

Maša LOPUŠINA, LL.M.*

CONSTITUTIONALISING GENDER EQUALITY AS A PATH TO PEACE IN POST SECOND WORLD WAR FEDERAL NATIONAL REPUBLIC OF YUGOSLAVIA

In the Federal National Republic of Yugoslavia (FNRY) the Second World War (WW2) left behind both destruction and a chance for social change. This was especially the case in the area of gender relations. The paper investigates how the newly formed socialist state used constitutional and legal mechanisms to embed gender equality into its legal and institutional framework, which served as a foundation for peace and national unity. It adopts a broader understanding of peace, not merely as the absence of war but as a concept closely linked to social justice and gender equality. The Women's Antifascist Front of Yugoslavia (AFŽ) was essential not only in the antifascist movement but in the domain of legal reform as well. Crucial turning points that demonstrate the institutionalisation of gender equality include the 1945 Law on Voters' Lists, which granted women full suffrage, and the 1946 Constitution which guaranteed equality in all areas of life for every citizen. These reforms represented significant progress on paper. However, deeply rooted gender norms continued to persist, which exposed the gap between law and everyday practice. This paper investigates how postwar legal frameworks attempted to transform equality into lasting peace.

Keywords: *Constitution of the Federal National Republic of Yugoslavia of 1946. – Yugoslavia. – Gender equality. – Women's Antifascist Front.*

1. WOMEN'S RIGHTS BEFORE THE SECOND WORLD WAR (WWII)

During the interwar period the legal and social position of women in Yugoslavia was shaped by patriarchal norms embedded in the country's legal and institutional frameworks. However, these principles were

* International Committee of the Red Cross, masa.lopusina@gmail.com. This paper was presented at the Iustoria 2025, held from November 17 to 19, 2025, at the Faculty of Law of the University of Belgrade.

not applied evenly across the territory of the Kingdom of Serbs, Croats and Slovenes. Regional differences were present in legal traditions, and urbanisation had a substantial impact on women's access to school, work and public life.¹ For instance, women had access to secondary and higher education in former Austro-Hungarian regions, particularly Slovenia, Croatia and parts of Vojvodina. Furthermore, they were able to pursue professional careers in sectors like teaching, administration, journalism and even law. The first female lawyers and university educated women in these locations show that women were not just bound by home responsibilities during this time.²

Unfortunately, advancements in women's careers did not lead to political equality, despite their individual successes. Throughout the interwar years women were largely disenfranchised and excluded from formal political decision making. This demonstrates a distinct difference between social modernisation and the continuation of political exclusion.³ The biggest percentage of the population worked in agriculture and the country continued to rely largely on agriculture, with little industrial development. Because of this the majority of women lived in rural areas, where their lives were disproportionately shaped by high rates of illiteracy and structurally limited opportunities.⁴ This reinforced a rigorous separation of gender roles with women being associated with childcare and household chores. Under the Serbian Civil Code of 1844, married women were denied full legal autonomy by being equated with minors, the mentally ill and those deemed incapable of managing their own property. In article 109 and 110 it was established that the husband was the head of the household, giving him the power to choose where the family would live. It further required the woman to follow his instructions, keep the house in order and take care of the children. Inheritance law similarly privileged male heirs over female children. Ironically, the criminal law held women completely accountable for their actions even though they were

1 Neda Božinović, *Žensko pitanje u Srbiji u 19. i 20. veku / Women's Question in Serbia in the 19th and 20th Century*, Feministička '94, Beograd 1996, 100–115.

2 Gordana Stojaković, "The First Lawyers and Attorneys: The Struggle for Professional Recognition of Women's Rights in Yugoslavia (1918–1953)", Sara L. Kimble, Marion Röwekamp (eds.), *New Perspectives on European Women's Legal History*, Routledge, New York – London 2016, 175–190.

3 Kristina Jorgić Stepanović, *Pitanje emancipacije žena u Jugoslaviji (1918–1948)*, doktorska disertacija, Univerzitet u Novom Sadu – Univerzitetski centar za interdisciplinarne i multidisciplinarne studije i istraživanja, Novi Sad 2021, 37–41.

4 The Feminist Movement in Yugoslavia 1978–1989, <https://antipolitika.noblogs.org/post/2020/07/29/the-feminist-movement-in-yugoslavia-1978-1989/>, accessed on January 28th, 2026.

legally viewed as dependent and helpless.⁵ Following the First World War (WWI) and the creation of the Kingdom of Serbs, Croats and Slovenes, the establishment of the new state raised expectations for social justice, national liberation and more general social and political progress. These expectations were not realised, as the nation's economic and cultural advancement lagged behind that of other European nations. Gender norms were deeply integrated into the society and women were severely discriminated against and excluded from political involvement. In Croatia and Slovenia limited political rights were granted only to women employed in public or private service. These rights were revoked shortly after, in 1920, which further reinforced their marginalisation.⁶ Not only were women deprived of political participation, but their working rights were limited as well. In an attempt to challenge these limitations, women organised and participated in political initiatives surrounding the Congress of Unification in April 1919, using this moment to showcase their demands for greater legal and political rights. During this time, a cohesive women's socialist organisation – the Secretariat of Socialist Women (*Sekreterijat žena socijalista*) – was created alongside the women's socialist movement. The movement demanded full legal and political equality regardless of sex, nationality or religion for every citizen over the age of eighteen. Women highlighted their contributions during the war, emphasising that they had assumed responsibilities traditionally associated with men, such as managing households and working, thereby challenging the legitimacy of their continued political exclusion. However, the country was ravaged by war, and the difficult living conditions it left behind meant that women's rights were not a priority. High rates of illiteracy and economic instability were just few of many reasons which further obstructed women's rights. By the time of the Second Congress of the Socialist Workers' Party of Yugoslavia (Communists) SRPJ(K) in 1920, women's concerns were recognised only partially. There weren't any actionable measures or adoption of specific laws or policies that could have improved their status.⁷ Despite the formal establishment of a new legal framework, women's political exclusion continued even after the 1921 Constitution was adopted because they were still denied the right to vote.⁸

5 Српски грађански законик, *Службене новине Кнежевине Србије*, бр. 24/1844. чл. 109–110.

6 N. Božinović, 100.

7 *Ibid.*, 101–106.

8 Устав Краљевине Срба, Хрвата и Словенаца од 28. јуна 1921. године, *Службене новине Краљевине Срба, Хрватии и Словенаца*, година III, бр. 142/21.

Later in 1923, The Women's Movement Alliance was established in Ljubljana. The alliance viewed feminism as initiatives to advance social justice, cultural advancement and community wellbeing in addition to securing equal rights for women. First of all, this meant altering discriminatory legislation. Secondly, the focus was on addressing social issues such as the welfare of orphans, widows, unwed mothers and female workers. The members of the alliance also supported the creation of maternity clinics and orphanages. Women grew more and more tired of being excluded from political life and of the discriminatory laws. In 1935 The Women's Movement Alliance staged nationwide public rallies to demand women's suffrage. A resolution was adopted, reaffirming the women's equal involvement in forming the state and society. It was also demanded that the new electoral law ensure fair and equal political rights for all citizens regardless of their gender.⁹

The complexity of the Kingdom of Yugoslavia itself must be considered in any evaluation of women's rights during the interwar years. The country which was created in the aftermath of war was politically unstable and socially diverse. There were important regional, cultural and religious divides. These circumstances significantly influenced social norms and hindered the unity of gender equity policies, making women's emancipation challenging and uneven rather than uniform or linear. The persistence of patriarchal legal norms, along with the women's fight for their rights shaped the conditions under which gender equality would later be constitutionalised after WW2.

2. WAR, WOMEN AND THE RESHAPING OF PATRIARCHY IN YUGOSLAVIA

The disruption of the country caused by WWII profoundly affected Yugoslavia's political and social structures, which created conditions for social change. Women's mass participation in the National Liberation Army (*Narodnooslobodilačka vojska Jugoslavije*, NOVJ) challenged traditional gender roles and gradually reshaped societal expectations. Women's widespread engagement in the partisan movement which was happening in the context of war, revolution and state building, transformed established gender norms and put women into the centre of political and social redefinition.¹⁰

9 N. Božinović, 122–123.

10 Jelena Batinić, *Women and Yugoslav Partisans: A History of World War II Resistance*, Cambridge University Press, Cambridge 2015, 3.

The partisan movement was one of the largest and most effective revolutionary armies in Eastern Europe, which also actively promoted women's rights.¹¹ The crucial question here is what encouraged women to join the movement, as their motivations reveal much about their awareness and objectives. Interviews with participants of the resistance movement show that most women were primarily driven by a desire to defend their country from the occupying forces. Many young women who joined the movement were from underdeveloped rural areas where deeply entrenched patriarchal norms restricted their public roles and confined them primarily to the domestic sphere. Combat and political participation were seen as primarily male domains in these situations. According to reports from the Women's Antifascist Front of Yugoslavia (AFŽ), women from rural communities faced considerable obstacles when trying to mobilise, as their participation was hindered by traditional expectations and limited educational opportunities. On the other hand, women from urban areas tended to participate more actively in the movement because they were more likely to be exposed to political ideas and activist networks.¹²

The reason behind such a massive participation of women in the army has been subjected to many different opinions. The answer can be traced back to the party's commitment to eliminating gender inequality.¹³ The widespread mobilisation of women within the Partisan movement has often been attributed to what might be described as the communist "promise of gender equality". This revolutionary ideal drew countless women into the movement with the vision of equal standing in a new Yugoslavia. Early in the uprising, the Communist Party of Yugoslavia (KPJ) allowed women to vote and stand for election in the people's committees established in liberated territories. As early as July 1941, the provisional high command of Montenegro formally granted this right to all citizens over eighteen, both men and women, regardless of religion, nationality or ethnicity. In practice, however, the measure had limited impact because the initial uprising was suppressed by the Italian forces.¹⁴ To further promote women's political engagement and challenge traditional gender norms, the KPJ strategically utilised the print media, including the magazine "*Žena danas*", as a key women's journal in the interwar period that was launched

11 Ivana Pantelić, "Yugoslav Female Partisans in World War II", *Cahiers balkaniques* 41/2013, 8.

12 Olivia Jenkins, "*Brotherhood and Unity*" Among the Sisterhood: The Anti-Fascist Women's Front (AFŽ) and the State-Building Project of Postwar Socialist Yugoslavia, master thesis, Columbia University, Department of History, New York 2023, 31.

13 J. Batinić, 54–56.

14 *Ibid.*, 54–56.

in 1936. Public discourse on women's status in interwar Yugoslavia was significantly shaped by this women's magazine. Articles about women's legal and social status, professional equality, political engagement, education, motherhood and global women's movements were just a few of the many topics covered by this journal. It promoted women's social participation and contributed to the development of collective awareness on gender equality by combining political topics with conversations about daily life.¹⁵ Articles such as "Talking with Housewives", "Women's Political Rights", and "Mrs. D. Zečević, president of the Women's International League for Peace and Freedom", demonstrate how the magazine combined everyday experiences with political discourse in order to raise women's social and political awareness.¹⁶ Additionally, this magazine served as a key channel for conveying AFŽ messages. Socialist press increasingly sought to actively include women in public and political life, portraying them working in the fields, operating factories, driving tractors, etc. A strong political message stood behind this. Women were presented as active contributors to social and political life rather than passive observers. They were expected to fight alongside men instead of being viewed as helpless objects to be protected by them. On the cover of the magazine women were rarely depicted in domestic surroundings. They were rather shown holding guns, flags, hammers, books, etc. These images presented women as heroines of the NOB. They were shown as fighters, teachers and active members of the workforce. The emphasis of the magazine was deliberately on education, labour and political engagement. The magazine was used to spread a feminist, revolutionary programme and to present gender equality as a crucial part of the liberation. It demonstrates how the KPJ used relevant public media to incorporate feminist principles into its revolutionary ideology and became a crucial instrument for connecting the fight against fascism with the fight for women's rights. The outbreak of WW2 further influenced the nature of women's print media. "Žena u borbi", established in 1943 as the official publication of the Women's Antifascist Front of Croatia (AFŽ Hrvatske), was a unique kind of women's media throughout the war. Its production mirrored the period's regional and material constraints as well as the critical need for political mobilisa-

15 N. Božinović. 121.

16 „Жена је у поудређеном положају и у породици и у друштву иако је сви смањрају шемељем породице и најважнијим фактором у поизању нових генерација, дакле будућности народне. Ово традиционално сћање жена одржава се законом инерције и моћи ће се поправити једино енергичним заузимањем жена за побољшање своја положаја.“ (Жена данас, бр. 1, Омладинска секција Женског покрета <https://afzarhiv.org/files/original/9d7a62c91a0f37a053e5f785d1f75f05.pdf>, октобар 1936, 6, приступљено 28. јануара 2026).

tion during the war. The magazine served not only as a tool of communication but also as a means of political education and mobilisation within Croatia's antifascist movement.¹⁷

Despite the KPJ's public emphasis on women's emancipation, the majority of female participants in the Partisan movement were neither fully aware of nor primarily motivated by the promise of gender equality. Evidence from interviews and internal KPJ documents indicates a lack of awareness among women regarding the link between the national liberation struggle and their own social rights. For instance, a deputy political commissar of the 16th Slavonian Brigade observed that female fighters were largely unaware of the transformative potential of the Partisan struggle for their social position.¹⁸ Although many women initially joined without a clear understanding of the KPJ's commitment to gender equality, their active participation laid the groundwork for postwar social and political transformation. They could no longer go back to the old world when endless new possibilities opened in front of them. Women moved to the cities, pursued education and entered the workforce, marking a definitive break from the constraints of the old patriarchal world, in which they were restrained to the private sphere.¹⁹

3. THE RISE OF THE AFŽ: WOMEN IN WARTIME YUGOSLAVIA

As Svetlana Slapšak observes, "The success of the Yugoslav partisan movement was comprehensive: it provided the female workforce in the background, the female warrior force to the front, the women's labour force in rebuilding the country after the war and the women's political forces that supported the winning ideology... A woman in uniform, a woman capable of using a weapon, a woman who kills: an essential element of the engraved image of the female Partisan is fear".²⁰

Since the beginning of the occupation of Yugoslavia in 1941, the National Liberation Movement (*Narodnooslobodilački pokret*, NOP) was

17 Sofija Orlić, *Ženska štampa u Jugoslaviji: Između domaćinstva i emancipacije*, <https://uns.org.rs/sr/desk/Putovanje-kroz-istoriju-srpske-stampe/Iz-istorije-beogradske-stampe/174736/zenska-stampa-u-jugoslaviji-izmedju-domacinstva-i-emancipacije.html?print=true>, accessed on 28 January, 2026.

18 J. Batinić 2015, 58–59.

19 Anđelka Milić, "Women and Nationalism in the Former Yugoslavia", Nanette Funk, Magda Mueller (eds.), *Gender Politics and Post-Communism, Reflections from Eastern Europe and the Former Soviet Union*, Routledge, London – New York 1993, 109–122.

20 Svetlana Slapšak, *Ženske ikone XX veka / 20th Century Women's Icons*, Beograd 2001, 208.

created in response to foreign occupation. The resistance was led by Josip Broz Tito, who was later also appointed as the president of the country. Women played an important part in the resistance but the KPJ initiated and coordinated their mobilisation, providing a template for organisational structures. Over time, this process of structuring women's engagement led to the formation of the Women's Antifascist Front (AFŽ), as a centrally organised body within the partisan movement.²¹ The AFŽ was established as a nationwide organisation in Bosanski Petrovac (Bosnia and Herzegovina) in 1942. Its primary goal was for women to join the movement and support their fathers, brothers and sons in combat.²² The goal of the conference was to unite all women's organisations functioning under the NOP's jurisdiction into a single organisation. The AFŽ was created with the intention of organising, connecting and mobilising women in the NOP. The aim was to support the army while also fostering women's political development and ensuring they are informed, empowered and motivated to contribute to achieving the goals of the movement.²³ During the Conference, Josip Broz Tito held a speech in which he highlighted the importance of the female comrades' involvement. He pointed out that a big part of burden falls on their shoulders, both on the battlefield and at home. The ending remarks of his speech attempted to lift women up, as he said that he was proud to be the leader of an army with such heroic women.²⁴ The recognition of women's contributions on both public and private fronts allowed for significant progress to be made in the domain of women's rights and family law. In 1942, Regulations of Foča (*Fočanski propisi*) were drafted, introducing new measures. Women were granted active and passive suffrage and the right to divorce. Additionally, the regulations recognised the rights of children born out of wedlock, ensured equal pay for equal work and expanded access to kindergartens and hospitals. These regulations reflected the socialist vision of a more just and gender equal society.²⁵

Building on the momentum, the AFŽ mobilised women in all kinds of activities for the country's liberation. Approximately 1,000,000 were

21 Vučina Dobrić, *Antifašistički front žena Jugoslavije (1942–1955)*, Biblioteka informativnih sredstava Arhiva Jugoslavije – inventari fondova i zbirki, Beograd 1987, 7.

22 Iva Jelušić, *Gender and War in Yugoslavia: Media – The Figure of the Partizanka in the Making of the Yugoslav New Woman*, a Dissertation in History, Budapest 2022, 39.

23 O. Jenkins, 7.

24 I. Pantelić, 5.

25 Danijela Majstorović, "The Creation of the New Yugoslav Woman – Emancipatory Elements of Media Discourse from the End of World War II", Andreja Dugandžić, Tijana Okić (eds.), *The Lost Revolution – Women's Antifascist Front Between Myth and Forgetting / Izgubljena revolucija: AFŽ između mita i zaborava*, Association for Culture and Art CRVENA, Sarajevo 2018, 88–121.

involved in the movement itself while 100,000 served in the army. For many researchers, this movement was unlike anything seen before, especially in the Balkans. Yet for the women themselves, putting on uniforms and carrying rifles felt almost natural. Their involvement felt instinctive, as a necessity to not only liberate the nation but also themselves from the repressive regime.²⁶ Outside the battlefield, women stepped into positions left vacant by men, particularly in industry and other fields of work. They also assisted by giving refugees shelters, and caring for the children and the elderly. The AFŽ's military activities were just as diverse and vital. They supplied food, mended clothing and assisted in giving medical aid to the soldiers. Their responsibilities further involved carrying messages, transporting weapons and delivering confidential information.²⁷

It is estimated that around 1,700,000 people lost their lives in Yugoslavia during the WWII. And that women made up about 600,000 of those numbers. Around 305,000 soldiers were killed on the battlefield and among them approximately 25,000 were women.²⁸

While fighting alongside their male comrades, women gained freedom they had never experienced before. Consequently, they also began actively working toward the establishment of their rights. Their prewar struggles were framed as the basis from which their bravery and leadership in the fight against fascism rose. By presenting conventional roles as barriers to advancement and promoting women as agents of social change, the AFŽ highlighted the significant role women played in reconstructing the Yugoslav society after the war.²⁹

4. WOMEN AND THE RECONSTRUCTION OF POSTWAR SOCIETY

Following the Partisans' victory and the KPJ's rise to power, it was time to erase the gender division legally. The first significant step was granting women suffrage. The Electoral Rolls Act was adopted on 11 August, 1945 and it was stated in Article 3 that all adult female citizens had the same voting rights as men. Moreover, the right to vote was extended to minors who had served in the Partisan forces, and this applied to both genders.³⁰ That same year Tito addressed women at the First Congress of

26 J. Batinić, 2.

27 I. Pantelić, 4.

28 N. Božinović, 146.

29 D. Majstorović, 88–121.

30 Tomislav Faletar, "Stvaranje novog političkog sustava u Kotaru Bjelovar nakon završetka II. svjetskog rata – izbori za Ustavotvornu skupštinu DFJ 1945. godine na

the AFŽ of Yugoslavia, outlining the KPJ's goals for the newly established Yugoslavia and its entirely different political structure. He also listed the important duties that were deemed essential for the new state and were delegated to women following the end of the war. Women were expected to continue the battle they had fought during the war by actively participating in the nation's reconstruction. This was an opportunity not only to achieve equality but also peace within the nation.³¹ In the postwar Yugoslav context, peace was understood merely as the establishment of social stability, economic recovery and national unity. Within this narrative, women's participation in the workforce and political life was not only encouraged but actively framed by the regime as essential to reconstruction and the establishment of a stable and peaceful society.

Vida Tomšić, an important feminist figure, highlighted the significance of acknowledging gender disparities and pointed to the fact that women could not achieve equal access to positions of power without such recognition. She insisted that the "women's question" could not be answered as long as working mothers were required to handle childcare and domestic duties simultaneously. She stated that in order to achieve true equality, many nurseries and childcare centres had to be built so that women could continue to be mothers and carry out their professional responsibilities on an equal basis with men. In addition to serving as workers and political participants, the women were expected to contribute to the establishment and maintenance of a peaceful and stable society. This dual duty represented the new regime's progressive objectives, as well as its constraints. Women were portrayed as being essential to the advancement of socialism, but their freedom was entwined with traditional duties. This duality did not imply just preserving pre-socialist gender norms, but rather redefining them within the socialist discourse. In Vida Tomšić's formulation of women's equality, motherhood and care work were viewed as socially necessary functions to be supported and reorganised through state institutions like nurseries, children's homes and public kitchens. In this way, women's participation in public life was made possible by institutionalising their traditional responsibilities rather than abandoning them entirely. Gender equality served as a political tool and a promise of liberation while honouring women as equals in the reconstruction of Yugoslavia.³² During the AFŽ Plenary Session which took place in 1946, focus was placed on urgent socioeconomic issues

području izbornog okruga Bjelovar", *Zavod za znanstvenoistraživački i umjetnički rad HAZU U Bjelovaru*, 13/2019, 48–49.

31 O. Jenkins, 35–36.

32 *Ibid.*, 49–50.

such agrarian reform, protecting women and children, as well as work-force development.³³

5. THE 1946 FNRY CONSTITUTION

In line with the KPJ's earlier commitments, the main postwar objective was to fulfil the promise of ensuring women's full and active participation across all spheres of life, political and social included.³⁴ The beginning of the reform started right after WWII ended, in 1945. Women in Yugoslavia were finally legally granted the right to take part in elections. This was a milestone that was later formally guaranteed by the 1946 Constitution.³⁵

The Constitution of FNRY was adopted on 31 January, 1946. This was the first time in Yugoslavia's constitutional history that women were acknowledged as equal citizens and given the same political, economic and social rights as men. Article 23 of the Constitution guaranteed universal, equal and direct voting rights to all citizens who have reached the age of 18, regardless of sex, nationality, race, religion, level of education or place of residence. Article 23 thus established a legal framework for women's active participation in political life.³⁶ At the same time, the Constitution emphasised labour as the foundation of socialist citizenship and women were guaranteed equal rights in employment, wages and professional advancement.

Article 24 further extended equality to all areas of economic, social and political life. Women were finally equated with men. This article stated the following: "Women are equal to men in all areas of state, economic, and sociopolitical life. For equal work women have the right to equal pay as men and enjoy special protection in employment. The state particularly safeguards the interests of mothers and children by establishing maternity hospitals, children's homes, and kindergartens, as well as by guaranteeing mothers the right to paid leave before and after childbirth."³⁷

The Constitution guaranteed equal pay for equal work and provided special protections in employment relationships to prevent discrimina-

33 N. Božinović, 151.

34 Adriana Zaharijević, *Fusnota u globalnoj istoriji: Kako se može čitati istorija jugoslovenskog feminizma*, Filozofski fakultet, Beograd 2018, 75.

35 Jelena Tešija, *The End of the AFŽ – The End of Meaningful Women's Activism? Rethinking the History of Women's Organizations in Croatia, 1953–1961*, master thesis, Central European University, Department of Gender Studies, Budapest 2014, 185–206.

36 Устав Федеративне Народне Републике Југославије од 31. јануара 1946. године, *Службени лист Федеративне Народне Републике Југославије*, бр. 10/46, чл.36.

37 *Ibid.*, 4

tion. Special attention was given to the protection of mothers and children through the establishment of maternity hospitals and kindergartens. This was exceptionally important for working mothers who now needed to balance work and childcare. Mothers' rights to paid maternity and postpartum leave were also discussed in the article, which formally acknowledged their specific needs and responsibilities. By doing this, it allowed women to actively participate in public and social life while also acknowledging their dual role within the family.³⁸ Another crucial accomplishment was the recognition of education as a universal right. Article 38, paragraph 1, stipulates: "In order to raise the general cultural level of the people, the state shall ensure that schools and other educational and cultural institutions are accessible to all segments of the population." Article 38 specifically mentioned education and cultural advancement as essential state duties. By guaranteeing that schools and other educational and cultural institutions were open to all persons, regardless of their status, the clause successfully eliminated long-standing obstacles that had previously prevented women from obtaining formal education. The Constitution established an idea that education is a universal right by ensuring free and obligatory elementary education, fostering equality from an early age. This commitment reflected a purposeful strategy to challenge and transform longstanding patriarchal norms, embedding gender equality at the core of the socialist vision for societal development. The state's dedication to raising an educated, socially sensitive and ideologically aligned generation was mirrored in the emphasis on youth protection and parenting. Because schools were classified as state institutions and private education was only permitted under official and legal regulation, public education preserved uniform standards and prevented the growth of social inequality.³⁹

The 1946 Constitution marked a historic turning point. Women over the age of eighteen were for the first time formally integrated into the political life of Yugoslavia. With the recognition of both active and passive political rights, women emerged as a significant social and political force.⁴⁰ The AFŽ prioritised what was called the "cultural advancement of women", a collection of programs focused on literacy, legal awareness and education in addition to its political involvement. These efforts were especially important for rural women, many of whom had only recently acquired literacy and viewed political education as something entire-

38 *Ibid.*, 4.

39 *Ibid.*, 6.

40 Gordana Stojaković, *Rodna perspektiva u novinama Antifašističkog fronta žena (1945–1953)*, Pokrajinski zavod za ravnopravnost polova, Novi Sad 2013, 47.

ly unfamiliar.⁴¹ By addressing these structural barriers, the AFŽ enabled women to engage more actively with the newly established framework. This confirms the indispensable role of the AFŽ in shaping postwar Yugoslavia's society. Beyond advocating for women's rights, the organisation actively participated in the creation of new legal frameworks and a broader reconstruction of the nation. During this time, women's presence in public and political life became more visible, breaking traditional social norms.

6. THE SOVIET INFLUENCE ON THE 1946 CONSTITUTION

During the postwar period, the political and social agenda of the newly established FNRJ was strongly shaped by the Soviet model. As Chiara Bonfiglioli writes,⁴² early policies promoted by Yugoslavia's government closely matched the Soviet model. This was especially the case in the field of women's rights and social welfare. The 1946 Constitution of FNRJ was heavily influenced by the 1936 Soviet Constitution. Historical analysis by Miroslav Jovanović shows the depth of this influence, suggesting that the majority of the articles regarding economic and social organisation was modelled on the 1936 Soviet Constitution.⁴³

This systematic borrowing is most evident in the legal status of women. Article 121 guaranteed all citizens the right to education through free, universal elementary schooling as well as free higher education and vocational training, emphasising the state's role in ensuring access to knowledge.⁴⁴ Article 122 recognised that women had equal rights with men in all spheres of economic, social, cultural, and political life. It also ensured women's access to work, equal pay, rest, social insurance, and education, while granting state protection for maternity through paid pre and post-natal leave and access to maternity homes, nurseries, and kindergartens.⁴⁵ Article 123 reinforced equality by prohibiting discrimination on the

41 *Ibid.*, 72.

42 Chiara Bonfiglioli, "AFŽ activists' biographies: an intersectional reading of women's agency", Andreja Dugandžić, Tijana Okić (eds.), *The Lost Revolution – Women's Antifascist Front between Myth and Forgetting*, Association for Culture and Art CRVENA, Sarajevo 2018, 29.

43 Miroslav Jovanović, „Preslikana ili samobitna društvena izgradnja: Komparativna analiza Ustava FNRJ (1946) i 'staljinskog' Ustava SSSR-a (1936)”, *Tokovi istorije* 1–2/2008, 280–289.

44 Конституция (Основной закон) Союза Советских Социалистических Республик от 5 декабря 1936 года, Собрание законодательных актов СССР, № 1/36, čl. 121.

45 *Ibid.*, čl. 122.

basis of nationality or race, establishing legal protections against both direct and indirect limitations on citizens' rights.⁴⁶ Article 24 of the 1946 Yugoslav Constitution followed this model by guaranteeing women's equality with men in all spheres of public life. The article further ensured equal pay and that state would provide support for mothers and children. Many organisations within the country also looked up to the Soviet model.⁴⁷

7. LEGAL TRANSFORMATIONS FOLLOWING THE 1946 CONSTITUTION

After the 1946 Constitution was ratified, women's political involvement and public exposure increased and focus turned to expanding their rights and opportunities in other spheres of social and economic life. A series of laws began to be revised to correspond with the newly adopted Constitution.⁴⁸ The Marriage Act brought about substantial improvements in women's marital rights. It made it possible for husbands to add their wives' last names to their own while allowing women the freedom to keep their maiden names. Women had equal management of assets that were obtained jointly during the marriage, and retained control over any property they brought into the marriage. They also had the legal authority to act as guardians and to exercise all related rights. Widows were acknowledged as equal heirs and female children were given the same inheritance rights as males.⁴⁹ Additionally, the divorce procedure was simplified by allowing for the dissolution of marriage based solely on mutual incompatibility.⁵⁰

Building on these legal developments, the 1950 Social Security Act regulated women's eligibility for retirement benefits and established family pensions for employees, civil servants and their families in the event of a spouse's death.⁵¹ There were also laws which protected women's rights to prove paternity, guaranteeing that children born outside of wedlock received the same legal treatment as those born within wedlock. Among these were the responsibilities of the father and the child's right to child allowances, survivor pensions and social security payments under certain guidelines. Labour legislation that provided specific protections for nurs-

46 *Ibid.*, čl. 123.

47 Chiara Bonfiglioli, "Women's Political and Social Activism in the Early Cold War Era: The Case of Yugoslavia", *Aspasia* 8/2014, 8.

48 J. Batinić, 333–334.

49 N. Božinović, 156–157.

50 Vera Gudac-Dodić, "Divorce in Serbia", *Tokovi istorije* 1–2/2008, 138.

51 *Ibid.*, 158.

ing and pregnant women greatly strengthened gender equality. Maternity leave was required to start 21 days before delivery and was guaranteed for three months, six weeks before and six weeks after childbirth. After maternity leave, nursing mothers were allowed to take annual leave and they were guaranteed full pay during this time. This benefit only applied to those who had some previous work experience. Pregnant and breast-feeding women were also granted additional labour benefits, such as the right to full pay alongside the option to be reassigned to lighter duties under specific circumstances. They could not work overtime or at night, and the workday lasted for four hours. They were also given a fifteen-day leave to care for sick family members, usually children. Pregnant women were protected from the death penalty even in criminal conviction cases and nursing mothers who were imprisoned were housed in facilities that permitted their children to be raised normally. Mothers' and children's rights were also guarded by special laws and decrees. The Decree on Material Assistance for the Children of Workers and Civil Servants, the Decree on the Protection of Pregnant Women and Nursing Mothers in Employment and the Decree on the Establishment of Nurseries and Kindergartens were among the measures that were introduced in 1948 and 1949.⁵² By constitutionalising gender equality, the country aimed to integrate women into the formal legal and political order. This inclusion was seen as an essential requirement for a lasting peace, as it sought to eliminate the inherent social inequalities and disparities that had historically contributed to instability.

8. THE PROMISE OF GENDER EQUALITY BETWEEN PRACTICE AND REALITY

The KPJ's political goal of empowering women did not mean that patriarchy would simply cease to exist. The persistence of deeply rooted patriarchal norms within the family, social and political field and the devastating effects of the war caused women to continue facing limitations in exercising their rights.⁵³ Women's realities differed from the principles embodied in the law. Women were crucial to the nation's rehabilitation and peace-keeping after WWII. However, this idea of peace was strongly tied to state building goals where women's roles were presented as necessary for stability despite the constraints placed on their daily lives. The 1946 Constitution recognised female equality and recognised the rights they had fought for, including the right to vote. Yet women were forced to balance household duties with paid work. Women found themselves working

⁵² *Ibid.*, 157–158.

⁵³ D. Majstorović, 88–121.

two jobs, one, paid, during the day and the other that only began as they came home. This “double burden” exposed the structural limitations of socialist emancipation which frequently failed to bring about true gender equality. During this confusing period, the expansion of social services such as maternity hospitals and childcare facilities mirrored the socialist state’s efforts to integrate women into the labour force. However, socialist Yugoslavia maintained conventional patriarchal family arrangements. As a result, these measures did not fundamentally disrupt patriarchy but rather reshaped it by easing women’s domestic responsibilities, particularly those related to motherhood. In this way the system encouraged women’s engagement in the public arena while preserving conventional gender norms in the home sphere.⁵⁴ This reflected conflicting societal expectations even as women were praised as heroic comrades. Women’s involvement in the workforce and in politics was used as a tool to further economic and state building goals.⁵⁵ Although women were publicly encouraged to enter the workforce, their participation was limited to jobs that aligned with their core identity as mothers and caretakers. Women’s employment prospects were primarily centred in industries such as social services, healthcare, education, textiles, and administrative assistance.⁵⁶ The AFŽ activists were aware of the situation and continued to challenge conventional views of women’s roles. But along the way they faced resistance not only from men but sometimes from women themselves, which can be viewed as reflecting the internalisation of deeply embedded patriarchal values that shaped women’s own perceptions of their roles within society. Many women who embraced socialist ideals worked to elevate women’s social and economic status, bridging the gap between ideological goals and everyday realities by sharing resources and supporting one another.⁵⁷ The contradictions between promised gender equality and actual reality were most apparent in mass media targeting women, which reflected and impacted women’s lived realities in socialist Yugoslavia. Magazines like “*Praktična žena*”, as part of this broader mass media landscape, promoted women’s emancipation through articles on business skills, hygiene and health while at the same time reinforcing traditional expectations of women as primary caregivers and homemakers. Rather than resolving the tension between emancipation and tradition, the press normalised it, presenting women

54 C. Bonfiglioli, “Women’s Political”, 7–10.

55 The Feminist Movement in Yugoslavia 1978–1989, <https://antipolitika.noblogs.org/post/2020/07/29/the-feminist-movement-in-yugoslavia-1978-1989/>, accessed on 28 January, 2026.

56 O. Jenkins, 50–51.

57 D. Majstorović, 88–121.

simultaneously as emancipated workers and primarily responsible for household upkeep.⁵⁸

The discontinuation of “Žena u borbi” in the late 1950s signified the end of an important period where gender equality was viewed as a political and social issue. In the years that followed, gender equality was increasingly presented as a socialist concept that had already been accomplished rather than a topic that merits further activity. However, the legacy of these periodicals recalls a time when women continued to advocate for rights that were legally promised but not fully implemented in practice.⁵⁹

9. THE FINAL YEARS OF THE AFŽ

During the AFŽ Republican Committee plenum in Bosnia and Herzegovina in March 1948, Dušanka Kovačević, a prominent member, held a speech in which she addressed the challenges in regards to empowering rural women. Despite demonstrating dedication and patriotism during the war, peasant women’s political participation was constrained by traditional social structures, limited education and gender norms. On one side, female activists were fighting for exercising their right while male party members sometimes discouraged women’s involvement. The ideal rural activist, according to the AFŽ, was a woman who was assertive, well informed, organised and actively involved in her community. But in reality, the situations that most rural women found themselves in were far removed from this ideal. They frequently lacked formal education, had limited opportunity to engage in social or political activities and bore the burden of household and agricultural duties. Upon recognising these challenges, the AFŽ shifted its emphasis to empowering women via education and improved living conditions. The larger objective of modernising the countryside was to promote not only women but also rural culture as a whole, which was thought to be closely related to women’s freedom. Vida Tomšić noted that women’s perceived “backwardness” was a legacy of the previous Yugoslavia’s order rather than an inherent trait. She further emphasised that raising consciousness and improving material conditions

58 “Magazin „Praktična žena” uputiće ženu-suprugu, ženu-majku i domaćicu u mnoge korisne stvari. Danas kada naše žene iz dana u dan igraju sve veću ulogu u javnom životu i kada rame uz rame sa svojim drugovima suprotnog pola zauzimaju veoma odgovorna mesta – njihov dom, ukoliko nisu vične ostaje zanemaren” (Una Popović, “Analiza ženskih časopisa u periodu od 1945 do 1960. Godine”, 8–10. https://www.academia.edu/12015743/Analiza_%C5%BEenskih_%C4%8Dasopisa_u_periodu_od_1945_do_1960_godine, приступљено 3. јуна 2026. године.

59 Sofija Orlić, “Ženska štampa u Jugoslaviji: Između domaćinstva i emancipacije”, *UNS Journal of Media Studies* 6/2025, 71–90.

were essential for both gender equality and socialist development. As she stated: “We should teach women to despise their inequality (...) liberate our female masses from superstition, stereotypes (...) This is long and tiring work (...) we cannot build socialism without simultaneously raising living standards, especially in the villages”.⁶⁰ In light of the newly established legal rights for women, the AFŽ assumed a new role that differed from its role during the conflict. They served as a crucial organisation for the mobilisation of women in the Yugoslav state-building endeavour. In his addresses to the AFŽ, Josip Broz Tito emphasised women’s essential role as active participants in constructing a new socialist society.⁶¹ At the second AFŽ congress in 1948, Tito’s speech highlighted that women were supposed to be active participants who will shape the future course of this new socialist state. This portrayal of a proactive and, in his own words, “advanced” woman was essential to the establishment of the peaceful and unified FNRY. Tito and the others aimed to provide women with greater opportunities and promote gender equality as part of the broader project. Tito expressed his goal for women to gain significantly greater social, economic and political standing, empowering them to challenge the traditional gender roles and limitations of the previous system. At the Second Congress of the AFŽ, women were urged to actively participate in the economy and contribute to the implementation of the five-year plan, as they represented an essential labour force for key industries. They were expected to receive vocational training to free them from domestic work, with particular emphasis on rural women whose involvement in agricultural cooperatives and the National Front was seen as crucial for increasing production. The Congress also highlighted the importance of cultural and educational work, combating illiteracy, and educating children and youth in the spirit of socialist Yugoslavia. These efforts were aimed not only at economic and social reconstruction but also at strengthening the AFŽ as an organisation.⁶² The Third Congress of the AFŽ of Yugoslavia, held in Zagreb in October 1950, took place during a period marked by challenges in implementing the five-year plan, economic blockades and political and ideological shifts. The Congress aimed to establish new international connections with women’s organisations in Western countries and countries undergoing decolonisation, while maintaining ideological alignment with socialist and pro Yugoslav actors.⁶³ This reflected both domestic priorities and the Party’s broader geopolitical strategy.

60 D. Majstorović, 88–121.

61 O. Jenkins, 2013, 35–38.

62 *Ibid.*, 40–45.

63 The Informbiro resolution (IB) from 1948 marked the end of the relationship between Yugoslavia and Soviet Union which led to significant political and ideologi-

The fourth and last Congress was held in Belgrade in June 1953. According to Milovan Đilas, a communist politician, an individual women's organisation could separate women from more general socialist institutions such as local councils or workers' unions. He argued that under socialism women's liberation should not be viewed as a "special issue", but rather as a necessary component of broader societal advancement. Instead of separate movements that would imply women having different or distinct goals, the KPJ wanted all citizens, men and women alike, to be joined in a single common struggle for socialism. This resulted in the organisation's existence becoming undesirable. The AFŽ was officially abolished and renamed the Association of Women's Societies in accordance with these decisions. The words front and antifascism, which were emblems of women's involvement in the people's revolution, were eliminated, resulting in a significant shift in the semantic meaning.⁶⁴ The split demonstrated both a conceptual and structural shift, with women's emancipation being reframed as an accomplished aspect of socialist progress rather than an ongoing battle necessitating coordinated effort. The decision to dissolve the AFŽ and create the Association of Women's Societies at this Congress reflected a move away from women-specific, activist-led initiatives and toward professionalised political engagement. The argument was that full liberation should be attained through the socialist teaching of the masses and that women's equality should be tackled as a general societal issue rather than through distinct groups. This reorientation mirrored the broader post-war tendency to subsume gender issues under the universalist framework of socialist progress, effectively depoliticising women's collective action.⁶⁵

At this stage the emphasis shifted toward providing women, particularly working mothers, with practical support through social programs such as childcare services, kindergartens, and family allowances. The Congress paid special attention to rural women, highlighting the importance of material assistance, access to education and literacy and understanding of legal rights. Everything was aimed at addressing inequalities rooted in traditional family roles.⁶⁶ The dissolution of the AFŽ thus reflects a deeper tension between the ideals of socialism and the realities of everyday life. Between the official commitment to gender equality and the continued

cal changes in Yugoslavia's political system. This resulted in the redefinition of international relations and the position and role of women's organisations.

64 N. Božinović, 263.

65 J. Tešija, 37–42.

66 Dijana Dijanić, *Društveno-kulturni aspekti položaja žena: Antifašistička fronta žena (1945–1953)*, 2015, 51.

influence of patriarchal structures. As Bonfiglioli⁶⁷ argues, this moment should not be seen merely as the end of women's activism, but rather as a change to accommodate the new political and ideological circumstances, while simultaneously exposing the present gap between socialist ideals and the realities of everyday life.

10. CONCLUSION

While wars typically reinforce existing gender hierarchies and frequently limit women's opportunities, WWII in particular acted as an important trigger for changes in gender dynamics. Opening up the possibility of challenging established roles and creating new opportunities for women's participation, from the perspective of legal history the Yugoslav case is a strong example of both the ambition and the limitations of using law as a tool for social transformation. A key example of this is the FNRJ's 1946 Constitution which expressly established gender equality as a fundamental principle. This marked a significant departure from the pre-war legal system. Articles 23 and 24 actively created a new legal subjectivity for women as equal citizens, voters, workers and protected mothers rather than merely passively granting rights. Ambitious attempts were made to establish a comprehensive framework. But history also shows how limiting legal formalism can be. Deeply ingrained cultural structures cannot be destroyed by laws alone, as seen by the ongoing gap between the legal reform and the lived reality. Therefore, we could conclude that transformational constitutions can provide opportunities but they do not guarantee their realisation. Furthermore, this approach contributes to women's peace studies by arguing that in post-war Yugoslavia peace was not simply conceptualised as the absence of war, but rather a state building process in which gender equality was deliberately implemented as a foundation for stability and reconstruction. The regime portrayed women's participation in the workforce and political life as crucial for social cohesion, economic growth and national reconstruction, all of which are important foundations of enduring peace. At first, the AFŽ played a crucial role in organising women to act as agents in this endeavour to promote peace. However, this paper demonstrates how this promise has been exploited. Ultimately, when the concept of peace got mixed with state-building ambition, women's distinct struggles were absorbed into a universalist socialist narrative. The end of the AFŽ in 1953 made it clear that the view of those in power was that the "women's question was solved". Women who made significant contributions to post-war society were occasionally used as political

67 C. Bonfiglioli, *AFŽ Activists' Biographies*, 34–35.

actors while their full potential was frequently restricted. In this way the road to equality and peace was both aspirational and incomplete. Even today, this tension between the promise of equality, the pursuit of peace and the complexity of social reality remains relevant. It offers us lessons for understanding the enduring challenges of implementing gender justice as a foundation for sustainable peace in post-war societies. The relationship between war, peace and gender equality has been extensively studied in historiography; this paper adds another layer by exploring its more complex dynamics such as the conflict between formal legal equality and lived experience, the instrumentalisation of women in the construction of socialist states and the framing of gender equality as a tool for post-war peace. This paper addresses these dynamics by examining the complex interactions between war, peace and gender equality in the Yugoslav context. Women contributed immensely to post-war society and were at times instrumentalised as political actors, yet the promise of a path to peace remained largely symbolic. Despite tremendous efforts, little was achieved and bridging the gap between law and reality proved to be and continues to be a challenging task even in the 21st century.

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Мср Маша ЛОПУШИНА*

УСТАВНОПРАВНО УТЕМЕЉЕЊЕ РОДНЕ
РАВНОПРАВНОСТИ КАО ПУТ КА МИРУ НАКОН
ДРУГОГ СВЕТСКОГ РАТА У ФЕДЕРАТИВНОЈ
НАРОДНОЈ РЕПУБЛИЦИ ЈУГОСЛАВИЈЕ

Сажетак

У Федеративној Народној Републици Југославији (ФНРЈ) Други светски рат (ДСР) оставио је иза себе и разарање и могућност за друштвене промене. То је нарочито било изражено у области родних односа. Рад истражује на који начин је конституционализација родне равноправности послужила као темељ мира и националног јединства. Усваја шире разумевање мира, не само као одсуства рата, већ као концепта који је тесно повезан са социјалном правдом и родном равноправношћу. Антифашистички фронт жена (АФЖ) имао је кључну улогу не само у антифашистичком покрету, већ и у домену правних реформи. Преломни тренуци који показују институционализацију родне равноправности укључују Закон о бирачким списковима из 1945. године, којим су женама призната пуна бирачка права, као и Устав из 1946. године који је гарантовао једнакост у свим областима живота за сваког грађанина. Ове реформе представљале су значајан напредак на папиру, али су дубоко укоренење родне норме и даље постојале, што је откривало јаз између закона и свакодневне праксе. Рад истражује на који начин су после-ратни правни оквири настојали да претворе равноправност у трајни мир.

Кључне речи: *Устав Федеративне Народне Републике Југославије из 1946. године. – Југославија. – Родна равноправност. – Антифашистички фронт жена.*

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