

# The Difficult Look Back: Slovenian Democratic Path after European Union Accession

MIRO HAČEK



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**Abstract:** *In the third wave of democratic changes in the early 1990s when the Central and Eastern European (CEE) political landscape changed radically and the democratisation processes started in the eastern part of the continent, Slovenia was one of the most prominent countries with the best prospects for rapid democratic growth. Slovenia somewhat luckily escaped the Yugoslav civil wars and towards the end of the 20<sup>th</sup> century was already on the path towards a stable and consolidated democracy with the most successful economy in the entire CEE area. After the dissolution of Yugoslavia, Slovenia had a simple and straight-forward political goals, i.e. to join the European union as soon as possible, thus consolidating its place among the most developed countries within the region. After some setbacks, this goal was accomplished in (so far) the biggest enlargement to the Union in May 2004. But what happened after Slovenia managed to successfully achieve its pair of major political goals? In this chapter, we search for an answer to this question and find out why Slovenian voters are increasingly distrustful not only of political institutions, but why so-called new political faces and instant political parties are so successful and why Slovenian democracy has lost a leading place among consolidated democracies in CEE.*

**Keywords:** *Slovenia; European Union; membership; distrust; democracy.*

## Introduction

After declaring its independence from former Yugoslavia in 1991, the Republic of Slovenia expressed its willingness and objective, both in its strategic development documents and at the highest political levels, to become a full member of

the European Union (EU).<sup>1</sup> As the crucial developmental documents<sup>2</sup> indicate, the optimum long-term development of the Slovenian economy is inextricably tied to Slovenia's full membership in the EU. Thus, soon after the country's liberation, membership in the European Union became one of Slovenia's key objectives. The first diplomatic relations between Slovenia and the European Community were established in April 1992, as Slovenia proposed the conclusion of the Europe Agreement and asked for support regarding the restructuring and consolidation of its economy. The following year (April 1993) a co-operation treaty was signed between the two. In June 1996, a treaty on the integration of Slovenia into the European Union was enacted. Slovenia thereby started negotiations on full membership in the European Union, along with some other former socialist states from CEE. This European treaty enabled political dialogue, increased commercial co-operation, established the grounds for technical and financial support from the European Union and also supported the integration of Slovenia into the European Union (Fink-Hafner – Lajh 2005: 55). All parliamentary political parties with a single exception (the Slovenian National Party), supported the integration and therefore signed a joint co-operation treaty. The National Assembly passed a decree on the priority of discussing European legislation, thereby accelerating the adoption of the *Acquis Communautaire*. Membership in the European Union became the national interest (Fink-Hafner – Lajh 2005: 56). In November 1996, Slovenia and the Union signed a provisional trade agreement, which entered into force in January 1997. This enabled the activation of the trade section of the Association Agreement defining the free trade area between Slovenia and the-then EU 15. In May 1997, Slovenia adopted the fundamental points of departure of its strategy on European Union accession, confirming the desire to attain full membership to the European Union and, in June that year, the European Commission presented its opinion on candidate states for joining the European Union (the so-called Agenda 2000). Because this opinion was favourable towards Slovenia, the latter was allotted to the primary group of states that would enter negotiations. Accession negotiations between Slovenia and the Union were completed in 2002 and in April 2003 the Treaty on Slovenia's Accession to the European Union was signed. Hence, on 1 May 2004, Slovenia became part of the European family of nations. In this manner, the *Acquis Communautaire* became part of Slovenian legislation and European affairs became the internal affairs of Slovenia.

The support for European Union membership was quite stable during the accession process, resulting in a good turnout (60,4 percent) and support (89,6 percent) at the referendum on joining the European Union, which was carried

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1 We will uniformly use the term European Union (EU) in this article, acknowledging the term European Communities pre-1993.

2 See, e.g., Slovenia's Economic Development Strategy, The Strategy of International Economic Relations of Slovenia, Strategy for Improving the Competitiveness of the Slovenian Industry, etc.

out on 23 March 2003 (Haček et al. 2017: 150). The referendum was more or less just a formality due to the high level of public support, which did not dissipate over the years but rather increased when the accession date approximated (Velič 2003). Among the ten countries joining the European Union in Spring 2004, the highest support for the membership was recorded in Lithuania (with 52 percent of survey respondents saying it benefited their country to become a member of the EU), followed by Malta (50 percent). Slovenia, at 40 percent, was on the lower end, surpassing only Latvia (33 percent) and Estonia (31 percent). However, the citizens of Slovenia (64 percent), Hungary and Lithuania (both 58 percent) most often expressed expectations of certain benefits as a result of their country's membership. From spring 2003 to spring 2004, the trend of support for European Union membership in Slovenia reflected the average for new Member States at the time of the referendum on Slovenia's accession (Spring 2003), when support reached its peak (57 percent), followed by a trend of decreasing support. From 1999–2002, support in Slovenia was continuously below the average for new Member States (by between five percent and eleven percent). However, the percentage of inhabitants of Slovenia who maintained that European Union membership would be detrimental to Slovenia was consistently lower as well, ranging from seven to 17 percent (Eurobarometer 62 2004: 18; see also Haček – Kukovič 2014: 106).

The worst fears of Slovenian citizens were related to (potential) increased difficulties for the country's farmers (67 percent of responses), which was a topic frequently promoted by opponents of Slovenian membership to the EU, and the migration of jobs to countries with lower production costs (63 percent). The latter probably reflected previous similar experiences in the Slovenian economy – such as the case of Tobačna Ljubljana, which moved its production activities abroad to reduce production costs – and the fact that Slovenia has the highest labour costs of all new European Union member states, making other locations more attractive to foreign business investors. This was followed by fears of increased illegal drug trafficking and international organised crime (58 percent), based on Slovenia's strategic geographical position connecting Western Europe to the former Yugoslavia and south-eastern Europe. Concerns that Slovenia might become a net contributor to the European budget (57 percent) were also frequently advanced by opponents of Slovenian entry to the European Union. Even supporters of Slovenia's membership listed these same four problems. On the other hand, fears about the declining use of the Slovenian language and the loss of Slovenian national identity and culture were relatively rare (Eurobarometer 62 2004; see also Haček – Kukovič, 2014: 106).

The goal of this chapter is not, however, to analyse and evaluate the processes of the Slovenian accession process to the European Union. It is to analyse and evaluate the main political, societal and economic developments in a far less

known and analysed period, i.e. the period after Slovenian accession to the European Union which influenced the democratic development of the country in both a positive and negative way.

We are searching for answers to this basic question in this chapter, which first focuses on the three periods, i.e. European Union accession, the right-wing Janša government and the beginning of the global economic crisis (2004–2009), the global crisis (mis)management and politico-economic consequences (2009–2014) and the recovery and strained relationship with the Juncker Commission (2014–2019). The analysis searches for answers to the questions why Slovenian voters are increasingly distrustful not only of their own national politics, but also of the European union *per se* and European union institutions, why so-called new political faces and instant political parties thrive in Slovenia and why Slovenian democracy took some damage and lost a leading place among consolidated democracies in CEE. Our analysis will also put an important emphasis on the results of the European Parliament elections and electoral turnout in 2004, 2009, 2014 and 2019 with analysis of public opinion changes about the European Union over the first fifteen years of European Union membership.

## European Union accession and early years of membership

European Commission President Romano Prodi welcomed the 75 million ‘new fellow citizens’ on 1 May 2004 as he attended celebrations marking the expansion of the European Union to ten new members in Nova Gorica. He was joined by Slovenian Prime Minister Anton Rop, who in turn welcomed Europe by saying: ‘So far Europe was the future of Slovenia; now Slovenia is the future of Europe’. Just a month and a half after entry, Slovenia was faced with its first major European Union event, as the first European Parliament elections in Slovenia were held on 13 June 2004. There were 91 candidates (42 females) for the seven Slovenian seats in the European Parliament. Candidates were grouped in 13 candidacy-lists among which there were seven parliamentary parties and six non-parliamentary parties or other groups. The 2004 European Parliamentary elections were marked by the poorest turnout to date – 45,7 percent. Turnout even decreased in the ‘old’ member states of the EU (compared to the 1999 elections), but what was most alarming was the turnout in new member states (below 50 percent), among which only Malta (82,4 percent) and Cyprus (71,2 percent) were the exceptions. Slovenia and the Czech Republic both had a 28,4 percent turnout, which only outperformed Estonia and Slovakia – in the latter it was as low as 17 percent. Such a poor turnout was interpreted as the result of the insufficient appraisal of the importance of these elections and the European Parliament’s work (Haček et al. 2017: 147). But those were not the only reasons, as the poor electoral turnout in Slovenia was also caused by

growing dissatisfaction with politics, the general disinterest of the public and its incomprehension. The key factor in electing Slovenian representatives was the candidate's personal charisma and popularity. This was clearly visible by the election of Borut Pahor (SD) through preferential voting, even if he was the last name on the list. Elections to the European parliament were a clear indicator of coming political changes, as four out of the seven elected representatives were on the opposition lists.

Regular parliamentary elections were held on 3 October 2004 and brought substantial political shift, as the twelve year reign of Liberal Democracy ended. This had been forecasted by the European Parliament election results a few months before and by the retreat of long-term Prime Minister Janez Drnovšek to the post of President of the Republic in 2002. For the first time ever, the winner of the elections was the Slovenian Democratic Party (SDS), which received 29,1 percent of votes and formed a centre-right coalition government under the leadership of new Prime Minister Janez Janša. The new centre-right government had three big challenges ahead (Haček et al. 2017: 202–205), all three closely connected with the European Union.

The first one was the adoption of the Common Currency. Slovenia introduced the Euro on 1 January 2007 and joined the Eurozone as the first new Member State. The transition from the Slovenian Tolar to the Euro mostly ran swiftly and smoothly, causing no major problems as the population had been informed of the new currency in advance. People had a very positive attitude towards the common currency and expected mostly positive effects.

The second challenge was entry into the Schengen Area on 22 December 2007, when Slovenia ceased to execute border control on internal land and maritime borders with the EU Member States. By entering the Schengen Area, Slovenia abolished border control on its borders with Austria, Italy and Hungary, while intensifying control on the border with Croatia, which became a Schengen external border.

The third challenge seemed like the most daunting one, as Slovenia took over the Presidency of the EU Council and led the community, uniting 27 Member States and almost half a billion people. Slovenia grasped an exceptional historical opportunity, as this was the first Presidency of a Member State that entered the Union in the 2004 enlargement and the first ever Council of the EU Presidency of a Slavic state. The Presidency of the EU Council turned out to be one of the most demanding and complex tasks in terms of contents and a challenge in the organisational and logistical sense at the same time.

The next regular parliamentary elections were held in September 2008 and were again very politically intense. Once again they brought a complete political U-turn, as the right-wing ruling coalition suffered defeat, and one of the coalition parties (NSi – New Slovenia-Christian People's Party) failed to reach

the four percent parliamentary threshold.<sup>3</sup> The political U-turn announced itself a year or two beforehand: a) with the win of formally non-partisan, but in political reality left-wing adored, mayor of national capital Ljubljana, Zoran Janković at local elections in 2006 (Kukovič 2018a: 88); b) the unexpected defeat of coalition-candidate Lojze Peterle, president of the first democratically elected government in the 1990s, at the presidential elections in 2007, when the election campaign took an extreme ideological turn; c) with the emergence of the new left-wing political party ZARES-New Politics, which surfaced from the once major political force, Liberal Democracy, and became the second power on the left-side of the political continuum. The reasons for the defeat of the centre-right government after a relatively successful and stable term in office are multi-layered, in large part the result of the profound socio-political cleavage in Slovenian society, originating from early 20<sup>th</sup> century political cleavages that intensified into shocking civil-war-like proportions during the Second World War and have not been subdued to this very day. The results of this political cleavage are also constant political, economic and societal conflict between so-called left-wing political forces, that are more closely connected and supported by the NGOs and major media outlets, and mostly less influential right-wing political forces that failed to seize the opportunity presented to them during the democratic transition period after the end of communism to make up the half-century deficit between 1940s and 1990s.

## **The painful years of global crisis and democratic regression**

Almost immediately after the new left-wing government took over in November 2008, the impact of the world economic crisis hit Slovenia hard. It was easily visible to the Slovenian public and opposition that the government had great difficulties dealing with the crisis, as it appeared to be not only in a major economic crisis, but also in a major political crisis, supplied by the inability of then Prime Minister Borut Pahor to effectively steer the government away from the crisis. Instead the government appeared to be weak, indecisive, and ineffective and above all, disunited, contributing to the growing distrust of Slovenians towards politics in general and especially towards political parties.

A few months after the shift of political power the second European Parliament elections since Slovenian membership to the EU were held on 7 June 2009. There were 81 candidates (40 females) for seven Slovenian seats<sup>4</sup> in

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3 The New Slovenia-Christian People's Party is also the only political party in modern Slovenian history to bounce back at the next parliamentary elections (held in December 2011), where they managed to get 4,9 percent of votes to re-enter the parliament.

4 Because of the change in the number of European Parliament representatives from each member country (according to the Lisbon Treaty) and the amended Law on the Elections of Representatives from the Republic of Slovenia, Slovenia in 2011 received one additional MEP, SDS candidate Zofija Mazej Kukovič.

the European Parliament, and candidates were grouped in twelve candidacy-lists, among them all seven parliamentary parties of the time and five non-parliamentary parties. Voting turnout decreased even further across the EU (43 percent), but in Slovenia it was almost identical to five years before (28,3 percent).<sup>5</sup> Just eight months after losing the national parliamentary elections, the now leading opposition party the Slovenian Democratic Party (SDS) won the elections conclusively with three elected Members of the European Parliament (MEP), followed by the ruling party at the time, Social Democrats (SD) with two MEPs, and with ZARES – New Politics, Liberal Democratic Party (LSD) and the non-parliamentary New Slovenia-Christian People's Party (NSi), each with one elected MEP.

The election period to the European parliament was already influenced heavily by poor economic conditions that continued into 2010 and 2011 and then even further deteriorated. The government initiated several economic reforms to revitalise the economy and again generate economic growth; the most important reforms were those for retirees (Pensions and Disability Insurance Act) and for the labour market (Prevention of Illegal Work and Employment Act). The government failed to present and label the reforms as economically necessary and as positive to the general public, and consequently the reforms were met hard by the unions and political opposition, who demanded several corrigenda in each of the reforms and threatened with referendums if the demanded corrigenda were not implemented. As neither side was prepared to bend, a triple referendum was held on 5 June 2011 for the first time in recent Slovenian history. The referendum was initiated by the unions and opposition parties, and greatly contributed to the fall of the government three months later. The most important of the three referendums was the Pension and Disability Insurance Act,<sup>6</sup> containing retirement reform. The government put all their efforts and political weight on winning at least this referendum only to fail completely, as all three legislative acts were rejected decisively (70,9 to 75,4 percent of votes against with 40,5 percent voter turnout). The defeat only added fuel to the ongoing political crisis, and the government consequently failed to get the vote of confidence in the National Assembly in September 2011 (Haček et al. 2017: 176).

Pahor was more successful in the bilateral relations with neighbouring Croatia, which was in negotiations to enter the European Union as the latest member state and the second from the Western Balkans. He negotiated an Arbitration Agreement with Croatian Prime Minister Jadranka Kosor over the border dispute that originated from the early 1990s, when both countries gained independence but failed to agree on the exact border line on land and especially

5 Source of data: European Parliament, About Parliament, available at [http://www.europarl.europa.eu/about-parliament/en/000cdd9d4/Turnout-\(1979-2009\).html](http://www.europarl.europa.eu/about-parliament/en/000cdd9d4/Turnout-(1979-2009).html) (4 June 2019).

6 The other two being referendums on the Prevention of Illegal Work and Employment Act and Protection of Documents and Archives and Archival Institutions Act.

on the sea coast. The border dispute was always useful fuel for internal political squabbles with numerous, sometimes violent incidents, especially in Piran Bay. The Slovenian government managed to sign the arbitration agreement with Croatia in 2009, which determined that the dispute would be resolved in front of the five-member Arbitration Court established for this case only; the decision made by the Arbitration Court should have been obligatory for both sides. The referendum on the Arbitration Agreement with Croatia over the border dispute was called by the 86 MPs and carried out in June 2010. With the relatively low turnout (42 percent), surprisingly 51,5 percent voted for the Agreement and only 48,5 percent against it, effectively opening European doors for Croatia to enter the Union.

The Triple referendum defeat resulted in the first precocious parliamentary elections, held on 4 December 2011. We also witnessed an at-the-time novice political phenomena, as several new political parties were established in the sixty days prior to the elections, and two of them<sup>7</sup> playing a critical role in the elections and coalition-building procedures that followed. The Precocious elections were surprisingly won by Positive Slovenia (PS), which managed to overtake long time favourite Slovenian democratic party (SDS), but PS leader Zoran Janković failed to understand that in a proportional system he actually needed a ruling coalition in order to get elected as Prime Minister. PS couldn't form any kind of coalition, and after several political turns the new right-centre coalition emerged, led by the Slovenian Democratic Party (SDS) and Prime Minister for the second time, Janez Janša. But the coalition proved to be short-lived, as three coalition partners, namely Citizen's Alliance of Gregor Virant (DLGV), DeSUS and SLS, abandoned the ruling coalition in the first two months of 2013 following the political impacts of the report issued by the Commission for the Prevention of Corruption (CPC). In the report, Prime Minister Janša and opposition leader Janković were accused of violating financial disclosure obligations. Specifically, both systematically and repeatedly violated the law by failing to properly report their assets to the CPC, according to the CPC. Janša rejected the calls for resignation and the ruling coalition of two right-wing parties (SDS, NSi) was left to rule with only a minority of votes (30) in the National Assembly.

On 27 February 2012, a majority of MPs in the National Assembly supported the vote of no-confidence for Prime Minister Janša, and at the same time also elected a new Prime Minister, Alenka Bratušek from Positive Slovenia. Her election was supported by the centre-left coalition (52 MPs), comprised of Posi-

7 The first one is Civil List of Gregor Virant, founded by Gregor Virant, former minister of public administration in the right-wing government from 2004 to 2008; the second is Positive Slovenia, founded by mayor of the national capital city of Ljubljana, Zoran Janković, who was always presenting himself as a non-partisan figure, but who was also always very strongly in favor of left-wing political parties. Zoran Janković decided that he would seek election for Prime Minister, and most of the political left strongly supported him, which resulted in the failure of ZARES and the once mighty Liberal Democratic Party (LDS) to get the four percent needed in order to reach the parliamentary threshold.

tive Slovenia (PS), Social Democrats (SD), DLGV and the Democratic Party of Pensioners (DeSUS). There was considerable haste in assembling the new government, since the National Assembly appointed the new government in only 22 days. The government had to act quickly in this extremely unstable period, marked by a multitude of political and economic affairs and scandals, which resulted in a frequent change of ministers, interpellations, a serious decline of the economy and a serious crisis in the banking sector. However, the government consequently did not fall because of such instabilities, but because of internal discords. Zoran Janković rather surprisingly resumed leadership of the largest coalition party, Positive Slovenia, in April 2014, after he had to retire from the same position the previous year due to a very incriminating report from the Commission for Prevention of Corruption. For this reason, tensions emerged both within the party and within the ruling coalition, which led to the resignation of Alenka Bratušek as Prime Minister. Her retreat from the party and the establishment of her own party (Alliance of Alenka Bratušek). All of this led to a second consecutive early parliamentary election, which, for the first time in independent Slovenia, were held during the summer holidays, on 13 July 2014, with a visible negative impact on voter turnout (51,7 percent compared to 65,6 percent in 2011).

Amidst the most serious political crisis to-date in modern Slovenian history and just 49 days prior to another set of early elections to the National Assembly, the third European Parliament elections were held on 25 May 2014. Voter turnout was slightly lower than in 2009 (24,6 percent), while the turnout in the EU decreased only slightly (42,6 percent); lower turnouts than in Slovenia were recorded only in Slovakia, Poland and in the Czech Republic. For the eight Slovenian MEPs there were 118 candidates on sixteen party lists, of which 57 were female. The winner of the election (24,8 percent) was again the largest opposition party the Slovenian Democratic Party (SDS), which won three MEPs, a joint list of the Slovenian People's Party (SLS) and New Slovenia – Christian People's Party (NSi) won two MEPs, while centre-left parties Social Democrats (SD), the Democratic Party of Pensioners (DeSUS) and "I Believe!" each got one MEP.

## **The economic crisis recovery and the difficult relationship with the Juncker Commission**

For the second time in a row a newly formed political party won early parliamentary elections, this time the Party of Miro Cerar (SMC), which was officially established only 41 days prior to elections. The SMC was concentrated mostly around the personality of Miro Cerar, a professor of constitutional law at the University of Ljubljana and long-time expert legal advisor to the National Assembly. SMC designed its campaign to advocate for the rule of law, higher ethical standards in politics, sustainable development, social responsibility and

human dignity, while the new party extensively used voter dissatisfaction with the existing political climate in the country. The Party of Miro Cerar, which in 2015 was renamed into the Modern Centre Party, won 36 mandates, and quite easily established a new governing coalition, consisting of the Modern Centre Party (36 MPs), the Democratic Party of Pensioners (DeSUS; 10 MPs) and Social Democrats (SD; 6 MPs). At the time of the government's appointment in the National Assembly in September 2014, the new coalition had a total of 52 MPs.<sup>8</sup> Due to the extremely high number of acquired mandates, SMC also had superiority inside the government with nine ministers, and both coalition partners had seven ministers between themselves.

Despite bringing a higher degree of political and economic stability to the country and working in more favourable economic conditions in comparison with previous governments, Slovenia remained mostly static in the period of Cerar government. The government and public authorities faced general distrust due to the ruling coalition's low effectiveness in dealing with systemic problems of capture by influential lobby groups, a continuing trend from the previous periods, despite the ruling Modern Centre Party (SMC) promises of a 'different politics of higher ethical standards'. Distrust was also chronic with regard to the judiciary and the fight against corruption, as progress that would, for example, allow the prosecution of important individuals, was insufficient. Financial dependence and political capture continued to hamper civil society and the media. Due to internal divisions and a lack of political will, the centre-left coalition was ineffective in tackling the country's major problems, such as the inefficient public healthcare sector and the irresponsible management of state assets (Lovec 2018: 2–3).

In the Cerar government term, the recovery from the economic recession of 2008–2014 continued. The country's robust economic growth, reaching about five percent in 2017 and 2018, helped reduce the fiscal deficit and resulted in a strong decline in unemployment. At the same time, however, the favourable short-term economic situation reduced the pressure on the Cerar government to move on with policy reforms. Although Slovenia features the largest long-term sustainability gap of all EU members, the announced comprehensive health care reform was left to the next government. As for pensions, the Cerar government eventually agreed with social partners upon the broad outline of pension reform to be adopted in 2020, but refrained from taking any controversial decisions. The tax reform eventually adopted in summer 2016 has been

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8 In the first two years of the 2014–2018 term, the number of coalition MPs has shifted quite a bit. In March 2017 Party of Modern Centre (SMC) had 35 MPs, Slovenian Democratic Party 19 MPs, Democratic Part of Pensioners (DeSUS) 11 MPs, Social Democrats (SD), United Left and New Slovenia – Christian Democrats each had six MPs, and there were five unaligned MPs (two former members of SMC, two former members of Alliance of Alenka Bratušek and one former member of SDS). Alliance of Alenka Bratušek became first parliamentary party in modern Slovenian history to lose all (four) MPs to other political groups.

more modest than initially announced, and minor changes announced by the minister of finance for 2017 were only partially implemented. The promised privatisation of Telekom Slovenia, the largest communication company in the country, fell victim to political opposition from within and outside the governing coalition. The same happened with the promised privatisation of NLB, the largest Slovenian bank (Haček et al. 2019).

In March 2018, Prime Minister Cerar surprisingly resigned, pointing to increased criticism from public sector unions and the strong opposition to the government's high-profile project of a second railroad track to the port of Koper. In yet another set of early parliamentary elections in June 2018, Cerar's Modern Centre Party (SMC) and most other traditional centre-left parties lost votes. However, the rise of a new centre-left party, the Party of Marjan Šarec (*Lista Marjana Šarca*; LMŠ), a comedian turned mayor who came second in the presidential elections in 2017, allowed the centre-left parties to refuse to even discuss the possibility of forming the ruling coalition with the winner of the elections, the centre-right Slovenian Democratic Party (SDS) of Janez Janša, which got twice as many votes as its nearest rival. In September 2018, the five centre-left parties succeeded in forming a minority government tolerated by the far-leftist Levica party, making Marjan Šarec the newest Prime Minister (Haček et al. 2019). The quality of democracy continued to suffer from widespread corruption. While the Cerar government implemented the Anti-Corruption Action Plan adopted in January 2015, and the Commission for the Prevention of Corruption managed to upgrade its supervisor web platform and launch its successor ERAR in July 2016, doubts about the political elite's commitment to fighting corruption were raised by two developments in particular. The first involved the non-transparent management of a government project in which a second railway track is to be constructed between Divača and the port of Koper. The second involved investments by Magna Steyr, a Canadian-Austrian company that received large subsidies and unconditional support from the government for a plan to build a new car paint shop close to Maribor, but failed to manage things transparently and deliver on its promise of bringing several thousand new jobs to the region. The differences in opinions between the government and civil society organisations on the financial construction of the second railway track project resulted in a referendum being called in September 2017 and repeated because of transparency irregularities on the government's side in May 2018. Nonetheless, the project was not halted as turnout levels for both referendums were too low to render the vote binding, despite the fact that votes opposing the government's plan slightly outnumbered votes in support of the plan in May 2018 (Haček et al. 2019). The dormant conflict between government and local communities over constitutionally guaranteed autonomy of the latter intensified under the Cerar government (Kukovič 2018b: 185).

The Cerar government term also marked the first time since the fall of Berlin wall and the democratisation of CEE that Slovenia lost its leading place in the Freedom House's measurement 'Democracy Index'. This actually happened in 2016, when Slovenia's score dropped substantially for the first time since the early 2000s (to 2.00) and Slovenia was overtaken by improving Estonia (1.93). The trend, which was not only the result of the Cerar government's failure, but also that of previous governments, continued in 2017 and 2018, when Slovenia's score regressed, and Slovenia was caught up by yet another Baltic country, this time Latvia (Table 1). The areas where Slovenia especially struggled compared to the other most successful countries of democratic consolidation, are mainly an independent media and judicial framework, which is also consistent with the analysis above.

**Table 1: Nations in Transit 2018 – ratings of specific indicators and the collective Democracy Index for a group of consolidated democracies.**

COUNTRY	EP	CS	IM	NGOV	LGOV	JFI	CO	DEMOCRACY INDEX
SLOVENIA	1.5	2.0	2.5	2.5	1.5	2.0	2.75	2.7
ESTONIA	1.5	1.75	1.5	2.0	2.25	1.5	2.25	1.86
LATVIA	1.75	2.0	2.0	2.0	2.25	1.5	3.0	2.7
CZECH REPUBLIC	1.25	2.0	2.75	3.0	1.75	1.75	3.5	2.29

The Democracy Index score is an average for Electoral Process (EP); Civil Society (CS); Independent Media (IM); National Democratic Governance (NGOV); Local Democratic Governance (LGOV); Judicial Framework (JFI) and Corruption (CO). Source: Nations in Transit (2018).

Still, by far the most important event in Slovenian foreign relations in the period of the Cerar government was the Permanent Court of Arbitration's ruling on the border dispute with Croatia. However, the Croatian delegation refused to respect the court's findings, citing revelations that, in 2015, the Slovenian delegation to the Court had inappropriately received confidential information from a judge sitting on the panel. The publication of the Court's decision in June triggered another set of tensions between the two countries, which included blockades and hostile rhetoric by some political actors in Slovenia. The final decision came against the backdrop of disputes related to the delays created by the strict implementation of Schengen border control, which Croatia interpreted as Slovenian pressure over the arbitration issue. Slovenia declared that it would block Croatia's accession to the OECD for its supposed lack of respect for international law and sue Croatia in the Court of Justice to the EU

over the breach of European law (Lovec 2018: 3, 5). Slovenia submitted a letter of complaint against neighbouring Croatia to the European Commission on 16 March 2018 after Croatia refused to implement an arbitration decision on their border dispute in the Adriatic Sea. The letter submitted by Slovenia contained over hundred pages of alleged violations of European law that Slovenia says stem from Croatia's refusal to abide by the arbitration court's ruling. According to procedure, before an EU member state initiates court proceeding against another member, it must first refer the matter to the Commission. But to Slovenian disappointment, the Juncker Commission did not support Slovenian position and decided to remain neutral. The Commission's decision disappointed many in Slovenia and fuelled anti-EU sentiment. The decision was widely interpreted as politically motivated, favouring the right-wing coalition that was ruling Croatia and disregarding the rule of law as one of the EU corner-stones at the same time.

The fourth and latest elections to the European Parliament were held on 26 May 2019. Voter turnout was slightly higher than in 2009 and 2014 (28,9 percent), while the turnout in the EU increased quite a bit (50,9 percent); still, lower turnouts than in Slovenia were recorded only in Slovakia and in the Czech Republic. For the eight Slovenian MEPs there were 103 candidates on fourteen party lists, of which 51 were female. The winner of the election was once again the largest opposition party the Slovenian Democratic Party (SDS) that had a joint list with the Slovenian People's Party (26,3 percent), which won three MEPs, Social Democrats (SD) received two MEPs, the leading ruling coalition Party of Marjan Šarec also received two MEPs, while New Slovenia – Christian People's Party (NSi) received one MEPs.<sup>9</sup> Low turnout at the European elections in Slovenia, which characterise all four elections in the past fifteen years, is primarily due to disillusionment with politics in general, the lack of interest among voters and also a lack of understanding about the EU among the electorate. A key factor in the selection of candidates for MEPs among Slovenian voters are the individual's charisma and popularity, which can be seen with the election of all eight candidates through the preferential voting at the 2019 elections.

## **Public opinion towards the European Union and major European Union institutions**

We compared the results of public opinion surveys on the satisfaction with the European Union from the time of accession to the present. Support for European Union membership reached its peak at 57 percent in Spring 2003 – at the time of the successful referendum on Slovenia's accession to the European Union – but after the accession, support started to slowly decrease. Going back

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<sup>9</sup> Source: National Electoral Commission, available at <https://volitve.gov.si/ep2019/#/rezultati> (28 June 2019).

to Autumn 2004, one finds that 52 percent of survey respondents said European Union membership of Slovenia was a good thing, and only five percent thought it was a bad thing. The data published in July 2016 present a very different picture, as 54 percent of Slovenian respondents expressed distrust towards the European Union. A further reason for concern is the finding that 50 percent of Slovenian citizens said they were not satisfied with how democracy works in the EU; at the same time 53 percent feel that Slovenia should search for its future outside of the Union, which is highest score in the European Union. The satisfaction of Slovenian citizens with the European Union has decreased quite significantly since 2004, and the same observation can be made about trust towards the European Union and its major institutions. Any definitive explanation of these low levels of satisfaction and trust remains elusive, although we can easily find at least partial answers in recent events, especially in the migration trends and the inability of the European Union to find a common response to it, the global economic crisis and the political and economic impacts the crisis has had, with both processes negatively impacting Slovenian politics and contributing to a permanent state of political crisis.

**Table 2: Trust of Slovenians towards the European Union and key European Union institutions (in percent)**

	EUROPEAN UNION	EUROPEAN PARLIAMENT	EUROPEAN COMMISSION
2004	60	66	64
2005	55	66	64
2006	70	73	73
2007	65	63	61
2008	60	62	61
2009	50	46	46
2010	48	49	51
2011	38	43	40
2012	39	48	47
2013	34	38	40
2014	37	35	34
2015	41	41	42
2016	35	34	33

<b>2017</b>	42	39	38
<b>2018</b>	44	38	38

Source: Eurobarometer surveys from 2004 to 2018 (Number 62, 63.4, 66, 68, 70, 72, 74, 76, 78, 79, 81, 83, 85, 87, 89), available at [www.ec.europa.eu](http://www.ec.europa.eu). Numbers represent percentages of respondents who expressed trust towards the European Union as a whole or towards specific listed institutions.

There seems to be little doubt that the generally negative view towards the political sphere among Slovenia's citizens over the last few years must be taken into account (Kukovič – Haček 2016: 139). In general, we must conclude that Slovenian citizens are still much less satisfied with the European Union compared to during the period of accession to the Union, although a limited positive trend in the most recent period can also be observed.

**Table 3: Familiarity among Slovenians with key European Union institutions (in percent)**

	<b>COUNCIL OF THE EUROPEAN UNION</b>	<b>EUROPEAN PARLIAMENT</b>	<b>EUROPEAN COMMISSION</b>	<b>EUROPEAN CENTRAL BANK</b>	<b>COURT OF JUSTICE OF THE EU</b>
<b>2004</b>	74	95	90	74	83
<b>2005</b>	79	95	92	76	77
<b>2006</b>	81	97	91	77	82
<b>2007</b>	86	96	91	88	84
<b>2008</b>	88	94	90	91	n.a.
<b>2009</b>	88	96	91	91	n.a.
<b>2010</b>	87	96	92	92	n.a.
<b>2011</b>	83	99	88	93	n.a.
<b>2012</b>	87	98	92	95	95
<b>2013</b>	88	98	94	95	95
<b>2014</b>	n.a.	97	93	94	n.a.
<b>2015</b>	n.a.	98	97	96	n.a.
<b>2017</b>	n.a.	98	96	94	n.a.
<b>2018</b>	78	98	96	95	89

Source: Eurobarometer survey from 2004 to 2018 (numbers 62, 63.4, 66, 68, 70, 72, 74, 76, 78, 79, 81, 83, 85, 87, 89), available at [www.ec.europa.eu](http://www.ec.europa.eu). Respondents were asked "Have you heard of...?" Numbers represent percentages of respondents, who answered positively to the above question.

Eurobarometer 89 (2018) shows that exactly half of Slovenian respondents distrusted the European Union, which is a bit less than in several previous years, but still much more than in the period after Slovenian accession to the Union. As to how satisfied Slovenian respondents were with how democracy works in the European Union, a minority of respondents (39 percent; EU28 average was 57 percent) express their satisfaction, and 59 percent of survey participants said that they are not satisfied in this regard, compared with the EU28 average of 41 percent. Consistent with the slightly deteriorated data in Eurobarometer survey 89 (2018) was also the result with the statement ‘My voice counts in the European Union’ – 50 percent of the respondents disagreed with that statement and only 45 percent agreed, offering some insight into the reasons for the consistently low voter turnouts at the European Parliament elections in Slovenia.

Interestingly, at the same time 43 percent of respondents agreed (and 50 disagreed) with the statement ‘Slovenia could better face the future outside the European Union’, which is the second highest score in the whole EU, just a percent lower than the Brexit ridden United Kingdom. Distrust towards key European Union institutions further diminished a bit after the period of 2014–2016, when Slovenia recorded some of the highest figures of distrust towards the Union; 52 percent of respondents expressed their distrust towards the European Parliament and 51 percent expressed their distrust towards the European Commission, both slightly lower figures compared to surveys in previous years (2016, 2017). To the largest part of the respondents (49 percent) the European Union still represents freedom to travel, study and work anywhere in the European Union, and 45 percent connect the European Union with the euro. On the other end of the spectrum, only 16 percent of the respondents connected the European Union with democracy, 15 percent with the lack of control to external borders, 11 percent with unemployment and eight percent with social protection (Eurobarometer 89 2018).

## **Growing public distrust towards the democratic institutions<sup>10</sup>**

The main characteristic of public opinion is its instability; it changes frequently and often in short periods. The comparative data from the Eurobarometer research presented in Table 4 focuses on satisfaction with democracy as a societal and political system in Slovenia and all other 27 EU member states in the period from 2004 to 2018. If we compare the results over the years, then some changes in satisfaction can be detected. In general, one of the most common observations is that in all new CEE democratic systems (shaded rows) there is a high level of dissatisfaction with democracy itself, and trends are rather negative in the

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<sup>10</sup> For more information about the trust in Slovenian political institutions, please see Brezovšek – Haček (2016).

first period after the accession to the EU and more positive in the most recent period. Similarly, Slovenia started with relatively good levels of public satisfaction with democracy in the period of accession to the EU (57 percent satisfied with democracy in 2004), but this moderate satisfaction quickly turned into serious dissatisfaction (only 26 and 27 percent of satisfaction in 2012 and 2014, respectively), as almost three-quarters of voters expressed their dissatisfaction with democracy at those points. The situation improved with more stability in politics and in the economy in the period from 2014 to 2018 (41 percent of satisfaction with democracy in 2018). Dissatisfaction could also be at least partially connected to the outcomes of the democratic transition and consolidation processes and not with democracy as a type of social-political relation itself.<sup>11</sup> In this case, dissatisfaction can also be expressed through the existing political participation mechanisms like elections, referendums, political protests and so forth. Other research (Norris 1999: 67–72) confirmed the positive connection between the disintegration processes of contemporary societies (especially because of growing inequalities, which are becoming even more evident with the impact of the global economic crisis), with drops in public trust towards key state political institutions.

**Table 4: Satisfaction with democracy in the EU member states (total satisfied; in percent)**

EU Member State	2004	2006	2008	2010	2012	2014	2016	2018
AUSTRIA	71	75	80	78	70	64	64	80
BELGIUM	70	68	66	56	57	63	69	72
BULGARIA	/	/	26	25	24	21	30	35
CROATIA	/	/	/	/	/	24	37	35
CYPRUS	63	63	61	54	33	24	37	41
CZECH REPUBLIC	45	58	51	45	30	47	53	60
DENMARK	91	93	94	92	90	86	91	91
ESTONIA	45	43	53	45	38	49	51	61
FINLAND	83	78	77	69	78	75	77	81

11 This emphasis is supported by a number of public opinion polls. For instance, the 'Democracy in Slovenia' survey (2011) carried out in March 2011 among 907 respondents across the country asked whether democracy is the best possible form of governance and whether democracy, in spite of its imperfections, is still better than other types of social-political relations. Respondents strongly agreed with both statements; on a scale from 0 to 4, where 0 represents 'strongly disagree' and 4 'strongly agree', the first statement got an estimated 3.49 and the second one 3.38.

FRANCE	57	45	65	54	60	49	45	50
GERMANY	61	55	66	62	70	70	69	73
GREECE	68	55	63	31	11	19	21	26
HUNGARY	37	46	24	35	29	35	42	53
IRELAND	77	75	69	57	50	59	73	79
ITALY	46	53	40	47	27	30	33	42
LATVIA	45	41	43	32	42	47	52	59
LITHUANIA	34	23	24	17	21	30	42	35
LUXEMBURG	83	83	73	83	84	76	87	82
MALTA	48	48	53	45	49	62	64	71
NETHERLANDS	71	75	80	75	75	74	78	82
POLAND	30	38	48	54	48	59	57	64
PORTUGAL	39	30	36	29	25	25	52	64
ROMANIA	/	/	36	20	13	25	38	34
SLOVAKIA	25	25	35	36	29	22	43	45
SLOVENIA	57	54	48	38	26	27	36	41
SPAIN	64	71	77	53	32	22	39	40
SWEDEN	76	74	80	84	86	82	79	81
UNITED KINGDOM	63	60	62	59	60	65	64	63
<b>EU 25/27/28 AVERAGE</b>	<b>58</b>	<b>57</b>	<b>57</b>	<b>51</b>	<b>47</b>	<b>50</b>	<b>53</b>	<b>57</b>

Sources: Eurobarometer 62; available at [http://ec.europa.eu/public\\_opinion/archives/eb/eb62/eb62\\_en.htm](http://ec.europa.eu/public_opinion/archives/eb/eb62/eb62_en.htm); Eurobarometer 65; available at [http://ec.europa.eu/public\\_opinion/archives/eb/eb65/eb65\\_en.pdf](http://ec.europa.eu/public_opinion/archives/eb/eb65/eb65_en.pdf). Eurobarometer 70; available at [http://ec.europa.eu/public\\_opinion/archives/eb/eb70/eb70\\_en.htm](http://ec.europa.eu/public_opinion/archives/eb/eb70/eb70_en.htm). Eurobarometer 73; available at [http://ec.europa.eu/public\\_opinion/archives/eb/eb73/eb73\\_anx\\_full.pdf](http://ec.europa.eu/public_opinion/archives/eb/eb73/eb73_anx_full.pdf). Eurobarometer 78; available at [http://ec.europa.eu/public\\_opinion/archives/eb/eb78/eb78\\_anx\\_en.pdf](http://ec.europa.eu/public_opinion/archives/eb/eb78/eb78_anx_en.pdf). Eurobarometer 82; available at [http://ec.europa.eu/public\\_opinion/archives/eb/eb82/eb82\\_en.htm](http://ec.europa.eu/public_opinion/archives/eb/eb82/eb82_en.htm). Eurobarometer 86; available at <http://ec.europa.eu/COMMFrontOffice/publicopinion/index.cfm/Survey/getSurveyDetail/instruments/STANDARD/surveyKy/2137>. Eurobarometer 90; available at <http://ec.europa.eu/commfrontoffice/publicopinion/index.cfm/survey/getsurveydetail/instruments/standard/surveyky/2215> (all accessed in June 2019). The question was: "On the whole, are you very satisfied, fairly satisfied, not very satisfied or not at all satisfied with the way democracy works in your country?" Only answers to "Very satisfied" and "Fairly satisfied" are taken into account.

In general, the public opinion polls show that new democratic systems are faced with a relatively high degree of dissatisfaction with democracy and therefore also with the democratic institutions. Additionally, we also clearly see that satisfaction with democracy is a highly unstable phenomenon. Slovenia does not differ much from this general framework, rather the opposite, since on average,

more than half of the citizens are constantly dissatisfied with the democratic regime after 2008. In Table 5 we see that the level of discontent substantially rises through the years, but especially after 2008 due to the growing impact of the global economic crisis and a sense that politics is being ineffective in dealing with the crisis. In 2013 and 2014, the level of dissatisfaction with democracy were the highest ever at 87 percent. The question is, how high can frustrated tolerance actually be and how much can the 'fragile' post-socialist democratic political system withstand before the high levels of dissatisfaction transfer into the denial of the legitimacy of the democratic political system and its key institutions?

**Table 5: Satisfaction with the democracy (in percent)**

Year	SATISFIED	UNSATISFIED	NO REPONSE
1998	31	58	11
1999	39	49	12
2000	40	48	12
2001	42	46	12
2002	44	46	10
2003	38	55	7
2004	41	51	8
2005	34	59	7
2006	39	51	11
2007	36	58	6
2008	39	55	6
2009	32	62	6
2010	11	86	3
2011	12	84	4
2012	12	85	3
2013	8	87	5
2014	8	87	5

Source: Politbarometer. Data from last conducted survey in each calendar year is shown. For 2014, data from June survey is shown. After 2014 the survey was discontinued. The question was: »Are you generally satisfied or unsatisfied with the development of democracy in Slovenia?

Trust towards the state administration is relatively low in Slovenia, but still slightly higher than the level of trust towards the majority of other established political institutions (Haček et al. 2017: 133–136). The reasons for the relatively low levels of trust towards the state administration might be found in the ‘inheritance’ of the administrative system of the former non-democratic regime, which is understandably relatively unpopular, as well as the slow public administration reform in Slovenia in general. Distrust can also be explained because of – mostly unjustified – allegations that the state administration and the entire public sector in Slovenia are ineffective and inoperative, which certainly does not contribute to their positive reputation. To make the picture clearer, an analysis of the longer period of public opinion measurements is needed. It may be noted that in the period from 1990s to 2008 there were still relatively high levels of trust in the key political institutions of the Slovenian political system,<sup>12</sup> but for the aforementioned reasons those levels dropped quite dramatically after 2008 and never really recovered. In 2010 Slovenia recorded a major additional loss of confidence in political institutions,<sup>13</sup> with similar trends and the reasons somewhat earlier (Table 5) indicated in the measurement of citizens’ satisfaction with democracy.

## Conclusion

At the beginning of this chapter we posed some seemingly simple and straightforward questions that should reveal what happened after Slovenia managed to successfully enter into the European Union. As our extensive analysis clearly showed, Slovenia has walked a rocky and steep political and economic path for the last 15 years, which was not only leading upwards, but in some periods also downwards in the dark alleys of democratic regression.

To understand the character of contemporary Slovenian democracy it is necessary to look back into recent political history. Two key factors, which have as a political constancy determined this development and largely also marked Slovenian political culture, can be identified. The first is ideological exclusivism as an expression of great differences in ideas, while the second one is collectivistic corporatism which, with its tendency to unity, not only expressed resistance to political conflicts but also resistance to differences and competition because it could hurt social harmony. From here the strong tendency originates to overcome the divisions in the political space through the creation of grand coalitions.

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12 For 2008, data is as follows: Government (3.0), Prime Minister (3.2), Parliament (3.0), President of the Republic (3.4), political parties (2.5) and state administration (3.0) on a scale from 1 to 5, where 1 means ‘I do not trust at all’, and 5 means ‘I trust completely’ (Haček et al. 2017: 136).

13 For 2010, data is as follows: Government (2.1), Prime Minister (2.1), Parliament (2.1), President of the Republic (3.1), political parties (2.0) and state administration (2.7) on a scale from 1 to 5, where 1 means ‘I do not trust at all’, and 5 means ‘I trust completely’ (Haček et al. 2017: 136).

tions, which was the characteristic of the first decade of Slovenian independence. This practice changed after entering into European Union in 2004 into a more competitive and conflict-oriented mode of policy, which is constituted by a distinction between authority and opposition. Accordingly, the different ways of narrowing the possibilities to express and confront opposite opinions and positions do not benefit the development of a parliament democracy. But they partly match the prevailing tendencies to narrow the possibilities of direct democracy and to spread the influence of governing political parties onto non-governmental stakeholders, such as media and NGOs. Also, the reanimation of populist rituals and ideology should not be overlooked which co-exist with decreasing sentiments towards the European Union and its institutions, with both tendencies holding back the development of the liberal-democratic characteristics of a Slovenian democracy.

Experience Slovenia has had in its construction of a democratic political system since entering into the EU has been subject to varying assessments. The most negative assessments of Slovenian political system are related to the persistence of authoritarian behavior patterns and manipulation of democratic institutions that have found its way into the structures of political parties, to the partitocracy resulting from this and the bureaucratic sprawl (Haček et al. 2017). Until the mid-2010s, different surveys placed Slovenia among 'consolidated democracies' usually with the highest total marks among the CEE countries. However, in 2015 this changed and Slovenia began to regress. The problems of the Slovenian political system, which were further exposed with the inability of the ruling political class to effectively battle the economic and political crisis in the period from 2008 to 2014, are related to various forms of nepotism, clientelism and corruption, the implementation of the rule of law and the insufficiently developed democratic culture and with it, the culture of public and tolerant dialogue. Democracy cannot be effective unless it is underpinned by the rule of law and a well-functioning judicial system, and those are the areas that have become most problematic since the political and economic crisis ended in 2014. As the European Union and its institutions are often the ones bringing attention to the issues mentioned and the ones demanding the construction and implementation of reform programs, and as Slovenian politics has grown into a populist partitocracy without any sense of democratic accountability towards the electorate since European Union accession, one cannot wonder that the European Union is no longer seen as a political and societal fairytale honey-land that will solve every possible problem in a heartbeat. On the contrary, it is very evident and clear to even the average Slovenian voter that Slovenia today has almost zero influence in the European Union, mostly because of its own miscalculations, the politicisation of merit bureaucracy and a total lack of consistent foreign policy. Unless there is substantial change in Slovenian politics in the next few years, which seems unlikely in the state of

constant political conflict and the total distrust of voters towards politics and political institutions, Slovenian democratic regression could very well continue for many years to come.

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***Miro Haček*** is full professor in Political Science and Public Administration at the Faculty of Social Sciences, University of Ljubljana/Slovenia and President of Central European Political Science Association. E-mail: [miro.hace@fdv.uni-lj.si](mailto:miro.hace@fdv.uni-lj.si)