

Using Local Archives for a Historical Reevaluation of Socialism. Examples of Bankrupted Factories' Collections and Rehabilitation Processes in Čačak Region (Serbia)

Nikola Baković

Keywords: *Local Archives; Serbia; Labour History; Factories; Rehabilitation Process; Historical Revisionism*

Together with all discontinuities and radical shifts brought about by the demise of the socialist self-management economy and the violent breakup of Yugoslavia, some brand new challenges were put before archival service in its countries-successors as well. The most far-reaching novelty for functioning of these countries' archival institutions was the acquisition of enormous quantities of defunct socialist economic organisations' records (documentation of bankrupted factories, shopping chains, agricultural unions etc), which filled (and sometimes literally overfilled) local archives' repositories. Apart from them being kept for their historical importance, these records also have a practical significance, serving for workers' retirement regulation. On the other hand, the rehabilitation of anticommunist fighters from the Second World War revamped public interest in previously mostly unavailable or scarcely used documentation on war victims and post-war trials, as well as the culture of remembrance. The political context of an overarching post-authoritarian transformation gave these collections a markedly new meaning and multifacetedly affected archival practice in Serbia, redefining the notion of a daily utilised "living" or "current" archive (*živa/tekuća arhiva*) as the main link between record-keeping institutions and everyday needs of the citizenry.

With examples from the Regional Historical Archives of Čačak¹, I will explicate the changing role of local archives in Serbia, coming into effect with the accession of state factories' collections and the introduction of rehabilitation processes. Although these two spheres of archival work may at first seem mutually rather detached (one pertaining to the demise of the socialist economy, another to the revision of the post-1945 historical paradigm), what they have in common is their potential for contributing to a far-reaching historical reevaluation of socialism from

* I would like to extend my sincere gratitude to my colleagues from Čačak Archives (especially Milomirka Adžić, Goran Davidović, Jasminka Knežević and Lela Pavlović), who kindly shared their immense knowledge and experience in archival practice, without which I would not be able to complete this paper.

¹ Regional Historical Archives of the City of Čačak and Municipalities of Gornji Milanovac and Lučani (*Međuopštinski istorijski arhiv za grad Čačak i opštine Gornji Milanovac i Lučani*), founded in Čačak in 1948, is responsible for collecting, depositing and processing archival records of state administration, political, economic and civic organisations from the territory of Serbian municipalities Čačak, Gornji Milanovac and Lučani. See Vitomir Vasilčić, *Arhiv u Čačku 1948-2003*, Čačak, 2003, p. 37-53.

the micro-historical perspective. At the same time, these new archival activities reinvigorated public interest in local archival holdings, introducing peculiar new tasks for Serbian archivists. Although examples described and analysed in this article stem from mine and my colleagues' work at the Čačak Archives, practically all these notions can be applied to other Serbian archives (especially those with regional territorial jurisdiction) as well, due to common functional features of all local archives in Serbia. It would also be beneficial if experiences highlighted here would be put into a wider post-socialist context, in order to formulate more efficient ways to boost the local-level labour history research, as well as to reconfigure the position of historiography in the collective processing of the society's authoritarian past.

Research potential of bankrupted economic enterprises' collections

The restructuring of Serbian economy since the early 1990s, defined by a severe hyperinflation, wars, foreign embargo and a proliferation of black market, brought numerous formerly successful socialist economic enterprises (many of which had been praised by communist politicians as "economic giants") to bankruptcy, failed privatisation procedures and pauperisation of workforce. Upon their closing, according to the Serbian Law on Cultural Goods,² the vast documentation of these economic bodies comes under the local archival institutions' custody, partially as a historical testimony (to be kept permanently) and partially as operational documentation, standing at the disposal of former workers and state pension funds for regulating welfare affairs (kept for a limited time period). While local archives in Serbia normally undertake the accession of public administration and local state-owned economic enterprises' records only after the expiration of a temporal threshold of 30 years, in case of factories and other production facilities gone bankrupt (*stečaj*), the documents' accession to local archives follows immediately after the Economic Court has initiated a bankruptcy procedure (*stečajni postupak*) for the respective facility. The factory would then surrender all records not directly connected to the ongoing legal procedures to the relevant archive, while the subsequently released documentation (usually pertaining to the bankruptcy process itself) would consecutively be transferred from the Economic Court.

Year	Accessed collections	Quantity (meters)
1993	1	2.00
1995	1	2.10
2002	1	14.00
2003	1	20.90
2004	6	104.60
2005	7	146.85
2006	8	84.60
2007	10	81.10
2008	6	16.05
2009	12	130.40

² *Zakon o kulturnim dobrima*, "Službeni glasnik RS", 1994, p. 71.

2010	4	29.65
2011	2	18.90
2012	2	11.90
2013	9	6.20
Total	70	669.25

Table: Quantity of bankrupted facilities' records, accessed by the Archives of Čačak³

The bankrupted factories' collections represent the core of the "living archive" and are the most frequently requested documentation in Serbian local archives. Individual clients, that is, former workers of factories, ask for certified copies of their income cards, insurance registrars and other documents required for regulating their retirement status and health and social welfare benefits. Such requests also come from the Pension and Disability Insurance Fund (*Fond za penzijsko i invalidsko osiguranje*), when it lacks certain insurance-related documents for processing former workers' pension requests. If the Fund's documentation proves incomplete, local archives are the only remaining place where the evidence of workers' pension rights can be collected. Simultaneously, weeding the factories' collections and processing workers' and Fund's requests has become one of the prime daily activities of Serbian archivists, due to an overwhelming number of state-owned factories gone bankrupt during the last two decades. To illustrate the great importance of these collections for local citizens, the Archive of Čačak received 271 requests for completing the retirement documentation in 2009, whereas this number rose to 450 in 2011 and 488 in 2012⁴. A further proliferation of these requests is expected in the following years, when the majority of this workforce generation reaches the legal retirement age.

State-owned factories' documents potentially offer an invaluable source for labour history researchers. The biggest strength of these documentary holdings is their inventorial comprehensiveness and content uniformity in covering all aspects of enterprises' internal structure, production organisation, many features of everyday life and working environment, as well as of social and demographic structure of workforce and its interpersonal dynamics. What makes the utilisation of such collections much easier for researchers is the fact that in most cases, these documents had been classified into serially organised systematised units already prior to the transfer to archives. These categories mostly follow the respective documentation's functional purpose in the factory's life (i. e., founding documentation and legal registration, production projects, judiciary affairs, tax payments, yearly accounts, worker's personal files, income cards, bankruptcy documentation etc). Within these categories, documents were usually sorted in a chronological order (by years, or in case of income cards also by months), or by a name index (this qualifies for workers' files and individual projects and contracts), which represents a vast help in archival arranging and potential research. It must be noted, however, that not every economic

³ The Accession Book of the Regional Historical Archives of Čačak.

⁴ Yearly work reports and Book of clients' requests of the Regional Historical Archives of Čačak.

facility provided satisfactory conditions for storing their documentation. Thus, in some cases, records were accessed in a damaged state (damage having been most often inflicted by mold or rodents), especially when the facility's premises had been abandoned for a longer time period, or the accessed documentation was incomplete due to incompetent office administrators.

Merely a superficial look over bankrupt factories' holdings reveals an enormous potential for using these documents in labour and social history research. Income cards could serve as an irreplaceable source for compiling data concerning the workers' living standard and economic status of different professions (as well as income fluctuations from a diachronic perspective). Workers' personal files can offer a particularly interesting quantitative historical insight, as their serial character makes them a potentially prime source for establishing different types of workforce structures (gender, age, social/educational background, geographical, rural/urban residence, membership in League of Communists, trade unions and various factory bodies) and data series (length of employment, professional mobility within the enterprise, frequency and length of paid/unpaid/maternity/sick leaves, medical records etc).

Certain collections we have personally processed contain some unique exemplary holdings (which can well be present in other collections still to be processed) that could help reconstruct the vivid internal relations within the workforce, as well as the everyday networks of cooperation, conflict and conformism between the different strata of workers in the Yugoslav self-management. For instance, workers' personal files of the Agricultural Community *Bresnica* offer an illuminating insight into the spread of alcoholism among peasants, often resulting in verbal (sometimes even physical) encounters with the administration, as well as in damaging the Community's costly agricultural machinery through traffic accidents and deliberate abuse. The 1980 war plan of the same agricultural facility reveals paranoid preparations for a supposedly imminent foreign invasion, in light of Tito's death. Other enterprises noted diligently in their judiciary documentation on all sorts of disciplinary dealings with workers, such as the seamstresses of the *1. oktobar* textile industry stealing threads and cloths in order to sew their personal dresses, or a worker of *Ishrana* factory earning four months in prison for forging her primary school diploma. On another note, some personal files series, such as that of the aforementioned *1. oktobar* factory, reveal a peculiar and otherwise unknown temporary migratory movement of Albanian textile workers from Kosovo to Čačak, due to the factory's developed business networks in the southern Serbian province. Medical examination records and health cards testify to the frequency of injuries and grim working conditions in more strenuous jobs, whereas project databases and technical documentation offers a detailed overview of the production development, (un)fulfillment of production plans and the geographical extent of cooperation and distribution networks. Another very interesting insight into the Yugoslav self-management's social networking practices can be seen from the minutes of trade union and workers' council meetings. What strikes most in these minutes is the phenomenon of nepotism among workers, as it was not uncommon that whole families were (intentionally) employed by the same company, leading to many

paradigmatic situations. These several examples are but a small fraction of potentially very fruitful topics potentially explored through this sort of historical sources.

However, the downside of the collections whose large part is oriented towards pension regulation is their partially ephemeral character. It means that many series within these collections are not classified as archival records (*arhivska građa*; defined as the original or reproduced documentary material created by individuals or organisations, possessing a lasting historical, social or cultural significance), but as documentary materials (*registraturski materijal*; original or reproduced documents created by an organisation during its functioning, having a temporally limited operational function for which they have to be deposited, according to the Law on Cultural Goods). Consequently, documentary materials are deposited only for a limited time period, until their operational function (in this case, regulation of pension benefits) expires. The depository threshold for these materials is established through the "List of Categories of the Documentary Materials with Depository Periods" (*Lista kategorija registraturskog materijala sa rokovima čuvanja*). Such lists are compiled as official documents, and according to the Law on Cultural Goods, they had to be issued by every institution or facility producing documentary materials. These lists are supposed to direct the disposal of unnecessary and outdated records and improve the organisations' administrative functioning (in reality, many economic subjects, both during socialism and afterwards, did not and do not have such lists issued, despite the relevant legislature). Depository periods for certain types of documents (i. e., registration papers, book accounting, public acquisition contracts, VAT accounts etc) are established uniformly through the pertaining laws⁵ (meaning that every depository institution has to conform to them). For other categories, only a minimum requirement is prescribed (if at all) by law, whereas record-producing and record-keeping institutions themselves set the depository period or make it permanent. In such cases, the factories create their List of Categories proposal, to be implemented only after the local archive's approval⁶. In practice, however, bankrupted enterprises simply adopt the Lists suggested by the relevant archival institution.

The ephemeral character of many series within these collections presents the biggest problem when it comes to making them available to researchers. Already during the preliminary culling process, archivists are supposed to dispose of many potentially valuable categories of documents (i. e., vacation lists, medical records, non-criminal disciplinary proceedings, workers' personal documents kept in their files, individual employees' professional mobility track records, expired contracts, internal correspondence, certain trade union documents, etc). These series, which at first might seem an unworthy or only temporarily valuable documentary material, might still in future come to represent unique sources of historical knowledge, in

⁵ *Zakon o kulturnim dobrima* cit.; *Zakon o računovodstvu i reviziji*, "Službeni glasnik RS", 2006, p. 46; *Zakon o javnim nabavkama*, "Službeni glasnik RS", 2012, p. 124.

⁶ *Lista kategorija registraturskog materijala sa rokovima čuvanja. Exemplary Sample*, Regional Historical Archives of Čačak, 2012.

light of the diversification of research topics and methodologies in humanities. Naturally, the biased inclination of historians towards preserving the complete documentary material is virtually impossible to be satisfied, since most local archives in Serbia have severe problems with lack of depository space, and hence have to resort to culling procedure, in accordance with the pertaining List of Categories. In their everyday weeding practice, archivists sometimes attempt to alleviate the depository thresholds by keeping certain categories longer than prescribed by the List, although this is mostly done for practical purposes (in case a client turns up requesting these papers even after the repository limit has expired), rather than out of a genuine item-level appraisal or consideration of future historical research. Thus, valuable sources for social history of the Yugoslav self-management are sometimes lost to potential researchers, despite all efforts to harmonise the Lists with the ever-expanding interests of historical research. Particularly troublesome is the fact that exactly these ephemeral categories usually contain some of the more “insider-perspective” documents, which would be an irreplaceable help for studying the history of Yugoslav socialism “from below”.

Apart from their frequent incompleteness, another obstacle for utilising the socialist factories’ records is the obligation to secure the protection of personal and confidential data contained within these documents. This pertains especially to personal workers’ files, medical records and disciplinary proceedings, whose publication, for apparent reasons, could harm the persons to which these data refer. This problem is only partially and implicitly regulated by the Law on Protection of Personal Data (Article 6), which proscribes that the data “acquired and processed for other purposes can be used exclusively for historical, statistical, or scientific-investigatory purposes, unless they serve for issuing decisions or undertaking measures towards certain individuals.”⁷ Such formulation practically enables the usage of personal files’ data for impersonal statistical data analysis, whereas citation and investigation of individual cases would have to undergo a stricter control, i.e. by omitting all personal, legal and geographical names mentioned in the documents. Such ethical dilemmas are not a new thing in historiography (especially in former socialist countries which opened their secret service archives, the issue of personal data protection and censoring the revealing of individuals’ (mostly informants’) identities is particularly aching), but certainly complicate the efforts to utilise the socialist enterprises’ collections to their full extent. This represents just another dimension of the conflict between the professional needs of historians on the one hand, and on the other hand, the right to privacy of persons being the object of historical studies.

Nevertheless, despite the often unsuitable weeding practice and still unresolved data protection issues, the socialist economic facilities’ collections still represent an inimitable source for investigating labour history of socialism from a local perspective. Due to their “premature” acquisition by the archives, the 30-year access threshold is not supposed to apply to bankrupt factories’ documents (unless the respective enterprise’s executive board issues certain restriction, which is quite a

⁷ *Zakon o zaštiti podataka o ličnosti*, “Službeni glasnik RS”, 2008, p. 97.

rare occurrence). However, at least from the experience from the Archive in Čačak, not a single researcher has yet shown intent on using data from this rich documentation (although it must be noted that these collections were acquired fairly recently, so they can still be expected to come into spotlight). Existence of such rich social history data collections holds a very promising potential for Serbian historiography, as the local-level social history research has for a long time been neglected, if not considered a practice ground for non-historians, whereas the preferred “grand” state-level historical narratives often lacked the micro-perspective of such small-scaled objects of scrutiny. However, when this interest starts to pick up, local factories’ collections will be invaluable in this endeavour. Raising historians’ awareness of labour-oriented collections’ research possibilities should also become an intrinsic part of the archival interaction with the academic community. In order to additionally preserve the data completeness and accessibility of factories’ collections, a better compromise between ever-branching needs of historical research and realistic limitations of archival depository space has to be found, as well as to further regulate and specify personal data protection policies, in a way that will be of most benefit to future researchers and former workers alike.

Between rehabilitation and historical revisionism

In 2004, Serbian parliament issued a Law on Amendments and Annexes to the Law on Rights of Warriors, Military Disabled and Their Families, which ascribed all benefits previously enjoyed only by members of the communist partisan army during the Second World War to members of the Yugoslav Army in Homeland (*Jugoslovenska vojska u otadžbini*, JVuO, colloquially referred to as *četnici*) as well. Article 1 of this amendment recognised everyone who fought in their ranks from 17th April 1941 till 15th May 1945 as JVuO fighters (practically during the whole war), while those who joined them in 1941 (the year when *četnici* and partisans fought together against the Nazis) were also eligible for the newly established “Ravnogorska plaque 1941” (*Ravnogorska spomenica 1941.*), a sort of an equivalent to the plaque of honour *Partizanska spomenica 1941.*, previously awarded to partisan war heroes (Articles 2 and 3). This law also foresaw that such newly recognised members of the National Liberation Struggle would be entitled to the same pension and welfare benefits as those who had enjoyed it before 2004 (Articles 13 and 15)⁵.

The Law on Rehabilitation was issued twice after the democratic changes in 2000. The 2006 law defined conditions for rehabilitation of residents of Serbia who had been “deprived of life, freedom or other rights out of political or ideological reasons from 6th April 1941 [emphasis mine: the day of commencement of the Second World War in Yugoslavia] until the day of the Law’s enforcement” (Article 1). According to this law, legal requests for rehabilitation were exempted from a temporal statute of limitations (Article 2)⁶. The new Law on Rehabilitation, issued in 2011, foresaw rehabilitation of Serbian residents and citizens alike (including those

⁵ *Zakon o izmenama i dopunama Zakona o pravima boraca, vojnih invalida i članova njihovih porodica*, “Službeni glasnik RS”, 2004, p. 137.

⁶ *Zakon o rehabilitaciji*, “Službeni glasnik RS”, 2006, p. 33.

convicted in other Yugoslav republics) without a *terminus post quem*. Religious and national reasons were added to eligible grounds for persecution (Article 1), whereas a five-year statute of limitations for submitting rehabilitation requests (starting from the Law's issuing date) was also introduced (Article 9)¹⁰. Rehabilitation processes, apart from their ethical and historical significance, had a direct material implication as well, as an approved rehabilitation request was a prerequisite for claimants to submit restitution requests for property confiscated by the socialist authorities upon the conviction¹¹.

Officially awarding *četnici* with the same legal status and rights as partisan fighters expectedly led to a vehement public debate, in connection to the ambivalent attitude of the *četnik* movement towards the antifascist guerilla struggle and their collaboration with the Nazis¹². Not only did this legislation (particularly in regards to the still-ongoing rehabilitation case of general Dragoljub Mihailović, the iconised JVuO commander-in-chief) mobilise a severe opposition by leftist politicians and members of the Union of Organisations of Fighters in the National Liberation Struggle (*Savez udruženja boraca Narodno-oslobodilačkih ratova*, SUBNOR), but it also opened a deep divide amongst Serbian historians. Whereas one camp saw this measure as a long-overdue "national reconciliation" of all Serbs and a welcome discontinuity with the totalitarian past, others perceived it as a pure historical revisionism, aimed at relativising the antifascist legacy of Tito's army and anachronously exonerating Serbian nationalist sentiments of the 1990s. This debate eventually spilled out onto the arena of school textbooks, culture of remembrance and ideological confrontations between various political parties as well¹³. Such a polarising and politicised revision of historical memory was hardly unique to post-

⁷ *Zakon o rehabilitaciji*, "Službeni glasnik RS", 2011, p. 92.

⁸ The issue of property restitution in Serbia has not been solved in a satisfactory manner yet, and dealing with citizens' restitution requests represents another important aspect of local archives' activities. However, this problem will not be discussed in this paper.

⁹ JVuO undertook a rebellion against German occupation as early as in May 1941, fighting together with partisans until their ideological split in November 1941. Simultaneously focused on sparing ethnic Serbs from open confrontations with Nazis and preventing communists from executing a socialist revolution, many *četnik* units entered into a tacit collaboration with the Nazi regime, whereas some JVuO commanders ordered severe reprisals against Moslem civilians in Bosnia and Sandžak. Still, *četnici* were supported and praised by the Allies all along until the summer of 1944, when the Allied support finally shifted to partisan movement only, due to latter's exquisite results on the warfield, as well as their pan-Yugoslav ideology, rid of the greater Serbian nationalism. See Branko Petranović, *Strategija Draže Mihailovića 1941-1945.*, Belgrade, 2000; see also Mari Žanin Čalić, *Istorija Jugoslavije u 20. veku*, Belgrade, 2013, p. 181-191.

¹⁰ For some examples of this debate see: Todor Kuljić, *Anti-antifašizam*, "Godišnjak za društvenu istoriju" 1-3 (2005), p. 171-184; Gojko Lazarev, *Zakon o rehabilitaciji – dve godine kasnije*, "Hereticus" 2 (2008), p. 71-83; Kosta Nikolić & Bojan B. Dimitrijević, *General Dragoljub Mihailović 1893-1946.*, Belgrade, 2011; Srđan Milošević, *Istorija pred sudom. Interpretacija prošlosti i pravni aspekti u rehabilitaciji kneza Pavla Karađorđevića*, Belgrade, 2013; Dubravka Stojanović, *Ulje na vodi. Ogladi iz istorije sadašnjosti Srbije*, Belgrade, 2010, p. 85-158; Vesna Rakić-Vodinelić, *Rehabilitacija D. Mihailovića kao političko suđenje*, "Peščanik", 2012, 1 April [= <http://pescanik.net/2012/04/rehabilitacija-d-mihailovica-kao-politicko-sudenje/>] [accessed on 2013, 22 November].

socialist Serbia, yet the legislation endorsing the concept of “two antifascist movements” had a peculiar effect on the role of archival institutions in public life. Just like with the acquisition of bankrupted socialist enterprises’ records, the rehabilitation wave gave them a distinctly new role, implicitly involving archivists in wider controversies concerning the reevaluation of Yugoslav past and politicisation of the (post)socialist historiography.

The laws on rights of warriors and on rehabilitation provided the basis for citizens’ rehabilitation requests, as well as for acquiring “Liberation Struggle fighter” pension benefits. Claimants in these requests can be persons convicted by the communist regime, their legal descendants, or the court itself. In order to submit a request, certified copies of every available legal proceeding document, court judgment and other relevant documents pertaining to the respective person need to be collected by claimants. As these verdicts were most often ruled by the county courts, it means that citizens need to address relevant local archives to collect these documents, should they not possess them in their family documentation (which is very seldom the case). When the whole documentation stems from the archive, an official certificate, containing all necessary information from available documents, is issued for use in court. If the client needs only to complete his or her documentation, the archive provides him or her with relevant documents’ certified copies. Unfortunately, as requests concerning rehabilitation and restitution are filed together in the archival books, it is difficult to establish a precise number of rehabilitation requests per year. However, this number usually approximates 150 a year for the archive in Čačak (to illustrate this, in the first eight months of 2013, 46 certificates were issued, while additional documents were provided for 24 more cases).

In the first years of rehabilitation processes, when citizens or the County Court would request documentation pertaining to a particular case from the Čačak Archive, it was often very difficult to find satisfactory evidence which would prove that the person in question was executed or convicted without an official verdict or contrary to the principles of a lawful state. The reason for that was that the court records from this period were transferred under the archive’s custody only in 2012. Until then, main sources had been official lists of victims of war (compiled during the socialist times), camp inmates’ registrars, memoirs, secondary literature etc, which often did not offer solid or sufficient evidence. As of January 2013, 148 requests were positively judged by the Čačak County Court, most of them pertaining to convicted *četnik* fighters (even though the aforementioned laws practically applied rehabilitation rights to many other groups oppressed by communists, such as political opponents or peasant smugglers)¹⁴.

Although the task of processing rehabilitation requests has become by and large easier upon acquiring the official court documentation, there have still been some peculiar situations in which court requests clearly defy sound logic and archivists’ primary responsibilities. Such were many cases where the court would not only ask for documentary evidence that a certain individual, killed in skirmish with partisans during the war, was convicted without a proper trial, but would also require

¹⁴ Gvozden Otašević, *Rehabilitovana i prva partizanka*, “Politika”, Belgrade, 2013, 16 January.

that the archive as an institution formulates an expert opinion on whether the partisan army was legally entitled to issue a death penalty. Often the court would also ask for an expert opinion on who was the “official power structure” at the moment of the respective murder or trial, and whether the Republic of Serbia is a legal successor of this power structure. Such practice proves to be dubious and illogical on several levels. It is only with great vagueness that random executions during war operations could be considered as “death penalties without a proper trial” and inflicted “for political or ideological reasons,” thus making them eligible for rehabilitation procedure. On the other hand, it also puts archives in an uncomfortable position to participate in a very controversial debate concerning the character of the partisan movement and the supposed continuity between the legal system of Kingdom of Yugoslavia (hardly democratic in its own way), military reprisals during the war and the post-revolutionary justice of 1944/45.

When the identification of the power-holder at certain point in time during the war is concerned, different answers can have multifold and far-reaching consequences. In the case of Čačak region, the state structure was the Kingdom of Yugoslavia until the capitulation was signed on 17th April 1941, when the German occupational power was introduced (executed through the quisling state apparatus, led by general Milan Nedić). However, simultaneously with the quisling regime, the Royal Government in Exile operated in London, still officially recognised by the Allies. In autumn 1941, both partisans and JVuO exercised authority for a short while, although according to the 3rd Geneva Convention, they could even be considered as rebellious (illegal) authority (that would, however, imply the annulment of the rehabilitation law and more importantly, the whole era’s antifascist legacy). The communist formation of the Yugoslav federation in late 1943 introduced yet another competing power structure. On another hand, if the legal continuity between the quisling wartime government and the contemporary Republic of Serbia is implied (even in the legally unbinding expert opinion of local archivists), heavy consequences of such recognition would have to be taken in account, most importantly the issue of the responsibility for the racially inspired crimes of Nedić’s regime. Responsibility of such magnitude definitely lies out of the archivists’ professional prerogatives.

In some instances, judges deemed the submitted historical records and previous judicial documentation to be insufficiently comprehensible to be considered a reliable evidence. Hence, they invited historians from our archive to testify as court experts, explain the available archival documents and put them in a historical context, so that the judge could rule if there were grounds for the respective claimants’ rehabilitation. To use just one example, the County Court of Čačak invited a historian from the Archives of Čačak to clarify whether the prewar principal of the local high school, Kosta Mihailović, was a member of the Nazi-improvised court operating at the Military-Technical Centre. The invited “expert” concluded upon the available documentation that Mihailović could not be a part of the occupiers’ judicial structures, and such evaluation paved the way for the court approving this rehabilitation request.

In summer of 2012, rehabilitation practice took a wholly new and unexpected turn, which has additionally complicated and politicised the whole affair. Namely, since then, several archives in Serbia (according to internal conversations, the archive in Čačak seems to lead in this respect for some reason) started getting rehabilitation requests for persons who were killed during the Second World War as members or supporters of the partisan movement. The perpetrators in these cases were usually *četnici* or fascist forces, but sometimes also undisciplined partisan units. Although these requests were officially submitted by victims' families, it was revealed that they had first been encouraged to such step by local SUBNOR branches which, being an organisation and not an individual claimant, could not legally file rehabilitation requests. From July 2012 till January 2013, 102 such requests were filed on the territory under the jurisdiction of the Higher Court in Čačak. The first person to be rehabilitated was Roksanda Lišančić, murdered in 1943 in the village of Atenica, whom this court declared a "victim of terror and violence by *četnik* forces, for ideological and political reasons"¹⁵ (it has to be noted that the Supreme Court has annulled this rehabilitation in the meantime, thus making the legal justification of such requests even more dubious).

It is interesting to note that in these cases, the public prosecutor's office, acting as a defendant on behalf of Republic of Serbia, failed to justify the claim that the right to rehabilitation belonged only to persons "considered fighters of Liberation Struggle" and not to "Liberation Struggle fighters whom this right had never been questioned." The court, however, decided that the rehabilitation right applies to everyone who was tortured or killed out of political, religious, national or ideological reasons without a judicial or administrative verdict, ignoring the fact that most families of partisan fighters and supporters killed during the war had already been granted many benefits during socialism (our archivists diligently provided historical proof of these benefits, which ranged from financial help, special pensions, preferential ranking in education and job-seeking, registration as the "victim of the fascist terror" to building monuments and memorials). Currently, there are around 140 rehabilitation cases being processed by the Higher Court in Čačak, most of them being partisan fighters or supporters murdered by *četnici*¹⁶. It is curious that the main source for these requests are "surveys of fallen fighters," compiled precisely by SUBNOR after the war. One can only speculate on the motives behind this new wave of "counter-rehabilitation", yet both public statements of SUBNOR officials and informal suggestions by local politicians hint that it was a sort of an "equalising measure", aimed at putting a halt to the post-1990s revision of history. Such a scenario is definitely plausible, bearing in mind that parties which opposed rehabilitation of JVuO from the outset have now one of the most influential political factions in Serbia.

On another note, a similarly dubious practice has been noticed during some of the processes. As the 2011 Law on Rehabilitation replaced a three-person court chamber from the 2006 Law with a single judge (Article 10), the outcome of the

¹¹ *Ibidem.*

¹² *Ibidem.*

process now apparently depends largely on the judge's personal views on the rehabilitation phenomenon. Thus, in some cases, the judge would selectively choose the documentation submitted by the archives, including into expert evidence only those documents in favour of (or against, depending on the judge's preference) rehabilitation, simultaneously completely dismissing equally authentic historical records not corresponding to the judge's respective preconception. On another hand, sometimes the plaintiffs themselves, if they were the ones obtaining the documentation from the archive, tended to selectively submit papers to the court, concealing the existence of historical records potentially proving their relatives ineligible for rehabilitation. Such occurrences urged the Archive staff to start specifying in certificates how many pages were submitted for evidentiary, with precise signatures of each page, in order to "urge" judges and plaintiffs to include the available evidence material in full.

The aforementioned examples testify to a completely new role for Serbian archivists, especially historians working in the archives, namely them becoming directly involved in legal processes and influencing final verdicts with their historical judgment. Thus, Serbian archival institutions not only started to provide documentary basis for rehabilitation processes, but also to participate in a peculiarly entwined relationship between historical revisionism, transitional justice and political reconfiguration of Serbia. In light of already mentioned vehement public debates about rehabilitation processes, it is indeed questionable how the practice of "historians in courtrooms" can contribute to a fruitful and scientifically objective reevaluation of the socialist past. This question is especially acute as the available documentation often proves too scarce and vague, so the historian-expert's own opinion on the rehabilitation's (un)justification (potentially biased and based on non-scientific subjective grounds) can greatly influence the court's decisions.

The official aim of rehabilitation laws was to overcome and rectify the authoritarian and undemocratic political legacy of socialism. However, one of the implications of this legislation was also that a monarchist and staunchly nationalist *četnik* movement was, legally speaking, equalised with partisans, thus appeasing the nationalist sentiments present in Serbian political discourse since the 1990s. Such legislative measures, in light of the demise of socialism and Yugoslav federation, had repercussions on wider debates concerning the historical revisionism, as well as on the relativisation of antifascism in the circumstances of revamped right-wing ideologies. However, another important side effect of this process was the reinvigorated public interest in local archives and their holdings. Documents concerning convictions, executions and trials during and after the socialist revolution, previously used mostly for a scarce historical research, suddenly received a totally new kind of attention, namely that of clients trying to reclaim their (or their ancestors') citizen honour and rights (material compensation and potential restitution gains notwithstanding). Processing rehabilitation requests turned into one of the main daily tasks of archivists, who also became involved into historical revisionism debate as invited court experts. The highly politicised nature of these processes can be seen from the most recent wave of "counter-rehabilitations," aimed at annulling the revisionist effects of rehabilitation laws. Yet whatever the outcome of this political

interplay might be, the involvement of archives in judicial processes and political debates has certainly affected the archival role in public life, as well as raised public awareness concerning the local historical memory.

Conclusion

Although the two case-studies presented here were based primarily on the experiences from the Regional Archives of Čačak, it can safely be stated that other local archival institutions in Serbia faced very similar challenges and problems in the past two decades. From the amount of citizens' requests, one can see that processing retirement regulation requests and rehabilitation legal cases has become an indispensable part of service for Serbian archivists. At the same time, these activities came to represent a primary way in which local archives participate in public life and get in touch with wider citizenry. Previously mostly perceived as mere depositories of local administrative records, interesting mostly to (often non-professional) historians, regional archives and their repositories quickly became institutions of interest for thousands of citizens, as well as state courts, marking a distinctly new functional feature of Serbian archives, and reemphasising the importance of cultural and anthropological practices of remembrance and oblivion.

Yet, having a large part of socialist industry gone defunct or attempting to change the perception of the Second World War and socialist revolution is in no way applicable solely to Serbian post-socialist transformation, and exactly here lies the chance for a possible comparative analysis. It would be beneficial to see if similar experiences exist in other post-socialist countries, and how the functioning of their archives has evolved after the fall of socialism. Through such comparisons, ideas for a broader-scoped and a more far-sighted way to preserve and process economic enterprises' collections, as well as for encouraging their use in social history research, could be conceived. Concurrently, a transnational analysis of the role of archives in rehabilitation processes and revisionism debates would put Serbian experience into a broader historical context and potentially offer new insights into ways in which historiography and the culture of remembrance, be it on the national or local level, could be better sheltered from open ideologisation and manipulation for paltry political purposes.