

## “HE WHO SINGS, THINKS EVIL!”: CHANT “MARJANE, MARJANE” IN THE LAST DECADE OF COMMUNIST CROATIA

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In this paper authors analyze the prosecution of the widespread chant “Marjane, Marjane” during 1980’s in Socialist Republic of Croatia. Widespread version of the chant regime has proscribed, declaring it a form of hostile or anti-state act. Individuals who would sing any of prohibited versions would be mostly subjugated to political felony procedure and sentenced to prison.

**Keywords:** “Marjane, Marjane” chant, judicial repression, freedom of speech, Socialist Republic of Croatia.

Of course, it is a legal and political nonsense to claim that by singing these songs particularly [“Young boys played in the middle of Serbia land” and “Far away, far away from the sea”] one could offend or disdain anyone’s socialist or patriotic feelings, at least the citizens of Socialist Republic of Croatia, because in other case this kind of logic would took us too far.

Pavao Čala, President of Republic Council for offenses,  
April, 1987.

Indeed, “Marjane, Marjane” is performed daily on Radio Split too, but because of it people go to prison too since the chant has many versions.

From commentaries in the weekly *Nedjeljna Dalmacija*,  
April 1987.

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## Introduction

After almost century and a half of singing, the roots of Dalmatian popular folk chant "Marjane, Marjane" are out of our reach. It was probably composed in the middle of the 19th century when common poets decided to write down lyrics local laborers dedicated to Marjan hill in Split where they were engaged in various works, also emerging in one form after the maritime battle of Vis in 1866. Note script of the chant is published for the first time in 1899. It appears that in political life it enters somewhat before when it became widespread in Split People's party circles. Short, terse, easy to understand and with almost tangible motivational strength, not surprisingly at all many realized it's propaganda potential. It's second permanent characteristic is its openness to multiple additions. Therefore, the chant never got standardized, even less canonized. We bring two versions (there were more undoubtedly), widespread until beginning of World War Two, in which national and patriotic motives were dominant:

- "[1] Marjane, Marjane, Why don't you fly the banner, Dear Tricolor, Our Croatian banner, With whom all of Dalmatia and dear islands are proud of"
- [2] Marjane, Marjane, Why don't you fly the banner, Dear Tricolor With whom our Dalmatia and entire of Croatia praise".<sup>1</sup>

## For and against Communism: fragments about the chant 1941-1980

In the beginning of World War Two Communists came across extremely widely spread chant in various social circles on Dalmatian territory. Furthermore, open to new lyrics. Propaganda value of the lyric was obvious, and it did not take long for its new political usage.

According to previous research, Communists and Partisans sang the chant during the war in following versions (the list is not final):

- "[1] Marjane, Marjane, Why don't you fly the banner, Dear Tricolor, Our Croatian banner, With whom entire Dalmatia and her islands are proud of"
- [2] Marjane, Marjane, Why don't you fly the banner, Dear Tricolor, Our National banner.

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<sup>1</sup> Basic information on history of the chant: Inoslav Bešker, "Marjane, Marjane...", *Vjesnik*, Zagreb, May, 18, 1988., p. 4. (Bešker cites results of research made by a lawyer from Imotski Dinko Jonjić); Pavao Čala, "Bolje da ga nije. Koga i zašto?", *Nedjeljna Dalmacija*, Split, May, 14, 1989., p. 18.; Mario Jareb, *Hrvatski nacionalni simboli* (Zagreb: 2010), pp. 148-150.; Duško Kečkemet, "Bibliografija Marjana", in: *Marjane, naš Marjane* (Split, 2001), p. 208; Anatolij Kudrjavcev, "Marjan u književnosti", in: *Marjane, naš Marjane* (Split, 2001), pp. 198-202.

- [3] Marjane, Marjane, Why don't you fly the banner, Dear Tricolor, Our National banner, Who hides beneath it, Is no coward.
- [4] Marjane, Marjane, Why don't you fly the banner, Dear Tricolor, On which one reads, The name of Comrade Tito, And on the other side, Forward partisans, On the top of banner, Star/five-pointed red star, Who fights under it, Is not a coward, The one who doesn't, Better be gone, And one more letter, Name of Stalin“
- [5] Marjane, Marjane, Why don't you fly the banner, Dear Tricolor, On which one reads, The name of Comrade Tito
- [6] Marjane, Marjane, Why don't you fly the banner, Dear Tricolor, On which one reads, The name of Comrade Tito, One Letter in it, Name of Comrade Tito
- [7] Marjane, Marjane, Why don't you fly the banner, Dear Tricolor, Our National banner, On which one reads, The name of Comrade Tito, And on the other side, Forward partisans, On the top of banner, Star/ five-pointed red star, Who fights under it, Is not a coward,
- [8] Marjane, Marjane, Why don't you fly the banner, Dear Tricolor, Our National banner, On which one reads, The name of Comrade Tito, Letter on it, Name of Tito, And on the other side, Forward partisans, On the top of banner, Star/five-pointed red star, Who fights/hides under it, Is not a traitor,
- [9] Marjane, Marjane, Why don't you fly the banner, why don't you fly the banner, Dear Tricolor, On which one can read the name of comrade Tito, And on the other side “Forward partisans, On the top of banner five-pointed red star, Who hides/fights under it, Is not a coward.
- [10] Marjane, Marjane, Why don't you fly the banner, why don't you fly the banner, Dear tricolor, On which the name of Tito stands, On the other side “Forward partisans”, On the top of banner five-pointed red star, Who fights/hides under it, Is not a coward. Who finds it wrong, let him kill himself!
- [11] Marjane, Marjane, Why don't you fly the banner, why don't you fly the banner, Dear tricolor, On which the name of Tito stands, On the other side “Forward partisans”, On the top of banner five-pointed red star, Who fights/hides under it, Is not a coward. Who finds it wrong, let him kill himself, And who does not fight/hide, better be gone!
- [12] Marjane, Marjane, Why don't you fly the banner, Dear tricolor, Our national banner, Who hides under it, Is not a coward, On which the name of Tito stands, On the other side “Forward partisans”, On the top of banner five-pointed red star, Who fights/hides beneath it, Is not a coward.<sup>2</sup>

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<sup>2</sup> Split historian Ante Nazor the elder mostly dealt with the history of this chant during World War Two. Most of cited versions are named in the following works: Ante Nazor, “Borbene i

Before further analysis, a few notions require additional explanations. Foremost, within Communist-Partisan movement during World War Two, the chant was sang in at least 12 different versions. This means that its original openness has been preserved with a possibility of adding new lyrics. Also, not a single one of used versions Communist-Partisan propaganda department did not prescribe (i.e. in special act or regulation ordered as the only one allowed), which means that neither version was prohibited. True, during the second session of Land's Antifascist Council of the People's Liberation of Croatia in Plaški in October 1943, the chief of cultural-artistic department accepted the notion of Đuro Kosak (11th and 12th version) and forwarded it to theatrical fellowships on the Partisan held territories.<sup>3</sup> But, other versions were not prohibited. Standardization of the chant did not take place either, as seen. Finally, it is worth to notice that the chant in all of its versions unified national, regional (Dalmatian), social and revolutionary (Communist) problematic as well as visible rise of personal cult of Tito in its verses.

The popularity of the chant amongst other ideological-political movements is significantly less researched. Pavao Čala is the only one to mention that it was used by Croatian nationalist (or Frankovci as they have been called) before World War Two. It is the following version:

"Marjane, Marjane, Why don't you fly the banner, Our Croatian banner, Red, White Blue, It is a true banner, He who walks beneath it, Is not a coward, He who doesn't, Better be gone!"<sup>4</sup>

Along with expected difference in emphasizing Croatian national identity, this version (only in later stage of activity) – more precisely, it's last verses – are almost identical with some of verses sang inside the Communist-Partisan movement (ninth and tenth word, word fly instead of word fight and hide). If Čala's information is accountable<sup>5</sup>, we may most probably presume that the Ustaše and other political and military enemies of Partisans and Communists used it during World War Two. The version which unifies national and

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revolucionarne pjesme" (Dalmacija 1941 – 1945)", *Mogućnosti* (1981), No. 8-10: 959.; A. Nazor, "Marjane, Marjane", *Vjesnik*, December, 2 1980., 4.; Also in *Naše pjesme*, (Zagreb: Izdanje Hrvatske nakladne tiskare, 1945), p. 16.

<sup>3</sup> "Čitaoci otkrivaju", *Vjesnik*, January, 13, 1981., p. 10.

<sup>4</sup> Čala, "Bolje da ga nije", p. 18.

<sup>5</sup> Čala held a post of a President of Republic Council for felonies in Socialist Republic of Croatia during 1980's and published that text within the campaign against phenomenon of massive singing of deviated version of the chant. In any case, he did not cite the source, therefore we cannot confirm his claim. However, Jareb emphasizes that almost identical last lyrics of the chant (the word fight instead of fly) were published already in some Croatian books of poems at the end of 19th century. (Jareb, *Hrvatski nacionalni simboli*, p. 104.)

regional thematic without characteristic last verses was also at least known in some Croatian political emigration circles after World War Two.<sup>6</sup>

The chant existed in two basic forms in next decades. First includes non-standard and politically acceptable versions, characterized by mentioning Tito, five-pointed red star, Partizans, national banner and similar. Second one featured visible avoidance of mentioned symbolic. Instead, new verses have been inserted, usually with the mention of Croatian national and religious symbols behind which some sort of anti-regime attitude prevailed. At the end of 1970's, these versions were often sang in sporting events and restaurants. Here are two examples. In February 1979, at least couple of thousand Cibona and Zadar basketball club fans sang the chant with verses including the name of Croatian instead of national Tricolor flag.<sup>7</sup> It is more important to notice that singing some version of the chant which did not include Partisan and communist symbolism became the subject of judicial prosecution. At the end of 1979 municipal judge for felonies sentenced two persons to a 50-day punishment on ground that they have been "singing various nationalistic and chauvinistic songs", including "Marjane, Marjane" with the lyrics "Why don't you fly the banner, and on the top of banner Miko Tripalo and Savka Dabčević Kučar".<sup>8</sup> Clearly, numerous versions of the chant – obligatory without mention of regime symbolism – were assessed as unacceptable or hostile expression.

### **"Marjane, Marjane" in the court of law: the 1980's**

The death of Tito and the growth of economic and political crisis in the country which followed undoubtedly favored further massive singing of the chant with unacceptable lyrics. In official (regime) documentation, this phenomenon was often named singing of "twisted" version connected to Croatian nationalism and/or "cleronationalism", i.e. two most important internal enemies within Socialist Republic of Croatia in its last decade.<sup>9</sup> Certainly we

<sup>6</sup> [Josip Burić], *Hrvatska pjesmarica (120 najljepših hrvatskih popijevaka)* (Rome, 1951), p. 80.

<sup>7</sup> Ankica Tuđman, prepared by, *Franjo Tuđman: Osobni dnevnik 1973. – 1989.*, I (Zagreb, 2011), p. 15., Note from February 4, 1979.

<sup>8</sup> County state attorney Osijek, District state attorney Osijek, No. pov-1/80., Special weekly report from May 29, 1980, 7. Nevertheless, most part of the prison sentence have been declared regarding the verse "Alas Serbs we are going to slaughter you when Tito starts to die". (*Ibidem.*)

<sup>9</sup> Internal enemy phenomenon in Communist Yugoslavia is yet to be analyzed in historiography whilst here it is only possible to state that we find it in all important documents with security and political character, from federal and republic to local level. Compare Croatian State Archive (HDA) in Zagreb, Communist Union of Croatia Central Committee (CKSKH), Presidency/Political-security situation in Socialist Republic of Croatia and SFRJ, Communist

must take into consideration that Croatian nationalism in the 1980's was a massive phenomenon containing the critical message but also, unlike claims from the regime circles, it was not a case of organized political force i.e. movement of resistance. Furthermore, it found its origin (sometimes and identification) in Ustaša regime symbolism and Independent State of Croatia, which is (in presumption) less product of individual's family memories and more often comes from the lack of democratic traditions (which then made Ustaša and NDH the only counterpoint to Communism). Finally, it spread mostly amongst youth and young people, especially in sports competitions and religious manifestations or events least controlled by the regime due to their massive character or relative freedom of action of the Catholic church. Naturally, it also derived from weak economic and social chances of youth and young people (employment and residence) as well as the growth of all-Serbian nationalism (especially in the second part of 1980's).<sup>10</sup> Also, we must not forget that regime used Croatian nationalism for pragmatic purposes: characteristic of Communism, non-existing all-present enemy was used as a justification for retaining power.

When it comes to "Marjane, Marjane" chant with unacceptable verses, the emergence of its massive singing traces back to the beginning of 1980's foremost in the student population mostly originated from Dalmatia and Hercegovina. Induced by the singing of Serbian folk songs, in December 1981 in Student home "Ljubo Uvodić Razin", a group of students from Drniš, Imotski and Metković started to sing back Croatian religious "nationalist songs". A smaller group used to sing these songs during birthday parties but as a sort of protest during parties organized by Union of Socialist Youth of Croatia. After one of these parties the incident occurred when these same students, on December 25, 1981, returning from midnight service sang in one of the student rooms this version of the popular chant, among songs of Vice Vukov and "Vile Velebita", provoking a police reaction resulting in a warning for disturbing the public peace and order:

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Union of Yugoslavia (SKJ)/Presidency, Information on characteristics of ideological-political state in society and Communist Union of Yugoslavia and emergence of citizen's right wing and other anti-socialist forces, no date, [October 1986.]; HDA, CKSKH, Predsjedništvo/Političko-sigurnosna situacija u SRH i SFRJ, Br. 02/P-Str. pov. 2/13-88, SRH/Komitet za općenarodnu obranu i društvenu samozaštitu/Radna grupa, Procjena političko-sigurnosne situacije u SR Hrvatskoj, November, 1988.

<sup>10</sup> Some reflections on Croatian nationalism in youth and young people see Nikica Barić, *Split 1980-ih: Društveni sukobi u sutonu samoupravnoga socijalizma* (Zagreb, 2019), pp. 636-637.; Martin Previšić, Ivan Mlinarić, "Služba državne sigurnosti Hrvatske protiv nogometnih navijača 1989-1991. ", *Istorija XX veka* 38 (2020), No. 1: 165-166.

“Marjane, Marjane, Why don’t you fly the banner, Why don’t you fly the banner, Our Croatian banner, Our Croatian banner, Red, White, Blue, That is a true banner, He who glorifies himself beneath it, He is a real Croatian. He who hides from it, better be gone. And one more letter, the name of Jesus”.<sup>11</sup>

The regime closed the case by excluding the students who sang the unacceptable version of the chant from a university campus, series of warning conversations with State security officials (SDS) and execution of “Positive social-political action” i.e. campaign behind city political bodies stood.<sup>12</sup> It is also worth noticing that in the Split case, the regime did not reach out for the judicial prosecution, and that police intervened only after report from the loyal or positive students who felt disturbed or hurt with the singing of “twisted” version of the chant.

Approximately half a year later, the singing of the “Marjane, Marjane” chant with unacceptable contents will be even more massive in Zagreb university campuses while regime’s reaction will be more repressive. Basic contours of the case are remarkably similar to the Split one. Somewhere in the middle of 1982, secret political police found out that during one birthday party in University campus “Cvjetno naselje” in Zagreb, “cleronationalist songs” were sang, including “Marjane, Marjane” in its “twisted” form. Lyrics “The name of Jesus”, and “The name of Hajduk” were being added.<sup>13</sup> A couple of months later, again during Christmas holidays, in University campus “Nina Maraković”, one student’s birthday party took place at which “Marjane, Marjane” chant with unacceptable lyrics was sang with the verse “one more letter Jesus”.<sup>14</sup>

The center of singing the “twisted” variant was a University campus “Ivo Lola Ribar” popularly known as “Laščina”. Everything points to the fact that here a better connected group of students from Dalmatia and Hercegovina existed, who oftenly sang “twisted versions” of the chant undisturbed. For example, while meeting students from Subotica in May 1982, three domestic students allegedly “with the purpose of brute provocation on national grounds sang very loudly “Marjane, Marjane” in a way they reshaped the original text of the revolutionary chant inserting words like “red-white-blue with heart of Jesus letters on it!”<sup>15</sup> At the same time, in two rooms of Union of Communists

<sup>11</sup> Barić, *Split*, 567.

<sup>12</sup> *Ibidem*.

<sup>13</sup> HDA, SRH/Republic Secretary for internal affairs (RSUP)/ State Security Service (SDS), Zagreb Center (CZ), Informaton nr. 1258 from November 25, 1982.

<sup>14</sup> HDA, SRH/RSUP/SDS, CZ, Information nr. 1307 from December 9, 1982.

<sup>15</sup> HDA, CKSKH, Presidency/Judiciary, Croatia Public Attorney (Javno tužilaštvo Hrvatske-JTH), No. Pov- 15/83-1, Information no. 1/1983 from January 28, 1983.



members, singing of the chant with changed "revolutionary to clerical content" was registered in a way that verse "Red, white, blue, our Croatian banner, On which the letter is – letter of Jesus" was added.<sup>16</sup> Also, during the final evening of the football competition "Ivo Lola Ribar" Cup in the middle of 1982, one group of students sang the chant with unacceptable verses like "The Name of Jesus and Zrinski – Frankopan".<sup>17</sup> Secret political police very soon came to the conclusion that in this student home "nationalist songs" are obviously very well-known and sang often.<sup>18</sup>

Growing incidence of unacceptable versions probably made regime act more repressively. So, nothing especially occurred in one of the rooms in "Laščina" during the night of October 24/25 1982 when again, celebrating birthday, few students sang the chant "Marjane, Marjane" chant with unacceptable lyrics, in this case the lyrics "red, white, blue, under whom Zrinski and Frankopan have fallen and one more letter, Name of Jesus". One student of Serbian nationality felt particularly disturbed and hurt so he reported the incident to secretary active of Union of Communists in home who informed the police for which he most probably suffered a minor physical attack on his person. That the regime decided to treat this case differently, the scope of answer indicates clearly. Numerous police forces bumped into pavilion security check ran on 76 students with 19 taken to custody. Felony report is brought up against 10.<sup>19</sup> By the end of 1982, felony judges declared 10 condemning penalties, six felonies and four criminal procedures were pending. Felony judges sentenced students to 90 days in prison as well.<sup>20</sup>

Further investigation has shown that main offenders by singing the unacceptable versions of the chant were also the attackers on a Serbian student who reported the incident, Marko Grubišić and Milan Sušac. On police proposition and most likely approved by some higher political instance, criminal charges are brought against them for provoking national and racial intolerance and religious hatred, discord, or intolerance (Article 134., section 3, Penal law of SFRY).<sup>21</sup> This charge entered the line of criminal acts against the

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<sup>16</sup> HDA, SRH/RSUP/SDS, CZ, Information nr. 1243 from November 25, 1982.

<sup>17</sup> HDA, SRH/RSUP/SDS, CZ, Information nr. 1282 from December 3, 1982.

<sup>18</sup> HDA, SRH/RSUP/SDS, CZ, Information nr. 6 from January 4, 1983.

<sup>19</sup> HDA, SRH/RSUP/SDS, CZ, Information nr. 1282 from December 3, 1982.

<sup>20</sup> HDA, CKSKH, Presidency/President, Nr. Page pov. 1575-1/1982., Information about disciplinary, felony and criminal measures undertaken against offenders of enemy nationalist incidents in Student home "Ivo Lola Ribar" in Zagreb from December 22, 1982.

<sup>21</sup> Article 134 of Penal Law of SFRY states in full: "[1] Everyone who by propaganda or in any other manner starts or spreads national, racial or religious hatred or discord amongst peoples and nations living in SFRY, will be punished by a sentence of one to ten years. [2] The one who



State so Grubišić and Sušac were in fact accused of enemy or anti-state activity for which high prison sentence threaten them. In state-controlled media, their act is subsequently presented as a part of a wider and aggressive enemy (nationalist or even fascist) action. Here is the most important part of the text published in Student Paper (*Studentski list*) from November 1982:

“[Communists in pavillion four and five of the University campus claim that inside of home certain groups of people act [...] who, in various, often brutal methods, create artificial fear psychosis, based on revanchism, revenge and phisical maltreatment of the lodgers and most oftenly, against ones ready to fight against these fascist methods”.<sup>22</sup>

Therefore, the text published in student paper must be considered as an announcement of future trial, i.e., the draft of a future indictment. In the following months before the commencement of the trial, the press gave substantial room to highly ranked regime officials who sent public a message that any coquetry with nationalism is the same as an act of crime and that it shall be punished most severely. As an excellent example, we cite the words of Pero Car, member of Socialist Republic of Croatia Presidency, published in Zagreb newspaper *Vjesnik* a week before reading a verdict:

“I wanted to say that in these areas nationalism acquired a form of a crime. In it's core, it gives birth to Jasenovac, Banjica, well familiar scaffolds. The root of this crime is in betrayal of your own people”.<sup>23</sup>

District court in Zagreb sentenced Grubišić to four years in prison and Sušac to two and a half years on April 11, 1983. To which extent verdict relates to singing of incriminating verses and in which to most probable maltreatment of the Serbian student who reported them remains unknown: according

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by insulting or in any other way provokes national and racial intolerance or religious bigotry will be punished by prison from three months to three years. [3] Who commits the act from section 1 and 2 of that article in systematic manner, using his rank or authority, in a group or riots derived from these acts, violence or other heavy consequences, will be punished for the crime from section 1 of this article for at least a year in prison, and for the crime from section 2 with a prison sentence from six months to five years. Ljubo Bavcon, *Kaznenopravna zaštita države i njezinog društvenog uređenja. Politički delikti (Penal law protection of the State and it's establishment. Political delicts)* (Zagreb, 1988), p. 228.

<sup>22</sup> Senka Tajić, Igor Michieli, “Nacionalizam na ‘Laščini’ (Nationalism in Laščina), *Studentski list*, November 17, 1982., pp. 8-9.; In November and December 1982 authors of this article attended more sessions of Fundamental organization of Communist Union in student home and were “convinced in existance of strong nationalist current” among the students. (HDA, SRH/RSUP/SDS, CZ, Information nr. 1282 from December 3, 1982.

<sup>23</sup> Vlado Rajić, “Nacionalizam, to je zločin” (Nationalism, it's a crime), *Vjesnik* (Seven Days edition), April 2, 1983, p. 6.

to verdict, the singing ignited comfotless in many student, in one particularly who felt his national feelings were being offended, after which they allegedly maltreated him which court took as a forbidden consequence of disturbance, violence and other heavy consequences. Even though the court had several witnesses' testimonies at it's disposal clearly indicating that many versions of the chant were sang at the party, it gave credibility to a few and concluded that only one version was sang, containing verses "red-white-blue, under which Zrinski – Frankopan have fallen (...) and one more letter the name of Jesus". Allegedly, the chant "Marjane, Marjane" was sang with the twisted lyrics of revolutionary contents deliberately, accepted from all peoples and nations", as in explanation of the verdict stands, knowing students from various parts of the country live in the student home thus making Grubišić and Sušac express words capable of igniting national hatred, discord and intolerance.<sup>24</sup> Croatia Supreme Court confirmed the verdicts in early October 1983, by accepting opinion completely that Grubišić and Sušac consciously provoked ignition of national hatred and discord amongst other nationalities with intentional insertion of hostile words.<sup>25</sup> Federal Court decreased the sentence to Grubišić to two and a half and Sušac to one and a half year in prison respectively in June 1984. However, incriminating verses were still judged as hostile expressions. For this court, the names of Zrinski and Frankopan (Jesus is notably excluded from the verdict) were sang from an enemy intention. "The court had, in fact, judging these facts", as stated in explanation of the verdict, "correctly asserted that the accused sang twisted version of the Partisan song "Marjane, Marjane" with intent of igniting national hatred or discord and not with intent of glorifying persons from national history which of course by itself is not punishable by law".<sup>26</sup>

The Grubišić and Sušac trial is an excellent example of politically motivated process from the late era of Yugoslavian Communism. For some special montage, regime did not have the need because it disposed with absolute authority of self-assumed authoritative judgement based on an ancient rule of the "right of stronger". For example, the court could not in any possible way proclaim the inserted verses as twisted because the authentic version of the chant has never existed. In Partisan and communist ranks during the World War Two as well as in the decades that followed, as mentioned before, whole series of different versions of the chant, created in earlier stages, was used.

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<sup>24</sup> County court Zagreb (ŽSZG), District court Zagreb (OKZG), No. K-53/83, Grubišić Marko i Sušac Milan, OKSZG, Operative No. K-53/83-37, Verdict from April 11, 1983.

<sup>25</sup> *Ibidem*, Croatia Supreme Court (VSH), No. I Kž 690/1983-5, Verdict from October 4, 1983.

<sup>26</sup> *Ibidem*, 4.

Here is an example how this argument was explained in an anonymous letter to president of the court's council in Zagreb, delivered to SDS:

“Judge, be reasonable and don't allow more nationalism to develop than it really exists in the process against students from Lašćina. Beware, don't be shallow like prosecutor and understand the following: ‘Marjane, Marjane’ is not a Partisan song but song made long before the World War Two, i.e., in time of struggle between Italians and Croats in Split. Grubišić and Sušac did not change authentic text but sang it properly, while Partisans changed the text in a manner ‘The Croatian banner’ to the ‘Banner of Freedom’.<sup>27</sup>

First instance and second instance courts rejected all these arguments. The question however, remains, how in that way mentioning the Zrinski, Frankopan and Jesus could possibly hurt national feelings of the Serbs in any way? Perhaps Austrians of the late 17th century had reasons to be angry at Zrinskis and Frankopans but Serbs certainly haven't because both of them, as pointed out in plea, have allowed settlers of orthodox confession to reside on their estates as fugitives from unbearable Ottoman rule in Bosiljevo, Vrbosko, Ogulin, Gomirje, Moravice and Plaški, who were also ascendants of Serbs in Croatia. On the contrary, it could be argued that the student of Serbian nationality who reported the felony expressed chauvinism, i.e., unacceptable nationalism, when in the case of Zrinski and Frankopan he failed to recognize acts “full of love and kindness towards the ones who suffered”. Also, determining that incriminating mentioning of Zrinskis and Frankopans is allowed in other occasions at the same time, for example in many literary works, the following explanation by the defense stated, logical consequence of this verdict would be not only forbiddance of these books, but emergence of mass trials as well, since being obvious that many has read some August Šenoa works from 1945 onward. Naturally, even mentioning Jesus could not ignite the state of national hatred or intolerance among anyone. Predictably, first and second instance courts did not take these arguments into consideration.<sup>28</sup> Therefore, Grubišić and Sušac committed an anti-state crime in the eyes of the regime because inimical intention led them to it or because they, one could say, meant evil i.e. allegedly wanting to hurt national feelings of the Serbs as stated in direct cited explanation of the Supreme Court.

Of course, Grubišić and Sušac were sentenced to high prison sentences because regime at the beginning of the 1980's concluded that widespread singing of “Marjane, Marjane” chant with unacceptable verses represents massive

<sup>27</sup> HDA, SRH/RSUP/SDS, CZ, Information no. 459 from April 8, 1983.

<sup>28</sup> ŽSZG, OKZG, Milan Sušac: Plea from May 24, 1983.

form of disapproval, grounded on unacceptable platform of Croatian nationalism which needs to be stopped. During 1982 in Socialist Republic of Croatia, the police recorded strong rise of various public manifestations of hostility, especially verbal expressions of hostility committed on sporting events and catering objects, most often under alcoholic influence. Within it, the rise of political felonies again took place in the form of insulting the socialist, patriotic and national feelings of citizens, specially in the form of singing offensive, nationalist and "twisted" versions of songs with hostile contents. Apparently, hostile individuals had special affinity in undermining the regime by singing "historical and revolutionary songs with twisted verses". Amongst which "Marjane, Marjane" chant with prohibited verses like "Why don't you fly the banner, our Croatian banner, and on the top of banner Tripalo and Savka"<sup>29</sup> and "And on the other side forward Frankopans, and one more letter the name of Jesus" in Karlovac.<sup>30</sup>

By deciding to publicly demonstrate all-power, in other words messages of warning, the regime submitted Grubišić and Sušac to harder form of judicial repression – criminal procedure, for preventive reasons. The fact that unacceptable verses in the chant extremely rarely ended in criminal procedure is confirmed indirectly. Thus, the Municipal court in Zadar sentenced Stanko Buljat to seven months in prison for the crime of enemy propaganda under the section 1 of the article 133 of Penal law of SFRY because he sang "Marjane, Marjane" with the verse "on which the name of Jesus is read, the sentence was actually expressed for shouting to the waitress 'And Ante Pavelić is dead, but he is alive'". Just in case, in the explanation of its verdict, the court failed to point out that Buljat was consciously silent in pointing out the verse "on which the name of Tito is read" and that by singing the unacceptable verse, he disturbed the restaurant guests maliciously, for which reason the waitress informed the police in the first place.<sup>31</sup>

Although singing of the chant with "twisted" verses, along with other verbal expressions of hostile public acts, regime and the court treated as political felony in most cases i.e. as lighter version of anti-state activity, the incidents in student home "Ivo Lola Ribar" were hidden behind the initiative for further severe prosecution of unacceptable words. In second half of March 1983, chief of the Republic council for felonies took an attitude that in Socialist Republic

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<sup>29</sup> Republic of Croatia State Attorney (DORH), JTH, SRH/RSUP/Inspectorat for operative affairs of public security, Public enemy activity from February 11, 1983.

<sup>30</sup> DORH, JTH, SRH/RSUP/Inspectorat for operative affairs of public security, Visible forms of enemy public activities, [no date, 1982].

<sup>31</sup> Zadar State Archive, District court Zadar (OKSZ), Nr. 39-83, Buljat Stanko, OKSZ, Br. K-39/83-15, Verdict from February 29, 1984.

of Croatia stronger nationalist activity took place, often connected with alleged usurpation of faith for political cause. In confirmation of this attitude, “Marjane, Marjane” chant was chosen in particular, and in that regime recognized an attack on “national liberation struggle of peoples and nations of Yugoslavia” in inserted verses like “Marjane, Marjane, why don’t you fly the banner, dear tricolor, red, white, blue, under beneath Zrinskis and Frankopan have fallen, and one more letter – the name of Jesus”. Therefore, he suggested to the authorities that “rephrasing songs and credos composed in struggle for national liberation and socialist revolution” became special type of political felony “in that way insulting the legacy of struggle for national liberation and socialist revolution and it’s distinguished members”.<sup>32</sup> Čale’s initiative was not accepted in the end.

High prison sentences declared to Grubišić and Sušac probably contained the singing of chant with “twisted” contents in Zagreb university campuses so phenomenon came to notice most commonly during sporting events. Thus, Zagreb’s Cibona victory over Belgrade’s Red Star in basketball final of the state championship in Spring 1984 was accompanied by a massive singing of chant with unacceptable lyrics: “Red, white, blue, that banner is true, He who hides under it, is not a coward, And he who doesn’t, better be gone, And one more letter, the name of Jesus”.<sup>33</sup> Even tough regime media were silent on this point, for example Zagreb newspaper *Vjesnik* quite inaccurately reports that the fans celebrated victory of their club with the song “Heja, heja, cibosi, you are the best, the best”, massive support to nationalist insert did not go unnoticed in the ranks of opposition.<sup>34</sup> “Cibona” won the title next year again and 14 000 fans again celebrated victory by singing the chant with unacceptable lyrics. Felony judges sentenced six fans to a 15-day prison sentence.<sup>35</sup> It seemed that certain truce came to force between regime and massive hostile expression. Some of the perpetrators were punished quick, silent and relatively mild without unwanted foreign press coverage of it. Massiveness of this phenomenon also hindered stronger repression like arrests of thousands of people, suspension of matches or fining the sporting clubs.

<sup>32</sup> HDA, Sabor Socijalističke Republike Hrvatske, Executive council, Commission for the relations with religious communities, General acts, Nr. Pov-14/83, Republic council for felonies (RVZP), Case: Initiative for legal determination of acts with political characteristics as felonies from January 12, 1983.

<sup>33</sup> <https://www.youtube.com/watch?v=4QaDoiqp-YY>, accessed on May 6, 2021.

<sup>34</sup> Compare Stanko Kučan, “Ponosni i sretni”, *Vjesnik*, Zagreb, April 22, 1984., 11.; Ankica Tuđman, prepared by, *Franjo Tuđman: Osobni dnevnik*, III (Zagreb, 2011), p. 32, Note from April 21, 1984.

<sup>35</sup> Mila Štula, “Isus na košarci”, *Danas*, Zagreb, April 23, 1985., pp. 22-23.

Quitting the mass repression, regime started characteristic media offensive. In prohibited content "He who walks beneath it, is not a coward, and he who doesn't – let him kill himself", sang in Spring 1988 in a basketball game between "Jugoplastika" from Split and "Partizan" from Belgrade, *Vjesnik* journalist Inoslav Bešker "recognized" hidden fascist intentions, beneath which direct genocidal intention allegedly lay, followed by obvious and unacceptable rejection of Tito and Partisans.<sup>36</sup> Even some of more unappropriated shouts could be heard on this occasion such as "Saint Sava – queer!" or more aggressive "I hate 'Partizan'", to see desire for physical destruction of other national group only, represents the form of characteristic regime method in spotting evil intention in the context of judicial prosecution.

Of course, it was not intentional at all that massive singing of the chant with "twisted" contents occurred during matches between sporting clubs from Socialist Republic of Croatia and Serbia. This habit was specially present in the late 1980's. Basketball game between "Jugoplastika" and "Partizan" in Split in April 1989 shows good example of it. Tense fight, many breaks, unsporting conduct of both clubs and whistles from the public, on several occasions was followed by singing of "Marjane, Marjane" with unacceptable verses, which evidently became common in the second half of 1980's: "Marjane, Marjane, why don't you fly the banner, dear tricolor, our Croatian banner, red, white, blue, that is the true banner, he who hides beneath it, is no coward, he who doesn't, better be gone! And one more letter – the name of Jesus".<sup>37</sup> Few minutes before the end of regulation, Partizan basketball players left the court. After the game, they didn't feel necessary to point out their national feeling being hurt.<sup>38</sup> Massive singing of the chant with unacceptable verses on sporting events against Serbian clubs was a form of Croatian anti-regime national feeling, sang before guest who were perceived as symbols of far more articulated Serbian nationalism and in front of audience who was envied on this type of freedom of expression.

However, it would be wrong to consider singing the chant with "twisted" lyrics just as massive expression of anti-communist Croatian nationalism counter point to Serbian nationalism. At the same time, it appeared in a larger volume in competitions between Croatian clubs and sometimes between Croatian and nonserbian clubs. Therefore, it was sang during "Dinamo" vs. "Hajduk" match and "Osijek" vs. Hajduk" in April 1989.<sup>39</sup> In August of the same

<sup>36</sup> Bešker, "Ponori navijačkih strasti", *Vjesnik*, Zagreb, May, 18, 1988., p. 4.

<sup>37</sup> HDA, SRH/RSUP/SDS, Centar Split (CS), Information nr. 159 from April 12, 1989.; Čala, "Better be gone", p. 18.

<sup>38</sup> "Prekid na Gripama", *Slobodna Dalmacija*, April 26, 1989., p. 21.

<sup>39</sup> Barić, *Split*, p. 630; Ministry of Internal Affairs of the Republic of Croatia (Ministarstvo

year, around hundred fans of Osijek football club, during the match against Sarajevo, sang the “Marjane, Marjane” chant with clerofascist verses and one more letter name of Jesus, he who hides beneath it, he is not a coward, and he who doesn’t, better be gone”. Police filed a felony report against couple of Osijek fans.<sup>40</sup> A month later, Osijek fans sang “Marjane, Marjane” with “clero-fascist” verses during Dinamo Zagreb match, holding Union Jack British flags and a flag of Socialist Republic of Croatia.<sup>41</sup> Opposition to regime i.e. to its obviously spent version of Croatian national identity was much more important reason of emergence of massive singing of chant with unacceptable verses.

Also, the fact is that unacceptable versions of the chant was sang in various occasions, most commonly outside of sporting grounds. Here are two examples. In December 1988, felony judge in Osijek sentenced ten young workers and students on a ten-day prison sentences and 10 000 Dinars fine because they sang the chant “Marjane, Marjane” in front of “Little Lika” restaurant in Višnjevac neighborhood of Osijek, adding the verse “And one more letter the name of Jesus” couple of months before. That way, as is formulated further in the verdict, they insulted and disrespected national and socialist feelings some of the present. The judge overruled the arguments of accused completely that they sang the verses in the context of religious holiday and far more importantly that they did not know that by singing these verses they committed the offense, because the verse was not legally banned. The verdict was grounded on two crucial factors. First of all, by singing the chant, they allegedly hurt national and socialist feelings of two police officers who protested because of it. Then, the incriminating verse *per se* could hurt nationalist and socialist feelings of citizens therefore necessarily entering the scope of punishment, even without the policemen’s protest.<sup>42</sup> In March 1989, felony judge in Zelina sentenced “Apolo” musical band members with a fine after they sang the chant with final verse “And one more letter, the name of Jesus”, on guests’ request. The aforementioned text hit socialist and patriotic feelings of the police officer present while his confession that “behind incriminating words he didn’t recognize hostile intention” did not help the accused.<sup>43</sup>

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unutarnjih poslova Republike Hrvatske-MUPRH, Police department Osijek-Baranja (Policijska uprava Osječko-Baranjska-PUOB, SRH/Osijek municipality (OO)/Sekretarijat unutrašnjih poslova (SUP), Nr. II/14-Pov-5-25/1989., Information from April 17, 1989.

<sup>40</sup> MUPRH, PUOB, SRH/OO/SUP, Br. II/01-Pov-5-37/1989., Information from August 8, 1989.

<sup>41</sup> HDA, SRH/RSUP/SDS, Center Osijek (CO), Information nr. 579 from September 11, 1989.

<sup>42</sup> HDA, SRC/Presidency, Osijek municipality, Felony judges, Nr. 2293/88-4, Resolution from December 20, 1988.

<sup>43</sup> F. Deanović, “Singing under article 3”, *Večernji list*, Zagreb, March 10, 1990., 10.



## Hvar Intermezzo: Serbia on the Adriatic

Singing "Marjane, Marjane" chant with unaccepted verses is useful for comparison in example of incident which occurred in Stari Grad on the island of Hvar in the middle of February 1987. In hotel restaurant "Adriatic", chief of "Podgorka" footballers from Osečina in Serbia, decided to end the night by singing Serbian folk songs "Young boys played in the middle of Serbia land", "Over there far away, far away from the sea" and "Serbian horn is heard from Kosovo". After they went to sleep, police knocked on their doors because other hotel guests were alarmed by their singing. The day after they had a hearing in the police and reported to the felony judge in Municipal court and on February 25, 1987, judge Maja Matković sentenced each of the perpetrators to a 15 days in prison. They were proclaimed guilty because they insulted and disrespected socialist, patriotic and national feelings of other citizens by singing mentioned songs. A month and a half later, in early April of the same year, Republic council for felonies changed the felony to minor disturbance of public peace and order with sentences being reduced to fines.<sup>44</sup>

First instance verdict of judge Matković does not say a word of offensive contents and the manner of offensiveness of the offended. It is unclear why would singing of Serbian national songs which do not contain offensive or inappropriate words, offend socialist, patriotic or national feelings of anyone because they were no persons of Albanian origin who would eventually find hurt or disrespected by it. Moreover, it is difficult to understand reasons why Croatians should be felt offended with the same incriminating words in these songs. Even though the songs were not prohibited, Matković proclaimed them illegal because they were spoken in a public place. More concrete, incriminating verses pointed out "certain nationality (Serbian) in specific circumstances (restaurant i.e. public place) which automatically offended other nationalities. This fact led the judge to treat it as provocation and expression of chauvinist mood in a way which is not desirable in the current political moment, as mentioned in the text of this verdict.<sup>45</sup> As one journalist from Belgrade interestingly pointed out, Osečina footballers were sentenced for singing the very same song "Over there far away, far away from the sea" which has been used 20 years ago as a "Helios" hotel marketing campaign to attract customers from Belgrade.<sup>46</sup>

As in cases already mentioned before, in singing of "Marjane, Marjane" chant with unacceptable verses and singing of Serbian national songs on Hvar,

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<sup>44</sup> HDA, SRH/Predsjedništvo, RVZP, Br. 04-337/87, Kratak osvrt na događaje i prekršajni postupak na Hvaru protiv nogometaša iz Osečine od 8. travnja 1987.

<sup>45</sup> *Isto.*

<sup>46</sup> J. Knežević, "Tamo daleko – EPP Hvara", *Večernje novosti*, Belgrade, March 29, 1987, p. 4.

courts found the hostile intention. Even the courts did not have the imperative to justify their verdicts in details, illusory explanation was given in the form that the chant was sang in “twisted or nationalist or/and clerofascist version” or Serbian national songs were sang in “provocative form” behind which alleged chauvinist intention of six footballers was hidden. In other words, there is no question that thousands of people who sang “Marjane, Marjane” in “twisted” form and six footballers from Serbia singing “There far away, far away from the sea” expressed their national feeling in somehow aggressive way, but they were sentenced for expressing it outside of politically legal frame as stated by judge Matković, who directly pointed out the political conditioning of the sentences.

In both cases the perpetrators were exposed to felony procedures and received minor sentences afterwards. But here, similarities end. In the cases of the “Marjane, Marjane” in “twisted” form perpetrators sentences retained legal qualification as a minor anti-state act, regardless of reducing the prison sentences to fines. In the case of Serbian footballers from Osečina, political offense was requalified to regular disturbance of public peace and order in which its hostile intention was expelled completely, (non-existent of course). For that reason, it should be concluded that sentence to singers from Osečina was reduced because regime wanted to display that there were no prohibited songs in Socialist Republic of Croatia territory or relations between republics should not be jeopardized because of these cases. Current political affairs stood behind both eventual reasons.

## Conclusion

Criminal and felony prosecution of individuals who dared to sing the popular tune “Marjane, Marjane” with unacceptable verses or in a “twisted” version during the 1980’s in Socialist Republic of Croatia needs to be enlisted in wider context of planned repression of right on free speech which lasted throughout the entire period of Communist Yugoslavia. There is no doubt that in that way the regime prevented expression of Croatian national sentiment, considering it a form of unacceptable mass protest because it did not control it. If they were arrested and condemned for singing “Marjane, Marjane” with unaccepted verses afterwards, these persons would commit a political delict i.e. attack on the state itself. They have therefore usually been exposed to political felony procedure and evidential prison sentence. Degree of judicial repression depended upon autonomous court judgement on gravity of political danger only: criminal procedure against Grubišić and Sušac shows that regime could proscribe longer prison sentences while the aforementioned

case of Zelina musical band shows that regime decided to mitigate policy of punishment in the late 1980's substantially.

To justify the prosecution of individuals who dared to sing the prohibited versions of chant more easily, regime used instrumental intervention into past. Even though not a single version of the chant has not been standardized or canonized, it decided to punish for the ones in which some person was mentioned or a symbol of Croatian past like Zrinski and Frankopan or commonly known person or a symbol like Jesus. More precisely, all versions not containing Partisan and/or communist symbolism were labeled as non-wanted or as inimical. Therefore, the key to understand this aspect of verbal hostile activity, as is with other criminal offenses that persecuted unwanted words (such as the criminal offense of hostile propaganda), is the decisive importance of subjective criteria regime attributed to committing these acts i.e. intention or premeditation. The decision course of criminal and felony courts therefore always followed the rule: since in adjoined verses "beneath which Zrinski and Frankopan have fallen", "and one more name – name of Jesus", especially the verses "He who hides from it, better be gone, And one more letter, name of Jesus" and "He who walks beneath it, He is not a coward, He who doesn't, better be gone", Partisan and/or communist symbolism are obviously left out, these versions were proclaimed "the twisted ones", or in other words "hostile" from a position of nationalism or "cleronationalism". Individual who sang them must have been led by evil or enemy intention, i.e., anti-state oriented. When it comes to "Marjane, Marjane" chant with unacceptable verses, most important question for the regime was to whom, how and why is being sang so it gave the answers to these questions by himself.

The analyzed case of "chauvinist songs" footballers from Serbia sang in Stari Grad on Hvar points to the conclusion that Socialist Republic of Croatia in 1980's was a Yugoslav republic in which the regime treated singing certain verses extremely restrictive. Even though it was a form of non-violent non-verbal political delict, in Socialist Republic of Croatia for singing of these non-wanted chants people went to prison.

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