 until the formation of the Banovina of Croatia.⁹⁷ The possible scope of the policy was especially relevant if we take into account the fact that at that time the HSS controlled around 80 per cent of the municipalities in the mostly Croatian populated areas of the Kingdom.⁹⁸ Here, the instructions issued by Vladko Maček on 26 November 1936 were crucial. The instructions were officially called the ›Instructions to newly elected heads of municipalities and to representatives in the municipalities elected on the list of the HSS and on the list of the Peasant-Democratic Coalition‹ that instructed the HSS heads of municipalities and municipality representatives to be passive and not to support the state regime. This means that they had to avoid being present at state ceremonies and should not hang the state flag on a municipality building.⁹⁹ The instructions were in collision with the state law which defined heads of municipalities not only as officials involved in self-government but also as officials who had to deal with state competences as well.¹⁰⁰ Considering all this, one can say that Maček's instructions contained an unofficial alternative norm that put the heads of municipalities, who were at the same time members of the HSS, in a complex position. Because they were part of the state administration, they had to obey state law but as members of the HSS they also had to obey the instructions of the leader of the HSS.

Conclusion

An analysis of the formation of state authority and the state normative order indicates that the tendency of state authorities to build a centralized state organization and

uniform legal order was dominant. However, a closer look into the development of the state administration and judiciary

as well as of other components of the Yugoslav normative order shows that the process of unification did not go smoothly. On the contrary, diversities existed within the state organization and the state normative order and were the result of different normative traditions applied before 1918 on specific legal areas.

Apart from that, various agents complicated the situation by producing multinormativity within the legal order and within the administration and judiciary. Although certainly they were not the only ones, the analysis indicates that important agents that produced normativity, at least in the Croatian populated areas, were the HSS and its para-state organizations. These structures emphasised normative diversity by creating normativities that were, at least until 1939, in competition with and in certain measure in conflict with the state normative order. Moreover, the analysis indicates that the HSS to some extent supported normativities that had already existed within society. The HSS accomplished this by giving institutional support to these normativities in the form of the *Peasant Community* in the case of the literacy campaign as well as in the case of ›peasant justice‹.

Furthermore, the research indicates that the normative orders and structures under study, although divided in principle, were interconnected and interdependent at the same time. As stated in the article, the HSS managed to form its *Peasant Community* in the 1920s only after the state authorities approved its formation. Similarly, the intensification of the normative activity of the HSS and its para-state organizations from 1935 onwards was partly due to the relaxation of the regime. Another point that showed the interdependency between the normative orders and state and para-state structures was the mentioned example of reasoning before the ›Court of Good and Honest Men‹ which took into account the state normative order as well. Although the development of the para-state structures and their normative order was dependent upon state authorities, it is evident that the normativity produced by the HSS and its structures could affect the functioning of the system of state administration as well. The ›Instructions‹ issued by Vladko Maček illustrates this

problem which put heads of municipalities into a complex position as they had to take into account state norms but also the HSS's normative order. It seems that the normative activity of the HSS and its organizations produced fissures within the state normative order and state organization that had a possible effect on their destabilization. However, even if we do not consider whether the activity of the HSS and its organizations destabilised the state normative order, it is possible to argue that competition of normativities put the state normative order under heavy pressure.

Finally, the conducted research indicates that the relations between the two administrative and judicial structures and the two normative orders changed after the formation of the Banovina of Croatia. After this formation, the focus shifted from competition and conflict towards cooperation. A notable example of interweaving between judicial structures is the conversion of the ›Court of Good and Honest Men‹ in the city of Zagreb from being a non-state and non-municipality actor to a court recognized by the city administration and moreover funded from the city budget. Another example of interweaving between administrative structures is the recognition of the *Croatian Civil and Croatian Peasant Protection* as official organization of the Banovina of Croatia. Finally, an example of interweaving between normative orders is the official support of the Banovina of Croatia for the literacy campaign carried out by the *Peasant Community*.

- 1 The Party changed its names. At first it was the Croatian People's Peasant Party (HPSS), but following its republican agenda the Party changed the name in 1921 into the Croatian Republican Peasant Party (HRSS). In 1925 after recognizing the monarchy the Party removed the republican from its name and continued to work as the Croatian Peasant Party (HSS). For the reasons of simplicity we use the abbreviation HSS consistently in the text.
- 2 In addition, Suzana Leček mentions the Croatian Workers Union (*Hrvatski radnički savez*) and women's organizations such as the Croatian Heart (*Hrvatsko srce*). Cf. Suzana Leček: *Priča o uspjehu – strategija i metode političke borbe Hrvatske seljačke stranke (1918–1941)*, in: Zorislav Lukić / Hrvoje Petrić (eds.): *110 godina Hrvatske seljačke stranke*, Zagreb 2015, pp. 27–48, at pp. 40–41.
- 3 We do not use the term Croatia since Croatia as a political unit did not exist within the Kingdom until 1939. Instead, we use the provisional formulation ›the mostly Croatian populated areas‹. By this formulation we mean the territories of Croatia-Slavonia, Dalmatia and mostly Croat populated districts of Bosnia and Herzegovina. Nevertheless, it has to be stated that these territories were not nationally completely homogenous. On the contrary, except Croats, there lived other ethnic groups, and Serbs were the largest one.
- 4 Leček: *Priča o uspjehu*, p. 35.
- 5 For the argument about cooperation between Croats and Serbs and government and opposition cf. Marie-Janine Calic: *A History of Yugoslavia*, West Lafayette 2019, online: <http://www.thepress.purdue.edu/titles/format/9781557538499> (04. 01. 2021), p. 83.
- 6 For one example of the situation when two or more normative orders coexist within the same social space cf. Matthias C. Kettmann: *The Normative Order of the Internet: A Theory of Rule and Regulation Online*, Oxford 2020, p. 283.
- 7 On the concept of multinormativity cf. Thomas Duve: *Was ist ›Multinormativität‹? – Einführende Bemerkungen*, in: *Rechtsgeschichte – Legal History* 25 (2017), pp. 88–101, at pp. 90–99.
- 8 Thomas Duve: *Global Legal History – A Methodological Approach*, in: *Max Planck Institute for European Legal History Research Paper Series No. 2016-04*, online: https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2781104 (04. 01. 2021), pp. 1–22, at p. 12.
- 9 For such a broader understanding of the law, cf. Thomas Duve: *European Legal History – Concepts, Methods, Challenges*, in: Thomas Duve (ed.): *Entanglements in Legal History: Conceptual Approaches, Global Perspectives on Legal History*, Frankfurt am Main 2014, online: <http://doi.org/10.12946/gplh1> (04. 01. 2021), pp. 29–66, p. 58.
- 10 For instance, the normative activity of the Government in the period before enactment of the Constitution of 1921 to a large degree surpassed the normative activity of the Provisional National Assembly. Cf. Marko Pavlović: *Problem izjednačenja zakona u Kraljevini Srba, Hrvata i Slovenaca/Jugoslaviji*, in: *Zbornik Pravnog fakulteta u Zagrebu* 68/3–4 (2018), pp. 493–523, at p. 496.
- 11 Cf. the Constitution of the Kingdom of Serbs, Croats and Slovenes. *Obnarodovan u br. 142a »Službenih Novina« na Vidovdan 28. juna 1921. god. u Beogradu*, in: *Ustav Kraljevine Srba, Hrvata i Slovenaca [The Constitution of the Kingdom of Serbs, Croats and Slovenes]*, Beograd 1926.
- 12 Cf. art. 95 of the Constitution of the Kingdom of Serbs, Croats and Slovenes; Cf. the map of the Kingdom of Serbs, Croats and Slovenes with the division of provinces in Ljubo Boban: *Hrvatske granice od 1918. do 1991. godine*, Zagreb 1992, p. 21.
- 13 Cf. Eugen Pusić: *Hrvatska središnja državna uprava i usporedni upravni sustavi*, Zagreb 1997, p. 170.
- 14 An example is the authority given to a prefect to question acts of the self-government authorities if he considered them to be a violation of the Constitution or other state laws. Cf. art. 99 of the Constitution of the Kingdom of Serbs, Croats and Slovenes.
- 15 The scheme of the administrative organization according to the Constitution of 1921 see in Sabina Ferhadbegović: *Prekäre Integration: Serbisches Staatsmodell und regionale Selbstverwaltung in Sarajevo und Zagreb 1918–1929*, München 2008, p. 109.
- 16 Cf. art. 96 of the Constitution of the Kingdom of Serbs, Croats and Slovenes.
- 17 Cf. Pavlović: *Problem izjednačenja zakona*, pp. 498–499.
- 18 One such example was the Decree on the division of the country into 33 regions issued by the central government on 26 April 1922.
- 19 See the act on the proclamation of dictatorship in Ferdo Čulinović: *Jugoslavija između dva rata*, Vol. 2, Zagreb 1961, pp. 7–8.
- 20 Cf. Pavlović: *Problem izjednačenja zakona*, p. 502; Mustafa Imamović: *Normativna politika šestojanuarske diktature*, in: *Zbornik Pravnog fakulteta Sveučilišta u Rijeci* 12 (1991), pp. 55–64, at pp. 57–58.
- 21 Cf. Nedim Šarac: *Uspostavljanje šestojanuarskog režima 1929. godine sa posebnim osvrtom na Bosnu i Hercegovinu*, Sarajevo 1975, p. 188.
- 22 Čulinović: *Jugoslavija*, p. 13.
- 23 The territories of former Croatia-Slavonia and Dalmatia were now divided into a few banovinas. Specifically, the area of Syrmia was now mostly defined as part of the Danube banovina and Dubrovnik was now part of the Zeta banovina. The new setting also eradicated the former external borders of the historical Bosnia and Herzegovina which had remained intact before 1929.
- 24 Cf. Pusić: *Hrvatska*, p. 171.
- 25 Cf. this argument also in Stipica Grgić: *Između režimske ideologije i potreba građana: Savska banovina 1929–1939*, Zagreb 2020, p. 141.
- 26 Cf. Imamović: *Normativna politika*, p. 62.
- 27 Cf. *Obnarodovan u »Službenim novinama« 3. septembra 1931*, in: *Ustav Kraljevine Jugoslavije (The Constitution of the Kingdom of Yugoslavia)*, Zagreb 1931.
- 28 Peter Troch: *Nationalism and Yugoslavia. Education, Yugoslavism and the Balkans Before World War II*, London 2015, p. 34.
- 29 Troch: *Nationalism and Yugoslavia*, p. 34.
- 30 Cf. Grgić: *Između režimske ideologije*, p. 114.
- 31 Cf. art. 2 para. 1 of the Decree on the Banovina of Croatia.
- 32 For instance, the king took significant steps in appointing loyal clerks and officials in the provincial administration in Croatia-Slavonia after the formation of the new state. Cf. Bosiljka Janjatović: *Karađorđevićevska centralizacija i položaj Hrvatske u Kraljevstvu (Kraljevini) SHS*, in: *Časopis za suvremenu povijest* 27/1 (1995), pp. 55–76, at pp. 58–59. In addition, the Central Government gave obligatory instructions to provincial authorities and controlled the administrative acts of the provincial governments. Cf. Ivan Beuc: *Povijest institucija državne vlasti u Hrvatskoj (1527–1945)*, Zagreb 1969, pp. 331–332.
- 33 Grgić: *Između režimske ideologije*, p. 56.
- 34 Cf. Josip Horvat: *Politička povijest Hrvatske*, Vol. 2, Zagreb 1989, p. 236; Janjatović: *Karađorđevićevska centralizacija*, p. 63.
- 35 Cf. Grgić: *Između režimske ideologije*, pp. 84–85.
- 36 About possibility and limits of enactment of such decrees cf. Grgić: *Između režimske ideologije*, p. 89.
- 37 Sarajevo region ›concentrated initiatives‹ on the area of Bosnia and Herzegovina while Zagreb region was concentrated on Croatia. Ferhadbegović: *Prekäre Integration*, p. 329.
- 38 Cf. Mirela Krešić: *Zakon o javnim bilježnicima Kraljevine Jugoslavije*

- iz 1930. Sudjelovanje javnog bilježnika u ostavinskom postupku – iskustva iz prošlosti, in: Zbornik Pravnog fakulteta u Zagrebu 63/2 (2013), pp. 353–382, at pp. 355–356.
- 39 These supreme courts were the Supreme Court in Belgrade, the Table of Seven in Zagreb (with its two divisions, each of them having supreme judicial power in one of two legal areas: in the Croatian-Slavonian legal area and the Slovenian-Dalmatian legal area), the Supreme Court in Sarajevo, the Supreme Court in Podgorica and the Supreme Court in Novi Sad. Cf. art. 137 para. 4 of the Constitution of 1921; cf. Pavlović: Problem izjednačenja zakona, p. 512.
- 40 Cf. Pavlović: Problem izjednačenja zakona, pp. 494–495, 513–515.
- 41 Cf. Mark Biondich: Stjepan Radić, the Croat Peasant Party, and the Politics of Mass Mobilization, 1904–1928, Toronto, Buffalo, London, 2000, pp. 150–151.
- 42 Cf. Biondich: Stjepan Radić, p. 226.
- 43 Ljubo Boban: Maček i politika Hrvatske seljačke stranke 1928–1941, prva knjiga, Zagreb 1974, p. 9.
- 44 Cf. Roumen Daskalov: Agrarian ideologies and peasant movements in the Balkans, in: Roumen Daskalov/Diana Mishkova (eds.): Entangled Histories of the Balkans, Volume II: Transfers of Political Ideologies and Institutions, Leiden 2014, pp. 281–353, at pp. 336–337.
- 45 Cf. Suzana Leček: Seljačka sloga u Slavoniji, Srijemu i Baranji (1925–1941), SlavonSKI Brod 2005, pp. 11–12; cf. Suzana Leček: Seljačka sloga i uključivanje žena u seljački pokret (1925–1929), in: RADOVI – Zavod za hrvatsku povijest 32–33 (1999–2000), pp. 293–298, at p. 293.
- 46 Cf. Leček: Seljačka sloga i uključivanje žena, p. 293.
- 47 Cf. Leček: Seljačka sloga u Slavoniji, p. 14.
- 48 Cf. Leček: Seljačka sloga u Slavoniji, p. 57; cf. Leček: Priča o uspjehu, p. 39.
- 49 Cf. Suzana Leček: Stjepan Hefer o sudovima dobrih i poštenih ljudi, in: *Scrinia Slavonica* 8 (2008), pp. 429–439, at p. 430.
- 50 Leček: Seljačka sloga u Slavoniji, p. 147; Engelsfeld mentions around 12,000 cases solved during 1939. Cf. Neda Engelsfeld: Promišljanje o primjeni Zakona o odvjetništvu odnosno Zakona o advokatima od 19. ožujka 1929. u Kraljevini Jugoslaviji, in: *Vladavina prava* 5/2 (2001), pp. 7–49, at p. 21.
- 51 Cf. Ivica Šute: Slogom slobodi! Gospodarska sloga 1935–1941, Zagreb 2010, pp. 113–114.
- 52 Vlatko Maček: Memoari, Zagreb 2003, pp. 170–171; for more on the actions of the *Economic Community*, see in: Šute: Slogom slobodi, pp. 179–285.
- 53 Cf. Sabrina P. Ramet: Vladko Maček i Hrvatska seljačka zaštita u Kraljevini Jugoslaviji, in: *Časopis za suvremenu povijest* 43/1 (2011), pp. 137–154, at p. 140; cf. Calic: A History of Yugoslavia, pp. 116–117.
- 54 For the argument about competition with state *gendarmierie* cf. Željko Karaula: Elaborat pukovnika Hrvatske seljačke zaštite Milana Pribanića o Hrvatskoj seljačkoj i građanskoj zaštiti iz 1918. u Hrvatskom državnom arhivu, in: *Arhivski vjesnik* 55 (2012), pp. 205–219, at p. 208.
- 55 Cf. Željko Karaula: Mačekova vojska – Hrvatska seljačka zaštita u Kraljevini Jugoslaviji, Zagreb 2015, p. 187, 237; Cf. Čulinović: Jugoslavija, p. 110.
- 56 For general reflections on peasantism or agrarianism cf. Daskalov: Agrarian ideologies, pp. 281–293.
- 57 Cf. Biondich: Stjepan Radić, pp. 63–68.
- 58 Cf. Daskalov: Agrarian ideologies, p. 325.
- 59 For the Constitution issued by the HSS cf. Biondich: Stjepan Radić, pp. 175–176, 178.
- 60 For instance, the first law on public schools enacted in 1929 regulated elementary education, kindergartens and different courses, including literacy courses. Cf. Dubravka Miljković: Iz povijesti osnovne škole u Hrvatskoj u razdoblju od 1918. do 1941., *Odgojne znanosti* 9/1 (2007), pp. 135–150, at p. 141.
- 61 For such argument cf. Suzana Leček / Tihana Petrović Leš: Znanost i svjetonazor: Etnologija i prosvjetna politika Banovine Hrvatske 1939–1941, Zagreb 2010, p. 7; Troch: Nationalism and Yugoslavia, p. 45.
- 62 Andrew Baruch Wachtel: Making a Nation, Breaking a Nation: Literature and Cultural Politics in Yugoslavia, Stanford 1998, p. 107.
- 63 Troch: Nationalism and Yugoslavia, p. 45.
- 64 On different educational programmes in the Yugoslav lands before 1914 cf. Charles Jelavich: Južnoslavenski nacionalizmi: Jugoslavensko ujedinjenje i udžbenici prije 1914, Zagreb 1992, pp. 257–266.
- 65 Cf. Troch: Nationalism and Yugoslavia, pp. 46–50.
- 66 Cf. Troch: Nationalism and Yugoslavia, pp. 74–75, 101, 110.
- 67 By ›tribal‹ character, we mean that educational materials positioned Croatian narrative together with Serbian and Slovenian narratives and often combined them together. For the combination of narratives in Croatian textbooks after 1935 cf. Troch: Nationalism and Yugoslavia, pp. 74–75, 100–101, 109–110.
- 68 Cf. Miljković: Iz povijesti osnovne škole, pp. 147–148.
- 69 Troch: Nationalism and Yugoslavia, p. 184 and further.
- 70 Leček: Seljačka sloga u Slavoniji, p. 55.
- 71 Cf. Rudolf Herceg (ed.): Hercegovina abecedarka za poučavanje odraslih nepismenjaka, Zagreb 1937; Rudolf Herceg (ed.): Hercegovina abecedarka za poučavanje odraslih nepismenjaka, Zagreb 1940.
- 72 Compare the first part of the textbook. Herceg: Hercegovina abecedarka 1937, pp. 3–16.
- 73 Cf. Herceg: Hercegovina abecedarka 1937, pp. 22–30.
- 74 Cf. Herceg: Hercegovina abecedarka 1937, pp. 30–45.
- 75 Cf. Herceg: Hercegovina abecedarka 1937, pp. 39–42; interestingly, after the formation of the Banovina of Croatia in 1939 (which included a significantly smaller territory) this map and text were removed. Cf. Herceg: Hercegovina abecedarka 1940.
- 76 Cf. Herceg: Hercegovina abecedarka 1937, back cover.
- 77 For educational programs in Croatia—Slavonia before 1914 cf. Jelavich: Južnoslavenski nacionalizmi, pp. 107–143, 164–178, 208–239.
- 78 Cf. Leček: Seljačka sloga u Slavoniji, pp. 60–61.
- 79 Some of these members were Izidor Škorjač, Zlatko Špoljar and Slava Kovač. Cf. Leček/Petrović Leš: Znanost i svjetonazor, pp. 21–22, 33.
- 80 That was vision of some prominent members of the HSS. Cf. Leček: Stjepan Hefer, p. 430.
- 81 Tomašić, Dinko. Politički razvitak Hrvata, Zagreb, 1997, pp. 133–134 cited by: Engelsfeld: Promišljanje o primjeni Zakona o odvjetništvu, p. 20.
- 82 The principle of ›peasant concord‹ was one of the Party's objectives. Cf. Biondich: Stjepan Radić, p. 84.
- 83 Wim Decock: Collaborative Legal Pluralism: Confessors as Law Enforcers in Mercado's Advice on Economic Governance (1571), in: *Rechtsgeschichte – Legal History* 25 (2017), pp. 103–114, at p. 107.
- 84 Decock: Collaborative Legal Pluralism, p. 107.
- 85 Leček: Seljačka sloga u Slavoniji, p. 148.
- 86 On the other hand, formation of procedural rules was mostly dependent on incentive taken by the prominent members of the HSS. Cf. some rules in Leček: Stjepan Hefer, pp. 435–438.
- 87 Sa suda dobrih i poštenih ljudi, in: Seljačka sloga 3/7 (1938), p. 218.
- 88 See the example of Valpovo in Leček: Seljačka sloga u Slavoniji, p. 148.
- 89 This as an important characteristic of the ›Courts of Good and Honest Men‹ is mentioned by Suzana Leček. Cf. Leček: Stjepan Hefer, p. 430.

- 90 Cf. Karaula: Mačekova vojska, p. 221.
- 91 Cf. Leček: Priča o uspjehu, pp. 33–35.
- 92 Cf. Leček: Priča o uspjehu, p. 34.
- 93 Karaula: Mačekova vojska, p. 119. See more such instructions in Karaula: Mačekova vojska, pp. 132–133.
- 94 Cf. Karaula: Mačekova vojska, p. 260.
- 95 Cf. Karaula: Mačekova vojska, p. 133.
- 96 The priority of the 'Courts of Good and Honest Men' over state courts was advocated by Stjepan Hefer, one of the leaders of the HSS and one of the most prominent persons in the formation of these courts. Cf. Leček: Seljačka sloga u Slavoniji, p. 148.
- 97 For some reflections and examples of non-cooperation between the municipalities and the state authorities, including the non-application of state law in some municipalities, cf. Stipica Grgić: Hrvatska seljačka stranka i lokalne samouprave Savske banovine (1935–1939), in: Zorislav Lukić / Hrvoje Petrić (eds.): 110 godina Hrvatske seljačke stranke, Zagreb 2015, pp. 99–112, at pp. 105–110.
- 98 Cf. Suzana Leček: Borba Hrvatske seljačke stranke za općinsku samoupravu 1936–1939, in: Časopis za suvremenu povijest 40/3 (2008), pp. 999–1032, at pp. 1001–1004.
- 99 Cf. Šute: Slogom slobodi, pp. 317–318.
- 100 Cf. art. 79 of the Law on Municipalities of the Kingdom of Yugoslavia of 1933, in Ignjat M Tolić: Zakon o opštinama, Tisak i naklada Jugoslavenske štampe, Zagreb 1933, p. 38; The Constitution of Yugoslavia defined municipalities not just as self-governing unit but as part of the state administration as well. Cf. art. 82 of the Constitution of the Kingdom of Yugoslavia.

Abstract

The author analyses the relations between state authority and the Croatian Peasant Party with its para-state structures in the Kingdom of Serbs, Croats and Slovenes/Yugoslavia. Contrary to the significant corpus of the literature on the topic, the author argues that there is still room for research about the relations between state authority and the Croatian Peasant Party and its para-state structures from normativity perspective. The starting point of the research is an argument that the Croatian Peasant Party and its para-state structures formed specific normative order that coexisted with the state normative order within the same social space. The important features analysed are interconnections between these two normative orders and possible implications of multinormativity on state authority and on the HSS and its para-state organizations.

About the Author

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