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YUGOSLAV INTERFERENCE WITH A U.S. BOOK PUBLISHER

GOVERNMENT

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HEARING

BEFORE THE

SUBCOMMITTEE TO INVESTIGATE THE
ADMINISTRATION OF THE INTERNAL SECURITY
ACT AND OTHER INTERNAL SECURITY LAWS

OF THE

COMMITTEE ON THE JUDICIARY

UNITED STATES SENATE

EIGHTY-SEVENTH CONGRESS

SECOND SESSION

TESTIMONY OF WILLIAM JOVANOVIĆ, PRESIDENT,
HARCOURT, BRACE & WORLD

JUNE 27, 1962

Printed for the use of the Committee on the Judiciary



U.S. GOVERNMENT PRINTING OFFICE
WASHINGTON : 1962

36017

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YUGOSLAV INTERFERENCE WITH A U.S. BOOK PUBLISHER

WEDNESDAY, JUNE 27, 1962

U.S. SENATE,
SUBCOMMITTEE TO INVESTIGATE THE
ADMINISTRATION OF THE INTERNAL SECURITY ACT
AND OTHER INTERNAL SECURITY LAWS,
OF THE COMMITTEE ON THE JUDICIARY,
Washington, D.C.

The subcommittee met, pursuant to call, at 10:45 a.m., in room 1318, New Senate Office Building, Senator Olin D. Johnston, presiding.

Present: Senators Johnston, Everett McKinley Dirksen, and Kenneth B. Keating.

Also present: J. G. Sourwine, chief counsel; Benjamin Mandel, director of research; and Frank Schroeder, chief investigator.

Senator JOHNSTON. The Subcommittee on Internal Security will come to order.

We have met here this morning on a matter concerning Yugoslav interference with a U.S. publisher. So I will ask counsel to call the first witness.

Mr. SOURWINE. Mr. Jovanovich.

Senator JOHNSTON. Hold up your right hand. Do you swear the evidence you give before this subcommittee to be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. JOVANOVIĆ. I do, sir.

TESTIMONY OF WILLIAM JOVANOVIĆ

Mr. SOURWINE. Would you give the reporter your full name and your residence address?

Mr. JOVANOVIĆ. 92 Birch Road, Briarcliffe Manor, N.Y.

Mr. SOURWINE. What is your business or profession?

Mr. JOVANOVIĆ. I am a book publisher.

Mr. SOURWINE. With what company?

Mr. JOVANOVIĆ. I am president of Harcourt, Brace & World in New York City; president of Longmans Canada, Ltd., in Canada, and chairman of Rupert Hart Davis, London.

Mr. SOURWINE. How long have you been in the publishing business, Mr. Jovanovich?

Mr. JOVANOVIĆ. Fifteen years.

Mr. SOURWINE. And how long have you held your present position as head of Harcourt, Brace & World?

Mr. JOVANOVIĆ. Seven and a half years.

Mr. SOURWINE. Harcourt, Brace & World has recently published a book by Milovan Djilas, is that correct?

Mr. JOVANOVIĆ. Yes sir.

Mr. SOURWINE. This was one of several of Djilas' manuscripts which came to you largely because of your friendship, your personal friendship with Mr. Djilas?

Mr. JOVANOVIĆ. Yes, sir.

Mr. SOURWINE. Before you published this manuscript, do you recall efforts which were made to interfere with its publication, threats which were made against Mr. Djilas, veiled threats of harm to him in the event the book was published?

Mr. JOVANOVIĆ. Mr. Sourwine, I don't know that I would call them threats. I suppose it always is a matter of definition. You can say it was suggested to me that it would be well for me to withdraw publication of the book in view of the fact that I cared about the fate of Mr. Djilas.

Mr. SOURWINE. Mr. Jovanovich, will you, in your own words, tell us about this—give us the background of how you got the Djilas manuscript, and what happened, and go ahead and tell us the story in your own words?

Mr. JOVANOVIĆ. Yes, sir.

Milovan Djilas, as you know, was one of the four leaders of Yugoslavia following the ascension of the Tito regime in Yugoslavia after World War II. He was, by 1954—when, by his own actions, he fell from power—one of the four chief leaders and was widely considered to be perhaps the heir apparent to Tito himself. He was chairman of the parliament, actually, when he was removed from the Central Committee of the Communist Party.

He fell from power chiefly owing to his criticism of the government and of Communist policy in general, criticism which he, as a Communist official, aired in the press: *Borba*, being the official organ of the Yugoslav Communist Party.

After his fall from power, he became a private citizen. But in 1956 his difficulties with the government began, owing to publication of his articles, first in the *New York Times*, later in the *New Leader*. He was sentenced and tried, and given a suspended sentence. And subsequently, when he criticized the action in the Hungarian revolution, he was sentenced again and imprisoned.

Mr. SOURWINE. You mean criticized the Soviet action?

Mr. JOVANOVIĆ. Yes, sir. He was imprisoned then in 1957. But before he was imprisoned, he sent out of Yugoslavia two manuscripts. One was the famous book "The New Class" which was published by another American publisher. The second was the first volume of his autobiography, called "Land Without Justice," which I published. "The New Class" created a great stir throughout the world. Djilas was returned to the court and given an additional sentence—although he was then, as I say, in prison, as a result of the publication of "The New Class."

He was in jail 4 years and 2 months, 20 months of which were in solitary confinement. Upon his release he was paroled. In January of 1961 he wrote me, either the same day he was released or the day after, and said that he had, in his possession, or would soon receive from the prison officials who would turn back to him his writings, three manuscripts.

I went to Yugoslavia in March of 1961, and at that time spent 5 days with Milovan Djilas, discussing his manuscripts. These were

first, a novel laid in World War I, called "Montenegro." Second, a biography of the greatest Serbo-Croatian writer, Nyegos. Third, a collection of tales, short stories.

It was at this time that Djilas told me that he intended to write a fourth book about his experiences on missions to Moscow and meetings with Stalin, and he intended to write it during that summer, which he subsequently did.

In December of 1961, through the mail, I received from Djilas the manuscript for the novel, the manuscript for Nyegos, the biography of the great writer, and the book "Conversations With Stalin."

The decision on my part to publish "Conversations" first was not, curiously enough, related to anything having to do with publishing as such. The biography of Nyegos is an extremely long, scholarly, and very complicated work. I am still struggling in the translation and editing. I am not doing the translation myself. But it will require still another year's work. The novel required some editing. But the "Conversations With Stalin" was so direct, so beautifully organized and written in so simple a style, that it was possible to translate it rapidly, and schedule publication as I did for May of this year.

I went back to Yugoslavia in March 1962—late February and early March 1962—to see Djilas again. And at that time I carried the proofs of the book "Conversations With Stalin." He and I spent time revising it. He added sections which I then translated, and we went over various parts of it together.

While I was there, the first hint of trouble—I shouldn't say the first hint—let us say the first overt action on the part of the Yugoslav Government, which suggested that publication would bring trouble, took place. I believe it was on March 2 or 3. I actually was in Djilas' apartment when one of his friends came with a copy of *Borba*, the official Communist newspaper, attacking a magazine called *Tempo Presente*, which is edited by the famous Italian writer and ex-Communist, Ignazio Silone. In this magazine was a story, one of the tales in this collection I mentioned earlier, which Djilas had sent to Silone. It is a story called "War." The story had no mention of Yugoslavia, of the national liberation army—that is the partisan army. It had no mention of anything in a direct sense political to Yugoslavia. But it was a condemnation of the brutality of people in war and the tragedy of people in war. The Yugoslav Government had banned this magazine. I would guess not more than 50 copies are sent into Yugoslavia normally. But they banned this magazine. They made no mention of the reason—they made mention of the reason that it had this story "War" in it, but they made no mention of Djilas as the author of the story.

It was at this time that I told Djilas of my very great fears that publication of "Conversations With Stalin," would create an extremely difficult situation for him. But he didn't feel that this would occur, or if he did feel that it would occur, at any rate he didn't dissent, and he urged me to go ahead with publication.

(Senator Keating enters the hearing room.)

Mr. JOVANOVIĆ. I left Yugoslavia—I believe the date was March 4, 1962. Up to this point I had not announced the existence of this book, except, curiously enough, in Yugoslavia. I had, when I arrived at the end of February, said to Djilas that I thought that it might be well, since I had all along treated this book not as a sensa-

tional document, not as something that was propaganda—a propaganda instrument—it might be well for me in my dealings with other Yugoslav publishers and writers to mention the existence of this book in a calm and regular way, as one of the publications. I had on my list several other Yugoslav books. Djilas agreed to this, and so I did mention it to some Yugoslavs during that visit of early March 1962.

Mr. SOURWINE. Did you mention it to anyone connected with the Government?

Mr. JOVANOVIĆ. I mentioned it to publishers and editors.

(Senator Dirksen enters the hearing room.)

Mr. JOVANOVIĆ. Now, whether any of them was connected with the Government, Mr. Sourwine, I wouldn't know. This was done with Djilas' cognizance. That was the first mention, as I say.

Before I left March 4 to go to Paris, Djilas and I agreed that, since I had not publicized the existence of this book, perhaps the most sensible way to announce its existence would be to let one newspaper, one columnist, if you will, speak of the book. And so, when I got to Paris, I showed the galleys to C. L. Sulzberger of the New York Times. He returned the galleys to me. And subsequently, on April 2, he published a column about the existence of the book, quoting from it.

This was not, however, the first mention of the book in this way in the American press.

Unbeknownst to me, that is unbeknownst until mid-April, Djilas had, I believe the very day I left, March 2, or perhaps the next day, told a woman named Dasia Bourne, who is a correspondent for the London Times. She is a Yugoslav by birth, and now a British subject, married to a man named Eric Bourne, who is the correspondent for the Christian Science Monitor. Djilas had at great length described the book to her, allowed her to look at the manuscript, and she apparently took copious notes. She then turned over these notes to her husband, Mr. Bourne. And as a result—I am not sure of my dates, Mr. Sourwine, on this—on March 30 or 31, I think, the Christian Science Monitor ran an article under Eric Bourne's byline about the book. So that my attempts to give Sulzberger the first notice of the book turned out by accident not to be the first, but the second.

I had scheduled publication of the book for mid-May. Sulzberger's piece came out April 2. Beginning April 3, an attaché in the New York consulate, named Drago Vujica—

Mr. SOURWINE. That is the New York consulate of Yugoslavia.

Mr. JOVANOVIĆ. Yes, sir. The New York consulate of Yugoslavia. He attempted to get in touch with me. And through a series of mishaps, owing to my being away from town, and one thing or another, I didn't actually see him—I didn't actually talk to him until April 5. At that time he said it was a matter of great urgency, and could he see me. I agreed to stop by the consulate on Fifth Avenue on my way down to my office, on the morning of Friday, April 6. I then went to see Mr. Vujica, whom I had met and had known previously. Mr. Vujica said he had had word from Belgrade that the forthcoming publication of the book was a matter of grave and urgent concern to the Yugoslavs, and that the Yugoslavs considered the book to be harmful to Yugoslav interests. Mr. Vujica's attitude was that as a friend to Yugoslavia, as a second generation Yugoslav, surely I didn't want to do anything that was harmful to Yugoslav interests,

that was egregious, or superficially harmful for no purpose at all. I then denied that the book was harmful to Yugoslav interests, and said to Mr. Vujica, that indeed the Yugoslavs emerged from the book as being quite heroic and brave in the face of Soviet imprecations during the 1948 crisis, when Yugoslavia broke with the Soviet Union. This discussion went on for a bit. And finally Mr. Vujica said "well of course your opinion that it is not harmful is one we can't corroborate, because we haven't seen the book."

Later he said that, since I was a friend of Djilas, I wouldn't want any harm to come to Djilas either; would I? And I said, "No."

So then I said, "Well, Mr. Vujica, I don't feel we are getting anywhere in this discussion. I think the book is not harmful, and I don't see how it could be harmful to Mr. Djilas either. But you say you haven't read it, and consequently this is an uneven discussion. I will send you two proof copies of the book, and I would suggest that you and the consul general let me know in about 10 days what your opinion of it is."

All through this discussion Mr. Vujica said he thought the best thing would be for me to withdraw the book. I did not at that time either agree to withdraw the book or to postpone it during this conversation.

However, I left the consulate and went back to my office, and felt that this was indeed a most serious situation for Djilas.

Mr. SOURWINE. You got the definite impression that there had been an attempt to convey to you, a successful attempt to convey to you, that there was danger for Djilas if the book became published.

Mr. JOVANOVIĆ. Yes; I think that was the impression, Mr. Sourwine.

When I got back to the office, I was in a rather depressed mood about this, and decided that it would be well to postpone publication of the book. I had announced publication, I believe, on April 5, perhaps April 4, to the press; that is, the formal announcement, that it was to be published on such and such a day. And so I did, on April 6, when I got back to the office, tell our publicity department to send out a notice to all newspapers and reviewers, and so forth, that the book had been postponed—no explanation.

I then sent to Mr. Vujica two proof copies of the book with a note saying that I had postponed publication for a short time, and that I would expect to hear from him and the consul general by April 17, roughly 10 days.

Mr. SOURWINE. Did you meanwhile call in any outstanding proof copies of the book?

Mr. JOVANOVIĆ. Yes sir. I believe there were—I am not sure of this, Mr. Sourwine, I don't have my records—but I guess there were seven or eight out in the hands of people like Time magazine and others. I called back proof copies. I called back proof copies from some private readers. I believe I had sent a proof copy to Walter Lippmann and McGeorge Bundy, and I asked for those back.

Then the next morning I learned that Djilas had been rearrested in Belgrade. I called Vujica, who said he didn't know about this, and said that I would like to obtain a visa to go to Yugoslavia. I didn't at that time say why I wanted to go to Yugoslavia. I simply said I wanted to go. I did apply for a visa. And on my visa I said

I wanted to see authors and publishers, which is what I always put on the visa, and which was indeed the truth.

On April 9 I came to Washington for a number of purposes, one in part to see an architect who is consulting on the construction of our new building. And also in part to see the State Department.

On April 10, Vujica called me—

Mr. SOURWINE. Pardon me, sir. Whom did you see in the State Department?

Mr. JOVANOVIĆ. Mr. Mudd at the Southern European Section.

Mr. SOURWINE. What was the purpose of that trip?

Mr. JOVANOVIĆ. What was my purpose, sir?

Mr. SOURWINE. Yes, sir.

Mr. JOVANOVIĆ. My purpose, I think, was threefold. First, I wanted to make it known that I was going. Secondly, I wanted to obtain an interview, if possible, with Ambassador Kennan. I thought the proper way to do that would be to tell the State Department beforehand. And thirdly, I thought it would be well for the State Department to know what the general background and situation was.

Mr. Vujica called me while I was in Washington, April 10, and said that I had been granted my visa.

Mr. SOURWINE. Where did he reach you?

Mr. JOVANOVIĆ. Well, through a mixup, he didn't reach me at the hotel. He reached me at the State Department. The phone company, I think, was overzealous, or overefficient. The call got switched over to the State Department, when I had asked for it to be kept at the hotel. And I was in the State Department at the time. He said I had my visa, and he said "you will not get your—you will not hear from us in New York." He was obviously referring to my note, saying that I would like to hear by April 17. I would like to hear the opinion of the consul general himself on whether or not the publication of the book was harmful and by implication to Djilas.

Mr. SOURWINE. Did you ask him if that is what he meant.

Mr. JOVANOVIĆ. No sir, I didn't press it. He just said twice "you will not hear from us in New York." I took this to mean that I might indeed hear in Belgrade. I took it as an encouraging sign that I might be able to talk with the people in Belgrade about this matter. Now, whether I read into what he said more than he intended, I cannot say.

I left New York, flying to Zurich, that evening. When I got to Zurich, I was met by a British newspaperman and said that my purpose was, if possible, to see Mr. Djilas, and to find out what his situation was. I arrived in Belgrade that evening, met by the entire press corps in Belgrade, which had gathered there—most of them are stationed in Vienna—as Gromyko was coming on April 16, the following Monday. And so they had gathered to prepare for this occasion.

I then held a press conference, substantially saying that my purpose was, if possible, to see Mr. Djilas, and to do what I could in his interest.

I did not at any point, say that I would withdraw the publication of the book. Now, I don't want to be ingenuous about this. The press took up the implication that I was willing to withdraw the book if Djilas would be released, and I did nothing to correct that implication. But I would like to point out formally, officially, literally, I never did make the offer.

Subsequently, while I was in Belgrade, I tried to see Djilas. I went to the Secretary of Internal Affairs. There I had, as has been quoted in the press, an almost Kafka-like experience of being told that one couldn't apply to see a man who was free. And as I say, there was a sort of frightening logic about this, because since the Yugoslav press and radio had not announced his arrest, he was, in the view of Yugoslav citizens, indeed free. The rest of the world knew he wasn't, but apparently the Yugoslavs didn't.

I then finally, through many moves, did obtain an interview with Enver Humo, who is the Secretary of Information, and during this conversation with Mr. Humo, I was told by him that my visit really was quite fruitless, that I had made a contract with a known convict and that circumstances that had ensued should not surprise me, for Mr. Djilas' criminality had been already established by the newspaper accounts of the forthcoming publication of the book. I was told also by Mr. Humo that my opinions on whether or not the book was harmful to Yugoslavia were irrelevant, I was a foreign subject—he told me I was a foreign subject at least 16 times, as if this were a startling piece of information. And that there was no question as to the fact of his guilt. The newspaper accounts of the book were sufficient to establish his guilt. Now, I don't mean to imply that he said at any point that it didn't make any difference whether the book was published or not. He didn't say that. He simply said there was no—in effect he said there was nothing I could do, there was no one I could talk with, there were no propositions I could put forth that would bear on the case.

Subsequently, I did, through a third person, write to Crno Byrna, who is the secretary general to Marshal Tito, and received a reply, again through this third person, that there was not any point in further discussion. I had had my responsible reply.

I then left Yugoslavia on the morning of April 16, which again was the day Gromyko was arriving.

On the plane coming back, I was faced with the decision whether or not to publish the book. I had not seen Djilas. I had seen his wife every day during my visit, and for many, many hours. She left the decision entirely in my hands. I then decided, and on my arrival in New York, announced that I would publish the book on May 25. This turned out to be a sort of lunatic accident. I had simply chosen a date 8 days later than the original publication date, assuming that the whole process of publishing had been delayed that long, and I happened to have chosen Tito's birthday. Subsequently, I got letters from European correspondents saying what a misfortune this was. But I didn't change the date.

Mr. SOURWINE. Why was it a misfortune to publish Djilas' book on Tito's birthday?

Mr. JOVANOVIĆ. Well, Borba—the official newspaper—finally announced Djilas' arrest. And in this article announcing his arrest, dwelled at great length on my own role in this, saying that at first I had been disingenuous, I had said that the book was of historical interest, a memoir. Later I became more honest—I think these were the words of Borba—and admitted that this was a propaganda instrument—I don't know where they got this information. And that finally the extent of my deviousness was revealed by the fact

that I had chosen the very date of the marshal's 70th birthday to publish the book.

You will understand, Mr. Sourwine, that there is an extraordinary sensitivity among the Yugoslavs on things that perhaps wouldn't bother you or me, but indeed do bother them.

Well, I did publish the book on May 25. I have had no further relations with anybody in Yugoslavia. I have written to Mrs. Djilas on three occasions. I have received no reply.

The only other thing that has happened that relates to the Yugoslavs is that I wrote the consul general in New York about a week ago, saying that, in the court sentence that was passed on Djilas' trial, it was said that the court would confiscate any royalties from "Conversations With Stalin." And I wrote to the consul general saying I was aware of this judgment, but that I had royalties from "Land Without Justice," the earlier book I had published in 1958, and had he any suggestions as to how I could send such moneys to Mrs. Djilas without causing difficulty or confusion. I have received no reply.

Djilas was tried in a secret trial, a closed trial. He was condemned to 9 years, 9 months, imprisonment, half of which is the continuation of the former term—that is the revocation of his parole—and half of which is a sentence based on a law passed March 17, an interesting date. The existence of the book was then known. And this law says that any Yugoslav who, as an official or former official of Yugoslavia, publishes information he obtained as an official that was or could be harmful to the Yugoslav state, was liable to imprisonment and 10 years hard labor.

Mr. SOURWINE. Then Mr. Djilas was convicted and sentenced to four and a half years of hard labor under a law that was passed after the alleged offense was committed.

Mr. JOVANOVIĆ. Yes, sir, it is a retroactive law. The existence of the book was known. It is also rather interesting law, because I think if one carried it to its logical extent, there are quite a few Yugoslav officials, or ex-officials, perhaps even the Marshal himself, who have revealed information which in a later context might be considered harmful to the Yugoslav interests. But it is not for me to judge what they had in mind in their jurisdictional procedure.

I say they were aware of the book because it was mailed in December of 1961. Let's assume that the manuscript came through the mail without examination. Still, I did mention the existence of the book to several Yugoslavs March 1, 2, 3. Djilas himself was interrogated about the book—and I am sorry I don't have my notes on this—I think he was asked to submit the manuscript to the Department of Justice of Serbia. He was interrogated on April 2 by one of the prosecutors or inspectors, or justices—I haven't got the exact terminology—on April 2, about the book. He was arrested on April 7.

Well, that, sir, is, briefly stated, or perhaps not so briefly stated, the background.

Mr. SOURWINE. Have you had any word from Mr. Djilas since his arrest and incarceration?

Mr. JOVANOVIĆ. No, sir. I heard from a correspondent that he was alive and well. He is in the central prison apparently in Belgrade. The reason he apparently has not been moved to Srmska Mitrovica, which is the Serbian state prison, where he had spent his previous 4 years and 2 months—and where ironically he had also been im-

prisoned 3 years—1933 to 1936—as a Communist, by the royal Yugoslav Government—because his wife entered an appeal. Now, as I understand it, the appeal really is against the jurisdictional procedure rather than against the sentence as such. Presumably, if the appeal is turned down, he will then be moved to Srmska Mitrovica, to serve out his term.

This correspondent also told me that he was denied writing materials, and was writing on toilet paper.

Mr. SOURWINE. He is still writing?

Mr. JOVANOVIĆ. He is still writing. He will always go on writing.

Mr. SOURWINE. Do you plan to go ahead and publish the other books by Djilas, of which you have manuscripts?

Mr. JOVANOVIĆ. Yes, sir; I intend to publish the novel next spring, possibly the short stories the following fall, that is the fall of 1963, and the biography of Nyegos, spring or fall of 1964.

Mr. SOURWINE. Have you had any other experiences during your publishing experience in efforts of a foreign government to interfere with the publication of a book in the United States?

Mr. JOVANOVIĆ. No sir. I have published other Yugoslav books, and have very good relations indeed with the Yugoslav publishers. And during the past 2 years I have advised Yugoslav publishers, and indeed tried to help Yugoslav writers as well as I could in my capacity.

I am not so sure that "interference" is the right word. You know, it is really quite possible that you could come to me and say "I don't think the publication of a book would be well. It might hurt these people—some person." I have known of instances like this. This might be construed by me to be an opinion on your part. I don't know that I would consider it strict interference.

Mr. SOURWINE. Well, I don't know why you used me for an example. But taking me as an example, I would have no power over Milovan Djilas, would I, to do him harm?

Mr. JOVANOVIĆ. I am sorry, sir.

Mr. SOURWINE. I would have no power over Milovan Djilas to do him harm?

Mr. JOVANOVIĆ. No, that is true.

Mr. SOURWINE. Whereas the Yugoslav Government had that power, and the impression was, at least you understood, that that power would be used if the book was published, and that Djilas might be harmed.

Mr. JOVANOVIĆ. That is true. I would agree fully with that. What I am saying though—

Mr. SOURWINE. That is nothing more nor less than blackmail, is it?

Mr. JOVANOVIĆ. Well, I suppose—yes, if it is more firmly put. But I was never told, you see, that he would not be harmed if I withdrew the book. Let's say that it was very subtle blackmail at the best.

Mr. SOURWINE. The touch was light.

Mr. JOVANOVIĆ. The touch was extremely light, yes.

What I was trying to say, Mr. Sourwine—I think we are talking about the same thing—but I was under no compunction to agree. I was under no—in short, I had perfect free will in the situation. So that while they did hold over me something that was indeed dreadful to me, which was harm to Mr. Djilas, I don't think they were under any illusions that I couldn't go ahead as I wished.

Senator JOHNSTON. When did you first find out about this law that they put into existence in March?

Mr. JOVANOVIĆ. Curiously enough, Senator, I didn't know about that law immediately. It was enacted on March 17. I only learned about the full extent of the law by translation from a Swiss newspaper about April 4, and I immediately wrote Djilas a long letter, which presumably came the day after he was arrested, and was never received. And I wrote him at great length in this letter that I had just discovered the full text of this law, and that I was gravely concerned.

Senator JOHNSTON. Did he at any time tell you that he knew of this law being in existence?

Mr. JOVANOVIĆ. No sir. You see, I left March 4. The law was passed March 17. And I had no correspondence—I had correspondence from him, but no mention of this law, no sir.

Senator JOHNSTON. But you know he is serving at the present time because he did give to you the right to publish this book.

Mr. JOVANOVIĆ. I don't think there is any question that the publication of the book, or, let us say, the forthcoming publication of the book, the handing over of the manuscript, subsequent press accounts based on it, were the cause of his trial or revocation of his parole, and the new sentence. There is no question about that.

Senator KEATING. Would you be guilty under the same law as a conspirator with him?

Mr. JOVANOVIĆ. I don't see how. I am not an official or an ex-official of Yugoslavia.

Senator KEATING. It doesn't have a conspiracy—they don't recognize a conspiracy, the way we would in this country.

Mr. JOVANOVIĆ. As an American citizen, I don't see how they would have any jurisdiction.

Senator KEATING. I know, not unless you were there.

Senator JOHNSTON. I believe, though, you state that the law sets forth that you must have been an official of that government.

Mr. JOVANOVIĆ. Yes sir, or an ex-official.

Senator KEATING. Yes. But in this country, a person who conspired with an official to breach the law could be, under our system of justice—

Mr. JOVANOVIĆ. It is an interesting point, Senator. I am not so sure that is true. Let's say that Senator Nixon, or rather Vice President Nixon, whose book "Six Decisions"—let's say there were an American law of this nature, and he was considered as an ex-official. Incidentally, it was mentioned to me by Mr. Vujica, as an example, that Winston Churchill had asked Parliament, or had asked the Home Secretary, had asked someone, whether or not he could use materials in his history of World War II which he had gleaned as Prime Minister of England. And Vujica cited this as an example that even in the Western Democracies an official had sought approval before he used official information. This was Vujica's statement.

But to get back to the other point, let us say we had such a law in this country, and Vice President Nixon ignored it. I am not at all sure that the publisher would be in any way liable. Under the Bill of Rights he would certainly have very good recourse not to be liable.

Senator JOHNSTON. Now, aren't you getting into a field where the wording of the statute would determine the issue?

Mr. JOVANOVIĆ. Well, perhaps I am, Senator. Perhaps it is because I feel very keenly about book publishing being the freest form of expression in America.

Senator KEATING. While we recognize the Bill of Rights, I don't imagine the Yugoslavs have a Bill of Rights, at least similar to ours.

Mr. JOVANOVIĆ. Well, of course there is always a question of whether you have laws—and whether you abide by them, too, I suppose.

Mr. SOURWINE. Mr. Jovanovich, so the record might read clearly on that, I would express a legal opinion off the cuff, which is always dangerous. I think that such a law, if enacted in the United States, would be unconstitutional, both as regards Vice President Nixon and any other author, and as regards you or any other publisher. It wouldn't be a case of the law catching the author and not catching the publisher. The freedom of the press would protect both.

Mr. JOVANOVIĆ. Yes, I think this is a highly academic discussion, and probably fruitless. But I was perhaps trying to glorify the fact that in book publishing, there are practically no pressures of any kind in this country. It is to my mind the freest form of expression.

There are not even any advertisers, Mr. Sourwine.

Mr. SOURWINE. I have no further questions.

Senator KEATING. I have a couple of questions.

You have known Djilas for a long time?

Mr. JOVANOVIĆ. No, sir; not a long time. I met him only on the two occasions, March of 1961 and March of 1962. Of course, I have known of him a long time, and we had correspondence. I wrote the introduction to his book "Land Without Justice." When he was released from prison, he wrote me that he felt I understood very well the Montenegrin background. My father was a Montenegrin. But we did on those two occasions spend 5 days with each other in almost constant conversation.

Senator KEATING. What was his first offense that he was charged with, for which he served a sentence?

Mr. JOVANOVIĆ. The first offense I think was—and again I don't have the exact record—the first offense I believe was a criticism of Communist philosophy, the Communist doctrine, published in the New York Times. That is the one he got a suspended sentence from. He was tried, but given a suspended sentence. The second was the criticism of the Soviet action in Hungary, which he characterized as the beginning of the end of communism, and for that he was tried again, and this time sentenced, I think, to 3 years. The third trial had to do with the publication of "The New Class," when he was returned from prison, tried again, and given, I believe, 6 more years.

Senator KEATING. When was the trial at which he was convicted for criticizing the Soviet action in Hungary?

Mr. JOVANOVIĆ. I think January 1957, or late 1956—I am not sure.

Senator KEATING. Did you ever discuss with Djilas the image of Yugoslavia that was being promoted, as being separate from the Communist bloc, so-called—the Communist bloc countries?

Mr. JOVANOVIĆ. I discussed at great length with Djilas the future of communism. Our discussions generally didn't take the form of any

discussion of the Yugoslav foreign policy in relation to the West and the East, but rather discussions about the Soviet Union, Communist philosophy, and Communist practice, the weaknesses in the Communist system, and so forth. I don't recall that he ever specifically spoke of the situation of Yugoslavia in either the Eastern or Western blocs, or as a neutralist nation.

Senator KEATING. You didn't discuss that particularly?

Mr. JOVANOVIĆ. Well, particularly I think, Senator, for the reason that Djilas is a poet, and a philosopher, and he is deeply interested in the nature of communism. I don't mean he is not also interested in the practical political effects of international relations. But as sometimes will happen, we discussed this at such great length we never got around to talking about the other.

Senator KEATING. What is his political orientation—if you could describe it in terms we would recognize here.

Mr. JOVANOVIĆ. Well, I would say that were he to be identified in the sense of a political organization, his thinking now is fairly close to that of the social democrats in Germany, or the labor party in Britain, the Christian Democrats in Austria.

Senator KEATING. Was he at any time a Communist?

Mr. JOVANOVIĆ. Oh, yes.

Senator KEATING. He embraced that philosophy at one time?

Mr. JOVANOVIĆ. He not only embraced it, he helped define it. He was the theoretician of the Yugoslav Communist Party, along with Moshe Pijade. He was, for example, the man who defended the so-called independent communism in Yugoslavia in the 1948 break with the Soviet Union. It was his articles in the press in Yugoslavia, which gave to the Yugoslav people, as it were, the philosophical line about independent communism, communism existing independent of the Soviet Union. He was a Communist actually from 1933 to 1954. He suffered greatly as a Communist because he was tortured and imprisoned by the Royal Yugoslav Government from 1933 to 1936. He is not now a Communist, obviously. But I think, as I tried to explain briefly—at a previous occasion—with Djilas it is not defection, and it is not heresy. I think this point means more to me than it does to others, because I don't always get a warm response when I talk about this. But there isn't in him any sense of having renounced the religion, having joined a new one. He is not fanatical in his renunciation. He feels communism went through a phase, he feels it is fairly well showing signs of decline, he feels he went through a phase. But, unlike so many ex-Communists we have discovered in the United States, he doesn't become another kind of fanatic.

Senator KEATING. Were the only American officials who discussed this book with you—the publication of it—the men you saw in the State Department on that occasion when you were called in?

Mr. JOVANOVIĆ. There was just Mr. Mudd.

Senator KEATING. Is Djilas now in solitary confinement?

Mr. JOVANOVIĆ. I would presume so, yes sir.

Senator KEATING. There was a time, I believe you indicated in executive session, that his release from solitary confinement came about as a result of efforts made by Mr. Nehru in his behalf.

Mr. JOVANOVIĆ. This is what I have been told on very good authority—that he had been in solitary confinement, I think, for a period of 20 months, in an unheated cell, and——

Senator KEATING. In an unheated cell?

Mr. JOVANOVIĆ. That is what I was told. And that Prime Minister Nehru, in a conversation with Marshal Tito, suggested that this was inhumane, and he was then removed from solitary confinement. But whether or not Nehru had anything to do with his subsequent parole or not I have no information. But I do have what I consider very reliable information that Nehru did effect the bettering of his prison conditions.

Senator KEATING. Is there any action which you think any official of our Government, or the Indian Government, or any other could now take to better his plight in any way, or would any such action do him more harm than good?

Mr. JOVANOVIĆ. Well, Senator, I don't think he can be done very much more harm than he has been done, short of being killed. I don't think the American press, the American Congress, and the American executive branch, were very active or helpful during his previous imprisonment, whereas the British labor party was extremely helpful, Aneurin Bevan, to whom he dedicated the book, "Conversations With Stalin," was very active in his behalf, as was Jennie Lee, a Member of Parliament, and Aneurin Bevan's wife.

The Socialist Parties, that is the Social Democrats, or the Christian Socialists, were also active in his behalf during his previous imprisonment.

I would think now that there will be, among the Members of Parliament in Britain, particularly among the Labor Party—I don't know why I say that—and I see no reason why not among the Conservatives—some efforts being made. I should think among the Italian Party some efforts are being made, and among the German and Austrian. Whether the neutralists, so-called neutralists or non-committed people, such as the Indians, will be of any assistance, I don't know.

On the whole, I don't look for much help for Mr. Djilas from the Americans, because we seem to be in a peculiar position of having to deal always with foreign aid, and I suppose anything that is done officially is construed as a form of blackmail—"we won't give you aid unless you act in a certain way." But I think it is a great pity, because I don't think the American Congress or the American executive or the American press need regard Djilas as a political figure. He is not the head of a political party, he has no followers in Yugoslavia, he is not fomenting any internal revolutions. He is a poet, a philosopher, a writer, a man who has thought deeply about communism, and intends to go on writing. He is in this sense like Boris Pasternak. I think he is an extraordinary writer. He has been a poet always. He has never stopped writing. And his writing gets better and better as he gets freer and freer from Marxist dialectic.

But it seems to me that in this country we are perhaps oversensitive to the fact that we might be criticized for saying something of this kind. I don't see any reason why the American Congress or the American executive shouldn't make a strong statement to the effect that this is persecution of a thinking, writing man, and that this is everybody's concern. It isn't an internal affair. I don't think a writer jailed is ever an internal affair. I think it is a world affair.

Senator JOHNSTON. Isn't a great deal of the reason that the public has not taken a hand in this the fact that they do not know and have the information that you have.

Mr. JOVANOVIĆ. Well, that may indeed be so, Senator. The book is in existence, his history is known. I don't know how to get this information available to people. It does seem to me of extreme importance that Djilas be kept alive, that he be allowed to write. And I can't help but feel that if the British and the Germans and the Austrians and the Italians, privately or in parties, can bring pressure to bear and bring opinion to bear, as they did in the previous imprisonment—I don't see any reason why the Americans can't as well.

Mr. SOURWINE. Your point about aid was an interesting one. Do I understand correctly that what you meant is that the United States, once having undertaken to give foreign aid to a country, is, during the period of such aid, more or less stopped from bringing any pressures on the country for moral purposes or otherwise, for fear that we would be accused of blackmailing the country?

Mr. JOVANOVIĆ. Well, I think, Mr. Sourwine, we have been faced with this the last 15 years. When you help somebody out, they are extremely sensitive to your commenting about their appearance, or anything else, aren't they? I think we are always in that situation. I think the Yugoslavs have become masters at the game of hurt pride, of sensitivity. They are a sensitive, proud, people. I am of Yugoslav ancestry, and I am proud of them. But I also think perhaps you can wear pride on your sleeve perhaps a little too much.

Senator JOHNSTON. In other words, it is your attitude, then, that we should not make any exceptions, and give to the Communist countries like we give to other countries—is that your attitude?

Mr. JOVANOVIĆ. I am not speaking on the subject of whether foreign aid to a Communist country is desirable or not. I am saying that, on a question of moral integrity, on a question of free speech, I don't see that our position of giving aid is really relevant. I don't see why we can't take a position with a country we give aid to, as well as a country we don't give aid to. By we, I don't mean the official position, but I mean as Americans of standing, such as Members of Congress, such as important writers and the press.

In short, I think that what I am trying to say—perhaps this is oversimplified—is that, if Djilas were a Frenchman and had been treated in this way, I wouldn't expect that anybody in our Government or in our press would hesitate to criticize the French Government for what they thought was morally a reprehensible action. Why should we hesitate to criticize a Communist country to whom we give aid?

Senator KEATING. I couldn't agree with you more. I think you are absolutely right.

Mr. JOVANOVIĆ. I am not suggesting that aid is not desirable. That is not my point.

Senator KEATING. You are not getting into the question of whether or not aid is desirable. What you are saying is that whether we are giving aid or not giving aid to a country, if they do something that offends our sense of inherent justice, there is no harm in our speaking out about it. I think we should. I agree with you thoroughly that when a great literary figure like this is locked up on a political crime in any country, it is a matter of international concern.

Mr. JOVANOVIĆ. I think so, too, Senator.

Senator JOHNSTON. I think we will all agree with you on that point, as far as that is concerned.

Mr. SOURWINE. Mr. Jovanovich, if there were a law enacted in the United States making it an offense to interfere or attempt to interfere with the publication of any book, would it be a protection of material value to the publishing industry?

Mr. JOVANOVIĆ. No, sir. I think that what has happened in this case is a very rare instance. If I may say so, Mr. Sourwine, without seeming presumptuous, I hope the Congress doesn't pass any laws about publishing, even to help it. Book publishing in this country is absolutely free.

Senator JOHNSTON. In other words, our form of government, under the Constitution, gives you that right, without any laws.

Mr. JOVANOVIĆ. Yes, sir; and it operates magnificently. And I just think the Congress perhaps has other more urgent matters, and this is working just fine.

Senator KEATING. I suggest, Mr. Chairman, I think all of us—I am sure all of us have deep feeling about the incarceration of Djilas. I would suggest that a copy of this transcript be forwarded to the President and the Secretary of State for review. I don't know myself what we can properly do. I think their attention ought to be called to it at least.

Senator JOHNSTON. If there is no objection, it will be referred to them for their consideration, so they will have this before them, for their information.

Senator KEATING. Particularly if this man is suffering under solitary confinement as he did for what was it——

Mr. JOVANOVIĆ. Twenty months.

Senator KEATING. In an unheated cell—I think all of our officials ought to know that. I am not sure just what they can do.

Mr. JOVANOVIĆ. I don't know whether his cell is unheated now.

Senator KEATING. Well, it won't be so bad now.

Mr. JOVANOVIĆ. But I think the denial to him, if it is true—and again this is a secondhand report—of writing materials, and reading materials, to him is perhaps even more important.

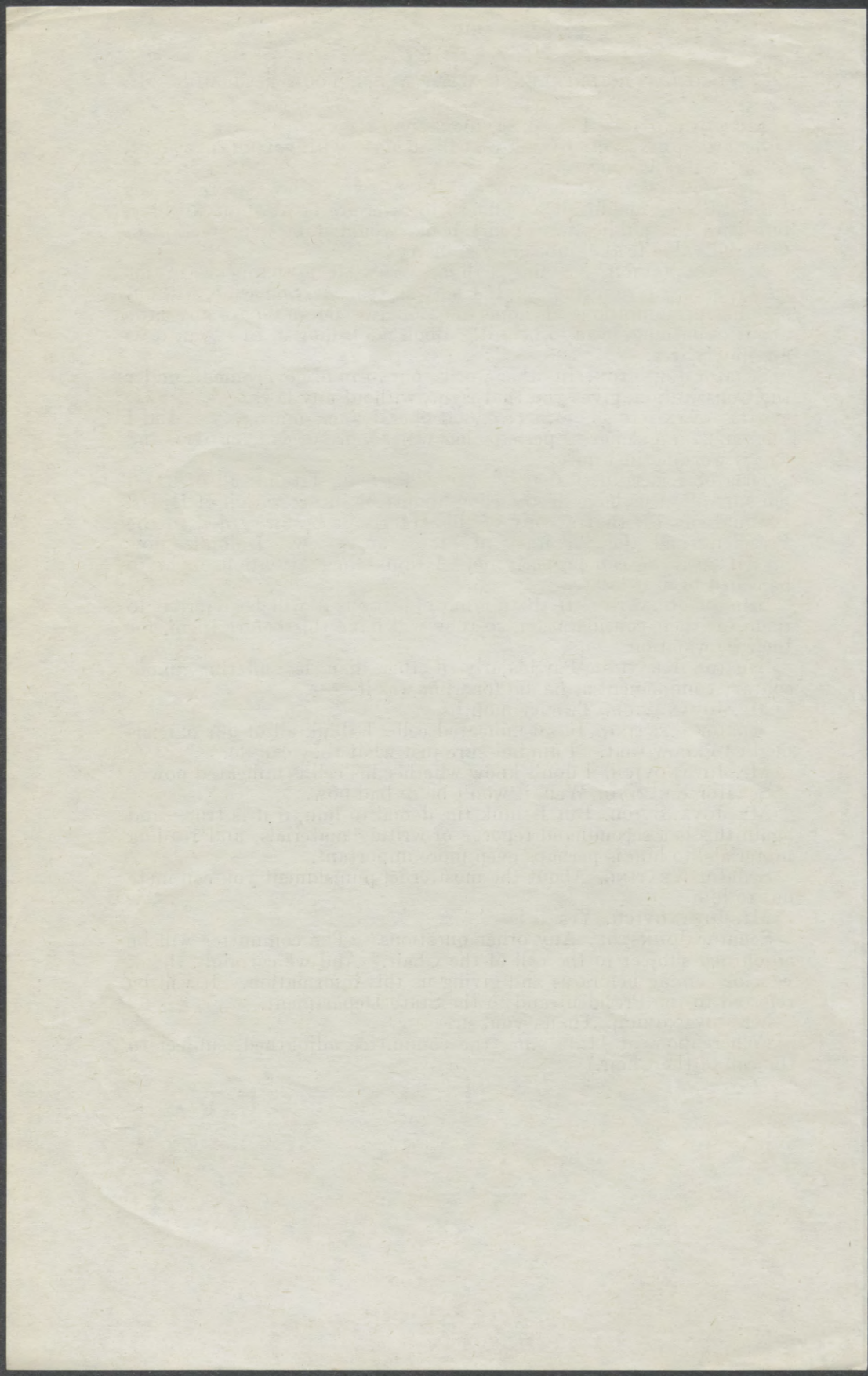
Senator KEATING. About the most cruel punishment you can mete out to him.

Mr. JOVANOVIĆ. Yes, it is.

Senator JOHNSTON. Any other questions? The committee will be adjourned subject to the call of the Chair. And we certainly thank you for coming before us and giving us this information. It will be referred to the President and to the State Department.

Mr. JOVANOVIĆ. Thank you, sir.

(Whereupon, at 11:30 a.m., the committee adjourned, subject to the call of the Chair.)



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