



○ **THE POTENTIAL OF NATIONAL PARLIAMENT IN THE EU LEGAL ALIGNMENT PROCESS: THE CASE OF KOSOVO**

Sabiha SHALA

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# THE POTENTIAL OF NATIONAL PARLIAMENT IN THE EU LEGAL ALIGNMENT PROCESS: THE CASE OF KOSOVO

Sabiha SHALA<sup>1</sup>

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*European integration, as a complicated process that involves comprehensive reforms, inevitably changes a society in a variety of dimensions. It is therefore necessary to involve all segments of society from an early stage. The full involvement of the national legislative authorities can facilitate the EU integration of a country. Recent literature proves that national parliaments play a crucial role in this process (Strelkov 2016; Finke and Dannwolf 2015; Stratulat 2014). However, the potential of national parliaments is largely unused in some candidate and potential candidate countries to join the EU. The aim of this article is to analyse the role of national parliaments in candidate and potential candidate countries by focusing on the case of the Kosovo parliament in a comparative way. A comparison in some aspects is made with the role of national parliaments of Croatia and Slovenia as EU and ex-Yugoslavia countries, during their European integration process. The findings indicate that the potential of the Kosovo parliament is unused due to the limited capacity available for the verification of the alignment of Kosovo legislation with *acquis*.*

**Key words:** Alignment; EU legislation; administration; national parliament; European integration; Kosovo; Western Balkans.

## 1 INTRODUCTION

Since 2000, when the European Union (EU) decided to make Kosovo part of the Stabilisation and Association Process (Feketija and Łazowski 2014; Schenker 2008), the institutions of Kosovo have been working toward the country's integration. After the declaration of its independence, Kosovo signed a Stabilisation and Association Agreement (SAA) (Council of the European Union 2015) that entered into force in 2016. The Minister of European Integration in Kosovo Hoxha declared that Kosovo will apply for EU membership till the end of 2018 in order to gain the EU candidate country status by the end of 2020 (Hoxha 2017). So, the possibility of advancing in the European integration

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process is far greater than was before signing SAA. However, it remains to be seen, when Kosovo will submit its application for the status of candidate countries.

Kosovo's journey towards achieving the goals of the Lisbon Treaty (Council of the European Union 2007) is also associated with success in terms of the alignment of its national legislation with that of the EU. Kosovo faced this major challenge, which is one of the pre-accession conditions, during its advance towards European integration (Feketija and Łazowski 2014; Efremova 2015; Jenny and Muller 2010; Phinnemore and Papadimitriou 2004). Challenging process is followed by numerous difficulties for reasons explained below. Difficulties currently occur both at the legislative and executive levels of the country. As in other countries, the national parliament bears responsibility for the adoption of national legislation in accordance with the *acquis* (Czuczai 1999; Westlake 1995; Christensen 2010; Juris 2011; Jančić 2016; Dallara 2007; Toller 2010; Raunio 2009; Roman 2014). As the highest legislative body in Kosovo, the parliament often faces delays in realising its objectives in this process due to many reasons, such as the delay of the executive to process draft laws and the lack of sufficient supporting administrative capacity available to the parliament to determine if the EU law is properly incorporated within the national legislation as required by the EU accession criteria.

The present contribution identifies the specific difficulties that the institutional mechanisms of the Kosovo parliament, specifically its Committee for European Integration is facing in this process and suggests measures that would assist in overcoming such difficulties. For that purpose, a descriptive, analytical and comparative approach has been applied during the research. The existing legal and institutional frameworks in Kosovo, Albania and Macedonia as candidate countries and Croatia and Slovenia as EU member countries have been analysed. Croatia and Slovenia as EU member countries have been used as good example that has passed successfully such process. The reason why these two EU countries are selected is that both countries have been part of Yugoslavian state as candidate and potential candidate countries under investigation in this article. Numerous political documents and reports relevant to the process of the alignment of national legislation with that of the EU were consulted as well. Semi-structured interviews conducted with senior officials of the Kosovo parliament and government, members of the parliament of Albania and officials of the Ministry of European Integration (MEI) in Albania contributed to a balanced assessment of the role of national parliaments in this process. In addition, a number of meetings of parliamentary committees at the Kosovo parliament have been monitored.

This methodology also reflects the structure of the article, which is divided into three parts. The first part focuses on a description of the current situation of the Kosovo parliament in relation to the legal alignment process. The second part identifies difficulties, obstacles, and gaps within the Kosovo institutional mechanism for legal alignment. The third part includes recommendations to overcome such difficulties in order to strengthen the role of the Kosovo parliament in the legal alignment process and the Kosovo European integration process in general.

## 2 ALIGNMENT OF KOSOVO LEGISLATION WITH THE *ACQUIS* AND PARLIAMENT'S ROLE

The concept of the alignment of legislation has been the subject of research and has been treated by many scholars (Gramovs 2011). For the purpose of this article, the definition applied is that of Maksim Karliuk. According to Karliuk (2014), the alignment of legislation is a process of drafting and adopting legal measures that aim at the gradual achievement of consistency between the legislation of a third country with the EU *acquis*. Considering that scholars describe the EU as an organisation of treaties between governments that has an intergovernmental character *per se* (Moravcsik 1994), the governments of the member states of the EU are those that address European affairs, while the national parliaments have a more superficial role (Ghinea, Dinu and Tanasache 2010). The national parliaments in all candidate and potential candidate countries have been treated and have acted in this manner, bearing in mind that their governments are the main institutions involved in the implementation of the reforms necessary for the integration of their countries into the EU (Marović and Sošić 2011). The parliaments of these countries have more a superficial role in this process and need only be informed (Marović and Sošić 2011). The Kosovo Parliament has been treated similarly, but this treatment is justifiable, as it is still in the initial stage of integration. In Albania and Montenegro, the role of the parliament as merely an approver of laws should be unacceptable.<sup>2</sup> The alignment of national legislation with EU legislation technically is usually accomplished through a *Table of Concordance* prepared by the executive, while the role of the national parliament is to verify such legal alignment rather than interfere in this process because, according to the parliament, there would otherwise be a duplication of work already accomplished by the government.

Nevertheless, national parliament involvement varies from country to country. If we look at the practices of other countries that are already members of the EU, such as Slovenia, we see that the national parliament played a decisive role in the processes of European integration in general and legal alignment in particular (Lazarević et al 2014). The Slovenian parliament played a crucial role during the EU integration and negotiation processes for the EU membership of Slovenia. The Slovenian parliament was so fully involved that no 'negotiating position' could be sent to the EU institutions without receiving a prior green light from the legislative branch (Maršić 2006; Deželan 2007). The same role was played in the legal alignment process (Zajc 2008).

Indeed, the experiences of other countries demonstrate that the involvement of national parliaments in this process depends largely on the will of the institutions in that particular country. If the Kosovo parliament wants to strengthen its role in this process it can do so. The provision of the Lisbon Treaty protocols that states, 'national parliaments should contribute actively to the well functioning of the EU,<sup>3</sup> should be considered and used as a supporting argument. Kosovo, in giving a greater role to the parliament in the legal alignment process, should also refer to this provision. In addition, the European Commission through the Feasibility Study for Kosovo seeks explicit explanations about the verification system of the alignment of new legislation

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<sup>2</sup> Interviews with the two officials from Ministry of European Integration of Albania. Tirana, May 2013.

<sup>3</sup> Art. 12 of TEU, Official Journal 115, 2008.

with the *acquis* at the level of parliament (European Commission 2012a), which shows the importance of the role of the Kosovo parliament in the process.

Moreover, the interviews conducted for the present study prove the willingness of interviewed officials to actively include the Kosovo parliament in this process.<sup>4</sup> Those interviewed stated that there is a need to strengthen the institutional mechanism for legal alignment; involve qualified experts and administrative staff; and develop many documents of a political, strategic and normative nature. The current situation of the institutional structures already established in the Kosovo Parliament, including existing human capacities and documents relevant to the legal alignment process, will be described in the following section.

## 2.1 Institutional framework of the legislative alignment process in Kosovo

Some of the EU member states have attributed particular importance to the institutional structures for the coordination and management of European integration affairs in general and legal alignment in particular (Avery, Faber and Schmidt 2009; Royo 2007; Moravcsik 2007; Kelley 2006; Rupnik and Zielonka 2003; Gueldry 2001). Kelley argues that 'how fast a country could join the EU depends largely on institutional mechanisms created for coordination and management of European integration issues, and their effectiveness' (Kelley 2006, 35). Those studies and the experiences of other members of the EU have influenced candidate and potential candidate countries to join the EU, such as western Balkan countries (Elbasani 2013; Stratulat 2014), to establish these structures even before creating any contractual relations with EU, as is the case with Kosovo. Kosovo has established the basic institutional framework for the alignment of Kosovo legislation with the *acquis* at the executive and legislative levels.

The institutional mechanism for the process of legislative alignment within the Kosovo executive was established almost 15 years before Kosovo established its contractual relationship with the EU through the SAA (Council of the European Union 2015). From 2000 to 2008, the Office for European Integration Process, which had been responsible for the coordination of European policies, was succeeded by the MEI. The Department for Coordination of European Integration and Development was already established in among the existing ministries. However, structures (offices or departments) for European integration at the municipality level have only recently been established. The Sponsored Ministry of Draft Law has the primary responsibility for the alignment of draft law with the *acquis*, as set forth by the Rules of Procedures of the Government (Kosovo Government 2011). While the MEI Integration issues

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<sup>4</sup> Thirty (30) officials were interviewed in total and predefined open-ended questions were used. Only few interviews were conducted via e-mail, while the rest were conducted face to face. Thirteen out of them were officials of Kosovo Parliament (administrative staff and parliamentarians); fourteen officials of the Kosovo Government were interviewed including staff of MEI, Prime Minister Office and lines ministries; three consultant from the EU project supporting the Kosovo Parliament: and Government; one official from the EU Office in Kosovo; and two official of Albania Government. All of them asked and preferred to stay anonymous. Interviews firstly were conducted in 2012 and some of them are repeated at the end of 2017 and beginning of 2018, in order to check if there are changes on the issues related to the present article. Additional interviews were conducted in 2018. The selection of the interviewees was based on the positions of the officials, who were responsible for EU affairs, legal approximation and those supporting such process through projects. All materials, identity of the interviewees and interview transcripts are with the author, as the author interviewed all of them.

the declaration on the compliance of Kosovo's legislation with the *acquis*, there have been discussions about whether this function of the Ministry for European Integration should be transferred to the Legal Office of the Kosovo Prime Minister's Office. This change would have advantages and disadvantages that will not be described here.

The Kosovo institutional framework for the alignment of Kosovo legislation with the *acquis* at the legislative level has also been established. The Kosovo parliament has set up the basic institutional mechanism responsible to verify the compliance of draft laws submitted by the Kosovo government with the *acquis*. This mechanism is responsible for ensuring the legal alignment of possible amendments to the draft laws proposed by parliamentarians as well. The structures for legal alignment within the Kosovo parliament have been established at administrative and political level, which is similar to what has occurred in other countries (Feketija and Łazowski 2014; Zajc 2008; Deželan 2007):

- At the administrative level, the Harmonisation and Legal Advice Unit (HLAU)<sup>5</sup> has been established (Kosovo Parliament 2010a, 2010b) with responsibility to verify the compliance of draft law submitted by the government with the *acquis*. The Division for the Support of Parliamentary Committees has a similar function. In addition, the Unit of Legislative Research and Librarian Services is at the disposal of parliamentarians for research support (Kosovo Parliament 2010a, 2010b).
- At the political level, the Kosovo parliament initially established the Parliamentary Committee of Foreign Affairs and European Integration based on the Rules of Procedure of the Assembly (Kosovo Parliament 2005). After the independence of Kosovo, the Kosovo parliament divided this Committee in two committees based on its Rule of Procedures of Kosovo Parliament (2010b): the Committee for International Relations and the Committee for European Integration (Committee for EI) EI. The Committee for EI represents one of the main permanent parliamentary committees within the Kosovo parliament, and its importance is continuously growing with the advancement of the country on the European agenda. The experience of the same committee in the National Assembly of Slovenia proves that the Committee for EI has an important role, even after the country joins the EU. The Rules of Procedures of the National Assembly of Slovenia (Slovenian Parliament 2018) describe through many articles the functions and important role of such a committee. After the entry into force of the SAA between Kosovo and the EU, the Joint-Parliamentary Council was established in the Kosovo parliament.

The proper functioning of these institutional mechanisms depends entirely on human capacities and strategic, legal, guiding and procedural documents for the legal alignment of national legislation with the *acquis*. Therefore, the following part of the article analyses the existing human capacities and relevant documents available for the members of the parliamentary Committee for EI and all the members of the Kosovo parliament.

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<sup>5</sup> According to the officials of such unit, this unit has been now transformed to a Department but this change has not been reflected yet on the Regulation of the internal organization of Kosovo Parliament administration. There is a decision taken by the Presidency of the Parliament.



## 2.2 Human capacities and legal foundation for the alignment of Kosovo legislation with the *acquis*

Human capacities of state institution generally are important not only for candidate and potential candidate countries to join the EU (Vrbek 2013) but also for the EU counties (Johannsen, Hilmer Pedersen and Pivoras 2015). The proper functioning of the Committee for EI is almost impossible without the existence of qualified and sufficient administrative support staff who can facilitate the work of the committee members and the exercise of the committee's functions in relation to the alignment of Kosovo legislation with the *acquis*.

At the Harmonisation Unit, which is responsible for verifications of the legal alignment of all draft laws that come to the Kosovo parliament for approval, only two officials are employed since the head of the unit addresses managerial issues. Thus, despite the fact that such an official might be educated abroad, it is impossible to effectively support the parliamentarians in the legal alignment as that official is overloaded with work. Within one year, the Kosovo parliament receives approximately 97 draft laws from the government, and 65 to 70 of them get approved by the parliamentarians (Kosovo Parliament 2018). Similarly, the Division for the Support of Parliamentary Committees employs three officials to support the Committee for EI and only one to two field officials who have the responsibility to verify if draft laws and the possible amendments of parliamentarians are in line with the *acquis*. The Committee for EI relies very often on short-term experts who are mostly contracted through EU projects. With regard to the capacity of the Librarian Unit, the situation is almost the same, but as was stated by the interviewed officials, the demands from parliamentarians for that unit's services are very limited.

Practically, the Committee for EI receives support from two to three administrative staff members and, from time to time, from short-term experts. The human capacity available to professionally support parliamentarians in the legal alignment process is very limited.

With regard to the necessary documents for the verification of the alignment of Kosovo legislation with the *acquis*, which includes guiding, legal and strategic documents, Kosovo uses the SAA as a legal basis for the alignment of national legislation with the *acquis*, as other countries in the region have done. Before signing the SAA, Kosovo institutions voluntarily obliged themselves to approximate Kosovo legislation with the *acquis*, which has enabled Kosovo to keep up with the rest of the region throughout this process. The Kosovo Constitution stipulates that Kosovo is committed to establishing a legal system, which would allow for EU integration (Kosovo Parliament 2008). Based on the Constitution, the Kosovo government approved the Rules of Procedure of the Government (Kosovo Government 2011), which obliges sponsoring institutions of legal initiatives to ensure their compliance with the *acquis*. Based on the Rules of Procedures of the Kosovo Parliament, the same obligation falls on the Kosovo parliament as well (Kosovo Parliament 2010b).

To prioritise the draft laws to be approximated with the *acquis*, Kosovo institutions used to prepare the European Partnership Action Plan based on European partnership. Actually, the National Plan on Implementation of SAA (MEI Plan) serves as the basis for such prioritisations. The legislative strategy of the government and Work programmes of the parliament (Kosovo Parliament

2012b) are drafted based on the NPISAA (2017). So far, there is no specific strategy or sectorial strategy on the alignment of Kosovo legislation with the *acquis*. Croatia developed a strategy for harmonisation of environmental laws with EU legislation before accession to the EU (Croatian Government 2006). Finally, the MEI in Kosovo has developed guiding documents regarding the legal alignment procedures and techniques.

Procedures for the legal alignment of Kosovo legislation with the *acquis* at the executive and legislative levels should be based on the documents elaborated upon above. Unfortunately, however, this does not always occur. The analysis proves that the Kosovo institutions responsible for the alignment of Kosovo legislation with the *acquis* do not fully respect these legal acts:

- The Rules of Procedure of the Government in Kosovo, which describe the procedures to be followed, indicates that the sponsoring ministry has the obligation to approximate its draft law with the *acquis* by preparing the so-called *Table of Concordance* (Croatian Parliament 2003), which is a table comparing the draft law and the EU directive, and *Evidence of European Legislation Resources* (Kosovo Government 2011). The text of the draft law together with those accompanying documents must be submitted to the MEI to determine if the draft law is in compliance with the *acquis* by issuing a Statement and Opinion on Compliance within 15 working days (Kosovo Government 2011). Then, the sponsoring ministry must apply to the government for approval of the draft law and submit the abovementioned documents issued by the MEI and its staff. The finding of this research proves that the *Table of Concordance* was not attached to the draft law by the sponsoring ministry as was required by the Rules of Procedure of Kosovo Government.
- Following the government's adoption of the draft law, the draft law is submitted to the Kosovo parliament for approval. The Rules of Procedure of the Kosovo Parliament obliges the Proposals and Appeals Office to verify, among other things, whether the dossier of the draft law includes the 'Declaration on the alignment and Harmonisation with EU legislation and the comparative table with the acts it refers to. (Kosovo Parliament 2010b). Despite this legal requirement, the *Table of Concordance* is not attached to draft laws submitted by the government, and the Proposal and Appeals Office accepts the dossiers and distributes them to the members of parliament and the Unit for Legal Alignment, which has to issue a preliminary report verifying whether the draft law is approximated with the *acquis*. This Unit's report is shared with members of respective functional committees depending on the field regulated by the draft law but not to the members of the Committee for EI and its supporting staff (Kosovo Parliament 2010b).
- Only after first reading of the draft law at the plenary session, the Kosovo parliament requests a further review by the functional committee and the Committee for EI. At this stage, the Committee for EI has the obligation to determine if the draft law and any amendments made by the functional committee and parliamentarians are in compliance with EU legislation by submitting a report within ten days to the functional committee. Then, the functional committee presents the report to the Kosovo parliament in a plenary session with recommendations where the opinions of the permanent committees are presented as well, including the Committee for EI (Kosovo Parliament 2010b).

The procedure for the alignment of Kosovo legislation with the *acquis* is clear to some extent, because it faces gaps in its application from the very first stage when a draft law is submitted by the sponsoring institution to the Kosovo

parliament. Rules of Procedure of the assembly have not been fully implemented in terms of the alignment of Kosovo legislation with the *acquis* and they are not fully in harmony with the Rules of Procedure of the Kosovo government. This discrepancy is occurring because the government is not obliged by its rules to submit the *Table of Concordance* to the Kosovo parliament along with the draft law as is required by paragraph 1 of Article 5 of the Rules of Procedure of the Kosovo parliament (Kosovo Parliament 2010b). So, the government does not send the table to the parliament, as the sending of such a table to the parliament is not seen as a requirement for the sponsoring institution of draft law in the Rules of Procedure of the government. The Rules of Procedure of the government requires only the sending of *Evidence for the EU legislation*. Such documents are very simple and provide very little information compared to the information provided in the *Table of Concordance*.

To better assess to whole process of the legal alignment of Kosovo legislation with EU legislation, it is worth comparing such mechanisms with models and the experience of other countries in the region, including two EU member states. Therefore, the following section will concentrate on a comparative analysis of institutional and legal frameworks on the alignment of national legislation with the *acquis*.

### 3 COMPARABLE MECHANISMS FOR THE ALIGNMENT OF NATIONAL LEGISLATION WITH THE *ACQUIS* IN OTHER COUNTRIES

Generally, the Rules of Procedure of the Kosovo parliament describes all the institutional mechanisms for the alignment of Kosovo legislation with the *acquis* that should be in place within parliament at this stage of Kosovo's European integration and is similar to the structures in the parliaments of other countries in the region (Macedonia Parliament 2013; Albanian Parliament 2018, Montenegro Parliament 2013, Croatian Parliament 2002-2012; Jovanović 2011; Raunio 2009). Furthermore, it is worth mentioning that the Committee for EI in the Kosovo parliament, like the Committee for EI in Albania and unlike the Committee for EI in Croatia and Macedonia, was chaired by the party in power, and most of its members were also members of other parliamentary committees. Considering the political situation in Kosovo and the experiences of some EU member states, the opposition party should chair the Committee for EI in the Kosovo parliament, and the two other sub-heads should come from parties in coalition. Regarding the Committee for EI members who are also members of other parliamentary committees, it is argued that such a composition has its strengths and weaknesses (Ghinea, Dinu and Tanasache 2010). The strength of such a *modus* is that these members are more specialised and are meant to be well informed about the topics discussed at the meeting of the functional committees and other permanent committees for any particular draft law. However, the weakness of this composition is that these members will be very busy, and this will result in the low attendance of those members in meetings of the Committee for EI.

However, it can be concluded that such a composition of the Committee for EI might be an intermediate solution until the Kosovo parliament increases the number of support staff and experts. To avoid the problem of low attendance by committee members who are also members of other committees, it would be convenient to follow the example of Macedonia, where the number of deputy-members is the same as the number of members of the Committee for the EU (Macedonia Parliament 2013). As will be explained below, the composition and

participation of all members in meetings of the Committee for EI is essential for the execution of the committee's functions.

### 3.1 The efficiency of Committees for EI and verification of legal alignment

The primary and most important function of the Committee for EI is the verification of the compatibility of draft laws submitted by the government with EU legislation. To execute this function, the Committee for EI in the Kosovo parliament organises approximately 30 meetings per year and reviews 42 draft laws. The Committee for EI usually meets more than twice per month. If we compare the number of meetings of the Committee for EI in the Kosovo parliament with the number of meetings of the same committee in Albania, it appears that the latter holds fewer meetings than the Committee for EI in Kosovo. However, if we compare the number of draft laws scrutinised by both committees, the number of draft laws scrutinised by the Committee for EI in the Kosovo parliament is double the number of draft laws scrutinised by the Committee for EI in Albania. The Committee for EI in the Albanian parliament usually evaluates the legal compliance of not more than one draft law per meeting. Therefore, if we eliminate three-five meetings, it appears that the Committee for EI in the Albanian parliament has reviewed approximately twenty-two draft laws during these meetings (Albanian Parliament 2018). It is important to stress that those meetings in Albania are always attended by the deputy ministers of the ministries sponsoring the draft laws, which is a practice that does not exist in the Committee for EI in the Kosovo parliament.

The European Commission has several times concluded that the Committee for EI should strengthen its administrative capacity regarding its responsibility to examine the draft laws in terms of their compatibility with the *acquis* (European Commission 2011), as the number of officials dedicated by the administration to support the work of the Committee for EI and the verification of the compatibility of draft laws with the *acquis* is very limited. Therefore, the lack of sufficient administrative capacity to provide support to the Committee for EI in this process 'handicaps' its work. There are other barriers that hinder the execution of the committee's proper functions:

- The Committee for EI is obliged to meet at least twice a month, and if needed, the Committee could meet more frequently (Kosovo Parliament 2010b). The Committee for EI respects those rules by meeting every month and very often three to four times per month. Considering the number of draft laws checked by this committee, this schedule indicates that the committee has formally reviewed and checked the compatibility of the draft laws with the *acquis*. This means that the draft laws are only formally verified but not always substantially. This conclusion relies on numerous reasons. First, the number of draft laws reviewed per meeting by members of the Committee for EI is too high. Based on the data, the Committee for EI checks the compatibility of four to five draft laws with the *acquis* per meeting. The similar committee in Albania has only had a single draft law per meeting in which the compatibility was checked. As result, the agenda of the Committee for EI meetings is fuller than the agenda of the Committee for EI in Albania (Albanian Parliament 2018). Therefore, if we apply the practice of Albania in this case, the Committee for EI in Kosovo should have met forty times so far to be able to review one draft law per meeting.
- The Committee for EI of the Kosovo parliament, unlike the Committee for EI in Albania and other similar committees in other countries of the region, still reviews the draft laws in the absence of a comparative table, *Table of*

*Concordance*, which should be sent by the government. The absence of such a table prevents the members of the Committee for EI in Kosovo from substantially examining the draft laws. The committee can only superficially examine the draft laws, as they have to rely more on their general knowledge of certain areas of the *acquis*. This way of working is too generalised, as ten members of this committee have general knowledge in all areas and cover all the areas of the draft laws. Therefore, the *Table of Concordance* would help the work of this committee a great deal by providing details on the alignment of draft law with the *acquis* and would encourage a more substantial debate. Such a comparative table provides information on the compatibility of each article of a draft law.

- Based on the analysed draft laws and approved laws, the sponsoring ministry of a draft law applies the so-called method of 'copy-out alignment one-to-one alignment' (Steunenberg and Voermans 2006). One of the forms in which this alignment method is realised is by a simple copy, where the text of the relevant dispositions of a directive is copied in the national legislation. For example, the sponsoring ministry of the draft law on Consumer Protection applied this form of the method by simply copying the text of the directive (Kosovo Parliament 2012a) into the text of the draft law. Another method applied in this draft law was the so-called 'gold plating' method, which means that the draft law goes further than what is required by the alignment dispositions. Both of these methods have been applied in the mentioned draft law. It should be clarified that other countries apply this method as well, but this method should not always be applied since there are other methods that enable the adaptation of the dispositions of the directives to the reality of Kosovo (Steunenberg and Voermans 2006). The application of other methods would give more space to Kosovo parliamentary members to intervene in the text to avoid just formal compatibility with EU criteria. Therefore, the lack of comparative documents as well as the lack of proper guiding manuals on methods and techniques for the alignment of national legislation with the *acquis* creates an additional difficulty for the Committee for EI and other relevant institutions in Kosovo.

Within these constraints, the proper execution of this function is difficult if not impossible. Importantly, monitoring procedures for the review of the Draft Law on Consumer Protection and other draft laws (Kosovo Parliament 2012b) have identified that there is a lack of cooperation between the administrative staff of the Committee for EI and the relevant staff members of the ministries while drafting the draft laws, which brings even greater harm to the whole legal alignment process. Therefore, Kosovo institutions need to address the following recommendations in many aspects.

#### **4 RECOMMENDATIONS FOR STRENGTHENING THE ROLE OF THE KOSOVO PARLIAMENT IN THE LEGAL ALIGNMENT PROCESS**

In view of the current situation of the Kosovo parliament and the important role that the national parliament of a country should play during and after the accession of the country to the EU, this research proves the need for more than ten measures that should be undertaken by the Kosovo institutions in order to strengthen the role of the Committee for EI in the process of the alignment of Kosovo legislation with the *acquis* as well as the improvement of the whole process. For the purpose of a balanced assessment, it should be reemphasised that the Committee for EI will not be able to perform its function properly

unless the Kosovo parliament and government undertake several measures, including increasing the administrative human and technical capacities, such as draft guiding documents and the identification of draft laws coming to the Assembly of Kosovo for approval that need to be aligned with EU legislation. All these general recommendations and following concrete recommendations were based on a review of the current regulatory and institutional framework; interviews with officials from Kosovo and Albania including consultants from other EU countries, a careful assessment of parliamentary capacities, internal working procedures and relations; a review; as well as on a comparison with the situation and experience of other parliaments. In particular, the experience of the Parliaments of the above mentioned candidate and potential candidate countries to join the EU, and two EU countries have been analysed in order to identify good practices relevant to Kosovo.

*Increasing the budget for legal expertise and the number of supporting staff*

The budget of the Committee for EI should be increased in accordance with the obligations of the committee, as the current budget is unrealistic considering the tasks the committee must perform. A temporary solution would be to continue using the financial support of the EU. As the current number of staff supporting all the committees of the Kosovo parliament in checking the alignment of Kosovo legislation with the *acquis* is very limited, the number of such support staff should be increased gradually. Priority should be given to the '*acquis*,' on environment, agriculture and the internal market. An alternative solution would be the creation of European Integration department instead of the existing Unit for Harmonisation, and all officials within the Kosovo Parliament responsible for verifying the alignment of Kosovo legislation with EU legislation and research, should be transferred to it. This solution is in line with the practices of other countries, such as the practices of the countries in the region, e.g., Albania, Macedonia, Montenegro (Georgievski, Cenevska and Preshova 2014), etc. In addition, appointing substitutes (vice-members) for each member of the Committee for EI would be a lasting solution and would avoid limited contributions due to the absence of committee members. A similar practice exists in the parliaments of Macedonia and Albania (2018).

*Inter-institutional cooperation and legislative changes*

As the cooperation between the Committee for EI and the functional committees in the Kosovo parliament is not at a satisfactory level, especially with regard to monitoring already approximated and approved laws, a new internal regulation for the Committee for EI or an amended existing Rules of Procedures of the Kosovo parliament would better regulate their cooperation in planning and monitoring the approved and approximated laws with the *acquis*. There is a limited inclusion of relevant administrative staff of the Kosovo parliament in the drafting of laws by the ministries and there is no legal rule legally regulating such cooperation. Officials of the Kosovo parliament should participate in these meetings as observers and in the interim, the Kosovo parliament should initiate the development of a special law on 'The Role of Parliament in the process of European Integration.' It will regulate *inter alia* the role of parliament in the initial phase of the alignment of draft laws with the *acquis* at the government level. A similar law was approved in 2004 by the Albanian parliament (Albanian Parliament 2004).

*Strategic, legal and guiding documents for legal alignment*

The MEI should develop a national programme for the alignment of Kosovo legislation with the *acquis* based on the NPISAA, but Kosovo does not have yet a sectorial strategy for the alignment of Kosovo legislation with the *acquis* should be developed. There are already studies that recommend the development of

such strategies (Kosovo Government 2010). Such strategies would help the identification of draft laws that need to be harmonised with the *acquis* and those draft laws that are not regulated at the EU level (Petrov 2014). Additionally, Kosovo institutions should consider the practice of the Croatian parliament and to identify draft laws that need to be aligned with the *acquis* using the initials 'P.Z.E.' (Croatian Parliament 2012). Another technical document necessary to strengthen the role of the Committee for EI is the *Table of Concordance*. As in Croatia (ibid.), Kosovo Government should respect Rules of Procedures of Kosovo parliament by submit to it Table of Concordance together with draft law (Kosovo Parliament 2010b). A alignment between the Rules of Procedure of the Kosovo parliament and Rules of Procedure of Government should be made in this direction as the obligation to submit such table is not foreseen under the latest rules. Finally, the current manual on the alignment of Kosovo legislation with the *acquis*, needs to be further improved and developed (Kosovo Government 2016).

## 5 CONCLUSION

To conclude, a sustainable institutional framework for the legislative alignment of Kosovo legislation with the *acquis* has been established. However, the institutional reforms that have already taken place cannot be regarded as fully sufficient and efficient. The Kosovo parliament is a less significant actor than the Kosovo government and its ministers in the process of legislative alignment and European integration process in general. The Kosovo parliament, through the Committee for EI, continues to play a superficial role in the process of the alignment of Kosovo legislation with EU legislation and needs to assume a more active role in this process. A balanced dialogue between the executive branch and the legislature on the alignment of Kosovo legislation with the *acquis* must be established. Due to the under-involvement of the parliament, the progress of almost two decades of legislative alignment processes in Kosovo has not been extraordinary. However, it is unrealistic to expect the Kosovo parliament to be more active in the process considering the existing administrative capacities and the conditions under which it operates. Therefore, to address these challenges, the measures proposed in the third section of this article need to be undertaken as soon as possible to strengthen the role of the Kosovo parliament in this process.

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## MUNICIPALITIES IN RURAL AREAS FACE CHALLENGES: MERGERS – THE AUSTRIAN CASE<sup>1</sup>

Reinhard HEINISCH, Thomas LEHNER and Armin MÜHLBÖCK<sup>2</sup>

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*Do municipal mergers affect the democratic development at the local level? Numerous countries initiated municipal reforms in order to increase efficiency, administrative quality, and cost savings. Existing research focuses on the effect on local economic efficiency or political efficacy. However, few studies show effect of mergers on local democracy clearly. With this gap in mind, we focus on the recent municipal mergers in the Austrian State of Styria. The reform presents a natural experimental setting, which allows for a controlled test of the effect of ‘size’ on voter turnout. We contend that, as a consequence of the merger, individual votes lose weight. We expect turnout in merged municipals to decrease compared to the elections prior to the merger. We use aggregate data from the 2010 and 2015 municipal elections in Styria and employ regression models to test our argument empirically. The results support our argument.*

**Key words:** Municipalities amalgamations; Elections; Size; Turnout.

### 1 INTRODUCTION

Globalization, the European economic integration, and increasing international competition as well as the consequences of the financial crisis have placed great pressures on public administrations. In addition, there are the challenges of digitization and, especially, those of demographic change.

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It is readily evident that the demographic developments in municipalities vary greatly as some are growing, others stagnant, or shrinking. The population in peripheral regions tends to decline whereas in metropolitan areas, it is growing. Migration and spatial infrastructure along with the pooling of resources will reinforce these processes. When it comes to the municipalities in the inner-alpine area, which are away from larger population centres, the question of a sustainable future for many villages arises. Municipalities are responsible for designing and providing for the immediate living space. How can infrastructure be developed and sustained in the regions with a shrinking and aging population? More generally, how can the continuity of communal life in these villages be assured, while at the same time public coffers run low (Mühlböck 2011, 1)? One crucial way of shaping these challenges may be found in structural reforms such as by merging smaller communities or integrating them into larger ones. This leads us to our research question and the objective of this article: *We want to investigate the consequences of the fusion of municipalities for the democracy at the local level.*

Structural reforms at the local level have been implemented in several countries in recent years, including Finland (Lapointe, Saarimaa and Tukiainen 2018), Denmark, Norway, Sweden, Iceland (Steineke 2010), Australia (Dollery and Crase 2004), Switzerland (Koch and E. Rochat 2017; Lüchinger and Stutzer 2002), and Canada (Hicks 2006). In Austria, the municipal structures were reformed in the province of Styria in 2015. The number of municipalities was almost halved by mergers from 542 to 287. However, not all municipalities were merged.

When studying the effects of the reform of municipal structures, international social science research is going in two directions. On the one hand, the economic effectiveness of community mergers has been studied, leading authors to investigate whether merging results in a better financial performance at the local level (Blom-Hansen, Houlberg, and Serritzlew 2014; Hansen, Houlberg and Pedersen 2014; Lassen and Serritzlew 2011; Hansen 2013, Dollery and Crase 2004; Lüchinger and Stutzer 2002; Reingewertz 2012). On the other hand and to a lesser extent, the democratic consequences of local structural reforms are also a focus (Lapointe, Saarimaa and Tukiainen 2018; Hansen 2013; Shimizu 2012; Horiuchi, Saito and Yamada 2015; Hicks 2006).

One result of mergers is that the size of municipalities changes abruptly. The effect of the size of a political-administrative unit on democratic performance was especially recognized by Verba and Nie (1972) as well as "Size and Democracy" by Dahl and Tufte (1973). These studies suggest that municipality mergers should have a negative impact on voter turnout. As local units expand, the distance between voters and their representatives increases. Drawing on insights from the Rational Choice approach, we may argue that, with structural municipal reforms, the costs of participation and the expense for voters when making electoral decisions goes up. At the same time the relative weight of a single vote decreases. Evidence of a decline in turnout as a result of a municipal structural reform may be found, for example, in Lapointe et al (2018), Heinisch et al (2018), Koch and Rochat (2017), Roesel (2016), Seamon and Feiock (1995) and Morlan (1984). However, Hicks (2006), using the example of Toronto, has shown that as a result of the merger of municipalities, turnout even increased. In other cases, the reform effect remained completely insignificant (Bhatti and Hansen 2012). To be able to generate additional insights into this problem, we use a natural-experimental constellation derived from the reforms carried out in the Austrian State of Styria. In our case study, we can show that, first, that

size has a negative impact on turnout. Second, changes in size as a result of mergers work in the same way as there is evidence of a negative effect on democracy at the local level, thus voter turnout declines due to combining municipalities.

## 2 THEORETICAL ARGUMENT AND LITERATURE REVIEW

Headlines, such as "[the situation of] communities is getting out of hand", "more and more communities in debt crisis mode", "crisis fully tears at communities", and "more money for smaller communities [is needed]" (ORF Online quotes after Mühlböck 2011, 1) are common. Undoubtedly, the economic wellbeing of municipalities is a decisive factor for sustaining the performance of private businesses and for creating and maintaining jobs in a region. Municipalities make key contributions to macroeconomic developments in the context of local economic policies. For one, as promoters of the regional economy, they create tax incentives as well as the technical and infrastructural framework in which regional (private) economic development can thrive. Moreover, municipalities function themselves as investors, thus engaging in entrepreneurial activities and creating economic impulses.

In addition to economic expansion, a good social infrastructure and healthy demographic trends play central roles for local political development. Yet, municipalities encounter rather different conditions, depending on their size and geographic location. As a rule, communities are better positioned if located in central areas. Away from these conurbations, in rural areas, challenges mount: Smaller municipalities in rural areas usually have a history of cutting back their public services. Losing facilities such as banks, the post office, physicians, school infrastructure, and retail is not a new phenomenon in the affected areas. Such locations have been profoundly shaped by demographic change and outmigration. Rural exodus, the outmigration of younger people to economically attractive cities, is typical of today's settlement development (Schäfer, Vehrkamp and Gagné 2013; Vehrkamp 2015; Mühlböck 2011).

In 2006, the Austrian Association of Municipalities stated that the development and sustainability of rural areas was in danger. In this context, the importance of small and medium-sized enterprises (SMEs) was especially emphasized. The most important goals identified were "strengthening regional economic cycles, exploiting existing potentials, and promoting networking among all partners in a rural region" (Gemeindebund Online quoted after Mühlböck 2011, 2). The municipalities themselves have the power to set the framework for economic development by bundling together local strengths. In June 2009 representatives of the Austrian Association of Municipalities met with representatives of the Federal Government to discuss "a master plan for infrastructure in municipalities". "We want to use this master plan to define the minimum infrastructure requirements in communities .... How far may the nearest doctor be away at the most or what may be the maximum distance to the nearest post office" (Gemeindebund Online quoted after Mühlböck 2011, 2). But there is still no agreement on regulating the required basic infrastructure in municipalities. Formulating infrastructure standards for the local political level is still a key demand by the municipalities in Austria.

The demands on local government in terms of what citizens expect but also what the legislation requires are ever increasing while, simultaneously, financial resources are in decline. Larger communities can make their

administrations more efficient but smaller ones quickly reach their limits. In addition, politicians in middle and small communities often work on a voluntary basis. Here, recruiting talented personnel becomes a problem. Today, it is frequently too difficult to find people willing to volunteer for public service and become mayor or local councillor. In other countries such as Switzerland, financial constraints and, among other things, recruitment problems have led to numerous municipal mergers. Regional media even reported a veritable "boom" in such a trend. Since the end of the 20th century, an increasing number of small rural communities has been merging to form larger units because they can no longer bear their growing financial burdens alone. In some cantons, the amalgamation of municipality has even been actively promoted and financially supported as a solution to the problems encountered. (*Neue Züricher Zeitung* (New Journal of Zurich); Mühlböck 2011). Thus, the trend towards larger units has continued unabated in Switzerland.

If municipalities are merged, the administrative boundaries are changed. This may lead to a merger of two or more municipalities of similar size or the incorporation of smaller units into larger ones (Sarott-Rindlisbacher 2008, 11; Schnötzing 2013, 3). These mergers take place either voluntarily or are mandated from above. Prescribed merging is possible in Austria because its Federal Constitution provides for the existence of communities in the form of an institutional guarantee and in terms of a right to self-government, but it does not guarantee the existence of the single municipality (Berka 2008, 209; Pitlik, Wirth and Lehner 2012, 8; Schnötzing 2013, 4). In Austria, the legal regulation of municipal arrangements is the responsibility of the states (Berka 2008, 209). Discussions about municipal mergers usually start with notions about what the optimal population size should be (Ladner and Steiner 1998, 65; Schnötzing 2013, 7). However, such debates then seldomly provide any clarity about whether an optimal population size actually does or does not exist. Typically in such cases, a minimum size can never be established empirically but the structural reform parameters are primarily determined normatively (Wirth 2011, 16; Schnötzing 2013, 8).

As mentioned in the introduction, amalgamations of municipalities have recently taken place among others in Denmark, Norway, Sweden, Iceland, Australia, Switzerland, and Canada. Although the sizes of municipalities in these countries vary greatly, the goals pursued by merging local units are quite similar. Above all, a merger was intended to increase financial efficiency and effectiveness by cutting costs in public administration. At the same time, however, the quality of public services was to remain the same or even be optimized. In addition, it has been argued that municipal arrangements today no longer correspond to the realities of life because although many people still live in small communities, they work and do business in the urban centres. Finally, mergers were seen as a solution to recruiting competent policymakers, administrators, and other professionals (Ladner and Steiner 1998, 67; Schnötzing 2013, 9).

### 3 DEBATING MUNICIPAL MERGERS IN AUSTRIA

The necessary consolidation of national budgets as a consequence of the economic crisis also affects the financing of the municipalities. In Austria, around 40 percent of the municipalities are no longer solvent on their own. The balance of these local government budgets is negative in these so-called "Abgangsgemeinden" [deficit municipalities] (Gemeindebund 2017, 16). The

Austrian Association of Industrialists [Industriellenvereinigung/IV] demanded therefore the creation of a larger and thus more economical unit structure as early as 2010 and put pressure on the implementation of local structural reforms (*Die Presse*). To have 2100 mostly medium-sized and small communities municipalities in a small countries like in Austria is too many, so the argument (jurisdiction 1.1.2017, Statistik-Austria). The call for community mergers and increases in municipality size has been unmistakable. The communities, however, are taking customarily a negative attitude towards mergers (*Die Presse*).

The Economic Research Institute in Vienna (WIFO) suspected that the will to merge increases as soon as there are favourable economic arguments (Mühlböck 2011, 4). Studies for Austria and Switzerland have shown that the administrative costs of very small communities are relatively high but decrease with diminishing size. Yet, it seems also to be the case that starting with a certain size, the costs tend to rise again. According to this, the optimum in Austria – based on the expenditure of the public administration – would be about 3,000 inhabitants). Building on this, in Austria, the Economic Research Institute argued for small communities of at least up to 1,500 inhabitants to be merged (Wirth 2011, 718; Schnötzingler 2013, 8). However, not everything can be defined in terms of money. There is also the important issue of local identities. People do not just exist on the basis of budgets and public finances important as that may be. People live in a social environment that requires nurture and preservation (Mühlböck 2011, 5). As a result, municipal mergers had been an absolute taboo for many years. It was, therefore, all the more surprising that at the beginning of 2015 the government of Styria set about its ambitious reform by cutting the number of municipalities almost by half.

#### **4 STYRIAN MUNICIPAL REFORMS 2015 – POLITICAL CONTEXT AND PROCEDURAL INFORMATION**

In Styria, the administrative spatial arrangements at the local level had been last reformed in the 1960s and 1970s. Similar changes were implemented also in other Austrian states during that period (Lower Austria, Burgenland and Carinthia) (Wastl-Walter 2000, 72). In Styria, the number of municipalities was reduced from 851 (1961) to 544 (1981). About one third of the municipalities merged voluntarily, all others were the result of legal mandates (Wastl-Walter 2000, 81). Since then, the number of communities has remained almost constant. In Styria, however, the proportion of very small communities was still especially high, given that one third had had fewer than 1,000 inhabitants.

In 2010, a newly-formed Styrian state government, composed of Social democrats (SPÖ) and Christian democrats (ÖVP), founded what was dubbed a "Styrian Reform Partnership" ("Reformpartnerschaft"). The new Styrian government set itself the goal of finally carrying out an ambitious structural reform in several areas including also the fusion of municipalities. This received considerable attention even beyond the borders of Styria and Austria. The start for the merger process came on 16 December 2010 (Land Steiermark), when Styria still had 542 municipalities and thus had one of the smallest local community sizes in Austria. Only the province of Burgenland had even smaller municipalities. The implementation of the reform was scheduled for a four-year period. During that time, the number of municipalities decreased to 287 (as of 1 January 2015) while the average population per Styrian municipality increased from 1,747 (2010) to 3,293 (2015). The proportion of very small communities

of under 1,000 inhabitants fell from 32 (2010) to 3.6 percent (2015) (Land Steiermark).

*What were the motives behind the reform?*

As a result of the financial crisis in 2008 and 2009, the number of Styrian municipalities no longer able to shoulder their financial burden (a.k.a. 'Abgangsgemeinden') increased sharply from 119 municipalities in 2008 to 225 in 2010. It became clear that small communities in particular were exposed to increased risk. In addition, there were demographic developments, which put pressure on the small communities in rural areas in particular due to outmigration trends and aging. The combination of the precarious financial situation of the small communities and the demographic developments underway prompted the discussion about municipal mergers in Styria (Zsilincsar 2011, 81-83). These were intended to provide communities with greater freedom in designing mechanisms to enhance the performance of their administration. One of the goals of the Styrian structural reform was thus to increase the effectiveness and efficiency of task fulfilment in municipalities. The stated objective was also to reduce administrative costs given that the expenditures on personnel and materials are proportionally smaller in larger units (Land Steiermark, 22).

As a result of the financial crisis and demographic developments, other Austrian provinces faced similar challenges. However, only Styria chose the path of merging municipalities. The fact that the reform was actually implemented depended largely on the political will and commitment inherent in the Styrian "Reform Partnership" that had invested significant political capital in this issue (Pitlik, Wirth and Lehner 2012, 131).

In a first phase from September 2011 to January 2012, the municipalities were able to make proposals of their own. Subsequently, until September 2012, the ideas of the state government and the local plans were discussed and brought together. The phase of the merger decision ended in January 2013. At that point, 385 of 542 municipalities were affected by the reform. According to information provided by the Styrian Government, 306 municipalities voluntarily approved the mergers but 79 were compulsorily merged. All objections were rejected by the Austrian Constitutional Court in 2014 so that the reform was finally put into force on 1 January 2015 (Land Steiermark).

However, not all municipalities were merged. Overall, 157 municipalities retained their existing structure. As it turned out, the stated goal was to bring together very small municipalities (around 1,000 inhabitants and less), with those with financial problems and a shrinking population. In this connection, it should not be forgotten that the municipalities could make suggestions of their own. Moreover, the result of the selection also determined the outcome of the entire process of the reform. The selection of municipalities to be reformed cannot be explained by empirical considerations alone. Ultimately, the political will of the Styrian government was crucial to change the municipal structures. The selection of the municipalities to be reformed was thus based on empirical data as well as normative objectives. Moreover, it cannot be ruled out that political criteria (e.g. the strength of the parties in the new units) also played a role.

At the beginning of the year 2018, the Styrian governor Hermann Schützenhöfer summed up the Styrian territorial reforms. When asked if there would be more mergers, he replied: "Not in my earthly life anymore, unless they are voluntary." (*Kleine Zeitung*). With the initiative of the State of Styria to fundamentally alter



municipal structures, a new dynamic in the Austrian discussion of municipality structures had been set in motion. All other states observed the reform process in Styria with keen interest.

Although the Styrian reforms may be a step in the right direction, it is questionable whether comparable reform projects in other Austrian states would be entertained and finally implemented in the foreseeable future. This is because the Styrian example has shown that interventions in the spatial administrative structure are highly risky for political leaders. The Styrian "reform partners" SPÖ and ÖVP had to accept heavy losses in the state elections 2015 immediately following the reform. The former SPÖ-governor Franz Voves lost his post following elections and third parties did very well.

## 5 MAIN ARGUMENT AND HYPOTHESIS FORMATION

One effect of the mergers is that the size of the municipalities changes abruptly. We now turn to the main argument that there may be a relationship between size – or change in size – and electoral participation. Thus, we want to test the effect of size on turnout in local elections using the natural-experimental conditions provided by the municipal mergers in Styria. Here, it is important to recall that the argument in favour of mergers in Styria was not connected to the motive of increasing voter turnout. Moreover, the reform has not changed the electoral system (Land Steiermark).

Studies on "Size and Democracy" (Dahl and Tufte 1973; Verba, H. Nie and Kim 1979; Blais and Dobrzynska 1998) suggest that for smaller political units in terms of population size a higher turnout can be expected (Heinisch and Mühlböck 2016). Empirical evidence for the positive effect of smaller political units on voter turnout exists inter alia for Switzerland (Ladner 2002), Denmark (Mouritzen 2006), Spain (Justel 1995), the Netherlands (Denters 1998), and Canada (Kushner, Siegel and Stanwick 1997). This variation in voter turnout is particularly evident in regional and local elections, for example in Austria (Heinisch and Mühlböck 2016), Great Britain (Newton 1982), and Western Europe in general as well as in the USA (Morlan 1984).

The argument for the effect of size on turnout can be deduced first from of the rational choice theory, according to which the 'rational voter' acts primarily profit- and result-oriented. It is not about individual expectations of advantage, which rather explains voting for one or the other group campaigning. Nonetheless, an individual's perception of whether the single vote is decisive for the election is important. This individual perception is highly influenced, among other things, by the number of eligible voters. The benefit that can be derived from turnout tends to be greater in smaller communities because a single vote has proportionally more influence in relation to the entire electorate (Geys 2006). By comparison, the argument based on the sociological school suggests that shorter distances in smaller municipalities and thus more direct contacts between politicians and voters have a favourable effect on turnout in these communities. There, the distances are shorter and the costs for participating in the local political discourse tend to be lower than in larger units (Vetter 2002, 16). The agenda of local parties can be more easily and directly communicated in smaller units, often even via face-to-face contacts. One should not forget the better comprehensibility of closely-knit living spaces in smaller unites (Anderwald 2008, 24). Attention also needs to be paid to the aspect of "social control". In the sociological debate, this argument is discussed under the

heading "Population Concentration" by focusing on disparities between urban and rural spaces. In more urbanized local units characterized by social individualization and a high degree of anonymity, the social pressure on participation is much less pronounced than in more rural areas (Vetter 2008; Geys 2006). However, test results show a mixed picture. Geys (2006) concludes in his review that "the relation between population concentration and voter turnout is weak". One reason could be that rural areas also have regional centres that are more urban in structure. This leads to the realization that the idea of "Population Concentration" needs to be integrated into the argument on "Population Size". That is why it can be assumed that "social control"-regardless of the location of the municipality, in a rural area or in a central area - should be more effective in smaller rather than larger units (Heinisch and Mühlböck 2016).

With the amalgamation of municipalities, the size of the local unit changes abruptly. As a result of the merger, the number of eligible voters increases dramatically, especially in the smaller municipalities, while the number of seats in the local parliament, in relative terms, declines. Thus, the relative weight of a single vote decreases in amalgamated municipalities while remaining constant in local units unaffected by the reform. Following the theoretical argument, the sudden increase in the number of eligible voters should reduce the willingness to participate because the single vote loses weight. The individual chances of influencing the election are now much lower than in the election before the merger. At the same time, the costs of participation have increased. A change in size of the municipality results in a reduction in direct contacts between candidates and voters, which is crucial for political information at the local level, especially in smaller municipalities (Van Houwelingen 2017). If less information is available after the reform or more time and effort is required to gather information, then turnout in reformed municipalities will decrease in post-reform elections (Heinisch et al. 2018). Due to the increasing number of inhabitants in municipalities, the degree of social anonymity is also going up, which should also have a negative effect on turnout.

However, this line of argumentation is also subject to criticism. Other authors suggest that mergers may even increase voter turnout, especially in elections that follow directly the implementation of the reform. Mergers are rarely uncontroversial in the population. The merging of municipalities always leads to a more or less polarized public discussion. The fear of change and negative consequences as well as the loss of local identity on the one hand and the potential gains from increased efficiency on the other lead to increased public interest (Kushner et al 1997b). More attention to what happens means that more people than usual get involved in political debates. The direct impact of reforms on individuals themselves are said to boost political interest (Zimmerbauer and Paasi 2013). As the intensity of the debate on political issues increases, the probability of participating in elections also goes up. Voters want to have a say. As a result, the amalgamation of municipalities can have a positive effect on turnout. Hicks (2006, 5) shows that voter turnout increased following the merger of several municipalities for the Toronto megacity. He explains this above all with a strongly negative attitude in the population towards the merger. As a result, political attention rose sharply. In addition, there was a close race between the two mayoral candidates, who were already mayors in the previously independent communities. Voter turnout declined in later elections, but remained above the level reached before the merger (Hicks 2006, 7).

The competing theoretical arguments presented here would lead to different results. While the change in the relative weight of a single vote as well as the growing distance between voters and representatives suggest a decline in voter turnout, the second argument points in the direction that such reforms increase voter turnout. The reason is that the salience of the election following immediately after the reform is greater.

In this study, we focus on the effect of the size of a municipality on turnout in local elections. The central argument refers to the change in municipality size caused by mergers. Thus, we expect a negative correlation between the degree of change in size as a result of amalgamations and voter turnout, such that the negative difference in turnout between the Styrian local elections 2010 and 2015 is significantly higher in reformed than in non-reformed municipalities. The main hypothesis must therefore be stated as follows:

*Main hypothesis: When municipalities are merged, voter turnout decreases in municipal elections.*

#### *Control Variables*

The literature contains a number of alternative explanations for the variation in turnout. These institutional, systemic, and socio-economic factors (Geys 2006) are taken into account in the following analysis summarized here. The theory of "Population Homogeneity" shows that better social cohesion in less-fragmented local units (in socio-economic or ethnic terms) has a positive impact on turnout. In more heterogeneous units, there are a multitude of interests and thus an increased potential for social conflicts. Homogeneous units are more likely to have common and thus connecting and non-competing interests, which promotes political participation (Heinisch and Mühlböck 2016). The economic performance of the municipality also influences turnout (Freitag 1996). An optimized offer in the areas of education, art and, for example, child care increases the legitimacy of the local political system, which in turn increases the willingness to participate in municipal elections (Heinisch and Mühlböck 2016). According to Geys (2006, 646), local party competition is one of the most commonly used explanatory factors for turnout. The closer the race, the higher is the turnout. Therefore, local party competition at a high level has a positive impact on turnout. Associated with this is the effect of the degree of fractionalization in the local party system. The more parties for which to vote, the greater the choices that are available to voters. More parties cover more diverse interests, which should attract more voters and thus lead to a higher turnout in local elections (Freitag 1996, 10). With regard to municipal reform in Styria, another aspect seems important. It was mentioned that 306 municipalities voluntarily approved the mergers but 79 were compulsorily merged. Thus, it cannot be ruled out that this circumstance, a "forced" or a "chosen" merger, has an effect on turnout, so we will control for this aspect.

## **6 OPERATIONALIZATION**

Voter turnout figures are taken from the proportion of votes cast by eligible voters in a given municipality. We expect a negative correlation between municipality size and turnout, and thus a larger difference in turnout between 2010 and 2015 in merged communities than in local units that were not affected by the reform. But we cannot measure the change in size directly. For the elections in 2015, after the reform, only the data for the post-reform

arrangements are available. An evaluation of election results in 2015 based on the pre-reform structures of 2010 is not available. In order to overcome this obstacle we calculated the average value of all control variables and the dependent variable based on the post-reform boundaries. To operationalize the independent variable we suggest the change in the ratio of voters to seats in the local parliament as an indicator for the change in population size. We do this for two reasons. First, there is a close relationship between the size of a municipality and the seats to be awarded. In smaller communities, the ratio of voters to seats is smaller. In other words, fewer votes for one seat are needed than in larger communities. The ratio of voters to seats in the local parliament is therefore a very good indicator of the size of a municipality. Measuring the ratio of voters to seats before and after the reform then highlights the change in size caused by the reform. Second, the proposed indicator makes it possible to measure arguments related to size directly: the change in the relative weight of a vote as a result of the reform or the distance between candidates and voters. In some municipalities there were protests against the mergers. In order to be able to control a possible effect, we follow the respective coding of previous research on the case of Styria (Jenny and Ennser-Jedenastik 2014; Heinisch et al. 2018). As a result, 60 new municipalities were affected by protests (at least in one of the merged municipalities there was resistance to the reform: 1 = involuntary).

We use socioeconomic characteristics to measure population heterogeneity. Data on the local education level and the job structure are combined according to previous research (Heinisch and Mühlböck 2016, 12). As an indicator of the economic strength of a community, we use the financial strength of the municipality per inhabitant (Heinisch and Mühlböck 2016, 13). Employing the Laakso Taagepera Index, we measure the degree of fractionalization in the local party system. The difference between the voting share of the first and the second party is the indicator for measuring local party competition (Geys 2006).

## 7 EMPIRICAL RESULTS

The statistical units in our tests are the municipalities. All data we collected and entered in our calculations were measured at the local level. We combined data from the 2010 (pre-reform) as well as 2015 (post-reform) local elections in all Styrian municipalities except the city of Graz, which was eliminated as an outlier. We also excluded two municipalities that were the result of a fusion in 2013: Buch-Sankt Magdalena and Trofaiach (n=284). Table 1 shows descriptive statistics (mean, standard deviation, minimum and maximum) for the ratio scale factors used in the regression model. The values of the variables result from the difference of the characteristics in the 2015 (postreform) and 2010 (prereform) elections.

**TABLE 1: DESCRIPTIVE STATISTICS**

Variable	N	Mean	St. Dev.	Min	Max
Δ Election Turnout (VT)	284	-3.31	3.08	-13.16	4.67
Δ Ration Voters-Seat (RVS)	284	30.48	52.28	-100.59	314.74
(In)Voluntary Merger (m_p) (1=involuntary)	284				
Δ Population Heterogeneity (PH)		0.22	1.48	-16.52	8.19
Δ Financial Strength (FS)	284	90.67	85.20	-541.54	476.33
Δ Party Competition (PC)	284	-1.75	15.31	-49.46	46.3
Δ Laakso-Taagepera-Index (LTI)	284	0.27	0.63	-1.46	4.95

Table 2 shows average turnout rates by groups and years as well as changes in turnout between the years or the criterion. We can see that for merged municipalities, turnout rates between the local elections in 2010 and 2015 dropped on average by 4.17%. In contrast, turnout fell by 2.6% on average in non-merged municipalities.

TABLE 2: AVERAGE VOTER TURNOUT RATES AND CHANGE BY GROUP AND YEAR

Group	N	Av. VT 2010	Av. VT 2015	Av. Change in VT (in %)
Treatment Group	130	81.45	77.28	-4.17
Control Group	156	80.45	77.85	-2.60
Differences		1.00	-0.57	1.57

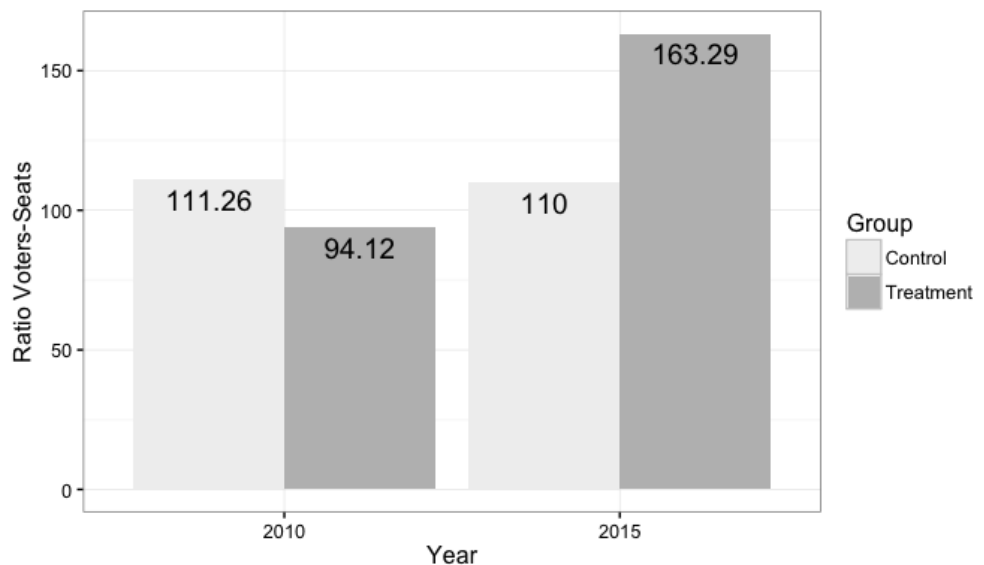
To test for significant differences in the average change in turnout between merged and non-merged municipalities, we first applied a T-test. Table 3 shows that the changes in turnout between merged and non-merged municipalities differ substantially. What can account for this?

TABLE 3: T-TEST FOR DIFFERENCES IN VOTER TURNOUT BETWEEN TREATMENT AND CONTROL GROUP

T-Statistics	DF	P-Value	Lower CI	Actual Mean Difference	Upper CI
4.402	282	0.000	0.87	1.57	2.27

In a next step, we take a look at the main explanatory factor. Regarding that variable, we see in Figure 1 how the reform has changed size, captured here as the ratio of voters per seat for merged municipalities. The figure also displays changes that occurred in the average ratio of voters per seat for non-merged municipalities. We can see that for merged municipalities (group 1), the number of voters per seat increased by approximately 70 points (from 94 per seat in 2010 to 164 voters per seat in 2015) whereas for non-merged municipalities (group 0), the rate remained almost identical.

FIGURE 1: CHANGES IN RATIO OF ELIGIBLE VOTERS-SEATS 2010-2015



We can show, therefore, that the changes in turnout between merged and non-merged municipalities differ substantially. We also find evidence that the ratio of voters per seat increased substantially for merged municipalities. The key question that remains is to what extent the change in size as a result of the reform (measured as the ratio of voters per seat) does affect turnout.

The municipal reform in Styria allows us to test our hypotheses in a natural experimental setting. As mentioned before, it is important that the fusion of municipalities in Styria was not led by the motive to increase voter turnout. Moreover, the reform has not changed the electoral system (Land Steiermark). To test for the expected effect, we calculate an OLS model to show how changes in the ratio of voters to seats influence changes in turnout (which, at the same time allows for explanations of how size influences turnout):

$$\Delta VT = \beta_0 + \Delta RVS + m\_p + \Delta PH + \Delta FS + \Delta PC + \Delta LTI$$

In our model  $\Delta RVS$  indicates the change in the ratio of voters per seat. Our set of covariates includes (In)voluntary Merger ( $m\_p$ ), Population Heterogeneity ( $\Delta PH$ ), Financial Strength ( $\Delta FS$ ) of a Municipality, Political Competition ( $\Delta PC$ ), and the Laakso-Taagepera Index ( $\Delta LTI$ ).

TABLE 4: OLS MODELS FOR THE EFFECT OF CHANGE IN RATIO VOTERS-SEAT ON CHANGE IN VOTER TURNOUT

Variables	Model 1	Model 2
Constant	-2.853*** (0.21)	-2.759*** (0.292)
$\Delta$ Ration Voters-Seat (RVS)	-0.015*** (0.003)	-0.015*** (0.003)
(In)Voluntary Merger ( $m\_p$ )		0.281 (0.461)
$\Delta$ Population Heterogeneity (PH)		0.176 (0.120)
$\Delta$ Financial Strength (FS)		-0.002 (0.002)
$\Delta$ Party Competition (PC)		-0.032** (0.014)
$\Delta$ Laakso-Taagepera-Index (LTI)		-0.208 (0.356)
Adj. R <sup>2</sup>	0.06	0.07
Observations	284	284

Note: Dependent Variable= $\Delta$ Voter Turnout; Standard Error in Parentheses; Sig. \*\*\* p < 0.01. \*\* p < 0.05. \* p < 0.1;

We claimed that the municipality size has a significant impact on turnout. Based on our reasoning, we expected the change in size due to mergers to have a negative impact on turnout. We measured change in size by the change in the voter-to-seat ratio. In our OLS regression model, we modelled the impact of changing this ratio on turnout. In a first step, Model 1 (Table 4), in a bivariate setting, shows the expected effect. The change in size, measured by the change in voters per seat between pre- and postreform elections in the years 2010 und 2015, has a significant effect on the change in turnout. This means that as a result of the merger, turnout in the reformed municipalities declined significantly more than in non-reformed municipalities. We can conclude that merging local units has negative consequences for local democracies: voter turnout declines. The result also shows that size has a significant impact on municipality election participation. The larger the municipality, the lower the turnout. In a second step, we control this effect through competing explanations

of variation in turnout. Holding all control variables at their means, we can observe once again, and controlled at this time, that changes in size (measured by the change in the ratio of voters per seat) are associated with negative changes in turnout. We can show repeatedly that in line with our expectation, amalgamations have a negative effect on turnout. This is on par with our theoretical expectation that inter alia larger numbers of voters per seat decrease a voters' individual weight in the election outcome, leading to lower turnout. The fact that there was protest in a municipality against the reform or not has no effect on the criterion. The results of the OLS regression show another important result. If the political competition is strong (party competition), it has a positive effect on turnout. The expected positive direction of the influence of an already frequently tested factor on turnout ('tight race') can be confirmed here.

## 8 CONCLUSIONS

Our starting point was that municipalities today face a multitude of challenges. Among other things, the consequences of the financial crisis and demographic developments place severe strains on communities. All things being equal, smaller municipalities in rural areas are negatively impacted the most by these trends. In order to meet these challenges, the amalgamation of municipalities has often been sought as a remedy. Departing from the argument about increasing efficiency, we wanted to examine the implications of mergers for the democracy in local political units.

When municipalities are merged, the size of these local units changes abruptly. From many studies, we know that size has an effect on turnout. In larger communities, turnout is lower than in smaller communities. We therefore assumed that merging municipalities should have a negative effect on turnout. Based on the reform in Styria, we were able to show empirically that the size of municipalities has the expected negative effect on turnout. As a result of the change in size caused by the reform, turnout in reformed municipalities did in fact decline. We measured the change in size by the change in the ratio of votes per seats and could show that changes in the relative weight of a vote have an impact on participation. In addition, the intensity of party competition has an influence on turnout. We could not observe any effect of protests against the fusion.

Hicks (2006) showed that turnout can increase as a result of municipal structural reform. The reason is the increased political attention and thus the salience of the election following immediately after the merger. It was reasonable to assume a similar reform effect also in the Styrian example given that the election followed directly after reform. Nevertheless, we were able to show conclusively that there was a negative effect of change in size on turnout. This makes it all the more exciting to observe the political development in upcoming elections in Styria. The effect of salience should disappear over time. The change in size as a result of the reform is thus expected to lead, in the medium to long term, to a higher decline in turnout than we were able to observe in the election following immediately after the reform. Confirming this will be an important task in our future research.

It is also important to adapt our design to new factors that have a potential effect. At this time, we were still unable to distinguish whether the negative effect of merging was stronger in smaller than in larger municipalities. Insights

into this would make it possible to observe the reform effects in a differentiated and more in-depth manner. However, these findings should not alter the observed overall negative effect of reform on turnout. It is a pity that due to a lack of data no direct measurement of change in size was possible. However, we are confident to have operationalized a suitable proxy variable.

Ladner (2002) also reports increased levels of social control in smaller communities as well as stronger identification with the community leading to greater participation in local elections. It is theoretically quite conceivable that the change in size caused by the reform also had a corresponding effect in our case. For an analysis of these influences, it may be possible to link our research design with individual data.

In addition, the intensity of the reform in Styria was much smaller in terms of change in size than, for example, in Denmark, Norway or Sweden. Nevertheless, we could show the expected negative effect. Thus our findings are consistent with research, for example, by Ladner (2002), Mouritzen (2006), Denters (1998), Kushner et al. (1997), and Heinisch and Mühlböck (2016). All these studies provided evidence for the negative effect of size on turnout. Our work also confirms the negative impact of amalgamations on local democracy in relation to electoral participation as was shown also by Lapointe et al. (2018), Heinisch et al. (2018), Koch and Rochat (2017), Roesel (2016), Seamon and Feiock (1995), and Morlan (1984).

In order to cope with the consequences of the financial crisis and the challenges of demographic change in smaller rural communities, demands for the merger of local units will increase. It should be clear that there is a price to be paid both by local politicians and ultimately in terms of democratic participation. The likelihood that turnout will decline is high. Size matters!

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## NEW APPROACH OF A LEARNING THEORY: COMPARING THREE EMPIRICAL STUDIES

**Markus REINERS<sup>1</sup>**

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*The study focuses on the modernization of states and constitutes a further development of learning theories. Political change is caused by policy-learning. Furthermore, learning approaches can contribute to a better explanation of policies. They often do this when they are designed complementary to and integrated into actor-centred institutional approaches. This has the advantage that such central categories as power and interests do not remain underexposed. Strictly speaking, change is not triggered by institutional factors or actor constellations. These factors merely stimulate change. Ultimately, there are other components, which initiate a learning process and change in cooperation with the aforementioned contextual factors. Crucial for this happen is a political and economic pressure setting and, inter alia, the factors of time and space. Therefore, the probability that political change will follow in the wake of learning processes is higher if the aforementioned factors that promote learning meet up with favourable contextual factors.*

**Key words:** Policy Learning; Actor-centred Institutionalism; Transition; Liberalization; Digitalization.

### 1 FRAME OF REFERENCE

Learning concepts can provide better explanations for policy results when they are combined with established theoretical approaches. In addition, this also allows an analysis of central categories of political science (e.g. power, institutions, interests), which frequently is neglected by learning theories. In particular, such learning parameters as crises, lead times and models are

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interesting. Hence, it is easier to forecast governmental change when factors promoting learning coincide with a constructive actor-centred institutional context.

It suggests itself to embed the discussion in a policy framework that promotes modernization because learning theories that focus on information or knowledge, that influence perceptions, preferences and scopes of action are geared towards change. Although, state modernization measures always have been a topical subject, this topic can be examined only rudimentarily. Therefore, the selection of contributions concentrates on the transformation of former socialist or communist states, the liberalization and privatization tendencies of states and the implementation of an e-voting system.<sup>2</sup> In this connection, the following questions need to be asked:

- How can the probability of a transformation towards democracy and a market economy be promoted?
- How can liberalization and privatization be promoted in EU/OECD states?
- How can the institutionalization of an e-voting system and, accordingly, the development of digitization be promoted?

Most likely, the probability that former East Bloc states will transition towards the European Union (EU) will, in addition to the quality of the public administration, presuppose conducive veto constellations, pressure settings as well as a long-term focus on models; and the last three parameters speak for a policy of privatization at the same time. Furthermore, it can be assumed that the institutionalization of e-voting systems would be supported by structural and political-economic factors as well as compatible constellations of the actors involved and also by focusing on existing paradigms and a transfer of information from other systems.

The search for a relationship between the fields of modernization leads to the question which conditions would increase the probability that state change will occur in the course of learning processes.<sup>3</sup> Such probability – according to the thesis – increases under conditions that permit a high probability of learning and coincide with favourable framework conditions, because these significantly affect the course of development. When one studies the context of theoretical approaches to learning, central aspects are the theoretical building blocks that need to be classified and the importance of “political-administrative learning”.<sup>4</sup> Although it has been proven frequently that policy learning affects policy-making, the state of research is incomplete (see Biegelbauer 2007, 231–247).

The preferences, convictions, behavioural patterns and perceptions of actors as well as the identification as to when and how such maxims change come to the fore in the course of learning processes. Within the scope of comprehensive knowledge, aspects of interest are whether and to what extent government units learn from other actors and such insight leaves its mark in their decisions. Learning theories want to contribute to a comprehensive explanation of changes and policy results. Many concepts and theories, in particular (neo-) institutionalist approaches, sometimes tend to take a narrow view. They are

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<sup>2</sup> These have been the most important areas of modernization in the recent past and, at the same time, the author's central fields of research.

<sup>3</sup> The term “state change” refers to major processes of change. As far as methodology is concerned, the study is embedded in an explorative and qualitative design; however, the individual studies may very well partially follow a quantitative paradigm.

<sup>4</sup> Learning is described as “political-administrative learning” because both subsystems (political and administrative subsystems) are intrinsically tied to one another.

more likely to emphasize institutional stability than focusing on change. That is why it is more difficult to substantiate the latter and this, in turn, is one reason why the significance of idea-based, cognitive concepts has risen (see Sanderson 2002; Bandelow 2003a, 289–330; Bandelow 2014, 363–369; Reiners 2008, 27; Wenzelburger and Zohlnhöfer 2014, 311–339). In contrast it should be noted that theoretical approaches of learning still are disputed normatively and empirically-analytically. The normative criticism concentrates on the disregard of central political scientific categories. If one over-emphasizes the importance of policy learning then, for example, power, institutions and interests may be overlooked as explanations for results. The empirical-analytical benefit is questioned too, because the analytical clarity and scope of conventional models is abandoned without reason since learning approaches often exhibit a low degree of concreteness (see Bandelow 2003a, 323–324; Bandelow 2014, 365–366).

This can be countered – as asserted before – by the argument that theoretical approaches to learning place the dynamics of political preferences and, consequently, the freedom of action in the foreground (Bandelow 2003a, 289–330; Bandelow 2014, 365–366; see Bogumil and Ebinger 2008). Hence, the reference to a fundamental further development of objectives and structures emphasizes changeable aspects. Accordingly, when policy learning is ignored as a factor in favour of analytical economy, prevailing learning processes could be disregarded and changes in policy could not be explained sufficiently. Therefore, what is relevant is a more efficient description of the empiricism, placing a learning concept that is to be established in the overall context of theoretical approaches to learning, describing reasons for learning and the parameters that have to be integrated in a learning concept. Finally, there is the requirement that the potential of theoretical approaches to learning and possibilities of established approaches be used, to dismiss any separation between diverse concepts and to make an argument for a symbiosis (see e.g., Bennett and Howlett 1992; Bandelow 2003a, 294; Bandelow 2003b; Bandelow 2014, 365–366; Biegelbauer 2007, 232). The question is: why can't a complementary implementation of learning theories and established concepts (e.g. with actor-centred institutionalism), which focuses on institutional factors, the interests and constellations of the actors as well as factors of interaction, succeed.

Many years ago, theoretical approaches to learning took a confrontational position towards other concepts. This attitude has mellowed. Today, policy learning has been adopted by various concepts. Nonetheless, the points of view of learning approaches still do not relate to one another sufficiently (Bandelow 2014, 341–342; Freeman 2006; Grin and Loeber 2007; Biegelbauer 2007; Biegelbauer 2013). Policy learning is attributed only negligible importance in models that still believe that politics are influenced by such factors as conflicts of interest, structural conditions and institutions, which is particularly true for actor-centred institutionalism (Bandelow 2014, 356; Wenzelburger and Zohlnhöfer 2014, 311–339).

Frequently policy learning as an independent factor is assigned a subordinate position. Actor-centred institutionalism, for example, is open to action orientation. However, as a rule it prefers institutional parameters to describe results. Thus, actor-centred explanations are only ostensible when institutionally based explanations turn out to be insufficient. The integration of factors of learning is hardly ever considered to be productive (Scharpf 2000;

see Bandelow 2014, 356). This can be countered with the argument that it can be productive to link approaches because learning concepts give more weight to the dimension of the actors than do different variants of neo-institutionalism.

When studied more closely, it becomes evident that change is not triggered by institutional factors, the constellation of the actors or veto positions. Actually these factors tend to block or stimulate change (Reiners 2008, 30). Accordingly, they prepare the underlying environment, which may be more or less favourable for change. Technically speaking, change is induced by other components in connection with such coordinates. When certain determining factors – such as, for example, pressure settings – arise, then they may be accompanied by instances of learning and diffusion/transfer processes; and this may trigger change and, perhaps, lead to convergences (see Bandelow 2003a, 311; Bandelow 2003b; Holzinger and Knill, 89; Holzinger, Knill and Sommerer 2007, 377–406).<sup>5</sup> For this reason, actor-centred institutional (framework) conditions need to be considered as contextual factors that prepare the starting basis for change, which is actually induced in combination with other mechanisms. In this respect, learning theories can supply more appropriate explanations. This is particularly true when they are integrated in existing concepts and designed to be complementary. These kinds of building blocks are valuable supplements.

## 2 THEORETICAL BASIS

### 2.1 Knowledge gained with theoretical approaches to learning

Up until today there is no generally accepted definition of learning theory. Policy learning refers to a change in knowledge relating to politics as well as in skills and attitudes that was brought about by new information and/or the evaluation of past, present and future policies (Biegelbauer 2013, 49–50). A similar definition refers to a permanent change in attitude that is based on new information. This classification follows the definition given by Hall: “Learning is conventionally said to occur when individuals assimilate new information, including that based on past experience, and apply it to their subsequent actions” (1993, 278). Frequently, this also involves changes in perception, convictions and goals. Another important point is that these definitions don’t imply any fundamental improvement, e.g. in contrast to the demand for improving the possibility of achieving goals that is stated by Rose (1991; Bandelow 2003a, 311; Bandelow 2014, 342–343; Biegelbauer 2007, 232; Biegelbauer 2013, 29, 63; Dunlop and Radaelli 2013). Just like Hecló and Sabatier, Hall’s (1993, 278) concept of learning does not build on optimization; and this is comprehensible: there is no reason why a learning process necessarily leads to an improvement of the status quo (see Hecló 1974; Sabatier 1993, 121–122). In the same way, a coherent learning theory is available. The task at hand is to collect the core elements of several fundamental approaches to policy learning and to use them for putting together a decomplex learning

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<sup>5</sup> In the course of increased state interdependence, more learning/assimilation/convergence processes can be diagnosed. For more information on policy transfer/policy diffusion/convergence, see Dolowitz and Marsh (1996; 2000), Kern, Jörgens and Jänicke (2001), Meseguer (2005), Holzinger and Knill (2007, 89) and Holzinger, Jörgens and Knill (2007, 11–35).

concept and to classify that concept as being complementary.<sup>6</sup> This is accompanied by the requirement that the model bears up to certain generalizability.

What actually provokes transformation and policy learning? Transition frequently is promoted by organizational learning (see Hall 1989a; Hall 1989b; Hall 1993; Rose 1993). It is based on a qualitative change in the collective reality and relationship patterns. In addition, systemic framework conditions affect the probability of transformation through learning. Often, this is not the case in abrupt paradigm shifts, which usually can be attributed to shifts in the system of power coordinates. However, it may be that preferences are influenced not by power shifts but by the availability of new information or attitudes, for example (Bandelow 2003a, 311; Bandelow 2003b; Bandelow 2014, 342; Reiners 2008; Biegelbauer 2013, 51). In this case it needs to be noted that the implementation of new policy ideas always leads to winners and losers. Consequently, there will be power struggles and, therefore, it makes sense to integrate such categories as power and interests for analytical purposes (Bandelow 2003b).

Moreover, there is disagreement about the reasons for learning. If one looks at the subject in general, it is evident that a form of social practice is primarily learned and agreed if it proves to be more adequate or meaningful. Organizations don't shift from a stable state of balance to a temporary state of agitation to a new state of balance, nor can any acts of interaction be considered learning processes. In fact, deviances from the usual course of interaction or disruptions can be taken as explanations for impulses (Bandelow 2003b; see Bandelow 2006).<sup>7</sup>

In his approach (Lesson Drawing), Rose believes that decision-makers are dissatisfied with the status quo. There are no reasons for change if goals are reached and the measures taken are popular. In addition, the search for alternatives occurs along time and space. The component of time can be explained by the circumstance that decision-makers usually develop innovations based on experiences. As a rule, we learn from the past. In view of spatial aspects, they allow us to look for exemplary alternatives (1993; see Stone 2002; Bandelow 2014, 354–355; Hough, Paterson and Sloam 2006; Biegelbauer 2007, 233; Biegelbauer 2013, 30–31).

Hall (1993), in his approach (Social Learning), also demonstrates that a paradigm shift takes place within the scope of a process and not abruptly (1989a; Hall 1989b; Hall 1993; see Bandelow 2003b; Reiners 2008). Furthermore, a shift in paradigm is initiated when target hierarchies change, cognitive dissonances arise, deficits in the explanation of existing paradigms become evident or in the course of crises. It sets in when the existing paradigm is less and less suitable for justifying real developments. Consequently, better explanations are needed and alternative arguments come to the fore, and institutions need to evolve to stabilize new paradigms (see Bandelow 2003b; Bandelow 2014, 350; Biegelbauer 2007, 234–235; Biegelbauer 2013, 33).

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<sup>6</sup> Some central approaches, e.g.: Etheredge and Short (1983); Hall (1989a); Rose (1993); Bennett and Howlett (1992); Jachtenfuchs (1996); Knoepfel and Kissling-Näf (1998); Sabatier and Jenkins-Smith (1999); Brown (2000); Malek and Hilkermeier (2001).

<sup>7</sup> In general, pressure (Hecló 1974), dynamics within/between coalitions (Sabatier and Jenkins-Smith 1993), changing causal interpretations by networks of experts (Haas 1992), crises (Hall 1993) and dissatisfaction (Rose 1991; 2005) are considered causes (see Biegelbauer 2007, 232; Biegelbauer 2013, 29).



The approach developed by Sabatier and Jenkins-Smith (Advocacy Coalition Framework) is important as well. This approach does not presuppose that learning processes are to give rise to improvements. In addition, Sabatier assumes that learning can take place only under special conditions (1993, 139). Thus, a change in goals is possible if there is a forum of competing coalitions, common goals are pursued and there is pressure. In many cases, learning is triggered when programs fail (Sabatier and Jenkins-Smith 1999; Bandelow 2003a, 315; Bandelow 2003b; Bandelow 2014, 357; Biegelbauer 2007, 234; Biegelbauer 2013, 36; Jenkins-Smith et al. 2014).

Another approach that must be included is the policy transfer approach, which resorts to Rose (1993) in some parts. Dolowitz and Marsh define a policy transfer as follows: "A process in which knowledge about policies, administrative arrangements, institutions etc. in one time and/or place is used in the development of policies, administrative arrangements and institutions in another time and/or place" (1996, 344). The authors criticized Rose because he believed that the acceptance of policies was based solely on voluntary learning processes (Dolowitz and Marsh 1996, 343–357; see Dolowitz and Marsh 2000, 5–24). Only a voluntary transfer can be defined as learning according to Hecló, Hall or Sabatier, too (Hecló 1974; Hall 1989a; Hall 1989b; Hall 1993; Sabatier 1993). Dolowitz and March (1996; see 2000), by contrast, identify various causes for a policy transfer that can range from voluntary to coerced. This opinion seems reasonable because pressure, crises or external impulses are almost always presupposed as catalysts for learning processes and system change, and this basically imbues elements of learning with a sort of compulsiveness (see Reiners 2008, 47–48, 85).

## 2.2 Central factors of theoretical approaches to learning

In order to reduce the complexity, this study will focus on the decisive catalysts for policy learning and state change. To this end, political, economic and/or social criteria or preliminary stages of them are of central interest (see Hecló 1974; Hall 1989a; Hall 1989b; Hall 1993; Rose 1993; Bandelow 2014; Biegelbauer 2007; Biegelbauer 2013). Bearing in mind the statements made above, it needs to be noted that deviances usually arise under such circumstances. Dissatisfaction with the status quo or the efficiency don't arise without reason according to Rose (1993) but usually are determined by external factors, e.g. fiscal pressure. Hence, dissatisfaction is born against the background of a pressure setting or in upcoming or deadlocked situations of crisis (see Hall 1989a; Hall 1989b; Hall 1993). For this reason, socio-economic parameters are a strong catalyst for modernization measures. Nevertheless, it is evident that the stronger the crises are perceived to be, the higher the readiness to intervene in structures and, consequently, the willingness to learn (see Thelen and Steinmo 1992, 17; Bouckaert 2004, 22; Reiners 2008, 37–40, 83–88). Bogumil and Ebinger pointedly assert that a pressure setting as such does not unfurl reasons for politics to address certain topics. Measures become attractive when possibilities to overcome obstacles manifest themselves, which refers to framework conditions (e.g. institutions, constellations of actors) and virtually calls for an integration of learning concepts (2008; see DiMaggio and Powell 1983).

Furthermore, the components of space and time are considered to be central (see Rose 1993). Bandelow speaks about the availability of new information

about alternative programs, which can be linked to that (2003b). Rose (1993) explains that innovations don't evolve on their own, but that the past as well as learning from one's experiences are needed. Moreover, learning requires time for preparation and is subject to process-orientation (see Hall 1989a; Hall 1989b; Hall 1993). This is particularly true when the contexts are complex. It can be assumed that there is less room for learning processes in connection with somewhat simple reforms that are implemented within a short time than for more complex reforms that call for longer phases of implementation. The probability of learning will be significantly higher against a backdrop of pressure and favourable conditions, which, amongst other things, concerns space and time, than in the opposite case. The probability of learning decreases also in such constellations in which only one factor is given. The statements are illustrated below:<sup>8</sup>

FIGURE 1: PROBABILITY OF LEARNING BASED ON FUNDAMENTAL FACTORS

		Space and time	
		Yes	No
Political, economic, social pressure/crisis	Yes	Likely to learn	Less likely to learn
	No	Less likely to learn	Learning unlikely

Sources: Author's representation.

### 2.3 Parameters of actor-centred institutionalism

The context that determines whether change is stimulated or whether there is a favourable environment is decisive in connection with integrating exemplary considerations. In the case of actor-centred institutionalism, this includes institutional pre-conditions as well as the constellations of actors or veto positions and mechanisms of interaction.<sup>9</sup>

The initial conditions and institutionally predetermined preferences of the actors signalize the need for modernization, and this has an influence on the learning, decision-making and implementation processes as well as reform capacities. The point of departure gains a significance that affects the actions to be taken, because it creates incentives and excludes courses of actions. Usually, however, such conditions will not give rise to reforms; nonetheless, they may have a supportive or preventive effect and can influence the course of reforms. The impact of such factors, for example, affects the activation of communication, the effect of power and influence, if and how the norms are applied or reformulated and which coalitions are formed. All in all, it needs to be noted that blockades tend to arise whenever there is an ideological distance between potential veto powers and if there is a large number of destructive forces or there is a high degree of cohesion between such forces. Analogously, it can be assumed that a high number and ideological cohesiveness of constructive forces

<sup>8</sup> Of course the components of time and space could be viewed separately. However, merging the two factors (which basically belong together) seems appropriate and meaningful so as to reduce the complexity.

<sup>9</sup> This refers to the general conditions stated in Figure 3.

or a high degree of cohesion between such forces will promote learning processes and reforms (see Pollitt and Bouckaert 2000).

Therefore, the essential point is that the course or the result of learning processes and reforms are shaped by the constellations of actors, (party) political-ideological interests of the actors, their veto positions, strategies, interactions and objectives (Tsebelis 2002; Scharpf 2000; see Reiners 2008, 30). Furthermore, it is essential that institutional differences determinate the distribution of power and influence. In general, it can be said that controversial behaviour striving to assert one’s interests will only be successful if the institution that initiates a change is in a structurally superior position. Reform coalitions, strategic alliances or institutionally defined attitudes of stakeholders play a part in preparing, accompanying and legitimizing processes. Moreover, it is explained that the extent of an interaction as a rule affects the motivation for learning processes and reforms, e.g. the pressure arising from the competition between parties basically promotes the motivation to come to an understanding within a coalition and to learn. Insurmountable differences, by contrast, favour the status quo. All in all, this is based on the consideration that initiatives for change rarely are generated by the system itself and the system doesn’t question itself. In fact, rising external pressure that pushes for change is a prerequisite for policy learning (see Bouckaert 2004, 25; Reiners 2008, 37–40, 83–88). The probability that governmental change is achieved in the course of learning is higher if factors that promote learning are accompanied by favourable framework conditions. If this is not the case, change most likely will not transpire. These statements are illustrated in the chart below:

FIGURE 2: PROBABILITY OF CHANGE IN THE COURSE OF LEARNING PROCESSES

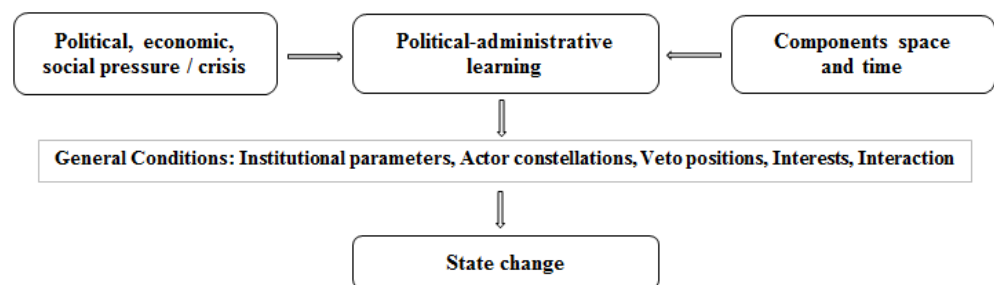
		General conditions	
		Yes	No
Favorable learning factors	Yes	State change	Learning without state change
	No	State change without learning	No state change

Sources: Author’s representation.

### 2.4 Symbiosis of theoretical concepts

The knowledge derived can be described as follows: Actor-centred institutional conditions can be deemed contextual factors that create a starting point for change. In fact changes frequently are initiated in concurrence with components of theoretical learning. That is why it would be productive to integrate elements of theoretical learning in these types of theoretical approaches in order to achieve political results. Altogether the statements can be illustrated in a figure that also includes the contents of a political-administrative concept of learning. This could also be called an “actor-centred institutional learning concept”.

FIGURE 3: POLITICAL-ADMINISTRATIVE OR ACTOR-CENTRED INSTITUTIONAL LEARNING CONCEPT



Sources: Author's representation.

The conclusions shown in the model are discussed below, and the learning-concept design is linked to empiricism. Within the scope of the summary of research results provided there, it will be analysed to what extent the research results contribute to the progress of knowledge and what conclusions can be drawn.

### 3 EMPIRICAL STUDIES: TRANSFORMATION, PRIVATIZATION AND DIGITIZATION IN COMPARISON

#### 3.1 Transformation

A well-functioning public administration will be in a better position to implement the transition to more democracy and market economy (Newland 1996, 382–389; Ellison 2007, 221–232; Bäck and Hadenius 2008; Reiners 2013a, 780). The public administration controls the transformation of the state and it is the first place to which changes are communicated. In addition, it is responsible for the implementation (Nicolaidis 2004; Reiners 2008, 57–64; Reiners 2013b).<sup>10</sup>

Since the end of bipolarity, many eastern European states have been striving to join the EU. Following extensive periods of preparation, ten transformation states with a post-socialist/post-communist background were accepted between 2004 and 2007. The rather favourable institutional prerequisites were accompanied by the states predominant will to take this step. Hence, the internal veto positions were limited. The process arises from the political-economic starting point of the countries. The realization that democracies are superior to socialist or communist structures changed their preferences to the extent that they wanted to be part of the western systems in future. Accordingly, the trust in their values is the result of ailing economic conditions. Consequently, a learning process was initiated that leads to transformation (see Pridham 1994, 15–37; Mayer and Palmowski 2004, 579; Blokker 2005, 503).

The prospect of gaining EU membership promoted learning and this in turn accelerated transformative processes. The EU sets high standards that have to

<sup>10</sup> The quality of the administration has a significant positive influence on the transformation. However, political processes cannot be traced back to individual factors. The argument, however, is relativized in so far as the given indicator measures the quality of the administration, its independence of political pressure and the quality of the implementation of policies (see Reiners 2013a, 787–789).

be met in a multi-stage, long process. The learning process established itself through sanction mechanisms as well. The requirements have given the EU the power to stimulate a paradigm shift by exercising political pressure and working towards the implementation of reforms (Schimmelfennig and Sedelmeier 2004, 672; Schimmelfennig 2007, 126–141; see Reiners 2008, 6–7). Therefore, on the whole, a (policy) learning mechanism becomes effective as a result of learning other states (see e.g., Hall 1989a; Sabatier 1993; Dolowitz and Marsh 2000, 6–7). For this reason, learning progress did not come from nothing. The states were able to orientate their efforts along the experiences of established members or other candidate countries. And there was plenty of time, because the deadlines for completing comparably simple steps involve many years. They are called low complex steps because there is relatively much room for innovations since the countries concerned are young democracies with few sacrosanct institutions. Reforms can be enforced easier in these states than in established politically interdependent systems.

### 3.2 Privatization

The image of the sovereign state as a dominant economic player changed during the period of classic economic liberalism and the new liberalism that emerged in the 1930s and 1940s. These ideas gave rise to a withdrawal from the economic stage, which in turn shifted the balance in favour of the market. Due to economic determinants, new opinions and strategies were needed, and this need set in motion a learning process. Privatizations promised to relieve the state both financially and organizationally. Even though neoliberal ideas act as the basis of the economic system, only very few privatizations occurred in Germany and elsewhere until far into the 1970s. The learning process can be exemplified by the characteristics of crises because in many cases increasing public debt, sagging growth and a decline in employment were evident. Denationalization was carried out for the first time in the 1980s in Great Britain and the USA, amongst other things based on the ideas of Friedman (1976). It spread gradually and was accompanied by the long emerging concepts of neoliberalism. That is why there was wide and long-term scope for the comparably simple processes—which, after all, “only” involved converting publicly owned companies to privately owned companies—and it was possible to follow (or learn) from trailblazers (see Keynes 2009, first edition 1936; Wood 1994; see Reiners 2013b, 63–81).

In the course of the spread of the phenomenon, the process is regarded to be a convergence of policies, which Drezner defined as a “tendency of policies to grow more alike, in the form of increasing similarity in structures, processes and performances” (2001). Amongst other things, learning factors are a form of policy transfer and policy diffusion, building blocks that lead to convergence (see Holzinger, Jörgens and Knill 2007, 16; Holzinger and Knill 2007; Reiners 2013b; Reiners 2013a, 780–790). It is arguable which mechanisms within the OECD and EU are responsible beyond that (see also Maddison 2003; Armingeon and Beyeler 2004).<sup>11</sup> The EU is considered a motor of privatization. It encourages members to do this despite good economic growth and left-wing governments. The results make evident that solving problems independently as well as coercion and international harmonization act as causal mechanisms. Membership in the EU can be established as an important factor contributing to

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<sup>11</sup> Factors promoting convergence: solving problems independently, coercion/conditionality, international harmonization, international competition, differences between parties (see Holzinger, Jörgens and Knill 2007, 16–35; Holzinger and Knill 2007, 85–106).

a policy of privatization, and in an OECD comparison the party affiliation of the government is an intervening factor (Zohlnhöfer and Obinger 2005, 602–628; Schneider and Häge 2008, 1–19; Reiners 2013b, 63–81).

In contrast, the hypothesis regarding party affiliation cannot be confirmed for the EU, because EU membership has an enormous impact, i.e. the pressure of being a member of the EU has an overriding effect and this harmonizes national veto positions and promotes learning processes. Based on its coercion and tendencies of harmonization, legislation becomes so significant that left-wing governments have no other option than to privatize publicly owned companies. Processes show that joint committees are helpful for policy learning because the EU exercises such force on (potential) EU members that ideological standpoints (such as party preferences) overlap. In this way, processes of interaction are regulated, veto positions are tempered and learning is focused on certain practical constraints. It can be determined that the government's party affiliation is an intervening variable as long as it is not submerged by other causal mechanisms. Therefore, the EU can be viewed as an institution framework that limits the scope of action of member states as well as a learning platform (see Reiners 2013b, 63–81).

### 3.3 Digitization

Estonia is the only country that has been offering e-voting since 2005. The question is why this project was successful there. The learning process that initiated modernization was accompanied by favourable institutional framework conditions. Estonia has a low population density and, with about 1.35 million inhabitants, the number of veto positions is manageable (UN Statistics Division 2008). These are not the only reasons, however. Although the actors could not resort to the experiences gained by other countries, a learning transfer emanated from the private sector. Accordingly, another factor is the willingness to transfer data via the Internet (Estonian National Electoral Committee 2007). The Estonian banks were responsible for this. They are considered transmission activators because they started using online services early on. The experiences gained, network structures, availability of electronic technologies, Internet affinity of the Estonian people and the ensuing trust in IT gradually gained space in the public sector as well. The learning process that began developing as a result of new knowledge is considered the fixed starting point that influenced the actors' definition of preferences. The trust also can be traced back to electronic tax declarations. In this respect, a lot of progress has made, too (Estonian Information Society Strategy 2013, 2006, 6).

Political-economic pressure settings existed to the extent that the processes refer to the formerly communist system or an offensive renunciation of it. Estonia took this legacy as motivation for a new beginning, a journey towards more democracy and market economy (State Chancellery 2004, 12–13). The process and the ensuing change already began early in the 1990s, in other words long before Estonia became a member state of the EU. Since the structures in a young democracy are less interwoven, it is easier to accomplish a new construction than a reorganization. Thus, it can be said, amongst other things, that the number of sacrosanct structures and the low degree of institutionalization of democratic processes had a positive effect (see Reiners 2011, 553–575).

The size of the project alone as well as the complex subject matter that involves innumerable technical and legal issues called for a long period of preparation. Thus, amendments to laws passed in 1999 and 2000 play a part. On the one hand, the counting of the votes and processing of the results were transferred to an Internet-based system at an early time. On the other hand, an electronic personal identification card, which is well accepted by the population and is linked to more than 100 applications, was launched in 2002 (Drechsler and Madise 2004; OSCE 2007). Firstly, online voting only became possible through its signature and encryption technology. Secondly, the popularity of the card provided an opportunity for electronic voting and, thirdly, the application possibilities had a confidence-building effect. Moreover, the favourable veto and actor constellations helped make the project a success. Based on coalitions of several parties, the Estonian cabinet was forced to carry out comprehensive negotiations. At the time of the initiation in 2001, the government coalition was made up of parties in favour of the project – a relatively homogeneous group as regards ideology (Isamaaliit, Reformierakond, Mõõdukad) – a circumstance that can be attributed to its voters (young, educated, wealthy). The supporters and opponents formed groups based on whether they would benefit from the introduction or not (Madise and Martens 2006, 16). It becomes evident that the actors made their decisions on the basis of the gain or loss of power that was to be expected. A problematic aspect, however, was that after 2002 the government changed several times until the introduction in 2005. Thus, it is interesting that the project was realized nonetheless, because distanced parties were part of the government temporarily as junior partners in this respect. However, the coalition agreements bound them to continue the project (Höbemägi 2003; Drechsler and Madise 2004, 103). Hence, the policy result is the result of negotiations achieved through interactions and the product of remarkable governance. All in all, there is a considerable agreement to integrate new channels in the democratic landscape in order to promote the legitimation of the system. This is true at least for the relevant actors.

#### 4 SUMMARY

The remarks made above can be summarized as follows:

FIGURE 4: PREREQUISITES FOR LEARNING AND CHANGE BASED ON FUNDAMENTAL FACTORS

Study	Political, economic, social pressure/crisis	Space & time	Political-administrative learning	Relatively compatible general conditions; constellations of actors, veto positions, interests, mechanisms of interaction, institutional parameters	State change
Transformation	Yes	Yes	Yes	Yes	Yes
Privatization	Yes	Yes	Yes	Yes	Yes
Digitization	More likely, yes	Yes	Yes	More likely, yes	Yes

Sources: Author's representation.

The results show a more or less supportive environment for learning. Furthermore, the framework conditions seem comparatively compatible so that it was possible for a transformation to occur. Other parameters undoubtedly are responsible for change as well. Nonetheless, based on the extracts of the central theories of learning and the relevance of actor-centred institutionalism,

it can be assumed that the specified factors of political-administrative or actor-centred institutional learning concepts are the central mechanisms.

With respect to transformation, the following should be noted: Very subtle intrastate veto positions form the basis for the processes. They are initiated by political-economical pressure settings and influenced positively by the quality of the administration or its governance. The long periods of preliminary lead times, the pressure emanating from the EU, the perspective of gaining membership and the possibility of using other candidates as well as established EU member states as points of orientation promote the process and transfer of learning. All in all the factors of learning and constructive framework conditions, which would support transformation, are given.

As far as privatization is concerned, the following can be said: Economic reasons and crisis characteristics can be verified as starting points. The long-term processes allow sufficient scope for learning. Besides other causal factors, diffusion processes and learning factors as well as long-term adaption to models serve to initiate change. In addition, there is the potential pressure exerted by the EU on (potential) EU member states and since this overlaps with ideological standpoints, it forces discipline on intrastate veto positions. Moreover, when the policies of established members are taken over, the chance of gaining membership increases. In general the circumstances needed for policy learning prove to have a favourable effect and – at least within the EU – give rise to an overall context that prevents obstruction and, consequently, promotes transition

With respect to digitization, the conclusion is as follows: Political-economical reasons or the renunciation of former systems is the source of the long-term and generously designed project. The success of the project can be traced back to favourable institutional parameters, in many cases advantageous constellations of actors and constructive regulation. The leading actors agree about the reform-political path that is to be pursued. A decisive point is that a long-term learning process and the knowledge needed for this process take reference to the banking sector and that the learning transfer is embedded in an Internet-friendly context. On the whole, conducive factors for distinct policy learning exist, which, when viewed in the context of transformation, is supported by mainly beneficial framework conditions.

When one studies the context of theoretical learning approaches and the integration of learning mechanisms in actor-centred institutional approaches, the following becomes evident: A central aspect was the significance of “political-administrative learning” – or, to put it differently, “actor-centred institutional learning” – in the course of state transition. On the one hand, policy learning is an importance cause for political change. On the other hand, learning approaches can help obtain better explanations for policy results. In particular, political and or socio-economic pressure with respect to political crises as well as such factors as space and time need to be considered learning parameters. If a pressure setting is imminent or already present, and if beneficial circumstances exist with regard to the aspects of space and time, then there is a high probability of learning. In the case of constellations in which only one or none of these factors is present, the probability of learning decreases. Finally, the probability of change occurring in the course of learning processes is higher if circumstances promoting learning converge with supportive framework conditions. If both of the above are not given, transition most likely will not take



place. Nevertheless, unfavourable prerequisites for learning and favourable framework conditions don't necessarily mean that change will fail to occur, because frequently no learning processes take place when there is an abrupt change of paradigm and shifts in power. In contrast, unfavourable framework conditions and favourable learning prerequisites may, under certain circumstances, create a situation that seems to favour learning processes without enabling a transformation.

The reasoning suggests that components of learning be connected to other theoretical approaches, for example with actor-centred institutionalism, since the latter's parameters merely stimulate transformation or make it more or less possible. They create a starting point for changes that, in many cases, can be triggered in connection with learning mechanisms. Therefore, the pleading is for a complementary learning-conceptual design. Theoretical approaches to learning do not place the institutional framework or actor-centred resources of power and interests at the core in order to explain reform-administrative reforms. They have their sights on more information or knowledge that influence perceptions, preferences and scopes of action, which puts more focus on changeable factors. However, the relatively decomplex concept that was presented does not ignore such central categories of political science as power, institutions and interests; and this makes the approach interesting for research.

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## (A)B)USING THE TOPIC OF MIGRATION BY PRO-KREMLIN PROPAGANDA: CASE STUDY OF SLOVAKIA

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*The paper deals with the presentation of European Union in Slovak pro-Kremlin media. The main objective is to identify the basic discourses about the European Union present in the migration news in Slovak pro-Kremlin media. As a problem-solving method of research a qualitative discourse analysis is selected. This method allows us to investigate patterns, which create social reality through discourse. The Theory of discourse by Ernesto Laclau and Chantal Mouffe makes our basic theoretical background. They deal with the battle of discourses for hegemony in the certain discursive field. Pro-Kremlin media can be considered as a challenge to standard media discourses, which try to create a hegemony of discourses that suits Russia. At the same time, the existence of pro-Kremlin media can be also considered as a part of so called hybrid warfare that Russia is waging (not only) against individual countries of the European Union to achieve its goals. The migration is an ideal opportunity for politics of Russia and people who support it to gain an advantage in this hybrid warfare, where not only media systematically uses propaganda.*

**Key words:** Migration; European Union; Pro-Kremlin media; Propaganda; Discourse.

### 1 INTRODUCTION

Brexit, raising Euroscepticism, nationalism and aggressive politics of Kremlin are only a few of phenomena that European Union (EU) is facing today. A huge amount of refugees from Middle East and Africa have migrated into the Europe since 2015. This situation is hand in hand with rising xenophobic and Eurosceptic moods in the European countries. As we try to prove, pro-Kremlin figures are using migration for propaganda against the EU. The aim of this paper is to identify, describe and interpret discourses about EU spread by

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Slovak pro-Kremlin media in the news about migration to Europe from Africa and Middle East.

Creation of Slovak pro-Kremlin media can be dated back to 2013 and 2014, when Russia started conflict against Ukraine. Some of these media have unclear funding, unknown owners and anonymous reporters. Media from the research sample<sup>2</sup> are usually marked as alternative, disinformation, conspiracy or pro-Kremlin. In this paper, the term pro-Kremlin is used; because of their efforts to spread the content suits Kremlin. Phenomenon of raising pro-Kremlin media and other figures is visible all around the Europe, not only in Slovakia. Pro-Kremlin media are not commonly analysed topic in Slovak academic and political sphere. However, the issue of propaganda and disinformation in connection with these channels raises public interest due to their increasing relevance in public discourse.

## 2 METHODOLOGY

The basic objective of my research is to reveal how Slovak pro-Kremlin media create and (ab)use arguments about migration to subvert trust among member states and other European institutions. We strive to identify, describe and interpret discourses on EU in the news about migration. The research questions are following:

1. What kind of discourses Slovak pro-Kremlin media construct about EU by news about migration?
2. What discursive strategies do these discourses use?
3. What antagonistic poles for polarizing social reality these discourses produce?

The paper is built on argument, that Slovak pro-Kremlin media systematically use topic of migration for spreading Eurosceptic and nationalist sentiments and thus weaken the support for the EU. The argument stands on two premises. The first says that Kremlin is waging information war to weaken the EU, which is Kremlin great geopolitical rival. Kremlin and pro-Kremlin figures purposely try to aim at EUs' weak spots. Pro-Kremlin figures do not have to be directly connected to Kremlin. Discourses they produce are relevant because they are in symbiosis with Kremlin politics. The second premise says that migration from Africa and Middle East is controversial topic in Europe, which can raise passionate discussions, ethnic tensions and polarize societies as well as the whole EU (V4 against the refugees' quotas question). Migration with its potential is ideal topic (weak spot) for propagandists, whose objective is to create chaos in European societies.

We suppose that pro-Kremlin propaganda uses this potential and emphasizes problems of the EU migration policies and problems with migrants. On the other hand, all political figures with Eurosceptic and anti-migration agenda will be presented as better alternative. This kind of discourses should relativize public support for Slovak membership in the EU and closer integration with Western countries.

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<sup>2</sup> In English Hlavné správy - Main news, Slobodný vysielateľ - Free Broadcaster, Zem a Vek - Earth and Age.

Production of pro-Kremlin media is concentrated mainly online, that is why news from their websites are observed and analysed. The representative sample is made of website Hlavné správy, online radio with own website Slobodný vysielateľ and printed journal Zem a Vek (monthly journal) also with their own website, where they upload news. The criterion for selecting these media was their high viewership. They belong among the most popular pro-Kremlin media in Slovakia. On the Facebook, Hlavné správy has 33515 followers, Slobodný vysielateľ 85465 and Zem a Vek 30759 followers.<sup>3</sup>

For the text analysis the method of discourse analysis was chosen. It allows us to analyse texts pragmatically and it takes into account wider social relations that influence processes of constructing social reality. Discourses are tools for constructing our reality and their analysis reveals aims of propagandists hidden in certain language representations. In our case, using migration to construct discourses about the EU and the West.

In this paper only the news that is not taken from Western press agencies or standard Slovak media or press agencies are analysed. We analyse only authors' news and the news from non-Western media (Slovak pro-Kremlin media usually use other Kremlin or conspiracy media as a source). These criteria ensure that none of the standard Western discourses are analysed. What is analysed are discourses, which challenge them in discursive field. The news containing some of the key words in title or subtitle referring to the migration topic in the EU have been collected (for example: migration, refugees, migrants, asylum seekers, migration crisis etc.). Analysed material was collected from three different months in a period of five months (December 2017, February 2018, April 2018), which is part of my long-term research.

### 3 DISCOURSE AND DISCOURSE ANALYSIS

The term discourse is widely used in humanities, social sciences, sciences dealing with communication and language. If we speak about discourse, we need to have in mind ambiguity of this concept, which has many definitions. All definitions have at least one common aspect. They see language as an active creator of our world, not just neutral tool for description. The discourses are used for this creation. In this paper, we use definition from Michal Bočák, who defines discourse as *"systematic articulation of knowledge naturalizing social power of her originators, through naturalization of knowledge, which offers legitimacy for power"* (Bočák 2012, 4). Discourse establishes borders for thinking and speaking about objects, discourse establishes who, about what and how can act, think and speak. Every discourse tries to establish hegemonic status where power would be hidden and understood as legitimate (Sedláková, 2014).

According to Michal Bočák if we do not have discourse for explanation of certain world, this world is non-existing for us because we do not have medium (discourse) to explain it (Bočák 2012). From this hypothesis we can deduce idea of social practices indivisibility to discursive and non-discursive practices. All social practices are discursive practices. This idea is present also in the Theory of discourse by Ernesto Laclau and Chantal Mouffe. It does not mean that there

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<sup>3</sup> Data for 16.9.2018.

are no objective facts independent on our consciousness. Of course, they are there but we need some discourse to explain and implement it in our worldview (Laclau and Mouffe 1985). For Patrick De Vos (2003) a discourse is not only a human method for understanding and interpreting the world but also determinant of this understanding.

Laclau and Mouffe introduce their Theory of discourse in their book *Hegemony and socialist strategy* (1985). They see discourse as an attempt to fix the meanings around discourse nodal points. Every discourse field is created by discourses challenging (fighting with) each other. Every discourse has hegemonic ambitions. That is why discourse needs to create strong and coherent net of meanings around nodal points to gain this hegemonic status. If the net is richer then the chance to establish hegemony is higher. Fixation of some meanings also means reducing and excluding others. There are always some meanings, which escape from fixation. If discourse is confronted with some events, which it is not able to explain (fix to his nodal point), discourse can become dislocated (Laclau and Mouffe 1985).

Meanings in discourse are constructed by logic of equivalence, which simplifies political space into two antagonistic poles (binary oppositions) and by logic of difference, which is logic of expansion and increasing complexity (Laclau and Mouffe 1985). In this case, it could mean creating simplified reality of Migrants against Europeans or Nationalists against the EU and reducing all other identities or implementing them in existing chain of equivalences. Logic of difference basically means an attempt to weaken equivalence chains and antagonistic polarity (Howarth and Stavrakakis 2000). Discourse also plays a crucial role in the Laclau and Mouffes' theory of social and political change. According to them a social change needs discourse to create an antagonism in society because in the society that is divided a mobilization of people is easier. Discourse also frames image of unjust power that oppress the people. Because of complexity and diversity of society it is hard to create just two antagonist poles, therefore discourse needs to create strong story to bring various figures together and increase chances for mobilization. Story should be known in society (for example an oppressing power of EU for example) (Laclau and Mouffe 1985). This antagonistic efforts help to strengthen social identities. Every category "we" needs antagonistic category of "others," to shape own identity (De Vos 2003).

Pro-Kremlin propaganda can be understood as a part of an attempt of political and social change in Europe. As we are going to show you in next chapter, this propaganda tries to include many different social figures (far-left, far-right, conservatives, anti-globalists etc.) into one anti-EU and anti-Western pole. The opposed pole is also created by the same logic of equivalence. Therefore, liberals, democrats, neomarxists, globalist, or pro-EU camp, and other various figures are put into this opposed pole. The basic point for pro-Kremlin figures is to achieve significant political and social change, which will shake with contemporary power *status quo* and with still dominant pro-EU paradigm in all EU member countries.

The existence of Slovak pro-Kremlin media can be tested through theory of "fighting" discourses. Pro-Kremlin media openly claim their effort to challenge standard media and bring alternative discourses to Slovak public discussion (in this case about the EU). Among the main goals of medium *Slobodný vysielač* is to "regularly informing the public about events abroad, which have direct



*consequences on our society and are successfully ignored by mainstream media. Open discussion about taboo and censored topics*" (Slobodný vysielateľ 2018). This does not mean that all discourses of pro-Kremlin media are opposed to the ones of standard media. In some cases they come out from mainstream discourses but try to pull them into more extreme form and appeal to emotions.

It is the struggle of power where both sides use discourses for legitimize its own paradigm and delegitimize paradigm of opposed side. European liberal democracies legitimize its own social order and represent all illiberal powers as a threat. On the other hand illiberal democracies (for example Russia) delegitimize discourses of liberal democracies. Illiberal does not automatically mean pro-Kremlin but illiberal forces within the EU always (at least partially) correlate with pro-Kremlin objectives after all.

Every discourse has its own internal logic. The world we see through discourses is legitimized by discursive strategies. For Marek Lapčík discursive strategies are approaches through which preferred interpretation and legitimacy, or other specific characteristics of discourse are constructed or emphasized (Lapčík 2008).

In consideration to the research questions, the method qualitative discourse analysis was chosen. *„Discourse analysis allows to reveal how social reality is created, confirmed and kept through language, social acting a social practices. It is possible to introduce her as a corpus of theories and methods for analysis of language in social context, focused on researching meaning-making practices“* (Sedláková 2014, 428). The goal of discourse analysis is analysis of background discourse, which makes up certain texts. By other words, searches for patterns which structure and organize our knowledge.

The basis of the discourse analysis is a thorough acquaintance with research material (texts), in which the researcher is able to identify and abstract patterns that determine the final form of the studied language manifestations in the social context. According to Sedláková (2014), the discourse analysis is not exhausted by analysing only linguistic texts, but it also focuses on research into social behaviour, social production of knowledge and power relations. Researchers need to be aware of the fact that they are also a part of social reality and are influenced by it. Final interpretation of analysis is the result of researchers' subjectivity, in the certain measure.

#### **4 PRO-KREMLIN PROPAGANDA IN EUROPE AND SLOVAKIA**

In 2013 the Chief of the General Staff of the Armed Forces of Russia Valery Gerasimov published an article about war in 21<sup>st</sup> Century. Article is built on the hypothesis that the West led subversive war against Russia and that Russia needs to defend itself by using not only military tools, but also political, economic and informational tools. This article is generally known as *Gerasimov doctrine*. This doctrine highlights especially non-military tools. According to (Čížik 2017) this militant understanding of informational space is also defined in Russian strategic documents. Edward Lucas spoke about "New Cold War" led by Russia against the West in 2008. This "New Cold War" should be led by money, natural resources, diplomacy and propaganda (Lucas 2008).

For war where political, cultural, economic, energetic and informational sphere

are key alongside the standard military forces, the term hybrid war is established (Hoffman 2007). By hybrid war Russia tries to delegitimize existence of NATO, weaken EU and divide the West. Strategic geopolitical goal of Russia is to establish an area of own influence and build the status of global superpower (Herd and Marshall 2016).

Key part of hybrid war is information war, where propaganda alongside with disinformation actions, creating chaos in society and cyber-attacks play a crucial role. (Tydlitátová 2017). Propaganda has many forms and definitions. In this paper we use definition: *“the deliberate, systematic attempt to shape perceptions, manipulate cognitions, and direct behaviour to achieve a response that furthers the desired intent of the propagandist”* (Jowett and O'Donnell 2012, 7). Alvarová (2017) argues that propaganda uses prejudices of people. Therefore modern propaganda in Europe plays with our fear of foreigners, especially Muslims. Propaganda attempts to construct world divided into two hostile groups “we” and “they” which is basic for functional manipulation. Without enemy propaganda does not work. Its target emotions, mostly fear and anger.

Almost all important media in Russia are state controlled and used to feed Russian audience with Kremlin propaganda. For international propaganda Kremlin uses agencies like RT and Sputnik. Both are available in many language variations and in many countries<sup>4</sup> (Hansen 2017). Aim of this propaganda is to exploit weak spots and controversial topics (in our case migration to the EU) and use them to harm integrity of the West (Pomerantsev and Weiss 2014). Lucas declares that pro-Kremlin propaganda creates illusion that new members such as Slovakia, Czechia, Poland, Hungary, Romania, Bulgaria etc. are just secondary members and the EU is not beneficial for them (Lucas 2008).

Kremlin does not use only own media for spreading propaganda. Kremlin supports many far-right, far-left parties and movements with xenophobic, Eurosceptic, anti-globalist, conservative or even pan-Slavic agenda and it tries to unite them under one anti-EU narrative (logic of equivalence, connect many actors against other antagonistic pole).<sup>5</sup> Toward these movements Čížik (2017) adds also Internet trolls and media. Kateryna Smaglyi (2018) among pro-Kremlin actors in Europe includes also pro-Kremlin oligarchs, researched institutes, funds and other NGOs supported by Kremlin. Extremists' movements share with pro-Kremlin media close ideological and personal affiliation. Pro-Kremlin media offer them a lot of space for their agenda. Nigel Farage (UKIP) was a frequent guest in RTs' political shows. Also members of fascists' Kotleba - Peoples' Party Our Slovakia (K-LSNS), are frequent guests in radio Slobodný vysielateľ.

In Slovakia pro-Kremlin media began establishing during 2013 and 2014, in a time when crisis in Ukraine has started. Ivana Smoleňová (2015) writes that these media systematically use conspiracy theories, disinformation, hoaxes and similar arguments like Kremlin media to portray Western structures in negative light and Russia in neutral or positive light. Jonáš Syrovátka (2017) places migration among the “top” topics of pro-Kremlin media. They use it to frame the

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<sup>4</sup> Czech version of Sputnik is [cz.sputniknews.com](http://cz.sputniknews.com)

<sup>5</sup> National front in France, UKIP in Great Britain, AfD in Germany, Syriza and Golden dawn in Greece, Ataka in Bulgaria (Herd and Marshall. 2016). Podemos in Spain, The Northern league and Five star movement in Italy (Polyakova 2017). K-LSNS, Slovak revival movement in Slovakia, Slovak Conscripts in Slovakia (Bránik and Mesežnikov 2017).

image of degrading and the weak EU, which is losing the battle with migrants and Islam. Čížik (2017) sees their goal in undermine trust in democratic, national, or European institutions.

Šnidl (2017) says that pro-Kremlin media are still less popular than standard ones, but sometimes they are able to produce news that becomes viral and widely spread on Internet. According to research of Institute for Public Affairs, 73% of respondents between 18-39 years believe these media balance opinion spectrum in society. 45% respondents do not see these media as a source of disinformation, conspiracy theories and propaganda (Velšic 2017).

Pro-Kremlin propaganda has a big potential in Slovakia because of inefficient educational system and historical ties with Russia (Čížik 2017). Latest research of Globsec Policy Institute revealed that Slovakia is country with the lowest support for NATO (37% of people think NATO is a good thing) with the most people who agree with Putins' politics (41%) and highest support (13%) for pro-Eastern orientation within the V4 countries. Slovakia is also country with the highest tendencies to believe in conspiracy theories among the V4 countries (Globsec Policy Institute 2018).

With the emerging of refugee "crisis" in 2015, pro-Kremlin propaganda has created a new set of anti-European arguments. Migration is topic, which is dividing not only politicians (especially V4 countries rebelled against the EU migration policy), but also public. Majority is against refugees' quotas and against accepting any refugees in Slovakia. 54% of Slovaks see migration as a problem, what is highly above the European average (Special Eurobarometer 469 2018). Since 2008 number of Slovaks who would have a problem to have Muslim family in neighbourhood increased from 32% to 73% in 2017, problem with migrants' family from less developed country would have 59% in 2017, although in 2008 only 21% (Bútorová and Gyarfášová 2017). Michal Vašečka (2009) argues that Slovaks are suspicious toward migrants and see them through rigid and hard changing prejudices toward otherness.

The empirical part focuses on proving that Slovak pro-Kremlin media abuse Slovaks' antipathy toward migrants and otherness against the EU and support Euroscepticism with suspicious attitude to Western countries.

## 5 ANALYSIS OF THE EU DISCOURSES

During the investigation period (December 2017, February 2018, April 2018) 225 news from investigated pro-Kremlin platforms were collected. 124 news was from Slovak or Western standard media and press agencies. 101 news was authors' articles or from non-Western media and it creates the material for this analysis. The most active medium was Hlavné správy with 77 news, Slobodný vysielač published 18 news and Zem a Vek 6 news about migration from Middle East and Africa to the EU. From collected material of 101 news we identified four discourses about the EU:

- *The EU is surrendering to Islamization* (present in 45 articles),
- *The EU organizes migration* (39 articles),
- *The EU is undemocratic organization* (33 articles),
- *The EU is not beneficial and nationalists are alternative* (16 articles).

Discourses are connected and they use arguments from each others. All

identified discourses are tied to the nodal points of the hostile West and dangerous refugees that configure discourses around themselves. The same discourses of the hostile West are also present in Russian political and media discourse. Discourses are built on three basic dichotomy patterns (antagonistic poles) “we vs. they,” which polarize society and simplify social reality.

1. *Europeans vs. Refugees,*
2. *V4 and Nationalists vs. the EU,*
3. *Ordinary people vs. Politicians.*

By constructing reality where the EU is unsuccessful project, pro-Kremlin propaganda tries to relativize support for it and closer integration among old and new members' countries, what should weaken the EU.

### 5.1 The EU is surrendering to Islamization

This discourse creates reality where the EU is weak and dysfunctional organization that surrenders to the pressure of cultural different migrants who want to remove European Christian culture and Islamize Europe. European institutions, politicians and Western countries are presented as weak and unable to deal with this danger. Because of this policy, Western countries have become very dangerous places to live. Common discursive strategy in this discourse is pointing out that Western EU countries are unable to deal with this danger represented by migrants, who want to Islamize Europe: *“Today's West is already “clinically dead”. He has lost his mental and cultural identity and, under the influence of an unprecedented crisis, falls into a demographic pit. If the West does not remember, it risks that what was once the heart of Western civilization in the far-distant future will be colonized by younger, more vital and more viable immigrants, migrants”* (Sputnik 2018a).

Another discursive strategy shows that the EU does not support protection of its own borders and does not support countries like Italy: *“Italian politician and MEP Raffaele Fitto, leader of Direction Italy, criticized Juncker for not giving Italy assistance in dealing with the migration crisis, as thousands of migrants arrive on board every week and the asylum system is overwhelmed”* (RT 2017).

The most common strategy is to refer about negative experiences of Western countries with criminality of migrants, which make Western countries dangerous to live. Migrants' criminality in Germany is very expressively compared to *“epidemic”* (Parlamentné listy 2017). This “epidemic” is usually demonstrated by news about violence of migrants: *“Violence against the police has fallen out of control in all sixteen federal states of Germany”* (Parlamentné listy 2017). Sometimes pro-Kremlin media write about “widespread” criminality of migrants in general and sometimes refer about concrete criminal acts. The point is to create the dangerous “others.” Frequent motive are sexual crimes of migrants, usually rape, which also imply that migrants have negative prejudices toward European women: *“White women do not have good reputation among African men. Somali man who raped teenager, was opposing victim, that she still can not be virgin, because she is white”* (Dandarová 2018). This expressive terminology of violence should create an impression that situation in Western countries is serious. Politicians and migrants are blamed for this situation. The most blamed politician is Angela Merkel: *“Merkel will be named as a German chancellor, bringing Germany and Europe to the edge of the abyss”* (Kičín 2018).

Another common discursive strategy is pointing out to cultural differences of migrants, which should be proof of Islamization of “weak” Europe. According to pro-Kremlin propaganda, culture of migrants is incompatible with “our” European one and Muslims want to take power over the Europe, while the EU with Western politicians let them do it. For demonstrating these arguments propaganda uses statements of various politicians. For example statement of Czech president Miloš Zeman about danger of changing the demographics of Europe, is replied by Zem a Vek: *“I am afraid this is unfortunately the first step. The last step will be that Africa moves to Europe, and of course it will mean a substantial change in European demographic and social structure and indeed the end of the European Union itself”* (Sloboda 2017). Another highly cited politician is Hungarian president Viktor Orbán. Hlavné správy cited Orbán in article where he connected migrants’ disrespect to Christianity and to women: *“We do not want to hide behind the concrete walls. We do not want people at Christmas to be overwhelmed by fear and unhappiness. We do not want our wives and daughters to be persecuted in a solemn New Years’ Eve”* (Sputnik 2017). Argumentation where Islam is presented as negative opposition to Christianity and Muslims as people who hate Christianity is quite frequent in pro-Kremlin propaganda. Objective of this argumentation is to emphasize the threat represented by “others.” Migrants’ disrespect to Christian traditions is reproduced in article about Christmas: *“In Milan, migrant from Africa climbed on the Christmas tree in the centre of town to take down the cross, because it is bad, he explained”* (Rusnák 2017). The second part of mentioned Orbán quote was about women. They are humiliated by migrants in general. It is expressed in this part about Sweden, which is unable to protect women against inappropriate behaviour: *“Hundreds of people who are registered or living in Sweden are in polygamous relationships, despite the fact that polygamy is banned in this Nordic country. While this situation was recorded at the height of the migration crisis in 2015, no one was fighting this practice that degrades women”* (Sputnik 2018b). Among the other often presented differences between migrants (“others”) and Europeans (“us”) are understanding of democracy, human rights (migrants prefer Sharia law over European law systems) or relations to elderly people, who are respected in European cultures, but migrants have no problem to attack and robber them.

Another common strategy is to present migrants as a major burden for social and educational system, which has many problems in Western countries. This strategy also implies conditionality between right for asylum and potential benefits for countries. For example in Sweden: *“It was supposed to be a rescue for an “aging Europe”. However, as more and more countries are showing, immigrants from Africa and the Middle East remain largely on social benefits and are no benefit to state bosses”* (První Zprávy 2018). In this discourse clear dichotomy *we (good) Europeans vs. they (bad) Refugees* is set. This dichotomy simplify reality into two antagonistic groups, where one (outside) group is always attacking and damaging other (inside) group in very sensitive places as faith, women, children, elderly people. National and European politicians do not challenge it.

## 5.2 The EU organizes migration

In this discourse, the EU is presented as an organization that actively supports and even organizes migration to Europe with NGOs. The point of this process is to replace white Christian population in Europe by Islam and less civilized

cultures. Businessman George Soros should control this process. European politicians and Western governments are active tools in this “game.” The EU spreads strong multicultural propaganda and supports refugees instead of Europeans.

The most common strategy in this discourse is pointing out to the EU and Western countries will to have migrants in Europe permanently: *“Avramopoulos has clearly stated that Brussels will not look for asylum as a temporary way of protecting it from the war but as a way of permanently resettling people from third countries to the EU”* (Gdovin 2017a). Pro-Kremlin propaganda constructs reality where *“The Brussels’ bureaucrats”* want to make norm from migration and no country should remain homogeneous: *“The Brussels’ bureaucrats have said that Europeans must accept mass third-world migration as a “new standard”, warning that neither fences nor any policy will allow any part of the EU to remain “homogeneous and without migration”* (Gdovin 2017a).

But why the EU and Western countries want to do this resettlement? Pro-Kremlin media have clear answer. They want to change European population and replace it with migrants’ population. Conspiracy argumentation that should demonstrate existence of this plan is present in Hlavné správy article: *“It should be recalled that 15 years ago the EU has begun to promote the ideology of LGBTI into the legal systems of the individual EU member states through NGOs and Soros people. What this agenda brings, we know very well. Homosexuality cannot lead to life. It is also one of the aims of this agenda, to reduce the population of the Christian white population... Now, the next step is to replace this decline in the white population by the recruitment of Muslim migrants to reduce the representation of the Christian population in Europe”* (Harabin 2017). Very important name was mentioned in previous quote. The name is George Soros, who is usually accused of organizing secret, subversive actions in the EU countries by pro-Kremlin media. In the investigated media Soros is presented as a man who organizes migration to replace Europeans: *“The UN High Commissioner for Refugees has already calculated that between 200 and 250 million climate/ecological refugees could be reached by 2050. In short, a quick and simple way to implement Soros project of ethnic reconciliation”* (Gdovin 2018a). In this discourse, as in the whole coverage of migration we can see strong tendencies to use conspiracy theories to explain this complex process.

Negative emotions toward EU should be emphasized also by using strategy where they pointing out that this “dangerous and organized” migration is expensive for Europeans and the costs will be paid by taxpayers: *“The cost of rejected asylum applications has doubled. It will be paid by taxpayers”* (Hlavné správy 2017).

Migration is not only expensive for Europeans, but Western governments even support migrants instead of the domestic population. This is also strategy to delegitimize humanistic aspects of politics: *“The billions of euro for housing for refugees are, but for the German homeless there is not even one euro”* (Bednár 2018a). Sometimes even political parties are presented as they do not care about German people. In this case German SPD: *“The SPD is much more concerned about the welfare of the asylum industry, which earns billions in Berlins’ refugee policy and is also home to refugees more than simple German workers and employees”* (Bednár 2018b). Referring about manifestations of peoples’ dissatisfaction with this open politics (dichotomy *Ordinary people vs. Politicians*) is also frequent. It should delegitimize this politics and show

disappointment within the EU: *"The documentary about a Syrian refugee who lives in Germany with his two women and six children has angry many Europeans* (RT 2018).

In another strategy, the EU and Western politicians are blamed for making business of migration. Especially people "behind" politicians, officers and corporations are blamed. According to another conspiracy theory, only multinational corporations profit from migration solution in Africa, instead of European population: *"Taking advantage of the planned EU investment offensive, even if it would not reach the giant dimensions - will be multinational corporations... If such an intolerable engagement in giant Africa by citizens of European countries - and, in particular, the EUs' kernels - have not been approved, their leaders from Brussels will teach that it must be, or otherwise China would replace the investor union in Africa"* (Sloboda 2017).

### 5.3 The EU is undemocratic organization

In this discourse, the EU is presented as an undemocratic organization, which dictate member countries what to do, what is good and what is wrong. As all undemocratic regimes, the EU has strong propaganda and always tries to delegitimize every criticism, which is getting stronger, especially among new post-socialist members. Refugees' quotas are usually mentioned as an undemocratic practice. This discourse should delegitimize existence of the EU institutions as unfair and as manifestation of dictatorship.

Undemocratic character is emphasized by the terms they refer to the EU. Pro-Kremlin media use terms like *"Brussels' bureaucrats"* (Gdovin 2017a), *"Brussels' eurocracy"* (Sloboda 2017), *"bureaucratic and totalitarian monster"* (Gdovin 2017b), *"This is not democracy, this is dictate"* (Bednár 2018b), *"EU is based on lies"* (Gdovin 2017b). Dichotomy *Ordinary people vs. Politicians* is important in this discourse. Reasons why ordinary citizens feel angry and disappointed by the EU are: *"Arrogance of the West, Brussels dictate, pointless regulations, forcing accept migrants"* (Gdovin 2017b). In the same article we can read: *"Many Poles regard the West as a smarty-pants who wants to tell them how they should live and think"* (Gdovin 2017b).

Money from structural funds is one of the ways in which the EU manipulates member countries. If any country does something what the EU does not like, the EU can simply shorten money. It does not matter if country needs money for development or does not: *"For the poorer and, above all, for post-communist countries want to cut the EU funds when it seems to them [the EU: authors' note] that what we do in our countries is against European values"* (Lehotský 2018). Interpretation of situation with funds this way creates immoral character of whole organization, which blackmails countries by money.

Another discursive strategy we can identify is using refugees' quotas to describe the EU as undemocratic: *"In September 2015, Interior Ministers agreed in principle and despite the resistance of Eastern European countries, to allocate 120,000 asylum seekers"* (Časopis argument 2017). We can see clear line between "us" (V4 countries) and "them" (the West). "They" force us to do something "we" do not want. Countries, which do not accept migrants, can be punished not only by cutting funds, but also with discrimination. For example in some contest, as one Hungarian town *"The EU refers to the Hungarian city: You cannot be the capital of European culture, you have too many happy white people,*

*crosses, churches and few immigrants*" (888.hu 2018).

Another argumentation tactic mentions that whole idea of resettlement of migrants is illegal and should be only in competences of national states, not the EU, which destroys national sovereignty of member states: *"It is the inalienable right of every sovereign country to decide on its immigration policy. Brussels systematically undermines this right, and hence the foundations of the member states. The Central European Hungarian-Polish-Czech-Slovak Quartet is under increasing pressure to undertake. It stands out for now"* (Sloboda 2018a).

Different strategy marks the EU as *"pseudo-humanistic and hypocritical"* (Hlavné správy 2018). Reason should be that the EU is selective in accepting migrants, (understand anti-Russian): *"These migrants abduct, murder, rape our women, even commit terrorist attacks, and the European Union is still imposing them to other member countries. At the same time, the same European Union prevents Russians and Belarus from moving freely, because they ask for visas from them"* (Harabin 2017).

Important discursive strategy is also one, which refers about silencing the critics of the EU policies, which is typical for totalitarian states. The EU and Western countries also have its own multicultural propaganda used for: *"programming Europeans to welcome mass migration is "not only a moral imperative", but also an economic and social imperative for this aging continent"* (Gdovin 2017a). The goals of this propaganda should be Europeans assimilated in Muslims' culture. This is the reason why the EU is characterized as politically hypercorrect: *"The politically hypercorrect European Union, in conjunction with the foundations and non-profit-making societies, is therefore pushing Europeans to assimilate under the multicultural sheath into the majority of population"* (Sloboda 2017).

On the other hand, delegitimization of the criticism should create impression that the EU or Western countries are truly undemocratic, what is no good example for Slovakia. We can demonstrate it again by the most popular pro-Kremlin examples, Sweden and Germany. In Sweden: *"the government has decided to fight hard against alternative media that open people eyes. The Swedish government officially doubt the freedom of speech. The government has called the so-called Swedish "new media" - news channels that refuse to subordinate politically correct mainstream media dogmas - as a possible threat to democracy"* (Gatestone institute 2017). We can identify clear distinction between "alternative" media that reveal the truth (opening peoples' eyes) and mainstream media that inform according to politically correct dogmas. Government decided to protect its agenda spread by mainstream media. If you disagree with official politics in Germany, if you criticize Islam or refugees, politicians will mark you as: *"racist, or even nazi"* (Bednár 2018b). According to this propaganda, it was wrong to mark somebody who believe that migration is only one large resettlement process from Asia and Africa to Europe as: *"crazy victims of fantasy conspiracy theories"* (Sloboda 2018a).

Pro-Kremlin propaganda does not accuse only politicians and media for spreading propaganda. Even PISA testing of students is understood as a tool of propaganda. This testing and educational system is compared to totalitarian methods of former Soviet Union: *"Moscow blogger and researcher Anatoly Karlin warns against such an association of education ideology. He points out that in the former USSR, obtaining a diploma depended on whether your view was identical*



to that of the communist regime“ (Gdovin 2018b). Negative results of multicultural propaganda in Western population are concluded in the next sequence: *“The original inhabitants of France, Benelux, Scandinavia, Germany, and the United Kingdom have so much psychologically adopted the doctrine of multiculturalism that newcomers see them as concessive, yielding, feeble, frightened. In short, disgusting. The aggressiveness of the migrants to the passive West Europeans is not resented by local authorities and security authorities either. Police forces are afraid to intervene for fear of being charged with Islamophobia“* (Sloboda 2018b).

#### 5.4 The EU is not beneficial and nationalists are alternative

This discourse constructs the EU as unbeneficial for V4 countries, especially because of forced migration and economical reasons. People do not believe in the EU and they are disappointed by it. Therefore they support nationalist movements and parties, which are presented as better option. These nationalist politicians refuse migration so they made safe area from V4 countries without migrants' criminality (*V4 and nationalists vs. EU and Western politicians*).

Very important strategy this discourse uses is to draw direct line between the West and the East of the EU, where the East is the clean, good one and the West, cheating one, who wants to dictate. V4 countries therefore have lost faith in Western partners: *“Because of the arrogance of the West, as well as because of the political “dictate” of receiving immigrants, Eastern Europe does not expect “no good” from Brussels, and rather tends to nationalist parties and movements“* (Gdovin 2017b).

The most responsible politicians of this revival of nationalism (by pro-Kremlin interpretation positive process) which weaken the integrity of the EU are Viktor Orbán and Jaroslaw Kaczynski: *“Violent changes in the last 25 years have prompted the stress of the population and the promises of life, as in the West, are no longer sufficient. That is why Jaroslaw Kaczynski and Viktor Orbán have successfully revived nationalism, said Polish political scientist Peter Boras“* (Gdovin 2017b). Their nationalist agenda is not understood as populism, but as relevant reaction to unfulfilled promises of the West.

Poland and Hungary are praised for their nationalism and resistance toward the EU: *“Poland shows a way to refuse to automatically bend in front of the orders of liberal globalization. This is the logic of the migration flows that some of them would like to impose on him“* (Hanzlíková 2017). Hlavné správy paraphrase moderator of conservative American channel Fox News Tucker Carlson: *“Carlson believes that Orbán is the only European politician who courageous warn because of what society others want to create. Such a society, however, has been practically unanimously rejected by European citizens“* (Sputnik 2018c). Not only Orbán and Kaczynski refuse migration, also ordinary people in the West refuse it too. Some of these ordinary Western people see the contrast between “safe” Central Europe and “dangerous” Western Europe and think about to move to Central Europe. One example is Rebecca Sommer (German volunteer), who was helping migrants, but has realized that it was mistake. This statement should delegitimize help to migrants from the inside view and confirm Eurosceptic views: *“When the Poles and the Hungarians are not giving up on this issue, they could become countries where some Germans and the French will flee. You could become the island of stability in Europe. Rebecca Sommer thinks it is too late for Germany and she plans to emigrate for herself“* (Zaujec 2018).

As a demonstration of positive patriotism in Europe, movement Defend Europe is presented: *"Identitarians are patriots from different countries in Europe who did not like the fact that EU countries could not or rather did not want to prevent illegal immigrants from entering Europe and therefore decided to protect their borders by their own means. They began their activities a year ago when they decided to defend Europe at sea, where thousands of immigrants are sailing on boats: "It is a mission to save Europe by stopping illegal immigration," the Identitarians claim"* (Eurozprávy 2018).

Not only migration is a reason of Euroscepticism. Pro-Kremlin propaganda also claims that the EU is not beneficial for V4 countries in economical way too: *"Significant French economist Thomas Piketty argues that the countries of Eastern Europe are net payers within the European Union. "The gap between East and West of Europe is not diminishing. On the contrary, it is exacerbating the growing outflow of funds from the East and the sinking stream of European subsidies from the West. "This is going on by diverting the profits of subsidiaries eastward to the West. European subsidies are therefore just a patch for Eastern Europe"* (Lehotský 2018).

## 6 CONCLUSION

The goal of this paper was to find out how Slovak pro-Kremlin media work with topic of migration and how they create discourses about the EU in the discursive field of migration. We used the Theory of discourse and social change by Laclau and Mouffe, who write about the battle of discourses for hegemony in discursive fields and about social antagonism (created by discourse) that is necessary element for social change. We can understand the existence of pro-Kremlin media in Slovakia, as a challenge to discourses spread by standard media. The presence of pro-Kremlin media in Slovakia can be seen as a part of the hybrid war led by Russia against the EU with objective to relativize current *status quo* of power.

Migration to Europe belongs among the topics of pro-Kremlin media to those discussed frequently. In research material consisting of authors' articles and articles from non-Western media collected in December 2017, February 2018 and April 2018 in media Hlavné správy, Slobodný vysielateľ and Zem a Vek, we have identified and analyzed four discourses about the EU. All four discourses present the EU and especially its Western members systematically in negative light. The first is *The EU is surrendering to Islamization*, second *The EU organizes migration*, third *The EU is undemocratic organization* and fourth *The EU is not advantageous and nationalists are alternative*. Discourses are based on simple dichotomies "we vs. they", polarizing social reality into two antagonistic groups with different interests. I observed antagonistic poles *Europeans vs. Refugees, V4 and Nationalists vs. The EU and Western politicians, Ordinary people vs. Politicians*. In these dichotomies, group "we" (Europeans, V4 and nationalists, Ordinary people) is presented in positive ways, defending themselves against negative interests of group "they."

All these discourses are connected with each other. Research has shown that discourses try to delegitimize almost all aspects of EU politics and politics of Western member countries which are accused of attempts to Islamize Slovakia and other post-socialist countries. On the other hand, nationalistic politicians of

Eastern member states are praised and presented as alternative to unfair and the devastating EU politics.

The used language is expressive, with the goal to evoke negative emotions and antipathy about the EU, refugees and Western liberal democracies in general. These media constantly and systematically support Eurosceptic and anti-refugees moods (not only) in Slovakia and are not afraid to create various conspiracy theories to prove their narratives. Clear link to evoke distrust about the EU and Western countries is visible in revealed discourses. If we regard the goal of hybrid war in Europe creating chaos and disintegrate the EU, we can definitely consider these media as a part of this war and migration as a tool used against the EU.

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## SLOVAK CABINET AFTER 2016: FROM SINGLE PARTY MAJORITY TO MOTLEY CREW

**Petr JUST**<sup>1</sup>

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*Slovakia entered another stage of its post-communist political development after its last parliamentary elections held in March 2016. These elections could be described as realigning elections, as they brought quite dramatic changes to its party system. The 2016 elections (and its subsequent impact on the party system and party representation in parliament) were followed by forming quite an unusual governing coalition, which did not comply with any of the classic cleavages or any “Slovak traditions” of coalition formation in existence at that time. The aim of this paper is to analyse the factors influencing the post-election coalition formation process, characterize the coalition that was eventually formed after the 2016 elections, identify common political and program features shared by the member parties and therefore attempt to identify the cleavage upon which the coalition was formed.*

**Key words:** Slovakia; elections; parliament; coalition; political party.

### 1 INTRODUCTION

At the beginning of 2018, Slovak politics went through a turbulent period caused by the alleged assassination of investigative journalist Ján Kuciak and his fiancée Martina Kušnírová in February 2018. The subsequent events led to a political and coalition crisis, since Kuciak wrote mainly about the links between political actors and organized crime, and since some of his findings led to suspicion that some of then Prime Minister Robert Fico’s associates might be part of that network. One month after the assassination, following pressure from the public, opposition and even some coalition partners, Robert Fico decided to step down as the Prime Minister and thus caused the resignation of the entire cabinet. Fico’s departure allowed political scientists to analyse and evaluate the coalition cabinet that had been in power for almost exactly two

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years, since the 2016 parliamentary elections, and that has been one of the most diverse cabinets Slovakia has had in its post-1989 history.

The most recent elections to the National Council of the Slovak Republic (NR SR) that took place in March 2016 ended up with several surprising outcomes. Among the features mentioned in several post-electoral commentaries and analyses were: (1.) relatively low (definitely lower than expected) results of the winning party SMER – Social Democracy (SMER-SD) which led to the absence of the dominant player in the party system; (2.) the highest number of political parties elected to the parliament since the first post-1989 elections in 1990 (overall 8 parties or movements succeeded in 2016) and thus a very fragmented parliament; (3.) success of political parties and movements with no, unclear or hardly classified and identified ideology and program; (4.) the presence of radical and extreme nationalists with zero or very limited coalition potential; or (5.) the inability to form just a two-party cabinet (for the first time in the post 1989 era), which is closely connected with the above mentioned weak position of the election winner SMER – Social Democracy and the overall high number of political parties in parliament.

All the factors mentioned above (plus others not mentioned here) naturally complicated the process of post-election cabinet formation and the position of SMER – Social Democracy chairman Robert Fico as then presumptive leader of coalition negotiations. It was even more visible in comparison with the 2012 elections, which ended with a single-party majority of SMER – Social Democracy in the parliament, and therefore a single-party Cabinet composed only of members and nominees of SMER – Social Democracy. As Slovakia is parliamentary democracy where we can “only rarely witness a single party winning a majority in a representative body” (Haček, Brezovšek and Bačlija 2010, 4), the coalition-building procedures and coalition stability are the key features of governance.

The aim of this paper is to examine the principle upon which the post-2016 coalition was built, what factors influenced such coalition formation and how the coalition could be classified using several approaches of the theory of coalitions. The main research questions are how the 2016 parliamentary elections and turbulent changes it brought to the Slovak party system changed the coalition formation process and coalition strategies of parties involved in post-election negotiations and what cleavage (if any) the current coalition represents.

## 2 THEORETICAL BACKGROUND

In order to help define the coalition government we will look at two theoretical approaches relevant to the topic that will be elaborated in the empirical part of the text: the concept of minimal winning coalitions and the index of parliamentary fragmentation.

Coalition theory identifies several types of coalitions based on their majority / minority status, while so called minimal winning coalitions are generally understood as an ideal form of coalition structure in the matter of its majority



status (Říchová 2000, 130–131).<sup>2</sup> Minimal winning coalitions are described as an alliance of at least two partners who both (all) are necessary for maintaining majority status (Riker 1962). Therefore, if any member party of the coalition (even the smallest one) leaves, the coalition loses its majority status. This form of alliance does not include any surplus partners and exists within the framework of rational choice theory (Říchová 2000, 125).

The concept of minimal winning coalitions follows on to the theory of rational choice where individual players (in our case political parties) are guided by an effort to maximize profit at minimal cost. Political parties try to achieve the largest possible share of government seats during coalition negotiations, and it is in their interest to negotiate coalition cooperation with as few partners as possible, just with as many as is necessary for the majority in the legislature. Inviting other political parties whose presence is not (mathematically) necessary to maintain the majority status logically reduces the share of seats allocated to individual members of the coalition (Lijphart 1984, 48).

However, the basic concept of minimal winning coalitions was not sufficient for the study and for the analysis of governments existing in European multiparty political systems and was therefore supplemented by additional criteria that specified the original general characteristics in the course of the following years. The first supplementary criterion – the size criterion – was formulated by the author of the original concept, William Riker. The criterion of size emphasizes even more the above-mentioned effort of coalition partners to maximize power while minimizing costs. If the power of government parties is to be maximized, it is ideal that the coalition holds the minimum size in the parliament (Riker 1962), but still the majority (ideally 50 % + 1 seat).

Another author who contributed to the development of the concept of minimal winning coalitions was Michael Leiserson. He supplemented the research of the minimal winning coalitions by the criterion of the number of members (political parties). This criterion is based on the logic that the fewer the partners in the coalition government, the easier the bargaining is as there are fewer potentially conflicting places. According to Leiserson, the lower the number of partners in the coalition, the higher the chances of keeping the majority (Leiserson 1968).

Both of the above-mentioned criteria of Riker and Leiserson, which developed the original concept of minimal winning coalitions, were more or less technical and did not deal with the programmatic and ideological proximity of the coalition parties. The inapplicability of the basic model of minimal winning coalitions (and its two supplementary additions) to the study of European governments and coalitions was one of the main weaknesses of this concept. As the previous criteria are based primarily on simple arithmetic, the electoral results allow a number of coalition variants, variously combined (Lijphart 1984, 48). Many of them, however, are practically impossible if we take into account other factors, such as program bases or inter-party relations. If we consider that a political party is not entering government just to occupy a certain proportion of seats, but that it also aims to promote certain policies in cooperation with other similarly programmatically oriented entities, then the concept presented above is insufficient.

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<sup>2</sup> Other types of coalitions based on their size and majority/minority status are surplus coalition and minority coalitions (governments). For more see example Laver and Schofield (1992) or Lijphart (1984).

Therefore, the concept of minimal winning coalitions was later supplemented by two criteria, which already take into account the programmatic and ideological aspects of the individual political parties entering the coalition, thus allowing the applicability of the modified concept to the European situation as well. The ideological distance criterion is based on the premise that the most advantageous is to create such coalitions whose members will be positioned as close to each other as possible on the ideological (left-right) scale (Lijphart 1984, 50; Laver and Schofield 1992, 110–111). The criterion of ideological distance was extended by the criterion of connection of coalition partners. “Parties connected in terms of principal policy questions – ultimately adjacent in the political spectrum – are most likely to coalesce, or at least maintain a stable government” (Pridham 2002, 78). However, this does not necessarily have to end with a minimal winning coalition, because in order to connect two partners, a small party located between them can be included.

Another theoretical instrument we will use is the index of parliamentary fragmentation. Although this instrument is mainly used to measure the character of a party system, it has an indirect relationship with the issue of government formation and stability. The index of parliamentary fragmentation ( $F_s$ ) is calculated as the sum of the second powers of shares of the mandates of individual parliamentary parties, which is subsequently deducted from the number 1.

$$F_s = 1 - \sum s_i^2$$

The index can range from 0 to 1. The closer to zero, the fewer larger parties exist in the system (0 = all members belong to just one parliamentary party); on the other hand, the closer to one, the more smaller parties exist in the system (1 = each member of parliament is from a different political party) (Lebeda 2011, 515–516). The values of the index of parliamentary fragmentation for all Slovak elections held after the transition to democracy are shown in Table 1.

**TABLE 1: INDEX OF PARLIAMENTARY FRAGMENTATION ( $F_s$ ) AFTER THE ELECTIONS TO THE NATIONAL COUNCIL OF THE SLOVAK REPUBLIC IN THE YEARS 1990 TO 2016**

Elections	1990	1992	1994	1998	2002	2006	2010	2012	2016
Index ( $F_s$ )	0,80	0,69	0,77	0,79	0,84	0,79	0,75	0,65	0,82

Source: Just (2018, 19–20).

From the point of view of the relationship between the parliamentary fragmentation and the formation of governments, it should theoretically be said that the lower the fragmentation index, the easier it is to form a government. The presence of a smaller number of larger parties should limit the number of entities needed to form a majority coalition and reduce the number of friction areas that can serve as potential sources of intra-coalition conflicts. On the other hand, it is not possible to operate mechanically with the number and size of political actors represented in the legislature, but also with their program and ideological definition (and thus the possibilities of program interpenetration) or other factors influencing the coalition potential (typically the presence of extreme and/or anti-system parties, interrelations between parties, and other than programmatic issues).

### 3 ELECTION RESULTS AND COALITION POSSIBILITIES

As we mentioned earlier, the 2016 elections results brought several surprising outcomes that complicated the process of post-election coalition formation. It was almost the opposite situation as compared to the results of the previous parliamentary elections held in 2012, when for the first time in post-1989 Slovak history the winning party (SMER – Social Democracy) held more than 50 % of the seats in the legislature and therefore was able to form and maintain a single-party majority cabinet. Even the first post-Communist elections that usually led to single-party majorities in many Central and Eastern European countries did not create a majority situation for the winner in Slovakia.<sup>3</sup> Paradoxically this single-party majority situation in 2012-2016 might be seen as one of the factors contributing to the 2016 results. SMER-SD party had a power monopoly in that period, which also meant that it had a monopoly in responsibility and thus was held responsible for not only successes, but also failures.

TABLE 2: THE 2016 ELECTION RESULTS TO THE NATIONAL COUNCIL OF THE SLOVAK REPUBLIC (ONLY POLITICAL PARTIES AND MOVEMENTS THAT CROSSED THE 5% THRESHOLD ARE INCLUDED)

Political party / political movement	Votes received	% of votes	Mandates
SMER-SD (SMER – Social Democracy)	737.481	28,28 %	49
SaS (Freedom and Solidarity)	315.558	12,10 %	21
OLNO + NOVA (Common People and Independent Personalities + New Majority)	287.611	11,02 %	19
SNS (Slovak National Party)	225.386	8,64 %	15
Kotleba – ĽSNS (Kotleba – Peoples' Party Our Slovakia)	209.779	8,04 %	14
Sme Rodina (We Are the Family)	172.860	6,52 %	11
Most-Híd (Bridge)	169.593	6,50 %	11
Sieť (Network)	146.205	5,60 %	10

Source: Statistical Office of the Slovak Republic (ŠÚ SR 2016).

Such results led to a very fragmented parliament with an index of parliamentary fragmentation at the level of 0,82 – the second highest in post-1989 Slovak history thanks to a high number of relatively small political parties. While previous elections held in Slovakia since 1990 always allowed between 5 (1992) and 12 (2002) theoretical possibilities to form minimal winning coalitions,<sup>4</sup> the 2016 fragmented results as described above led to 27 theoretically possible minimal winning coalitions that would be backed by a majority of at least 76 votes in the 150-member Slovak parliament, which was largely possible due to the factors mentioned above, especially the high number of political parties and the absence of a dominant player.

<sup>3</sup> Public Against Violence, a major anti-Communist opposition force founded after the 17th November 1989 events, won the 1990 elections with 29,35 % of the votes which resulted in 48 mandates in the 150-seat Slovak National Council (Statistical Office of the Slovak Republic 1990).

<sup>4</sup> The 2012 elections are not included in this count as the minimal winning coalition concept does not apply to it due to the single party majority.

TABLE 3: THEORETICAL POSSIBILITIES OF MINIMAL WINNING COALITIONS AFTER 2016 ELECTION TO THE NATIONAL COUNCIL OF THE SLOVAK REPUBLIC

SMER-SD, SaS, OĽaNO+NOVA	89
SMER-SD, SaS, SNS	85
SMER-SD, SaS, Kotleba-ĽSNS	84
SMER-SD, SaS, Sme Rodina	81
SMER-SD, SaS, Most-Híd	81
SMER-SD, SaS, Siet'	80
SMER-SD, OĽaNO+NOVA, SNS	83
SMER-SD, OĽaNO+NOVA, Kotleba-ĽSNS	82
SMER-SD, OĽaNO+NOVA, Sme Rodina	79
SMER-SD, OĽaNO+NOVA, Most-Híd	79
SMER-SD, OĽaNO+NOVA, Siet'	78
SMER-SD, SNS, Kotleba-ĽSNS	78
SMER-SD, SNS, Sme Rodina, Most-Híd	86
SMER-SD, SNS, Sme Rodina, Siet'	85
<b>SMER-SD, SNS, Most-Híd, Siet'</b>	<b>85</b>
SMER-SD, Kotleba-ĽSNS, Sme Rodina, Most-Híd	85
SMER-SD, Kotleba-ĽSNS, Sme Rodina, Siet'	84
SMER-SD, Kotleba-ĽSNS, Most-Híd, Siet'	84
SMER-SD, Sme Rodina, Most-Híd, Siet'	81
SaS, OĽaNO+NOVA, SNS, Kotleba-ĽSNS, Sme Rodina	80
SaS, OĽaNO+NOVA, SNS, Kotleba-ĽSNS, Most-Híd	80
SaS, OĽaNO+NOVA, SNS, Kotleba-ĽSNS, Siet'	79
SaS, OĽaNO+NOVA, SNS, Sme Rodina, Most-Híd	77
SaS, OĽaNO+NOVA, SNS, Sme Rodina, Siet'	76
SaS, OĽaNO+NOVA, SNS, Most-Híd, Siet'	76
SaS, SNS, Kotleba-ĽSNS, Sme Rodina, Most-Híd, Siet'	82
OĽaNO+NOVA, SNS, Kotleba-ĽSNS, Sme Rodina, Most-Híd, Siet'	80

Source: author's calculation based on official results published by the Statistical Office of the Slovak Republic (ŠÚ SR 2016). The option marked in bold was eventually formed as a result of the post-election negotiation.

However, theoretical possibilities must naturally be confronted with the reality in which the characteristics of the parties and the willingness or unwillingness of the individual actors to enter into alliances with other subjects represented in the parliament are reflected. From this point of view, probably the most problematic actor in the new parliament was the Peoples' Party Our Slovakia (ĽSNS), which entered the parliament for the very first time. Radical nationalist attitudes, the rhetoric of party representatives, including its chairman Marián Kotleba, or a positive attitude towards the Slovak Republic, which existed between 1939 and 1945 as a puppet state of Nazi Germany, were only some of the reservations for which the ĽSNS was a hard-to-accept coalition partner for almost any other political party and movement represented in parliament. This significantly reduced the list of theoretical options by 11 (the number of options which included the presence of ĽSNS).

Another newcomer in parliament, the movement We Are Family (Sme Rodina) led by Boris Kollár, was very difficult to identify by its programme, which also complicated its coalition potential. More than a program and a clear ideological definition, their campaign was aimed at the leader of the movement, the entrepreneur Boris Kollár. A lack of clear programmatic substance and ideological orientation was one of the complications during the coalition forming process. Moreover, just like OĽaNO, which had been present in the Slovak parliament since 2012, the We Are Family movement also challenged the traditional political parties and represented an anti-establishment feature in the

Slovak party system. The movement, again as well as OĽaNO, can be classified as an example of the business-firm party, with a vague program and ideology, a key position of political entrepreneurs, and thus a strong centralization and personalization of the party's internal functioning (Marušiak 2017, 193–194).<sup>5</sup>

#### 4 POST-ELECTION REALITY

Post-election talks ended up with the formation of a four-member coalition composed of the victorious SMER – Social Democracy (SMER-SD) joined by the Slovak National Party (SNS), Bridge (Most-Híd) and Network (Siet') parties. Based on the election results this coalition would hold 85 seats in the National Council of the Slovak Republic. However, three Siet' members of parliament, Miroslav Beblavý, Katarína Macháčková and Simona Petřík (Dugovič 2016), and one Most-Híd member of parliament, Zsolt Simon (Su 2016), declared their opposition towards this alliance, criticizing their respective parties for violating its image by joining SMER-SD and SNS. Siet' previously presented itself critically against Robert Fico, the chairman of SMER-SD and the Prime Minister of the government directly preceding the elections. Siet' chairman Radoslav Procházka even contested Fico in the presidential elections in 2014. Most-Híd, profiling itself among others as a representative of the interests of the Hungarian minority in Slovakia, often challenged and criticized the nationalistic tendencies of SNS and also SMER-SD.

At the end of the post-election talks, the emerging coalition could rely on 81 votes in the National Council of the Slovak Republic out of the 150 members, which still secured majority status. From the theoretical point of view, we can classify this alliance as a minimal winning coalition, where all four partners are needed for maintaining majority status. Withdrawal of even the smallest party (in this specific case Siet' with seven members of parliament supporting the government) would lead to losing majority status. Although we can say this alliance represents an ideal form of coalition from the point of view of its majority status, we also have to take into account that this coalition is also characterized by a very wide ideological range and a lack of programmatic closeness of its participating parties.

**TABLE 4: COMPOSITION OF THE SLOVAK CABINET AFTER THE 2016 ELECTIONS AND SIZE OF PARLIAMENTARY CAUCUSES OF COALITION PARTIES AT THE TIME OF THE CABINET'S APPOINTMENT**

Party / movement	NR SR seats	% of coalition seats in NR SR	Cabinet seats	% of seats in cabinet	Note
SMER-SD	49	60,49 %	9	60,00 %	
SNS	15	18,52 %	3	20,00 %	
Most-Híd	10	12,35 %	2	13,33 %	1 MP withdrew support
Siet'	7	8,64 %	1	6,67 %	3 MPs withdrew support
TOTAL	81	100,00 %	15	100,00 %	

Source: author's calculation based on sources from the National Council of the Slovak Republic (NR SR 2016), Statistical Office of the Slovak Republic (ŠÚ SR 2016) and Office of Government of the Slovak Republic (ÚV SR 2016).

<sup>5</sup> For the concept of business-firm parties see Hopkin and Paolucci (1999).

## 5 CLEAVAGES AS COALITION FACTOR

In the past we could identify several cleavages that influenced the formation of cabinets in Slovakia. Following the first democratic elections in 1990 the transformational cleavages were applied. The cabinet was composed of major opposition forces Public Against Violence (VPN) founded in November 1989 and the Christian Democratic Movement (KDH) officially founded in February 1990, alongside the historic Democratic Party (DS) founded in 1944, but forced to transform into the Party of Slovak Revival (SSO) following the Communist takeover in 1948. DS was seen as the major political party victim of the Communist regime's rise to power.

Since the split of VPN in 1991 and subsequent events, a new cleavage emerged in Slovak politics, which did not belong among traditional cleavages, but was specifically Slovak. The "conflict point" which led to the division of the party system and influenced the cabinet's formation was not any programmatic issue, but the personality of Vladimír Mečiar, founder and leader of the Movement for Democratic Slovakia (HZDS), and one of the offspring of VPN. Mečiar's style of politics and ruling influenced relations between political parties within the Slovak party system and their alliances started to follow either more pro-Mečiar or anti-Mečiar approaches, rather than more standard socio-economic positions and left-right orientation. Cabinets composed after the 1992 elections (including cabinet changes in 1993 and spring 1994), early elections in the fall of 1994 and after the 1998 elections were formed primarily along a pro-Mečiar vs. anti-Mečiar conflict line (Hloušek and Kopeček 2005, 17–18).

With the decreasing strength and involvement of Vladimír Mečiar and his HZDS in politics after 2000, the pro-Mečiar vs. anti-Mečiar conflict line was slowly suppressed and replaced by a socio-economical cleavage. It was also due to the fact that between 1998-2002 two new political parties were founded which would later represent the right and left-wing pillars of the Slovak party system. In 1999, Robert Fico left the Party of the Democratic Left (SDL) and founded the new party SMER. One year later the group around the Prime Minister Mikuláš Dzurinda, who originally acted as leader of the broad anti-Mečiar alliance of five parties called the Party of the Democratic Coalition (SDK), founded a new political party the Slovak Democratic Christian Union (SDKÚ). Despite the HZDS victory in the 2002 elections it was Mikuláš Dzurinda and his SDKÚ who was able to form a cabinet due to the limited coalition potential of HZDS. For the first time in post 1989 Slovak political history, the cabinet was composed of the political parties representing one side of the left-right scale (Just 2006, 153). Although SMER was not the main opposition party (if we consider the election results), unlike HZDS it was able to execute the opposition role more effectively and soon took over leadership of opposition (which was stressed even more after some of the HZDS members left the parliamentary caucus of their party and either remained unattached for the remaining party of the parliamentary term or even joined the SMER caucus).

Following the 2006 and 2010 elections a mixture of socio-economic principles and again special personal principles influenced the cabinet formation. Although the post-2006 election coalition led by Robert Fico (SMER-SD) was not composed of parties closely attached by social and economic programs, the two minor coalition parties (SNS and HZDS) almost without any reservations adopted and followed the economic program of the dominant election winner,

the left-wing party SMER-SD (Just 2009, 163; Hynčica 2007b, 130). After the 2010 elections this coalition was replaced by a four-member right-wing alliance of SDKÚ-DS, SaS, KDH and Most-Híd led by Prime Minister Iveta Radičová (SDKÚ-DS).

However, besides the socio-economic cleavage that played an important role in both the 2006 and 2010 cabinet formations, another conflict line emerges. It is again connected to a dominant political personality, as was the case of Vladimír Mečiar in the 1990s (as described earlier). This time the conflict line emerged along Robert Fico, whose style of politics also divided political parties into those able and willing to cooperate with him and those unable and unwilling to do so. The 2012 elections led to a single party majority and therefore the cleavages are not applicable.

If we try to apply the previously mentioned cleavages to the actual post-2016 situation, we see that the situation is much more difficult. Some of the cleavages are not applicable any more at all (especially the transformational cleavage and of course the specific personal pro-Mečiar vs. anti-Mečiar cleavage). Other cleavages could theoretically be applicable, but were not applied during the cabinet formation process (especially a socio-economical cleavage, but also an ethnic cleavage and even another specific personal pro-Fico vs. anti-Fico cleavage).

## 6 SO WHAT KIND OF COALITION IS IT?

That brings us to the main question: what cleavage (if any) does the current coalition represent? Ideological profiles of the four coalition partners clearly show that identification of used cleavage patterns will not be simple. Let's look briefly at the profiles of the four coalition parties.

The election winner and key coalition party SMER-SD identifies itself as a social-democratic party (Hynčica 2007b, 133), although there are some features in its program that do not match with the social-democratic values (e.g. a higher level of nationalism present in the case of SMER-SD; Marušiak 2006, 40). The second strongest coalition force SNS is a party based on nationalism, national conservatism and Euroscepticism. It is, however, fair to say that under the leadership of Andrej Danko (chairman since 2012) the party softened its rhetoric compared to previous leaders, especially the controversial Ján Slota (chairman in 1994–1999 and 2003–2012). Also, the party's nationalistic approach may be seen as softer due to the rise of the even more radical and extreme nationalistic party Kotleba – ĽSNS.

The third strongest coalition party Most-Híd can be identified as liberal-conservative and is also considered a representative of minority issues (Most-Híd 2016, 10–13). In the minority issue, however, the party acts rather moderately compared to the Party of the Hungarian Community (SMK, previously known as the Party of the Hungarian Coalition), which is almost entirely focused on minority issues in most of the aspects of their program. Most-Híd tries to overcome the sharp ethnic division and not to act exclusively as a minority party. The smallest party Siet' can be identified as liberal-conservative and Christian-democratic (Siet' 2014, article 2). The two latter parties were considered to be on the anti-Fico side until the elections, while SNS had already experienced a coalition with SMER-SD in 2006–2010.

While we cannot identify clear conflict lines between the current coalition and the opposition, it is on the other hand quite easy to identify several intra-coalition cleavages. There are at least three conflict lines that could potentially jeopardize the current coalition's stability and survival. Clearly we can observe a socio-economic cleavage, where on one side is the social-democratic party SMER-SD and its economically quite close ally SNS. On the other side of the axis there are Most-Híd and Siet', both identifying themselves as economically liberal parties.

An ethnic cleavage is another conflict line we can observe among parties of the current coalition. The long-time representative of nationalism SNS with nationalistically-oriented SMER-SD<sup>6</sup> stand on one side of the ethnic cleavage (for more see Hynčica 2007a), while Most-Híd is considered a representative of the ethnic minority. And last but not least, there is something we can call the European cleavage, classifying political parties according to their position towards the European Union and / or European issues in general. There are both pro-European parties, such Most-Híd (and previously also Siet'), and Eurosceptic parties, represented mainly by SNS (Just 2015, 122). Classification of the leading coalition party SMER-SD on the European scale is not easy. Fico's position on the European issues follows rather pragmatic interests, therefore we observe both pro-European and Eurosceptic positions.

However, it is obvious that none of the cleavages (socio-economic, ethnic or European) has so far led to any intra-coalition crisis or even splits. The most serious threat to the coalition stability was linked to the above-mentioned assassination of investigative journalist Ján Kuciak and his fiancée Martina Kušnírová in February 2018, after which the previous prime minister Robert Fico resigned. Prime minister's resignation led to the entire cabinet resignation, but the new prime minister Peter Pellegrini formed the cabinet on same political party grounds (with just few personal changes in ministerial positions).

## 7 MOTLEY CREW

Former Prime Minister and SMER-SD chairman Robert Fico often used to call the 2010-2012 cabinet composed of four right-wing parties SDKÚ-DS, SaS, KDH, Most-Híd "zlepenec" (motley crew<sup>7</sup>) (rak, vv 2011). Later he adopted this term for the entire right-wing part of the Slovak party system, which in the last few years has been characterized by the lack of one strong dominant right-wing party and instead has been composed of several small parties (TASR 2015). The term referred not only to the size and number of these parties, but also to the fact that many of them have undergone some internal clashes, conflicts and eventually splits, which even further stressed Fico's point about the lack of stability in this section of the Slovak party system.

Contrary to this image of a destabilized right wing he presented his strong and stable left-wing party SMER-SD. It is true to say that since its foundation in 1999 SMER has been almost continuously strengthening. It has won all the

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<sup>6</sup> Robert Fico's nationalistically oriented rhetoric was obvious also in his positions towards migration crisis and people of Islam faith in particular (see Koller 2016, 88).

<sup>7</sup> Thanks to my dear colleague from the Metropolitan University Prague Damien Galeone who helped me come up with the most adequate English term for the Slovak word "zlepenec".



parliamentary elections since 2006, and in 2012 even secured a single majority. The party also succeeded in several other second order elections, such as regional, local or European. It supported two-term President Ivan Gašparovič both in campaigns and during his presidencies. SMER gradually absorbed most of the parties in the centre-left / left part of the party system (Just 2005, 175–177), incl. the party Fico originally came from, SDL, but later also SOP, SDA, SDSS or Stred. Robert Fico also led almost all the popularity polls and none of the crises or affairs involving SMER-SD or its representatives has ever hurt its popularity. The only exception from this almost idealistic image is Fico's failure in the 2014 presidential elections.

Getting back to the "zlepenec" (motley crew) issue, Robert Fico's third cabinet composed of SMER-SD, SNS, Most-Híd and Sieť appears to fit much better into the characteristics of "zlepenec" (motley crew) than the cabinet he used to refer to this way. As we have shown earlier, the cabinet structure includes several internal conflict lines with open potential for intra-coalition conflicts and crises. Also, the cabinet and participating parties lack any unifying ideological or program framework. This coalition looks rather like a purpose-based alliance, but the question is what was behind the purpose. Was it just power? Was it a "European presidency" coalition formed in order to secure the stable government during Slovakia's six months presidency of the Council of the European Union?<sup>8</sup> But what about the Eurosceptic SNS in this case? These are the questions which has remained unanswered since the government's appointment.

## 8 CONCLUSION

Robert Fico's first coalition rule between 2006-2010 was heavily criticized by the European Union for the presence of the nationalistic party SNS, and also HZDS, which was fully responsible for the diversion from the liberal democracy under Vladimír Mečiar's rule, especially in the period between 1994-1998. As HZDS was quite a marginal party in 2006, more concerns were raised around the SNS due to its extremely radical positions on mainly national issues, presented mainly by controversial chairman Ján Slota. The Party of European Socialists even temporarily suspended SMER-SD's membership in 2006, two years later SMER-SD regained full membership status.

The presence of the SNS in the current SMER-SD led cabinet hasn't raised any concerns yet from the EU, its institutions or supranational party structures. As we have mentioned before, current SNS rhetoric is not as radical as it was a few years ago. Also, the co-presence of Most-Híd partially representing national minority interests may balance involvement of the nationalistic SNS, although it was a rather pragmatic decision of then Prime Minister Robert Fico, the SNS and Most-Híd. Nevertheless, it could help to create Robert Fico's image of "compromise maker", especially in the eyes of the EU. It is also important to mention that all three cabinet representatives of the SNS are non-partisan, although several party experts were on the short lists for cabinet positions.

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<sup>8</sup> Parliamentary elections took place just a few months before Slovakia took over the Presidency in the Council of the European Union (July to December 2016), for the first time since the 2004 entry to the European Union. Therefore, the elections led not only to forming a national cabinet, but also a cabinet whose members preside Council meeting of all EU ministers.

While the coalition took office and started to rule, questions about its non-coherence remained and have been returning regularly throughout its existence. Especially Siet' and Most-Híd have been challenged about their decision to enter this alliance and have been forced to defend it, both before their members and voters.

The first party to pay the price for entering the cabinet was Siet', which rapidly started to lose support almost immediately after the elections (Motýl 2016, 66). Its member base disintegrated, and its parliamentary caucus split and eventually disappeared. In September 2016, six months after the appointment of the cabinet, Siet' de facto terminated its political activities, and withdrew from the government. The ministry of transportation headed by a Siet' representative was given to Most-Híd. Five out of the ten members of parliament who were elected on the Siet' party list in 2016 are currently not affiliated with any parliamentary caucus and sit in the legislature as independent, four joined the parliamentary caucus of Most-Híd, which is part of the coalition, and one joined the parliamentary caucus of the opposition party SaS (NR SR 2018).

Most-Híd has not been affected by such a rapid decrease of popularity yet, but its presence in the cabinet alongside SMER-SD and the SNS remains one of the highest risks for its survival in politics. The latest public opinion polls conducted in September 2018 showed that the party's electoral preferences are between 5 and 6 % (FOCUS 2018). However, we have also seen some internal party clashes over Most-Híd's positions on some political issues. Besides one of Most-Híd's members of parliament leaving the party shortly after the elections (see above), one more left the party in fall 2018. Currently only nine out of the eleven members of parliament elected for Most-Híd are also members of the party's parliamentary caucus. With four former Siet' members who have joined Most-Híd since 2016 the caucus currently has 13 members (NR SR 2018).

SMER-SD has also been experiencing some critical development; however, this has not been caused by its presence in the coalition cabinet, but mainly by events related to the murder of investigative journalist Ján Kuciak. The party was forced to make changes in the cabinet positions of Prime Minister and Minister of Interior, and they lost one Member of Parliament who left the party and its parliamentary caucus and remains unaffiliated. Public opinion polls still show that SMER-SD is defending the position of the strongest party in the Slovak party system today; however, with preferences only slightly above 22 % (FOCUS 2018).

The structure of the coalition cabinet remained the same under the new Prime Minister Peter Pellegrini (SMER-SD) who was appointed in March 2018 after the resignation of Robert Fico. Despite some changes in the ministerial positions there remain the same three political parties with the same number of ministers as there have been since changes were made in late 2016 in connection to the departure of the Siet' party. The coalition government still maintains a majority in parliament, but over time the majority has shrunk to just 76 seats, which is the minimal number of seats needed for a majority in the 150-member parliament.

TABLE 5: COMPOSITION OF THE SLOVAK CABINET AFTER THE 2016 ELECTIONS AND THE SIZE OF PARLIAMENTARY CAUCUSES OF COALITION PARTIES MORE THAN TWO YEARS AFTER THE CABINET'S APPOINTMENT (AS OF 31 OCTOBER 2018)

Party	NR SR seats	% of coalition seats in NR SR	Cabinet seats	% of seats in cabinet
SMER-SD	48	63,16 %	9	60,00 %
SNS	15	19,74 %	3	20,00 %
Most-Híd	13	17,10 %	3	20,00 %
TOTAL	76	100,00 %	15	100,00 %

Source: author's compilation based on sources from NR SR 2016, Statistical Office of the Slovak Republic (2016) and ÚV SR 2018, updated in accordance with the political development in 2016–2018.

It is obvious that the coalition cabinet established after 2016 elections is probably the most diverse and heterogeneous government since 1990. There are very few common programmatic and ideology features that would allow us to frame the coalition. The most likely explanation on what grounds this government was established is the conflict between the established traditional political parties and those challenging them. Although it is quite problematic to characterize all three current coalition partners as traditional, we have to understand it in comparison with the other parties and movements present in the parliament. All of them – SaS, OĽaNO, ĽSNS and We Are Family – are built on the protest against the traditional parties, often acting as anti-establishment movements directly challenging the system of traditional parties.

There are still many issues to be addresses concerning the post-2016 coalition governance in Slovakia, such as decision-making processes in such heterogenous coalition cabinet (see Vercesi 2012) or frequency of ministerial changes and replacements, which represents the challenges to deal with in further research.

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## SUSTAINABLE DEVELOPMENT – THE PROMISE OF AN ALTERNATIVE VS THE REALITY OF ITS GLOBAL AND LOCAL NEOLIBERALIZATION

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*The article interrogates sustainable development as the dominant presumably alternative paradigm of development and functioning of societies that declaratively transcends the ecological and societal limits of the older models. It argues that the dominant understanding of sustainable development that promotes limited incremental changes to the capitalist development model can best be understood as the result of its gradual systematic co-optation and integration into the dominant neoliberal governmentality at the global and local levels. By analysing the gradual neoliberalization of sustainable development in the global and the Slovenian context it argues that these contexts are interdependent concerning the consolidation and resilience of the neoliberal vision of sustainable development in the face of multiple and multidimensional economic and environmental crises. By specifically focusing on the case of Slovenia it demonstrates and reflects on the crucial role of actors that formally and informally represent the public interest such as the state and the organized civil society in re-legitimizing and upholding the neoliberal vision(s) of sustainable development in the context of crises.*

**Key words:** sustainable development; neoliberalism; civil society; NGOs; governmentality.

### 1 INTRODUCTION

The intensification of climate change, the proliferation of ecological crises and the global rise in awareness of the man-made nature of these crises since at least the 1970s resulted in the general proliferation and popularization of alternative developmental visions. There was a growing realisation among developed and developing countries that the dominant development model would lead to a severe ecological crisis that if not addressed could potentially

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precipitate the destruction of human societies as we know them (see Mebratu 1998). Hence, from the 1980s onwards a novel concept of development namely sustainable development gradually established itself as the foundation for addressing environmental and societal challenges of development (Mitcham 1995). In the last 30 years it has become a policy goal of international organizations (e.g. the UNO), regional organizations (e.g. the EU), national governments, transnational corporations, national companies, local communities and international, national and regional non-governmental organizations (Baker 2006). This has been reaffirmed in the latest UN Climate Change Conference held in November 2017. Consequently, how sustainable development was and is conceptualized has had and has great consequences for imagining and enacting transformations of the dominant capitalist model of development predicated on notions of continuous economic growth, continuous increase of consumption and of the continuous use of natural resources (see Doyle 1998; Mebratu 1998; Mitcham 1995). Initially, sustainable development was intentionally vaguely defined as its primary purpose was to enable reaching a broad global consensus among various actors on the existential need to transcend the existing model of development (Baker 2006). The UN report *Our common future* (1987) defined sustainable development as “development that meets the needs and aspirations of the present generation without destroying the resources needed for future generations to meet their needs (WCED 1987, 54)”. Along with the generational solidarity it also articulated solidarity among the developed and developing countries. The novel developmental model was intended to fulfil the basic needs of the poorest global populations. Simultaneously, it was based on the notion of a necessary transformation of consumption patterns in the developed countries based on sustainable use of resources as these were deemed limited. Although it stressed the role of technological innovation it also focused on the need of a broader social, economic and cultural transformation locally and globally by establishing the three dimensions of development (environment, society and economy) as equally important (see WCED 1987). Hence, it offered a somewhat alternative vision of development that had the potential to lead to more progressive visions (Lewis 2000; Mitcham 1995).

But despite the increasing severeness of the environmental crisis<sup>2</sup> that is acknowledge by majority of central socio-economic and political actors at the local, national and global levels and the acceptance of the need for sustainable development its dominant conceptualizations do not represent a substantial departure from the existing model of development (Mitcham 1995; Wanner 2015). It seems that the contemporary predominant understandings of sustainable development lack even the limited alternative potential of the *Our common future* definition as they argue for a combination of technological innovations and full technological substitution, novel competitive markets and market solutions to environmental issues, voluntary commitments to reforms and complete silence on the issue of intra and inter-generational solidarity and the limits to economic growth (Lloro-Bidart 2017; Véron 2010; UN 2012). It also seems that the popularization, institutionalization and common societal acceptance of understandings of sustainable development that argue for a radical structural transformation of the existing capitalist developmental model face even bigger obstacles than in the past as not even the recent global

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<sup>2</sup> An ever-growing corpus of contemporary research (see Barnosky et al. 2012; Steffen et al. 2015) demonstrates that the current trends of natural resource use will undermine the “carrying capacity” of the environment and/or are already crossing “planetary thresholds” (e.g. biodiversity).

economic crisis could alter the dominant developmental vision locally or globally (Chakravartty and Schiller 2011). While the need to preserve the dominant developmental vision is understandable from the position of the corporate interests it is less understandable why actors such as governments and major (environmental) NGOs that *prima facie* represent the public interest are not capable to articulate and popularize a vision of development entailing substantial structural not incremental changes to the existing model of development.

In the following article we will argue that the present situation concerning the dominant discourses and policies of sustainable development that promote limited incremental changes to the dominant capitalist development model can best be understood as the result of the gradual but systematic co-optation and integration of sustainable development into the dominant *neoliberal governmentality* (Foucault 2008), a specific contemporary permutation of the capitalist socio-economic and political systems or regime of government, at the global and the local level. Although some studies (Mitcham 1995; Baker 2006) already at least partially address the global or local dimensions of the history of neoliberalization of sustainable development and the general unsustainable nature of neoliberal governmentality and its development visions there are some crucial lacunas in these studies that we wish to address. Firstly, there is a lack of research that would analyse the interconnectedness of the global and the specific national contexts concerning the neoliberalization of sustainable development, despite several scholars (Bakker 2015; Nelson 2015) arguing that the various processes of neoliberalization cannot be understood without considering the “actually existing neoliberalism” in specific local contexts that are necessary for neoliberalism’s persistence. In this context, we will analyse the global and the Slovenian context concerning the gradual establishment and consolidation of a neoliberal vision of sustainable development. We will argue that the global and the Slovenian context are interdependent concerning the consolidation of the neoliberal vision of sustainable development. Secondly, there is a lack of research that would specifically focus on the resilience of the neoliberal vision of sustainable development and the neoliberal governmentality in the face of multiple and multidimensional economic and environmental crises. In this context, we will specifically focus on the role of actors that formally and informally represent the public interest such as the state and the organized civil society (e.g. NGOs). We will argue that their role is crucial, but under-researched, in establishing, legitimizing and upholding the neoliberal vision(s) and policies of sustainable development and the wider neoliberal governmentality in the context of multidimensional economic and environmental crisis. In order to demonstrate the central role of these actors and the resilience of the neoliberal vision of sustainable development and the neoliberal governmentality, we will focus on the case of Slovenia. This will enable us to argue that even in the national contexts where the neoliberal governmentality and specifically its vision of sustainable development are perceived as non-hegemonic and limited and where neoliberal reforms were not implemented in a radical manner (Lorenčič 2012), the neoliberal governmentality and its vision of sustainable development has colonized the thoughts and activities of (almost) all relevant socio-political actors that represent the public interest. We will argue that this was and is possible due to the specific nature of neoliberal governmentality that is capable to integrate and deradicalize most of its oppositional actors and discourses by systematically and systemically establishing and nurturing a common hegemonic problematization in the sense of a common way of perceiving



environmental and other issues, their causes and the range of intelligible solutions or/and general visions of future development. As we will argue actors representing the public interests, especially the organised civil society are structurally forced and subtly nudged to adopt discourse and enact activities that are intelligible and acceptable in the context of the dominant neoliberal vision of sustainable development.

## **2 NEOLIBERAL GOVERNMENTALITY, ITS GENERAL PROBLEMATIZATION AND ITS RESILIENCE**

In order to proceed with the analysis of the gradual historical co-optation and integration of sustainable development into a neoliberal vision of development and in order to grasp the present situation concerning the lack of visible and popular developmental visions that would transcend the neoliberal capitalist development model, we must firstly address what we mean by neoliberalism and why the concept is analytically useful. Despite reservations of scholars (e.g. Dean 2014) regarding the analytical usefulness of neoliberalism and its problematic political use as an instrument of discrediting opposite political positions, we will strive to demonstrate that the concept can be analytically quite potent in critically interrogating the contemporary socio-economic and political context at the global and local level, its dominant sustainable development vision and the lack of opposition to it. We will understand neoliberalism as a general governmentality, a general form of government that is based on specific problematizations and utilizes specific discourses, practices and subjectivities and is predicated on specific knowledge, institutional structures and subjects/actors whose conduct it strives to regulate. It is a contemporary permutation of the capitalist socio-economic and political regime (Bröckling, Krasmann and Lemke 2011; Byrne 2017) that was gradually established as the response to the actual and perceived political, economic and environmental crises of the post-war welfare liberal governmentality (Harvey 2005; Phillips and Ilcan 2004). This was a culmination of a longer political project of certain neoliberal Western intellectuals (e.g. Hayek, Friedman, Becker, Eucken, Rüstow) and corporate elites that strived to delegitimize welfare liberalism and restructure society at the global and local levels according to a novel neoliberal vision of development based on a specific problematization of socio-political and socio-economic issues and relations (Harvey 2005; Mirowski and Plehwe 2016; Foucault 2008). This neoliberal restructuring (neoliberalisation) was and is carried out in the form of a large variety of (moderate or aggressive) policies formulated and continuously implemented at the national and global levels, which were and are mutually interconnected and interdependent (Brenner and Theodore 2002, 350). Although there is a substantial variance concerning the extent of neoliberalization in specific societies and specific historical and socio-political contexts there are some crucial commonalities. Firstly, there is a common goal of these restructurings namely the enhancement of conditions of capitalist accumulation in the face of actual and perceived multiple crises. Secondly, there is a set of common but differently implemented policies such as privatization of public goods and services, liberalization and deregulation of markets, and business friendly re-regulation, strategic re-scaling of governance mechanisms, self-responsibilization of individuals, general reduction of the socio-economic role of the state, balanced budgets etc. (Bakker 2010, Peck et al. 2010). The final, and concerning our analysis crucial, commonality is the shared general

problematization of socio-economic and socio-political relations, issues, their causes and possible solutions.

Problematization can be understood as a specific way of transforming selected set of issues into a general problem with a specific set of causes, which is followed by an articulation of possible solutions that establish novel objects and fields of governing and regulating, novel discourses and novel subjectivities (Foucault 2000). It is a historically specific way of establishing and responding to a socio-political, economic and ecological reality pertinent to a specific governmentality. It is established and consolidated through a prolonged struggle among political forces at the local and global level. Neoliberal problematization establishes the competitive market as the ruling principle of governing relationships not only in the economy, but in all other spheres of society. It imagines the properly established and secured competitive markets as being able to provide the best solutions to all societal, economic and ecological issues at the local, national and the global level. Markets can provide the best possible solutions as they are conceived as an ideal “information processing system” (cf. Hayek 1945) that convey the right information (in the form of prices) in real time to the people in need of it. They are considered as an evolving, adapting, nonlinear and chaotic entity that precludes any comprehensive understanding of it needed to appropriately plan economic processes. Hence, state planning in economic matters is deemed not only problematic but the root cause of all existing socio-economic and political issues. Novel markets are imagined to be the solution to problems perceivably caused by markets. These solutions are not a contradiction but follow the basic premises of neoliberalism that attributes market failure to outside interventions in the logic of the market that is infallible and always leads to economic growth (Foucault 2008; Harcourt 2011; Mirowski 2014). Growth is established as the fundamental economic but also political goal as it provides the general legitimacy of the system (Foucault 2008).

Simultaneously with the market the neoliberal problematization redefines the role of state as one of perpetual interventions as the conditions for competitive markets are not given but must be constructed. These interventions should not target the mechanisms of the free market. They should target the non-economic spheres of societies that are considered the “frame” for establishing and securing the logic of free market competition. Neoliberalism strives to remake and redeploy the state as the core agency that actively fabricates subjectivities, social relations and collective representations suited to making the fiction of the market real and consequential (Peck 2010). The neoliberal problematization considers an interventionist state as a need and as a danger that must be addressed by exploring and utilizing novel formats of techno-managerial governance to protect the free market from “irrational” political interference (Mirowski and Plehwe 2016, 435). Hence, it imagines the incorporation of civil society and the private sector in the novel policy processes and structures such as stakeholder democracy or deliberations as being crucial (Bäckstrand 2006; Véron 2010). But the inclusion of civil society and citizens in general is always limited as democracy is desirable only insofar as democratic institutions encourage the development of the free market and do not intervene in the existing relations of power and the existing economic and development model (Thorsen and Lie 2006). Individuals and communities are also redefined as entrepreneurial subjects, as self-governing and self-regulating entities that are free to make various informed rational choices in order to maximize wellbeing and manage private and community risks. Individuals are imagined as

responsible for their present and future wellbeing, whereby the future is perceived as being something whose risks can be calculated, predicted and responded in advance (Rose 1996).

The neoliberal problematization also specifically reimagines nature and the relationship between nature and socio-economic development. In contrast to past capitalist problematizations that imagined nature as a dead, inert object to be manipulated and controlled with maximum efficiency (Merchant 2008), neoliberalism's reimagining of nature is predicated on the idea that the existing form of capitalist accumulation was pushing the biophysical nature beyond its capacity to function. Moving beyond these perceived limits required a radical reimagining of nature in the sense of its full and complete absorption into the neoliberal governmentality thereby producing a multidimensionally usable nature. Notions such as emission trading, carbon offsetting and on the other hand notions of the natural capital and eco-systemic services are inextricably linked to this neoliberalization of natural phenomena in the sense of their multidimensional valuation either for economic or non-economic reasons (see Castree 2015). Only the valuation of a specific biophysical phenomenon makes it visible, relatable and understandable in the context of the neoliberal governmentality. Furthermore, it makes environmental concerns compatible with the economic growth as the reproduction of the biophysical nature becomes a direct source of value thereby expanding the sphere of productivity to encompass the "natural factory" and its self-organizing and regenerative capacity (Nelson 2015). Nature is reimagined as having limits only in the sense of extraction of natural resources for conventional production process that can be transcended in two interconnected ways and mirror the contemporary transformation of broader capitalist production. Firstly, through technological innovation and the perfect substitution of natural resources with technology (mirroring automatization). Secondly, through the circulation of "the natural capital" in the more conventional form of goods and services (e.g. green tourism) or in the form of credits and information (e.g. ecosystem services, emission trading) that are "unbound by material essence and free to move through global circuits of credit and finance commodities (Dempsey and Robertson 2012, 2)" (mirroring financialization).

The neoliberal problematization proved extremely resilient as even a radical destabilization of neoliberal governmentality in the form of the global financial and economic crisis at the national and global level did not lead to, as many scholars predicted (Birch and Mykhnenko 2013; Duménil and Lévy 2013; Peck, Theodore and Brenner 2010; Stiglitz 2008), a radical change not only of existing functioning of societies but also concerning the articulated visions of future models of development. This was due to specific characteristic of neoliberal governmentality and its functioning. Firstly, it continuously reproduces and re-inscribes its problematization at the global and local level through macro policies (e.g. austerity) of states and international institutions such as IMF and World Bank, WTO), policies and practices at the mezzo level of institutions (think tanks, universities, schools, workplace, hospitals, non-formal learning contexts etc.) and the micro level of everyday practices (e.g. shopping, learning, reading, watching, going out etc.) of individual and collective subjects (Lazzarato 2009; Mirowski 2014; Rose 1996; Wacquant 2010). Additionally, it actively absorbs, deradicalize and utilize any critique of its general paradigm, its policies, practices and consequences by preserving its general problematization as the dominant framework of intelligibility even in the context of severe crises (Lazzarato 2009; Mirowski 2014).

### 3 THE GRADUAL NEOLIBERALIZATION OF SUSTAINABLE DEVELOPMENT AND ITS GLOBAL INSTITUTIONALIZATION AS THE DOMINANT VISION OF FUTURE DEVELOPMENT

Since the late 1960 environmental scientists and especially ecological movements and NGOs began to popularize the notion of humanity's responsibility for various environmental crises (Hopwood, Mellor and O'Brien 2005). In 1980 the notion of sustainable development entered the global policy field in the document *The World Conservation Strategy* jointly prepared by ICUN (International Union for Conservation of Nature) and UNEP (United Nations Environment Program) and the WWF (World Wildlife Fund). In it the crucial reasons for the ecological degradation and the unsustainability of the present model were defined as the negative effects of the existing trade regime, the growth of world population, social inequality and poverty. The notion of sustainable development was beginning to be institutionalized as a novel vision of development and as a critique of the existing model of development parallelly and sometimes linked with the neoliberal critique and vision of a novel development model (Lewis 2000). However, sustainable development was co-opted and integrated into the neoliberal governmentality during a rather long process of continuous political struggles. According to several scholars (Baker et al.1997; Elliott 2002; Mawhinney 2002; Rogers, Jalal and Boyd 2007; Schmandt and Ward 2000), the report of the Brundtland commission titled *Our Common Future* prepared on behalf of the UN in 1987 represents one of the crucial milestones for the global popularization and proliferation of sustainable development in the sense of connecting ecological sustainability and social and economic issues. The central definition of sustainable development as "development that meets the needs of the present without compromising the ability of future generations to meet their own needs (WCED 1987)" became the dominant definition (Lafferty 1995). The concept built upon two central notions namely the notion of fulfilling the basic needs of the poorest global populations and the notion of limited natural resources that will not be sufficient for fulfilling the present and future needs of global populations. Nature was imagined as having a limited capacity to absorb the negative consequences of the present levels of consumption in developed countries. The report set specific limits to development. Although it stressed the role of technological development in attaining sustainable development it focused on the need of a broader social, economic and cultural transformation. However, this vision did not transcend the capitalist model of development as it imagined sustainable development to unproblematically enable economic growth and a sustainable exploitation of natural resources with the protection of environment. The Brundtland report framed sustainable development from the perspective of ensuring the survival of the capitalist form of production and its accumulation processes in a more global poor friendly way without addressing the existing relations of power (Wanner 2015). It established that sustainable development could be achieved only through the cooperation of actors from all socio-political spheres in a novel horizontal governance regime that included international organisations, states, NGOs, civil society groups and individual citizens. However, the stark asymmetries in power and capabilities that should preclude the levelling of responsibility of various actors were not addressed. The report also did not address the role of multinational corporations as one of the primary agents of support of the existing development model and their potential role in hindering or supporting a sustainable future model (Baker et al. 1997; Doyle 1998).

Although including the idea of a novel governance structure and the levelling of responsibility the Brundtland report was not initially build upon a neoliberal vision. However, as sustainable development become more popular among the wider civil society, scientists, policy makers and the media it gradually became the crucial context of a political struggle concerning the form and content of the future model of socio-political and economic development. There was a growing realisation among the primary agents of neoliberalization (e.g. corporations, think-tanks, neoliberal academicians, politicians and international organisations) that sustainable development should be re-framed along the lines of neoliberal problematization (Rowell 1996). A specific framing of sustainable development would namely set the coordinates for future development models and as such severely limit the possible alternatives (Mebratu 1998). Since 1989 we can observe the dual activity of the establishing neoliberal governmentality that began to saw doubt and ignorance while it simultaneously began to actively intervene in the emerging global and national policy field of sustainable development (Mirowski 2014). There was a concerted effort at the global and national level by various actors including think-tanks (e.g. the Global Climate Coalition), astroturf groups, corporations and lobbying groups to prevent any radical changes to the existing development model (Rowell 1996). Along with climate change denialism specific actors (e.g. think-tanks, corporate groups) began to promote and lobby for the re-framing of sustainable development along neoliberal lines in the sense of presenting it as a “rational” alternative to radical solutions (Doyle 1998; Mirowski 2014; Slobodian 2018).

At the global level we can see the starting point of this process in the documents of the UN conference titled *the Earth Summit* (Rio de Janeiro), which represented a crucial consolidation of the concept of sustainable development and its gradual neoliberalization (Hopwood, Mellor and O'Brien 2005; Mebratu 1998). There were three documents that were adopted The Rio Declaration on Environment and Development, the action plan Agenda 21 and the UN Framework Convention on Climate Change (the precursor of the 1997 adopted Kyoto protocol<sup>3</sup> on climate change). The documents firmly established the neoliberal notion that the free market is the best possible mechanism to achieve sustainable development by producing technological solutions and efficiency and effectiveness gains that could overcome biophysical limits (Doyle 1998). It successfully deradicalized the popular critiques of the dominant development model, while it also successfully obfuscated the responsibility of the developed world for the past and present environmental degradation that was addressed in the Brundtland report. It did not address the fundamental structures, practices and mechanisms of capitalist economy and politics (e.g. militarism, unregulated activities of MNCs, undemocratic nature of international development organisations, unfair terms of trade) that were preventing an inclusive and democratic development an official goal of the Agenda 21 (Chatterjee and Finger 1994). The neoliberal nature of the Agenda 21 can be observed not only in the notions of the need to expand the market mechanisms but also in the notion that nature can and should be financially valuated as its valuation in the form of natural capital is crucial for its sustainability (Pearce and Barbier 2000). Furthermore, economic growth was established as paramount while the ecological issues were recoded as environmental costs

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<sup>3</sup> The protocol is one of the few legally binding documents in the field of sustainable development. It aimed to establish mechanism to reduce and regulate the emission of greenhouse gasses by establishing novel markets for emission trading and for furthering ecological investments.

that can be appropriately measured. All environmental issues were recoded as issues of efficiency (technological, economic, political, organisational, educational) (Doyle 1998). Additionally, a limited regulation with specific limited institutional reforms at the national and global level was imagined as sufficient to establish the coordination among various sector policies needed to attain sustainable development. Consequently, a range of specific public policy instruments were proposed such as environmental indicators and other market-based policy instruments as well as voluntary agreements on reducing and limiting pollution. (Baker 2006). Each successive institutionalization of sustainable development (e.g. the 2000 Millennium goals, the second Earth Summit titled The World Summit on Sustainable Development Rio +10 conference) lead to its further integration into the consolidating neoliberal governmentality at the global level.

The beginning of the global financial crisis in 2008 combined with the sharp rise in food and oil prices temporarily destabilized the dominant neoliberal development model. The destabilization enabled the temporal visibility and popularization of its critiques at the national and global level (Peck, Theodore and Brenner 2010). However, these critiques were made impotent due to the active interventions of crucial agents of neoliberalism (international organisations, national governments, corporations and the media) to re-stabilize the hegemony by re-articulating and reorganizing the neoliberal discourse and policies along supposedly radically different visions (deradicalizing critiques), while retaining the crucial fundamentals of the neoliberal development vision (Chakravartty and Schiller 2011). But this was only possible due to the general societal embeddedness and continuity of neoliberal practices, discourse and subjectivities at the local levels in the face of the crisis. This embeddedness established the conditions of possibility for the neoliberal problematization to hold its status as the general framework for understanding the key issues and formulating “novel” visions of development even by actors perceivably representing alternative visions (see Mirowski 2014).

The partially transformed discourse but untransformed problematization of sustainable development can be witnessed in 2009. It was then that the OECD Declaration on Green Growth situated the notion of the green economy firmly as part of sustainable development. With the 2012 Rio+20 UN Conference green growth became the foundation of a presumably novel sustainable development model. This discourse establishes green growth as a solution to all socio-economic and ecological problems. Hence, green growth is one in the series of responses of neoliberal governmentality to counter-hegemonic challenges in the form of arguments concerning inherent limits to growth. Like previous articulations it masks contradictions between economic and ecological sustainability and furthers marketization of societies by imagining nature as natural capital and striving to establish markets for “nature” its products and services (Wanner 2015). Like previous responses it also depoliticizes development to an issue of objective technocratic, managerialist and economic solutions that mask the underlying structural inequalities and power asymmetries that will exacerbate existing global and national inequalities and dominant power structures (OECD 2011).

#### 4 THE NEOLIBERALIZATION OF SUSTAINABLE DEVELOPMENT IN SLOVENIA

Due to Slovenia's specific peripheral geopolitical position and history characterized by a gradual transition from state socialism to capitalist liberal democratic system that has not followed the initial neoliberal shock doctrine of most other Post-socialist Eastern European states (Klein 2008; Lorenčič 2012), the neoliberalization of sustainable development in Slovenia can offer important and interesting insights concerning neoliberal governmentality, the specific vision of sustainable development and the persistence of the neoliberal problematization. Hence, the case study of Slovenia is crucial to reflect how neoliberal problematization is established and consolidated as a commonsensical framework of articulating visions of development even in the national contexts where the neoliberal governmentality and specifically its vision of development are perceived as non-hegemonic and limited and where neoliberal reforms were not implemented in a radical manner. It is crucial for analysing the interconnectedness of the global and the specific national context concerning the consolidation of the dominant understanding of sustainable development and to reflect on the mutual co-dependence of the global and local neoliberal governmentality and its resilience in the face of crises.

Similarly to the global and other national contexts (Mitcham 1995), the organized civil society and specifically ecological NGOs played a central role in focusing the Slovenian society's attention to ecological issues and raising its awareness on the interrelatedness of ecological issues and the dominant paradigm or model of development. The initial popularization of the concept of sustainable development was carried out by the ecological NGO's in 1995, when 19 Slovenian NGOs inspired by the UN *Agenda 21 action plan* adopted a draft strategy for sustainable development of Slovenia termed *Agenda 21 for Slovenia - a contribution of the NGOs*. Among them the leading role was played by the newly established NGO Umanotera - The Slovenian foundation for sustainable development. In the following years Umanotera established and led a strong institutionalized network of most other relevant NGOs in the field. On the other hand, the Slovenian NGOs had during the 1990s a relatively weak standing vis-à-vis other socio-political and economic actors. They lacked funding, organizational capacity and institutionalization (Lukšič 1998). Similarly to other global and national NGOs, the Slovenian NGOs played an initial double role in the process of establishing the field of sustainable development. Firstly, they were the primary actors that politicized the need to change the dominant developmental paradigm. Secondly, they began to play a central role as "anti-political machines (Ferguson 1990)" in the sense that they substantially contributed in framing the issue of sustainable development as an issue of expertise, clarity, measurability and as a non-antagonistic issue. Somewhat specific to the Slovenian context they also began to play a crucial role in neoliberalization of sustainable development in the sense of legitimizing market-based and technological solutions, which can be partially attributed to the mentioned neoliberalized nature of the UN Agenda 21.

While the Slovenian civil society and especially ecological NGOs played a central role in the initial politicization and popularization of sustainable development the state played a central role in institutionalizing and embedding specific developmental visions especially in the form of national developmental strategic documents. These documents played and play a central role in setting

the coordinates for long-term economic and societal development (Escobar 1995). They were and are strongly influenced by global trends, local business interests and to lesser extent local civil society interests (Abrahamsen 2000). The Slovenian national strategic documents were heavily influenced by and have substantially drawn from global and EU strategic documents in the field of (sustainable) development. But they were not imposed by global actors but were adopted voluntarily. These documents played and play a central part in establishing and consolidating specific developmental models as dominant, legitimate and rational. They substantially influenced and influence the broader socio-political discourses and practices in the field of sustainable development, as they are being formulated and disseminated by the formally central actor working in the public interest.

A brief analysis of Slovenian developmental plans gives us a rather clear picture regarding the official vision of sustainable development in Slovenia that was from the outset locked into a neoliberal framework, which demonstrates that in Slovenia the central context and agents of establishment of neoliberal problematization and the specific local variant of neoliberal governmentality were state actors formally representing the public interest. The first proper institutionalization of the term can be traced to the fourth national developmental plan adopted at the beginning of the 21<sup>st</sup> century. The document titled *Slovenia in the New Decade – Sustainability, Competitiveness and Membership in the EU: Strategy of economic development of Slovenia 2001-2006* (2001) firstly established sustainable development in the sense of development, which is based on three dimensions (economic, social and ecological) that are in balance and on the idea of inter-generational solidarity as an explicit goal. The document initially imagined sustainable development as part of a supposedly novel developmental paradigm. The paradigm was based upon the neoliberal idea of absolute necessity of raising the productivity of labour, raising national competitiveness and increasing the material wellbeing of the individual and society. Consequently, the attainment of sustainable development was understood as being the question of developing the right technology and generating the right knowledge that will resolve central societal and ecological issues of economic development.

It took four years for the term to become one of the central terms for thinking the future development of Slovenia at the state level and as such was consolidated and institutionalized to a substantial degree in the novel Slovenian development strategy. The term was utilized for promoting a more radical neoliberal developmental model that was favoured at the global and the EU level and especially by the new Slovenian right wing government that was in power since the end of 2004. The Slovenian Development Strategy (UMAR 2005), adopted in 2005, was primarily understood as a comprehensive strategy for the development of Slovenian society. The Strategy's third central strategic goal was the goal of intergenerational co-natural development based upon the principles of sustainable development. These no-where specified principles would play a central role in measuring development in all areas. The Strategy consolidated the neoliberal problematization as the fundamental framework for imagining the future sustainable development. The document stressed the need to deregulate and liberalize markets and to implement the principles of competition in every socio-political sphere. Economic rationality and efficiency were established as primary measurements of legitimacy of social services and the idea of redistribution as a central idea of progressive conceptualizations of sustainable development was delegitimized (ibid., 8–10). The document also



stressed the need for a common and equal responsibility of all social stakeholders for the development of the society, which masked the existing severe power asymmetries in societies among various stakeholders. The Strategy established material economic growth as the primary goal of the new developmental model. The social and the ecological dimensions were directly or indirectly imagined as subordinated to the economic dimension.

Despite major socio-economic and political changes including the global financial crisis in the following 12 years the Strategy and its vision remained officially unchanged until December 2017 when the present *Slovenian Development Strategy – Slovenia 2030* (Vlada RS 2017) was adopted. However, the fundamental vision of development did not drastically change. It is still predicated on the idea of the need for continuous economic growth, sustainable development as a comparative advantage of the economy, the need to increase productivity of labour, while it incorporates novel ideas (e.g. idea of delinking economic growth and the use of natural resources) tied to the concept of green growth, which is itself based on a neoliberal problematization (ibid., 11–14). Consequently, the contemporary official Slovenian developmental vision and the field of sustainable development remains tightly integrated in the neoliberal governmentality and derives and consolidates the neoliberal problematization (see Wanner 2015).

## 5 THE ORGANISED CIVIL SOCIETY AND THE POST CRISIS RESILIENCE OF THE NEOLIBERALIZED VISION OF SUSTAINABLE DEVELOPMENT

While the role of the Slovene and other states in consolidating the neoliberal problematization and vision of sustainable development in the post-crisis era is considered central (e.g. Mirowski 2014) the role of the civil society in this process at the national but also global level is less understood and researched. As we will demonstrate through our interrogation of the case of Slovenian civil society its role in this process was and is instrumental.

In 2007, a year before the global financial crisis, major Slovenian ecological NGOs established a network titled Plan B for Slovenia that was coordinated by Umanotera. The central goal of the network was the creation of a platform for articulating comprehensive strategies of development that would offer an alternative vision to official national developmental plans. In the same year the first document titled Plan B for Slovenia 1.0 was formulated. This was followed by Plan B for Slovenia 2.0 in 2010 and Plan B for Slovenia 4.0 in 2012.<sup>4</sup> These documents were authored by multiple authors that included nationally recognized civil society experts and scientist working in the wider field of sustainable development and consequently can be seen as providing an authoritative vision of development predominant in the organized civil society.<sup>5</sup> As Plan B 1.0 was formulated before the global crisis and Plan B 2.0, despite some effort by the editing team to synthesize a common civil society vision remained a collection of various sometimes diametrically opposed visions (Ogorelec 2013), Plan B 4.0 can be considered a more or less coherent vision of development. Hence, we will critically interrogate only the latter.

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<sup>4</sup> The Plan B for Slovenia 3.0 was a manifesto targeting political parties before the parliamentary elections of 2011.

<sup>5</sup> Among the authors were economists, sociologists, political scientists, climate scientists etc.

Plan B 4.0 was initially conceived as a response to the socio-economic crisis and as an explicit critique of the neoliberal development model. However, as we will demonstrate it represents a subtle and gradual re-legitimation and further consolidation of the neoliberal understanding of sustainable development. The document is interesting not only concerning its vision of development but also due to its reflection on the structural role of NGOs in sustainable development and in general as policy supporting actors. Its process of formulation and adoption is also rather revealing regarding the neoliberalization of the formulated vision and the incorporation of NGOs into the neoliberal governmentality. The document explicitly establishes the proposed model as an alternative to the existing dominant one, while it clearly reaffirms the central notions of the neoliberal problematization. Hence, Sustainable development is understood as a comparative advantage of Slovenia that will guarantee the rise of competitiveness of its economy and solve the economic crisis (Beltran 2012, 4). The paradigm of continuous economic growth is reaffirmed, and a plethora of neoliberal inspired notions are utilized such as competitiveness, efficiency, effectiveness, innovation, creative potential of human resources and human capital and increased productivity (Beltran 2012, 4, 12, 31). Sustainable development is perceived as being dependent on technological innovation, the creation of novel marketization of nature such as green tourism and the creation of novel ecological consumer subjectivities and practices such as green consumerism. The document demonstrates its neoliberal problematization in the form of the intended structural role that NGOs should play in attaining sustainable development. In this context, it is unintendedly revealing concerning the represented and actual structural role of NGOs in the functioning of the neoliberal governmentality (see Beltran 2012, 21–22). The NGOs are imagined as one of the three crucial actors (along with the government and corporate sector) whose cooperation is needed to attain sustainable development. They are imagined as actors that have the knowledge and implementational capabilities in the field of sustainable development. Additionally, they are supposedly capable to generate novel development visions and mobilize, inform and raise awareness of citizens concerning the need for sustainable development. Finally, they are established as independent and autonomous and as such as legitimate representatives of the public interest (see Bryant 2002; Sending and Neumann 2006). In contrast to this imagined role and capabilities of NGOs, the document also paints a rather dire picture of the actual state of Slovenian environmental organisations (Beltran 2012, 21). They are underfunded and understaffed and financially dependent on either government or corporate grants, which severely undermines their independence and their possibility for formulating development visions that are not compatible with either corporate or government expectation and neoliberal problematization. Even if they secure alternative financial resources the NGOs are limited in their strategic possibilities to articulate and popularize alternative visions due to the inherent containing nature of the declarative open policy discussions that already have pre-established coordinates that prevent any radical alternative visions (Ogorelec 2013). This inevitably leads to NGOs playing an instrumental role of legitimators of neoliberal problematization and neoliberalized sustainable development and demonstrates the local functioning of the neoliberal governmentality in the field of sustainable development and its resilience in the face of crisis. The global re-legitimation and resilience of the neoliberal governmentality and its problematization is mutually interdependent with the specific local re-consolidations and re-legitimations of it.

## 6 CONCLUSION

The article argued that the dominant understanding of sustainable development that promotes limited incremental changes to the capitalist development model can best be understood as the result of the gradual but systematic co-optation and integration of sustainable development into the dominant neoliberal governmentality, a specific contemporary permutation of the capitalist socio-economic and political systems or regime of government at the global and the local level. By analysing the global and the Slovenian context concerning the gradual neoliberalization of sustainable development we argued that the global and the Slovenian context are interdependent concerning the consolidation of the neoliberal vision of sustainable development and the functioning of the neoliberal governmentality. We also addressed the under-researched issue concerning the resilience of the neoliberal vision of sustainable development and the neoliberal governmentality in the face of multiple and multidimensional economic and environmental crises. We specifically focused on the role of actors that formally and informally represented the public interest such as the state and the organized civil society (e.g. NGOs) where we argued that their role was crucial in re-legitimizing and upholding the neoliberal vision(s) of sustainable development and in the resilience of the wider neoliberal governmentality. Focusing specifically on the case of Slovenia proved very fruitful. It enabled us to demonstrate that even in the national contexts where the neoliberal governmentality and specifically its vision of sustainable development are perceived as non-hegemonic and limited and where neoliberal reforms were not implemented in a radical manner, the neoliberal vision of sustainable development and its underlying problematization has penetrated the thoughts and activities of all relevant socio-political actors that represent the public interest. The case of Slovenia enabled us to understand and interrogate the way organised civil society is structurally forced and/or subtly nudged to adopt discourse and enact activities that are intelligible and acceptable in the context of the dominant neoliberal vision of sustainable development.

The dominance of the neoliberal vision of sustainable development would not be problematic if it produced viable solutions to environmental crises and socio-economic issues. However, as researchers (see Mirowski 2014; Rogers 2013) demonstrate, every neoliberal solution (e.g. emission trading, green consumerism) marketed as leading to sustainable development was proven a failure in remedying the dire situation. Consequently, in view of the present and future extremely negative environmental trends directly<sup>6</sup> connected with the existing dominant model of development the popularization and implementation of alternative visions of development are not optional but necessary. But these visions will have to transcend not only the hegemonic neoliberal problematization of development but also the even more fundamental feature of the existing capitalist system namely its compulsion for perpetual accumulation of capital and hence expansion of the absorption of biophysical resources. Therefore, a return to the somewhat more inclusive pre-neoliberal model of the developmental capitalist state is not an option. This would also not address the stark inequality and asymmetries of power and capabilities at the local and global level in a fundamental way and it would not

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<sup>6</sup> See Climate Change 2014: Impacts, Adaptation, and Vulnerability. Available at: <http://www.ipcc.ch/report/ar5/wg2/>.

address the constitutive antagonisms of the capitalist world systems and production process. Therefore, this novel vision will have to re-politicize development in a fundamental way and in this way severely restrain technocratic governance and techno-market solutionism and make development globally inclusive and radically democratic. Finally, the vision will have to redefine our collective relation with nature not as an autonomous, reified reference point but in the sense of an always-already socially produced entity with which we are in dependent and co-constitutive relationship.

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