

CONCLUSIONS: THE EVALUATION OF EMPIRICAL GOVERNANCE IN SLOVENIA

Abstract. The preliminary findings of the special issue articles contribute to the current governance literature debate by showing that old and new modes of governance both coexist and communicate through certain policy processes. Furthermore, modes of governance with a long tradition, such as neocorporatism in Slovenia, may continue under the new (hierarchical) representative governance and may even be more in line with citizens' major policy preferences (which in Slovenia means the preservation of the welfare state) than representative governance in spite of the (hyper)use of elections as an accountability mechanism. New modes of EU governance have contributed to the decline of representation and accountability in the national context.

Keywords: governance, neocorporatism, representative governance, EU, Slovenia

Introduction

In this article we summarise some preliminary findings from the special issue articles and relate them to the current governance literature debates. On this basis, we will also propose venues for further research.

The special issue offers an analysis of empirical governance in a country which became a new democracy at the same time that it became an independent state. Slovenia became an EU member only 13 years after its declaration of independence from former Yugoslavia. This issue represents a rather unique endeavour in terms of examining the different modes of governance within the single time span (1990–2017) and providing preliminary insights into how different modes of governance combine and interact. These endeavours are in line with Jesopp's call for studying how government and governance co-evolve (Jessop, 2016). It is also in line with Mayntz's argument that the state and government is still concerned with steering society regardless of the rise of new forms of interactive governance and that this interaction and combination of different modes of governance needs to be studied (Mayntz, 2016).

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As stated in the introduction to this special issue, we were interested in the joint impact of various modes of governance on a young democracy and simultaneously a young EU member state. Several general questions were posed. Tanja Oblak Črnič, Danica Fink-Hafner et al., Meta Novak and Ana Železnik addressed the question of how hierarchical modes of governance based on elections and representation through political parties have evolved in a young democracy in terms of democratic values. The question of the relationship between the dynamic changes of representative and neocorporatist governance modes was analysed by Lars Johannsen and Alenka Krašovec. Damjan Lajh, Alenka Krašovec and Lars Johannsen tackled the question of how the new modes of governance, which are part of the EU political system, interfere with the internal processes of representative governance and social partnership negotiations within EU member states. In this concluding article, we summarise the findings of all these articles in order to answer the following question: what is the effect on democracy of mixing the changing representative governance, neocorporatism and new modes of governance? The special issue provides several preliminary answers and also encourages further research.

While governance as a concept is presented in the introductory article by Fink-Hafner and Hafner the authors in this special issue only considered a small number of empirical governance phenomena in Slovenia. More precisely, the authors considered a hierarchical representative mode of governance based on elections and political parties at the national level of a unitary state, a national corporatist arrangement and governance as it has evolved as part of the EU political system in circumstances of full EU membership.

Firstly, the hierarchical representative governance belongs to a public type of governance and is based on elections, a representative assembly and the executive, which are both based on election results. The involvement and participation of other actors are limited or controlled by the state. According to these characteristics it is an elitist type of governance (Hanberger, 2004).

Secondly, the outstanding public-private mode of governance in Slovenia is corporatism. It is also an elitist type of governance. On one hand, representation in this public-private institutional arrangement is based on elections. Namely, government representatives are directly involved in negotiations with the other two partners within the framework of the Socio-economic Council. They negotiate Slovenia's macro-economic and social policies. Government representatives are accountable to the government. The other two partners on the Council represent the selected segments of interest groups, namely the trade unions and employers' organisations, and are accountable to their own organisations. More generally, the neocorporatist decision-making on Slovenia's macro-social and economic policies are

followed and evaluated by the general public based on the publicly available information and actual negotiated public policies.

Thirdly, the new modes of governance have found their way into Slovenia's political system since it became a full EU member state. While the Open Method of Coordination has been studied elsewhere (Fink-Hafner et al., 2010), this special issue included an analysis of the governance of national position making on EU policy proposals (Lajh). Even though it does not attain toward the big questions of new governance modes as posed in Western literature, it does tackle issues of the missing post-liberal democracy (Sørensen and Torfing, 2005).

Representative governance: Political parties and parliament

As with many other European post-socialist countries, the transition to a democracy in Slovenia was inspired by liberal democratic ideas close to Dahl's poliarchy (Dahl, 1971). This model of democratisation was supported by the European Commission when evaluating post-socialist candidates in the process of negotiations for the 2004 wave of full EU membership. While Slovenian citizens to a great deal accepted liberal-democratic political values, the real-life functioning of a newly established parliamentary democracy has not satisfied their expectations.

Indeed, articles by Danica Fink-Hafner et al. and by Krašovec and Larsson have shown that Slovenes have been dissatisfied with the way representative governance works in Slovenia. While Slovenes are dissatisfied with the representation they receive, they nevertheless do not support the abolition of democracy or the introduction of strongman rule. However, their trust in political parties is low, as is the case among citizens of other post-socialist Central and East European countries. Levels of trust declined even further when the governing policies shifted from a moderate macro-economic policy change towards neoliberal socio-economic reforms following Slovenia's full EU membership (Danica Fink-Hafner et al.; Krašovec and Johannsen). As significant segments of citizens believe that the political parties are not interested in the opinions of ordinary people they use elections as a means of holding their representatives to account. Furthermore, citizens turned to newly emerging parties and to more technocratic views on the politicians they want to see in power. The impact of this shift is discussed in the article by Fink-Hafner et al., which highlights the change in MPs and the public's preference for educated MPs than ever before.

But this turn also brought about a de-institutionalisation of political institutions, especially of political parties and the National Assembly, as was the case in other post-socialist countries. As in other countries, Slovenes are disappointed with their politicians' failure to deliver the welfare state and this

disappointment has turned to collective distrust and anxiety from which has arisen personalist parties.

It can be said that the behaviour of Slovenian political parties does not leave many options for political change in Slovenia. Tanja Oblak Črnič observed that political parties cling to an elitist top-down view of their relationships with citizens. None of the parliamentary parties surveyed plans to use digital communication as part of a 'deliberative strategy'. On the contrary, a majority of parliamentary parties regard the digital citizen as a 'virtual political person' to whom parties can direct their online monologues. Although some political parties recognise the concept of digital citizens in close relationship with digital media in a declaratory manner, they do not actually use digital media to its full potential to help young people express themselves politically. Rather, political parties continue to utilise conventional political methods.

Interest representation beyond political parties is also a necessary part of the functioning of representative governance. As Civil Society Organisations (CSOs) are mentioned both in the national governance framework as well as in studying new modes of governance (as with other interest organisations), Meta Novak's discussion of whose interests are represented by CSOs and to whom CSOs are accountable is highly relevant. Their administrative, financial and legal accountability need to be accompanied by public accountability.

In spite of their various criticisms of representative governance in Slovenia researchers do not propose any radically innovative improvements. Rather, they propose certain innovations which could potentially make representative governance more participatory and deliberative, either by democratising party communication with voters (as suggested by Tanja Oblak Črnič) or introducing deliberative national participatory enclaves (as suggested by Ana Železnik). These suggestions do not automatically mean that corporatism must be abandoned in Slovenia.

Corporatism revisited

As Krašovec and Larsson's article demonstrates, corporatism in Slovenia persists while adapting to the changed socio-economic and political conditions. Scholars agree that Slovenia's exceptional transition to a market economy was precisely steered through social pacts which led to the socially-oriented transformation and resulted in a socially-oriented and consensus-based transformation and consequently a comparatively highly egalitarian socio-economic outcome (for references see the article by Krašovec and Larsson). Furthermore, Krašovec and Johannsen speculate that, despite the weakness of social organisation, the increasing volatility

and fragmentation of political parties may see corporatism take centre stage once more as an anchor of stability.

However, the question is whether corporatism can provide for welfare policies in Slovenia the way it did in the past. It is important to note that Krašovec and Johannson proved that corporatism has been primarily an instrument in the hands of the government in particular conditions. As Krašovec and Johannsen demonstrate, social pacts emerged in Slovenia either when governments were weak due to major internal conflicts or minority status, or when governments tried to legitimise the capacity of their policies with an eye to forthcoming elections. Recently, the political elites turned to neoliberal policies while the declining trade unions and employers' associations are radicalising. Indeed, the effect of EU and Eurozone membership, along with economic recession coupled with a growing national deficit and public debt, means that the basis for successful social partnership negotiations has significantly diminished. Nevertheless, corporatism remains the oldest tradition in Slovenian politics and may yet play a substantial political role in future.

New Modes of Governance

Many authors have identified the problems with democracy in the EU, which are caused by a deficit of democratic accountability of governance structures (e.g. Bekkers et al., eds., 2007; Papadopoulos, 2007; Hix, 2008). This deficit first of all stems from the weak presence of citizen representatives in governance networks, a lack of democratic oversight and transparency in the EU's multilevel political processes and accountability being limited to forms of 'peer' accountability (Papadopoulos, 2007). Indeed, prior to the 2004 EU enlargement, Grabbe (2003) warned of the 'import of the democratic deficit to post-2004 new member states.

When a country joins the EU its national political institutions become vital components of the EU's institutional architecture. There are two particular segments in which national political institutions and actors have impacted on the adaptations of the national political system to the EU political architecture. First, there are the new modes of governance which are characterised as 'soft law-making' (particularly the Open Method of Coordination) (Borrás and Radaelli, 2010). Second, there is the linkage between the national representative governance and EU-level governance in the processes of making EU public policies. Usually, the structures and processes which compose this linkage are called the national coordination of EU policy. The first obvious shift in governance since Slovenia's full EU membership has been the shift in national power from the legislative to the executive branch (Fink-Hafner, 2013). In his article, Lajh further highlights

the system of accountability mechanisms in Slovenia's managing EU affairs, which is biased in favour of the executive power dominating these policy processes. Furthermore, the legislation covering relations between the executive and the legislative in deciding EU affairs does not provide for the inclusion of either the public or CSOs. The crucial national point in breaking up the representation in this system is the poor activity of the National Assembly. The Slovenian lower chamber does have the legal authority to participate actively in such processes and to open the doors to interest groups to enter EU policymaking via the national route. In spite of this, the process at the national level often begins with individual civil servants' drafts of the Slovenian national positions, which are often approved by the executive and forwarded to the National Assembly while the National Assembly rubber-stamps them. What appears to be missing here are all the elements in the chain of accountability – voters linking to EU policymaking through the national political system, MPs linking the national and EU policymaking, as well as the accountability mechanism between all the political actors.

From the point of view of protracted EU policymaking process in Slovenia, the problem of democracy begins with the lack of transparency in these national policy processes, while – as Kröger (2007) and Bovens et al. (2008) pointed out – this is critical for assuring dynamic accountability. The national executive as well as the supranational executive seem to agree that there are national executives which decide on the public openness of these policy processes. The EU-level institutions and actors do not interfere in domestic institutions and processes for deciding and implementing EU public policies. Among the most striking findings in Slovenia has been the finding that the actual processes, their contents and the range of actors involved depend on individual civil servants – de-facto coordinators of the national position-making in Slovenia. Even more striking is the finding that the civil servants in interviews conducted by researchers expressed concern with both (1) the lack of knowledge of the decision-making procedures in the context of the EU multilevel setting, and (2) the potential increase in consultations with CSOs making their overburdened position even unbearable due to staff shortages. As Lajh notes, it should come as no surprise that Slovenian CSOs frequently have insufficient knowledge of the decision-making procedures and particular EU legislative proposals; further CSOs lack professionalism and suffer from a cadre deficit.

All in all, we can summarise the several main themes of the special issue articles in Table 1. Although several themes appear to be particular to Slovenia they are in fact part of the functioning of the EU's political system as well as its democratic deficit.

Key themes in the special issue articles

This special issue has identified several key themes relating to representation and the accountability of governance. The themes listed in Table 1 can be clustered into two main groups.

On one hand, the themes expose the problems of institutionalisation and the de-institutionalisation of politics as well as the increasingly essential role of civil servants – a trait found in older democracies and older EU member states.

On the other hand, the themes identify other variables – the political culture and traditions (of various EU member states), which interfere into the institutionalisation and functioning of the EU's political system as well as the potential for democratic metagovernance (the governance of governance) (Sørensen and Torfing, 2005).

Table 1: THE KEY THEMES IN THE ARTICLES RELATING TO THE REPRESENTATION AND ACCOUNTABILITY OF GOVERNANCE

1. Citizens' general acceptance of the national representative governance (state coordinated model).
2. Low and declining trust in political parties and the national parliament.
3. A trend of deinstitutionalisation of the institutions of representative governance.
4. The rise of personalist politics.
5. The persistence and adaptability of old public-private governance mode: corporatism.
6. National representative governance's instrumentalisation of corporatism.
7. The increasingly limited capacity of politicians to oversee and instrumentalise other (new) governance modes.
8. The lack of national parliament's interest in EU policymaking.
9. Lack of capacity and accountability of politicians in EU policy processes.
10. Obstacles to the active inclusion of citizens in all existing governance modes.
11. The increasing role of civil servants in governance modes directly linked to the EU level policymaking.
12. A lack of civil-service resources and accountability in EU policy processes.
13. A lack of interest-group resources and accountability in EU policy processes

Sources: articles in this special issue.

Furthermore, they imply some important questions on the evaluation of practical governance.

The evaluation of empirical governance in Slovenia

Even though the two primary democratic values of representation and accountability were posed in the introduction as the criteria for evaluation, the authors have referred to one particular set of values which appears to be of major importance for citizens: social values; these are indicated in Slovenian citizens' overwhelming support for the welfare state, particularly for the state's involvement in health, pensions and in resolving unemployment. In Table 2 we summarise the trends in Slovenia's empirical governance.

Table 2: EVALUATION OF EMPIRICAL GOVERNANCE IN SLOVENIA

	Intra-territorial	Territorial – nation state level	Inter-territorial – among nation states	Trans-territorial
Political framework of governance	Neo-corporatist arrangements (Socio-economic Council)	Nation state parliament and government	Inter-governmental organisations (regional, global)	The EU as a regional (post-modern) state
Representation	Comparatively high, but in decline	Nation state level in decline; constant flourishing of new political parties	Very limited	In decline
Accountability	In decline	Electoral; large turnover in the parliament	Very limited	In decline

Sources: articles in this special issue.

From a longitudinal point of view, Larsson and Krašovec identify a conflict between two major trends: between the Slovenian public's support for the welfare state and liberal-democratic style of representative government on one hand, and Slovenia's political development on the other, which in little more than 25 years has brought about major changes – from transitional democratisation, political use of corporatism to personalist politics. Lajh particularly notes Slovenia's integration into the EU political system, which seems to have added to these domestic trends and their conflicts.

Nevertheless, the special issue articles identify both the co-existence and interference between various kinds of governance, which are, as Larsson and Krašovec point out, built on different conceptions of representation and accountability. In relation to the predominant core values in Slovenia, the preliminary findings are unexpected. This is especially the case after 2004 when the representative type of governance seems to have been less in line with citizens' expectations than elitist corporatism within which only

several major interests were represented. As in many other western and eastern countries, citizens in Slovenia are turning to personalist and even personalist-technocratic politics which they believe more likely to govern in line with the popular will than the previously known representative politics have. As shown in the article by Fink-Hafner et al., the Slovenian national parliament has recently been radically renewed with a host of 'new faces' and educated MPs.

To conclude, the key preliminary finding of the special issue articles is that old and new modes of governance both co-exist and interact in policy processes. Furthermore, those governance modes, such as neocorporatism, with a long tradition in Slovenia, may not only continue under the new (hierarchical) representative governance, but may even be more in line with citizens' preferences, which in Slovenia means the preservation of a welfare state. While financial and economic crisis caused Slovenia's relatively young representative system to lose its already low levels of legitimacy, neocorporatism has also declined due to internal and external factors, particularly Slovenia's subordination to the supranational EU authorities and their austerity measures. By contrast, new modes of governance which had become part of Slovenia's system following its full integration in the EU have empirically suffered from a lack of representation and accountability since the very beginning.

Future research themes

Contrary to the main-stream governance literature, these special issue articles examined one particular country in which various modes of governance take place in parallel and are to some extent also inter-linked. Slovenia serves as a valuable case study as it stands out among the post-socialist countries which joined the EU since 2004 by combining a parliamentary liberal democracy, persisting neocorporatist governance and new modes of governance as they evolved within the EU political system as part of globalisation processes. The research venue of simultaneous analysis of hierarchical representative governance and other (old and new) modes of governance and their mutual impact on democracy could be valuable for understanding their relationships and impacts; it could also inform the normative debates on post liberal democracy. Both in-depth case studies and cross-country research would be welcome. Table 3 indicates several future research themes.

Although new governance models evolve, this does not necessary mean that older ones disappear. Indeed, particular country traditions may continue to influence governance in that country and its involvement in new modes of governance. Furthermore, Slovenia's transition to a democracy

-as in all post-socialist transitions in Europe- has been faster than the transitions to democracy in Western countries (Jakobsen, 2008). Slovenia's experiences with empirical governance confirm Grzymala-Busse and Louing's thesis that the faster the transformation, the greater the potential role for norms, practices, and understandings to be inherited from the past to shape elite decisions in the new political system (Grzymala-Busse and Louing, 2002). However, the radical change of the political elite (as in many post-socialist countries happened since 2008) may threaten the previous traditions as well as usher in new and inexperienced politicians. While the older political elite instrumentalised public-private governance modes like neo-corporatism in favour of 'macro' politics, they were unable to adapt to the control new modes of governance in the framework of the EU political system. The question is whether more experienced elites in older EU member states had been able to do so. Analysis would suggest not.

Table 3: FUTURE RESEARCH THEMES

Mutual relations of various modes of governance	What are these relations and their impact on democracy
Meta governance and democracy	Theory of governance of governance; necessary and sufficient conditions for democratic metagovernance
Politicians	Political horizons, competences, leverages of their behaviour
Bureaucracy	How national civil servants are/can be held accountable for what they do in coordinating national positions on EU matters at home and for what they do at the EU level
Citizens/citizenships	Plurality: whether they amend each other, are they in conflict, or whether there are new (normative) to be (re)invented
Interest groups	The study of policy networks and their relationships to network governance
Deliberative innovations	The evaluation of deliberative experiments
Political science	Critical self-evaluation, adaptation and deliberative innovation

Sources: articles in this special issue.

Similarly, the dilemmas of competences and roles of citizens must be considered. Citizens in Slovenia believe that changing parliamentary faces and governments is the way to hold political decision-makers to account. However, all policies, especially those they care about most (such as welfare policies), are no longer in the hands of national politicians the way they used to be. Indeed, citizenship or rather citizenships within and beyond the nation-state need to be reinvented (Koster, Jaffe, de Koning, eds., 2017).

Similarly, researchers have also recently initiated a debate on the role of politicians in ensuring 'meta governance' that would comply with democratic values (Sørensen, 2002; Sørensen and Torfing, 2005). This not only included democracy as the end goal, but also the democratisation of political (decision-making) processes. Academic publications have been emerging focusing on political and social elites increasingly confronted with complex environments in which they need to take collective decisions (see e.g. Bursens et al., 2017). However, beside the questions of politicians' legitimacy and the leadership and communication within the framework of personalistic politics, the quest for a more substantial re-thinking of the role of politicians in re-inventing democracy in new social circumstances remains.

Just as Avdagic (2011) identifies a combination of conditions supportive of corporatism, ranging from organisational to institutional, political and economic, we also need to identify the conditions for democratic (meta) governance in a post-liberal context. In addition to the studies of real-life governance, a normative debate is long overdue. The danger however exists that these debates might overstate the importance of legitimisation of the existing new modes of governance through praising their efficiency and symbolic representation (Saward, 2010) or even slipping into legitimising undemocratic governance – as has previously been observed in cases of national governance (Kailitz and Wurster, eds., 2017).

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