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**MEASURING THE QUALITY OF THE
EUROPEAN CITIZENSHIP IN VIEW OF
SLOVENIA'S JOINING THE EU**

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Introduction

The main goal of this paper is to **conceptualise and measure** the quality of European citizenship in one of the candidate countries for EU membership – Slovenia. Since both defining and quantifying the presence/absence of a certain kind of citizenship both at the national and supranational level of governance is neither common nor easy, I propose a **tentative model of analysis** of this issue for the case of Slovenia. This is a step-wise process aimed at clarifying the notion and the role of European citizenship in the current Slovenian context with the perspective of eventually measuring it. Since citizenship is usually defined as a specific relationship between the state and the residing on its territory or generally belonging to the territorially-defined community people (customarily referred to as the ‘nation’ although certain categories of foreign nationals, or ‘denizens’, can also legally be included in this group), before discussing European citizenship, it seems appropriate to provide some basic statistical information about both the Slovenian state and society at this moment. Secondly, a selection of possibly relevant ‘qualitative’ dimensions of Slovenian citizenship for the future membership of the country into the EU will be discussed. Thirdly, and finally, a concrete measurement procedure will be elaborated and implemented regarding the *quality of Slovenian society*.

Before doing all this, however, one should look more closely at **what European citizenship is** and **what it does** both in general and in a specific national or supranational setting. In the next section, the concept of European citizenship is discussed at length. A particular viewpoint about the possible impact of this kind of citizenship on the future

members of the Union (such as Slovenia) and how this development should be analyzed is also presented.

1. What is European citizenship? Its relevance for the EU candidate countries from Central and Eastern Europe.

Citizenship has recently become a much-debated issue both at the national and supranational levels of governance. Even if still unresolved, this concept has managed to attract a lot of public attention with respect to the future enlargement of the European Union eastwards. Although both decision-makers and ordinary people in established Western democracies consider citizenship a key element of their domestic politics, they largely disagree about its meaning and purpose at the European level. Why is that? Some social scientists have pointed out to the difficult relationship between the different dimensions of citizenship: namely, its being a *status* or *condition*, protected by law, granting special political rights and responsibilities as well as a bundle of generally equal social and economic opportunities to a selected group of persons – usually native-born (*jus solis*) or belonging to specific community distinguishable linguistically, genetically or culturally (*jus sanguinis*).¹ The process of creating citizens at the European level has encountered many and varied problems so far. The reasons for this apparent failure have been rather complex and difficult to describe in few lines. Starting with the difficulty of identifying and mobilising a single European *demos* while trying to grant a set of privileges to the legal resident in the EU (“denizens”),² the

¹ Marshall, T.H. (1950) *Citizenship and Social Class* (Cambridge: Cambridge University Press, 1950); Dahrendorf, Ralf (1974) “Citizenship and Beyond: The Social Dynamics of an Idea”, *Social Research* 41, no. 4 (Winter 1974).

² Chrysochoou, Dimitris (1997) “Rethinking Democracy in the European Union: The Case of ‘Transnational Demos’”, in Stelios Stavridis, Elias Mossialos, Roger Morgan and Howard Machin

success of this practice has vastly been considered the direct result of the *efficacy* and *legitimacy* of certain political, legal, administrative, economic and social policies initiated and implemented by a relatively small group of Eurocrats working in the often non-transparent and dysfunctional supranational institutions in Brussels.³

The newly-emerging from communist rule countries of Eastern Europe aspiring to become members of the EU are facing an even more difficult agenda regarding citizenship. Primarily, they should consolidate their respective national and state identities after many decades of severe autocratic rule and foreign dependence. Secondly, they are frequently obliged to conduct simultaneous political, economic and social transformations with uncertain outcomes: e.g., some of them leading to democracy and liberal market-economy but not specifying the type of social system or *vice-versa*. Thirdly, and finally, they are to follow a specific path of modernisation, largely affected by another, much more overall, historical transformation in Europe – the process of European (regional) integration. Anticipating a future EU membership, all the candidate countries' governments try not only to meet the formal criteria of enlargement stipulated by the Commission and other European institutions,⁴ but, by building national and supranational citizenship in parallel, they also make an effort to 'catch-up' with some of the more advanced in this respect member states. As a consequence, the construction of a better-quality European citizenship seems to be the

(eds.) New Challenges to the European Union: Policies and Policy-Making (Aldershot: Dartmouth, 1997), pp. 67-86.

³ **Schmitter, Philippe C. (2000)** How to Democratize the European Union ... and Why Bother? (Lanham, MA: Rowman & Littlefield Publishers, 2000), especially the chapter on "Citizenship", pp. 23-52; **Newman, Michael (1997)** "Democracy and the European Union", in Valerie Symes, Carl Levy and Jane Littlewood (eds.) The Future of Europe. Problems and Issues for the Twenty-First Century (Basingstoke: MacMillan Press, 1997), pp. 15-42.

‘collective destiny’ of both Eastern and Western people participating in and being responsible for the same integrationist processes.

European citizenship emerged for the first time out of the negotiations surrounding the Maastricht Treaty. Although in the previous two decades, citizenship issues, and, concretely, the potentiality of establishing European citizenship had been discussed at various European forums,⁵ only in 1993 European citizenship has been officially put in place. For the first time in the history of mankind a supranational form of citizenship (albeit quite incomplete) was created. During the Amsterdam summit in 1998 the original ‘citizenship’ articles from Maastricht (Articles 8, 8a, 8b, 8c, 8d and 8e) were renumbered (Articles 17-22) and placed in a separate chapter ‘F’ of the consolidated Treaty of the European Union (TEU) relating to citizenship.

Most importantly the newly-created EU citizenship establishes the condition for the **membership** in the evolving supranational political and economic community as well as the very existence of EU citizenship itself. It is stipulated that “*Citizenship of the Union is dependent on holding the nationality of one of the Member States*” (Art. 17, formerly Art. 8). In other words, anyone who is a national of a Member State is considered to be a citizen of the Union. In addition to the rights and duties laid down in the Treaty establishing the European Community, Union citizenship confers **four special rights**:

⁴ I.e., the so-called “Copenhagen Criteria”, **European Council (1993)** “Conclusions of the Presidency”, SN 180/93Copenhagen, 21-22 June, 1993, p. 13.

⁵ For a concise description of the socio-political origins of the “citizenship of the Union”, see **Panebianco, Stefania (1996)** “European Citizenship and European Identity: From the Treaty of Maastricht to Public Opinion Attitudes”, Jean Monnet working paper, department of political studies, University of Catania, Italy, JMWP 03.96 (December 1996).

- *freedom to move and take up residence anywhere in the Union;*
- *the right to vote and stand in local government and European Parliament elections in the country of residence;*
- *diplomatic and consular protection from the authorities of any Member State where the country of which a person is a national is not represented in a non-Union country;*
- *the right of petition and appeal to the European Ombudsman.*

As it could clearly be seen from this quite succinct list of rights (but – note! – not of **duties**), European citizenship is currently in its rudimentary phase of development. Although it exists in parallel to national citizenship, it cannot exist without it and, in the case of individuals, it is fully dependent upon the holding of citizenship of one of the member states of the Union. As it is mentioned on the web-page of the European Parliament (EP), “*The introduction of the notion of Union citizenship does not, of course, **replace** national citizenship: it is in addition to it (emphasis added – S.A.). This gives the ordinary citizen a deeper and more tangible sense of belonging to the Union.*”⁶

Both academics and practitioners disagree about the exact importance of European citizenship for the future development of the Euro-polity especially in view of its future enlargement eastward and southward. De Guttry positively greets the political rights established by the TEU underlying the greater number of citizens directly affected by this rights,⁷ while Meehan specifies that the Amsterdam Treaty consolidates and

⁶ Source (EP web-page): <http://europa.eu.int/scadplus/leg/en/cig/g4000c.htm#c1> (last visited on March 28, 2003)

⁷ De Guttry, Andrea (1995) “I nuovi diritti in material elettorale del cittadino dell’Unione Europea”, in Quaderni dell’Osservatorio elettorale, No. 33, pp. 61-91.

extends citizens' and human rights – at least potentially.⁸ Telo underlines the peculiar aspect of the European citizenship as *dual* citizenship, which is destined to transform into a federal citizenship.⁹ Other scholars and specialists of the EU take a more cautious position regarding the future of the EU citizenship. For instance, the power of member states to filter citizenship policy is interpreted as a proof of the extreme thinness of supranational citizenship.¹⁰ O'Leary points out that Article 8 does nothing to guarantee that the member states will protect citizens' fundamental rights,¹¹ while O'Keefe indicates that the Ombudsman cannot investigate national authorities *qua* national authorities, even for maladministration of EC law.¹² D'Oliveira expresses his concern over the scope of European citizenship – is it of Community or of the Union too?¹³ Finally, Lyons points out that very little is actually new in the newly-established European citizenship in comparison to the fundamental freedom of movement granted to the so-called 'market citizen' that has existed over the previous decades in Europe.¹⁴

Whatever the vices and virtues of the newly-created supranational citizenship, European citizenship tries to accomplish at least two things: (a) to reduce the gap between the EU institutions and the European

⁸ **Meehan, Elizabeth (2000)** "Citizenship and the European Union", ZEI Discussion papers, Centre for European Integration Studies, University of Bonn, No. 63/2000, p. 6.

⁹ **Telo, Mario (ed.) (1995)** Democratie et construction europeenne, Edition de l'Universite de Bruxelles, p. 49.

¹⁰ **Mariniello, Marco (1994)** "Citizenship of the European Union – A Critical View", in Rainer Baubock (ed.) From Aliens to Citizens: Redefining the Status of Immigrants in Europe (Aldershot: Avebury); and **Evans, Andrew (1995)** "Union Citizenship and the Equality Principle", in Rosas, Allan and Antola, Esko (eds.) A Citizen's Europe: In Search of a New Order (London: Sage).

¹¹ **O'Leary, Siofra (1996)** The Evolving Concept of Community Citizenship – From the Free Movement of Persons to Union Citizenship (London: Kluwer).

¹² **O'Keefe, David (1994)** "Union Citizenship", in O'Keefe, David and Twomey, Patrick M. (eds.) Legal Issues of the Maastricht Treaty (London: Chancery).

¹³ **D'Oliveira, Hans-Ulrich (1995)** "Union Citizenship: Pie in the Sky?" (in Rosas, A. and Antola, E., 1995).

¹⁴ **Lyons, Carole (1996)** "Citizenship in the Constitution of the EU: Rhetoric or Reality?", in Bellamy, Richard (ed.) Constitutionalism, Democracy and Sovereignty – American and European Perspectives (Aldershot: Avebury).

nationals, and (b) to extend the political space beyond the nation state “providing a shelter for multiple identities be they local, regional or national”.¹⁵ This latter argument could be extended even further to include such concepts as *multiple-level governance* describing different forms of supranational and sub-national citizenship. This situation regarding coexisting types of citizenship is graphically represented in figure 1.

(paste figure 1 about here)

But what relevance do these developments have for the new applicant countries from Eastern Europe? The gradual transfer of political rights and civic and economic freedoms to the supranational level is certainly expected to create a ‘sense of belonging’ to Europe, but (if successful) it would inevitably have serious implications both for the functioning of the EU and the neo-democracies from the region. Primarily, national citizenship has anyhow to continue to exist and evolve in combination with the European one. Secondly, certain social rights, such as health care, education and welfare benefits, would be extremely difficult to be agreed upon and provided by supranational institution, while some obligations and duties emanating at the European level would be hard to ‘impose’ on citizens belonging contemporaneously to similar political and economic structures at the national level. Thirdly, in the case of Eastern Europeans, arguably some more time would be needed for these people to ‘socialise’ with the supranational institutions as well as to realise their individual and collective rights and responsibilities, simply because their states are still not members of the EU and their respective role as European citizens is poorly defined. Fourthly, it could easily be

¹⁵ Laffan, Brigit (1996) “The Politics of Identity and Political Order in Europe”, in *Journal of*

hypothesised that the ongoing democratisation process in most countries of Eastern Europe would breed various expectations regarding the quality of democracy on the part of the citizenry at the national level after decades of communist rule and, as a consequence, this could set relatively high standards also for the quality of citizenship within an enlarged EU.

It follows from the above reflections that, in the case of the newly-founded political regimes of Eastern Europe, the process of creation of an unified EU citizenship would have far-reaching but also contradictory results which have to be made explicit and, if possible, measured. In the remaining part of this paper, a possible way of measuring the quality of European citizenship in Slovenia will be proposed. In order to achieve this, one has to have a clear idea about what she/he is looking for: namely, **elements of European citizenship** in a specific national context. Moreover, the strategy of this research will be to develop a dynamic concept of European citizenship which is future-orientated; hence, it will try to incorporate in the measurement procedure not only elements of the existing EU (supranational) citizenship – which is quite limited indeed – but also other equally important elements and factors present at the national level that could be incorporated into the evolving concept of European citizenship in the foreseeable future.¹⁶

2. The domestic and international context surrounding modern Slovenian citizenship.

Common Market Studies, Vol. 34, No. 1, pp. 81-102.

¹⁶ Interestingly enough Article 22 (ex. Article 8e) states (with abbreviations): “On this basis this Treaty, the Council, acting unanimously on a proposal from the Commission and after consulting the European Parliament, may adopt provisions to strengthen or to add to the rights laid down in this Part [on citizenship]” – which is an indication that citizenship provisions at the supranational level can only be expanded but not limited in the future.

In this section, the **background conditions** accompanying (but also determining to a significant extent) present-day Slovenian citizenship will be analyzed. It is difficult to state their exact role in building and maintaining post-communist citizenship and statehood, but practice will tell us (i.e. *vide* generations of modernization theories) that the physical (generic) conditions of the domestic and international setting do influence societal and state institutions' performance to a large extent. For a list of sources providing information on these 'background conditions' see Appendix 1.

Historically, Slovenia is one of the youngest states in the world – it has only existed officially since the beginning of the last decade. It is also one of the smallest states both in terms of its territory and population. On a territory of a little bit more than 20,000 square kilometres approximately 2 million persons live. According to the most recent census results, the country's population is 1,964,036 people, of whom 1,924,677 are citizens of the Republic of Slovenia (excluding citizens temporarily residing abroad), while 39,359 foreigners have either permanent or temporary residence in Slovenia. There are also a couple of thousand persons residing under temporary protection in the country. Slovenians often joke that they always miss around 50,000 persons to reach 2,000,000 citizens. This 'missing group' may in fact be the last two categories of inhabitants, the majority of whom demand Slovenian citizenship.

From the point of view of its ethnic composition, Slovenia virtually represents a **nation-state**: around 85 % of its population is of Slovenian

ethnic origin.¹⁷ Tiny communities of Slovenian origin have also been living in the neighbouring countries (Austria, Croatia and Italy), in the republics of former SFRY and further abroad (e.g. in Argentina, Canada and the United States). All of these factors have been taken into account while drafting the constitution and state-forming laws with respect to citizenship. In the provisions of these laws, Slovenian citizenship has mainly been defined in terms of blood relationship (*ius sanguinis*). Notable exceptions have also been made to recognise the existence of certain ‘historical nationalities’ living on Slovenian territory like the Italians and Hungarians as well as the Romany community (*ius solis*).¹⁸ However, no special provisions have been made to recognise the sizeable community of citizens of other of SFRY republics and war refugees that have resided permanently in Slovenia.

The role of the EU in the second half of the 1990s has been paramount in promoting the rights of various minority groups. Far from being a hegemonic power, the EU has exerted considerable pressure on the Slovenian authorities in a number of areas, the most important of which have been the border regime, competition policy, the free movement of persons and minority rights. One of the critical issues in the EU-Slovene relations has been the possibility given to foreign nationals to buy land in Slovenia. Being a very sensitive issue for the young Slovenian state, this problem has been counteracted by the issue of the free movement of workers from Slovenia into the current member states after enlargement.

¹⁷ At the time of national independence, 87,84% of the country’s inhabitants were of Slovenian ethnic origin, while small Croatian, Serb, Muslim, Italian and Hungarian communities (each below 1,5%) also existed. (Population census of the Socialist Republic of Slovenia: 1991). Nowadays, this situation has not significantly changed: 83,06% of the citizens are Slovenians while the other ethnic communities have generally preserved their share of representation (Population census of the Republic of Slovenia, May 2002).

¹⁸ Article 64 of the Slovenian Constitution grants extensive rights and privileges to the “autochthonous Italian and Hungarian ethnic communities in Slovenia”, while Article 65 vaguely mentions the need for protecting the “Romany ethnic community”.

Transitional periods have been asked on both sides regarding these issues.¹⁹ Thus, it could be concluded the Slovenian state has experienced a temporary weakness vis-à-vis the EU with respect to fulfilling some of the membership criteria.

One of the principal hypotheses advanced in another research by this author²⁰ regarding the **structural weakness** of the Slovenian state is that historically it has almost always been vulnerable in its relations with an external dominant power – be it the Austro-Hungarian Empire in the distant past, or the former SFRY at the end of the 20th century. In both cases the Slovenian leadership needed the support of the international community and its domestic population to assert its legitimate authority over the national territory. Since both the Austro-Hungarian Empire and the SFRY possessed the exclusive means and international legitimacy to represent Slovenia in its external relations, it was very difficult for an unrecognized state entity to seek support unilaterally in the international arena. However, in the early 1990s the desire of the Slovenian leadership to move the country away from the rump Yugoslav federation was quite strong, so it had to look for additional support from its entire domestic constituency.²¹ By promising to grant citizenship to all permanent residents shortly before the Plebiscite on the Sovereignty and Independence of the Republic of Slovenia (23 December 1990), the ruling elite aimed at achieving two things:

¹⁹ See **Bucar, Bojko and Brinar, Irena (2001)**; “Lessons from Transition and Accession Periods of Slovenia”, in *Central European Political Science Review*, Vol. 2, No. 6, (Winter 2001); and **Šabic, Zlatko (2002)**; “Slovenia and the European Union: A Different Kind of Two-Level Game”, presented at the 3d Joint Convention of CEEISA/NISA/RISA in Moscow, Russia, 20-22 June, 2002.

²⁰ See the paper “Modern Slovenia under Strain: Citizenship-Building and Europeanisation in a Small Nation-State” prepared by S. A. Andreev for the *Mirovni Institut* (November 2002).

²¹ In April 1990 Slovenia held its first democratic elections and on the 2 July 1990 a Declaration on the Sovereignty of the Republic of Slovenia was passed by the republican parliament.

- a) Obtaining greater support for the country's independence;
- b) Convincing the international community, but also the federal authorities in Belgrade, that even nationals of other Yugo-republics residing in Slovenia supported a democratic and free Slovenia.

Depending on the trustworthiness of these suppositions, it can be claimed that the then Slovenian leadership concluded a more or less explicit deal with all segments of society to treat them equally before the law. The proposal to grant citizenship to all permanent residents made for the first time in the *Statement of Good Intentions* and enshrined in the new Citizenship Act of the Republic of Slovenia after independence has been one of the most far-reaching and comprehensive in post-communist Eastern Europe.

During the early 1990s, this deal has been almost completely tolerated by the Slovenian governing authorities. However, because of the unexpectedly high number of applicants from within Slovenia, the influx of refugees following the initiation of military and civil conflicts on the territory of the other Yugo-republics and the rising nationalism and xenophobia among parts of the Slovenian population instigated by extremist politicians, the state has proved incapable of following the liberal policies of granting citizenship and residence to foreign nationals at the same pace and intensity as in the beginning of the independence period. On the contrary, some of the state institutions and ministries began to work against the provisions of Article 40 and related laws. This led to a reaction by members of civil society and the more moderate politicians in the Slovenian parliament, who opposed changes to the existing Citizenship Act but fell short of supporting proactive liberal governmental policies towards minorities and immigrants. Left on their

own, former nationals of other republics of the SFRY tried to either convert into ‘good Slovenes’ by speaking the language and following the local customs, or sunk into anonymity by continuing to practice their largely marginalized ethnic cultures.²²

Despite a set of critical points, however, Slovenia’s democratic credentials have never been seriously questioned at the European level. This has been mainly because (a) Slovenia’s performance regarding the protection of ethnic minorities has been better-than-average compared to that of the other candidate states from post-communist Europe, and (b) some of the current EU member states experience similar problems with their own minorities and would not welcome international solutions for issues that are perceived as an exclusively domestic affair.²³

3. Operationalising the Quality of Citizenship

In this section, the concept of modern (democratic) citizenship will be elaborate. As consequence of that, the notion of **quality of citizenship** will be examined and some specific dimension of this relatively new construction will be presented.

As already mentioned the concept of citizenship represents a particular relationship (or, better, a set of relationships) between **the state and society**. Moreover, apart from its manifestations in the socially ‘circumscribed’ public or private spheres, citizenship is also relevant to the people as free individuals and their governing elites. Hence, it

²² **Komac, Miran (2001)**; “Forming a New Nation-State and the Repression or Protection of Ethnic Minorities: The Case of Slovenia”, in Stuart S. Nagel and Amy Robb (eds.) Handbook of Global Social Policy (NY: Marcel Dekker), pp. 267-92.

establishes another set of mutual dependency – between **the political regime and the individual**. As a result, one can talk of dimensions of citizenship along the continuums ‘**public-private**’ and ‘**collective-individual**’.

If one decides to extend this discussion to include the concept of **the quality of citizenship**, she/he has to take the relevant parameters of these dimensions into account. Moreover, one is to also develop a general of **the quality of the state, society, the political regime and (individual’s) life** as well. It might also be useful to label the sub-relations between citizenship and the state, society, the political regime and physical life as **administrative-bureaucratic, societal, political-constitutional and socioeconomic**. Consequently, *the quality of citizenship might be perceived as the balance between individual elements of the quality of the state, society, the political regime and physical life*, and from where its operational definition. This is illustrated graphically by figure 2.

(paste figure 2 about here)

Before moving towards a more extensive analysis of the components of the quality of citizenship as functions of the quality of the state, society, the political regime and life, one has to be sure that the notion of citizenship under investigation is conform with a general model of citizenship encountered in most contemporary societies. In the late 1980s, Roger Brubaker presented six “membership norms” of an ideal-typical notion of citizenship:

²³ See, for instance, the 2002 Regular Report on Slovenia’s Progress Towards Accession, COM (2002) 700.

1. *Unitary* – all holders of the status should have full rights and obligations;
2. *Sacred* – citizens must be willing to make sacrifices for the state or community that grants them the status;
3. *National* – membership must be based on a community that is simultaneously political and cultural;
4. *Democratic* – citizens should be entitled to participate significantly in the business of rule, and access to citizenship should be open to all residents so that, in the long run, residence in the community and citizenship in it will coincide;
5. *Unique* – each citizen should belong to one and only one political community;
6. *Consequential* – citizenship must entail important social and political privileges that distinguish its holders from non-citizens.²⁴

Philippe C. Schmitter recently proposed an additional seventh criteria, which captures an important dimension of the classical notion of citizenship:

7. *Individual* – citizenship is an attribute that can only be possessed and exercised by individual human beings, although adult parents may be considered to be acting in lieu of their children and hence for the family as a collective unit.²⁵

In addition, some authors have pointed out that the concept of citizenship has different meaning in the internal and external functioning of states.²⁶ Internally, two sets of relations are important to understanding the notion of citizenship: (a) between individuals (*horizontally*) and (b) between individuals and the state (*vertically*). Externally, citizenship is generally known as nationality, despite the fact that, while often closely related, the two concepts do not always mean the same thing. Because states are

²⁴ **Brubaker, Roger (1989)** “Traditions of Nationhood and Politics of Citizenship”, Social Science Research Council (New York), *States and Social Structures Newsletter* 9, (Winter 1989), pp. 4-8.

²⁵ **Schmitter, Philippe C. (2000)** How to Democratize the European Union ... and Why Bother? (Lanham, MA: Rowman & Littlefield Publishers, 2000), especially the chapter on “Citizenship”, pp. 23-52; p. 25.

considered the main political actors in international relations, and the state is seen as the principal subject of international law, normally individuals acquire certain political rights and civil freedoms, as well as specific legal treatment under foreign or international law only through their state nationality. ‘Nationals’ or citizens of single states can also benefit from some general entitlements under international law such as freedom from torture, freedom of expression and so on. Since its increased prominence in international political and economic affairs in the last half a century, the EC/EU has demonstrated a growing potential for dealing with traditionally internal-to-the-state issues such as monetary policy, social affairs, defence, security, and, of course, citizenship issues.

Finally, it should always be borne in mind, that despite its *multidimensionality* and *versatility*, depending on the specific context (domestic or international), the concept of citizenship delineates certain choices not only about **inclusion and exclusion**, but also about **the rights and duties** of individuals. Moreover, it should reflect the relative **efficiency** of certain socio-political setups depending on the role of citizens in public life.

Having all of the above considerations and principles in mind, the task is to find and nominate the relevant components of the quality of the state, society, the political regime and life that will determine the overall quality of citizenship in a given context. A **tentative list** of factors regarding the quality of citizenship is presented below²⁷:

²⁶ Hyland, Niamh, Loftus, Claire and Whelan, Antony (1995); Citizenship of the European Union (Dublin: Brunswick Press), p. 9.

²⁷ Most of these factors are selected and arranged having in mind the partial conclusions of the relatively recent academic literature on the ‘quality of democracy’ and ‘the quality of life’. Moreover, the composition of this list draws heavily on the research done by the author on measuring political democracy and its consolidation. For examples of related publications see, for instance, **Rose, Richard and Chull Shin, Doh (1998)** “Qualities of Incomplete Democracies: Russia, the Czech Republic and

Quality of Citizenship Factors:

<i>Quality of the State</i>	<i>Quality of the Political Regime</i>	<i>Quality of Society</i>	<i>Quality of Life</i>
<ul style="list-style-type: none"> ➤ Territorial integrity ➤ System of territorial concentration (unitary/federal, centralised/decentralised) ➤ existence of a written constitutions ➤ working bureaucracy ➤ clear electoral rules (majoritarian/proportional /mixed system, electoral thresholds), – balance of power and ‘horizontal accountability’ ➤ institutional format (parliamentary/semi-presidential/presidential, single-/double-chamber legislature, ombudsman and constitutional courts) 	<ul style="list-style-type: none"> ➤ elected official, ➤ a self-governing polity, ➤ free and fair elections, ➤ a democratic constitution, ➤ freedom of expression, ➤ alternative information, ➤ associational autonomy. 	<ul style="list-style-type: none"> ➤ gender equality, ➤ ethnic tolerance, ➤ educational attainment, ➤ rich /poor ratio, ➤ young/old ratio, ➤ rural/urban proportion, ➤ uniform application of the rule of law. 	<ul style="list-style-type: none"> ➤ physical security and levels of crime, ➤ corruption levels, ➤ level of unemployment, ➤ social welfare, ➤ good infrastructure and communications, ➤ mortality rates, ➤ fiscal predictability, ➤ freedom of movement.

Korea Compared”, *Studies in Public Policy* No. 302 (Glasgow, UK: University of Strathclyde); **Lijphart, Arendt (1999)**; Patterns of Democracy. Government Forms and Performance in Thirty-Six Countries (New Haven: Yale University Press), especially Chapter 16 on the ‘quality of democracy’, pp. 275-307; **Schmitter, Philippe and Guilhot, Nicholas (2000)**; “From Transition to Consolidation. Extending the Concept of Democratization and the Practice of Democracy”, in Dobry, Michel (ed.) Democratic and Capitalist Transitions in Eastern Europe. Lessons for the Social Sciences, (London: Kluwert Academic Publishers), pp. 131-46; **Green, Alex and Skalnik Leff, C. (1997)**; “The Quality of Democracy: Mass-Elite Linkages in the Czech Republic”, *Democratization*, Vol. 4, No. 4, Winter 1997, pp. 63-87; and **Elster, Jon, Offe, Claus and Preuss, Ulrich K. (1998)**; Institutional Design in Post-communist Societies. Rebuilding the Ship at Sea, (Cambridge: Cambridge University Press).

➤ type of the party system, legal system and media regime			
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The ultimate aim of this method will be to combine (and re-combine) these four groups of factors in order to achieve a fine equilibrium between them. This procedure relates to our original definition of the quality of citizenship as the balance between individual elements of the quality of the state, society, the political regime and physical life. Clearly, the **time** when this is done is also crucial for producing the right combination of factors.

4. Measuring the quality of European citizenship as a function of the *Quality of Society in Slovenia*

Because of the limited scope of this project, an attempt will be made to measure the emerging European citizenship in Slovenia **only** in relation to the *quality of society* in this country. The quality of society factors mentioned before are:

- gender equality;
- ethnic tolerance;
- educational attainment;
- rich /poor ratio;
- young/old ratio;
- rural/urban proportion;

- uniform application of the rule of law.

Clearly, the rights conferred by European citizenship (see Section 1) are far from being directly related to the quality of society in Slovenia. Nevertheless, the free movement of persons, the participation in pan-European elections, the newly-created institution of the Ombudsman and the diplomatic representation by another EU member state in third countries can partly rectify some of the deficiencies of domestic society.

More importantly, however, this kind of analysis (and measurement procedure) can hopefully demonstrate **what can be added** to the present list of rights stipulated by the European treaties. Moreover, by providing a snapshot picture of the state of society in the current member states and the candidate countries, it can possibly better co-ordinate the intervention by supranational and national institutions on this set of issues.

In the remaining part of this section, follows an analysis of the individual factors of the Quality of Slovenian Society. The limit of space and lack of expertise in some of these areas will prevent the more thorough analysis of the elements of the list below. However, interested scholars specializing in the *problématique* of the quality of society might decide to code (i.e., categorically, with 0,1 and ½ or, longitudinally, from 0 to 10) the presence/absence or degree of completion of these factors. For the purpose of this research, the measurement performed below will be more **qualitative** than **quantitative**, although (as already mentioned) these statements can easily be converted into mathematical scores. All information gathered refers to the sources provided in Appendix 1.

1) *Gender equality:*

The progress achieved in gender equality has been uneven since independence from the former SFRY. It should however be noted that gender reforms have generally followed unique pattern of development and dynamics after the collapse of communist rule and the start of democratic reforms. Still a lot remains to be done to achieve full equality between women and men.²⁸

Since the early 1990s, there has been a prevalence of traditional gender stereotypes and certain forms of de facto discrimination against women. Women, especially the young and educated, have traditionally been facing difficulties in finding employment. The Slovene pension system benefits women and men differently. Women's generally lower pensions are a reflection of the lower-paid sectors in which women are employed and the frequent leave they take in order to care for their children. Despite the law that guarantees the right of both parents to take parental leave, fathers still fail to play an equal role in the care and education of children. With regard to women's reproductive health, although the right to abortion is guaranteed by the Slovene Constitution, there has been a high rate of abortion, despite the wide and legal availability of contraception and contraceptive advice. The role of the Catholic church has also been more active in counteracting or fostering some of these social patterns and behavior since national independence.

2) *Ethnic tolerance:*

²⁸ See **Jalušič, Vlasta (2001)** "Freedom Versus Equality? Some Thoughts About Attitudes Toward Gender Equality Politics in Eastern and Central Europe", in Stuart S. Nagel and Amy Robb (eds.) Handbook of Global Social Policy (NY: Marcel Dekker), pp. 297-315.

Although during most of its post-independence period the Slovenian authorities have treated some of its minorities (i.e. Hungarians, Italians and (partly) the Romany community) more favourably, while ignoring the rights of a large number of nationals from the other Yugo-republics living in Slovenia who have not been granted citizenship or permanent residence, the country has been demonstrating a steadily positive trend in protecting and integrating its minorities.

The 2002 Annual Progress Report of the European Commission mentions in detail the recent cases of violation of human rights in Slovenia.²⁹ It draws special attention to the unequal social and political conditions of the Romany minority. The problems of the legal uncertainty facing some of the nationals of other Yugo-republics and the refugees living under temporary protection in Slovenia with respect to their still unresolved residency and citizenship statuses are also indicated in this report.

European pressure to recognise minority rights has however worked in a number of cases, particularly regarding the election of local representatives. For example, the 1993 Law on Local Elections was modified in May 2002 to prescribe direct representation of the Romany community in the municipal councils. Following this important decision, this minority group³⁰ has had its representatives sitting on 20 municipal assemblies, while the Cabinet has proposed that the 2003 budget include additional funds for these 20 municipalities to implement policies benefiting the Romany population.³¹ The latest amendments of the State Administration Act adopted in May 2002 have complemented the already

²⁹ 2002 Regular Report on Slovenia's Progress Towards Accession, COM (2002) 700, esp. section 2.1 "Human Rights and the Protection of Minorities".

³⁰ This law, as many other minority-related regulations, is only applicable to the 'autochthonous' Romany population and excludes the 'non- autochthonous' Romany even if they are citizens.

existing legal basis granting special rights and protection to the Hungarian and Italian minorities by additionally allowing the use of the national languages of these ‘constitutionally-defined’ minority groups in public offices and during certain administrative procedures.

Finally, it is worth mentioning that Slovenia has been the first among all the EU candidate states to permit foreign nationals residing permanently in Slovenia to vote in the local elections as of 2002. This mainly symbolic gesture shows the willingness of the country’s political elite to follow the most advanced European practice in this field – i.e. to grant a specific political right that is otherwise guaranteed to only EU nationals who can vote in the local elections of another member state. The peculiar difference with the European law however is that Article 8b of the Maastricht Treaty stipulates that “*every citizen of the Union residing in a Member State of which he is not a national shall have the right to vote and stand as a candidate at municipal elections in the Member State in which he resides, under the same conditions as nationals of that State*”. The new Slovenian Law on Local Self-Administration (last amended on 11 June 2002) allows foreigners residing permanently in Slovenia to vote but not to stand as local candidates.

3) *Educational attainment:*

Almost the entire Slovenian population is fully literate. Because of its central geographical position and extensive exchanges with the neighbouring countries more than half of Slovenians speak a foreign language. There are currently two main university centers in the country – in Ljubljana and Maribor. They satisfy fully the needs of high education

³¹ Ibid. 2002 Regular Report on Slovenia’s Progress Towards Accession, COM (2002) 700, pp. 27-28.

in Slovenia, offering a wide array of courses and exchange programs with foreign academia. The level of social and fundamental research in the country has not been at the necessary level since independence from SFRY, but, according to the opinion of many experts, it is recovering fast.

Other specific problems and tasks could be pointed out as facing the Slovenian educational system. Nevertheless, the progress achieved so far has been remarkable, both in terms of financial provision for the new programs and enrollment of students. For instance, there is a high level of women's education in Slovenia. Moreover, it has been envisioned in consecutive educational reforms since independence and efforts have been made to include human rights education at various levels of the school curriculum. Courses in women's studies have been offered at some universities and active research on minority and gender issues has been carried out.

4) *Rich/poor ratio:*

Primarily, it should be outlined that the rich/poor ratio in Slovenia has not been so dramatic as in other post-communist countries. Despite the radical political and economic transformation in the country, Slovenia has preserved a relatively high degree of social protection for its citizens while trying to maintain the economic stability and growth of its pre-Yugoslavia period. Nevertheless, social inequality has negatively affected mostly the elderly and young people (especially young families), as well as certain minority groups and women.

However, the UNDP Human Development, which considers such factors as health care, education and standard of living, places Slovenia 29 out of

174 countries, and first among the Central and Eastern European candidate states for EU membership. In fact, the PPP in Slovenia is just a little bit lower than that of Cyprus and higher than the current member states of the Union Greece and Portugal. This positive trend has been preserved during the last five years. The unemployment rate has been steadily decreasing since the mid-1990s: for example, from 7.4% in 1995 to 5,9% in 2001. All this shows, economic achievement and social satisfaction are relative indicators that should be taken into account having in mind both the domestic as well as the international context.

5) *Young/old ratio:*

As in most European countries, the population of Slovenia has been steadily aging. Nevertheless, some recent positive trends regarding the numerical state of the nation could be discerned. Despite the quite negative rates of birthrate in the early 1990s, in the second quarter of 2002 the total population of Slovenia actually rose by 857. The number of population in individual population groups changed as follows: the number of citizens, excluding those temporarily living abroad, rose by 382, the number of foreigners with permanent residence in Slovenia rose by 756, the number of foreigners with temporary residence in Slovenia fell by 205 and the number of persons under temporary protection fell by 76. Since 31 December 1998 the population of Slovenia has been growing steadily from quarter to quarter, except in the third and fourth quarter of 2001 when it fell by 178. By 31 March 2002 the population number has risen by 0.88% or 17,384.³²

6) *Rural/urban proportion:*

It is quite difficult to draw a sharp divide between urban and rural population in such a small country as Slovenia. Many of urban dwellers have strong connections with the countryside and/or regularly commute to work. The capital Ljubljana is the single largest urban centre with a population of 282,000 people. Other cities, such as Maribor, Koper, Murska Suborica and Novo Mesto are much smaller.

In its latest report regarding Human Development, the UNDP has compared the 12 statistical regions in Slovenia and has discovered high degree of polarization among them. The residents in the Eastern regions are generally much more pessimistic than those of the Western regions. They perceive their life chances much lower than their Western counterparts, while the suicide rate is among the highest in Europe – 30 per 100,000 inhabitants annually.

7) *Uniform application of the rule of law:*

Being smaller in size and population, having a relatively homogeneous ethnically and religiously population, certainly makes it easier for Slovenia to apply the rule of law uniformly across territory and social groups. The levels of political representation, accountability and law enforcement are some of the best in Europe according to many human rights organizations and the European Commission monitoring the progress of the country towards accession. However, notable gaps could be discerned in relations to the application of the rule of law vis-à-vis

³² Data from the National census held in the Spring of 2002. **Statistical Office of the Republic of Slovenia (2002)**; “Population and citizens of the Republic of Slovenia by sex, 30 June 2002”, first

minority groups, and the Roma population in particular. It is a positive sign, however, that the majority of Slovenian elites and governmental institutions are aware of these problems, and they work hard to resolve them in a relatively short time.

5. Conclusions

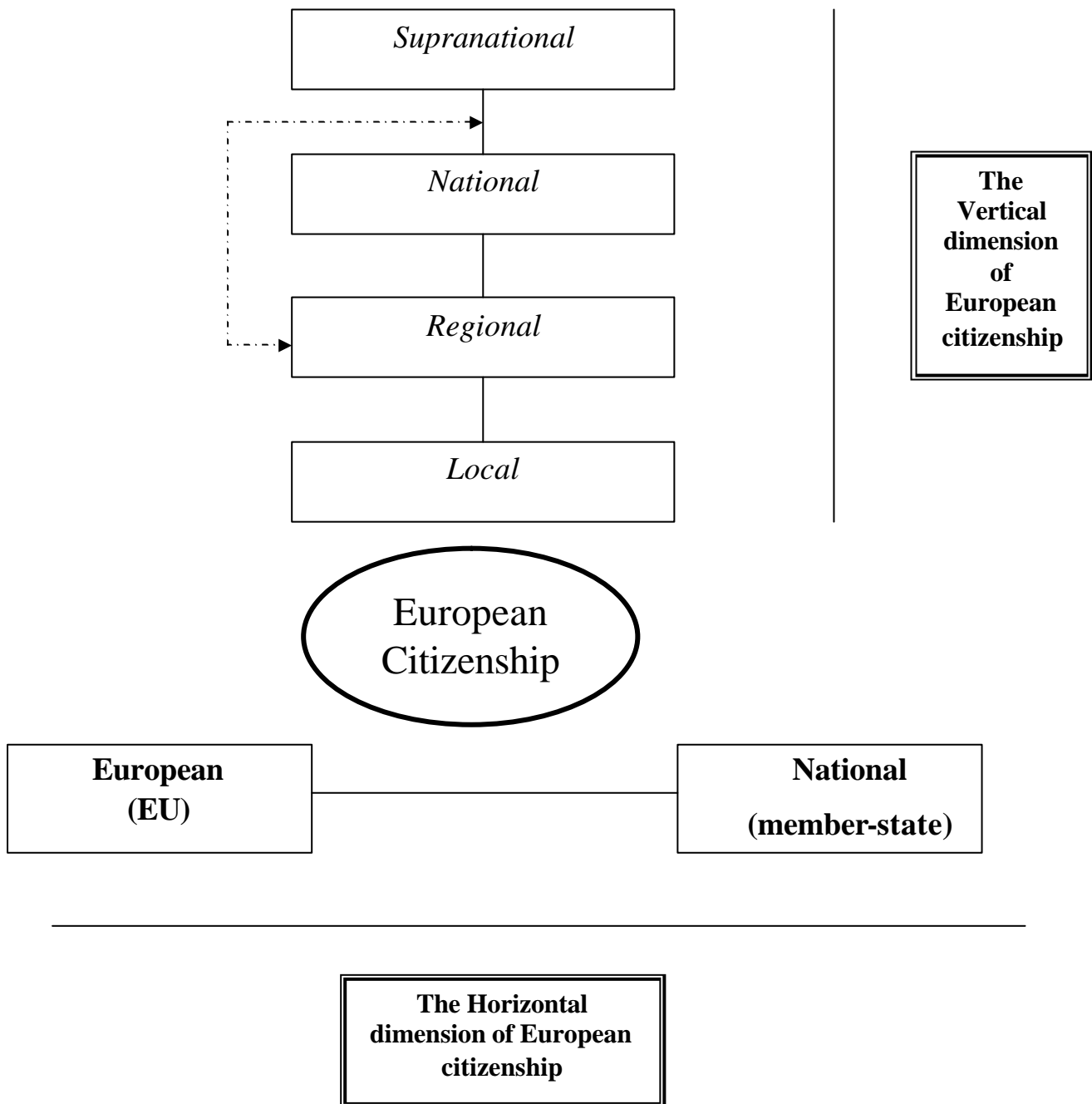
What could be concluded about the *Quality of Society* in Slovenia on a first place? In relative terms, it is quite high compared to other post-communist Central and Eastern European Societies. However, it has its own problems as any society, especially as those undergoing transition. What does this tell us about the *Quality of Citizenship* in Slovenia? Many international organizations, such as the UN, the IMF, the EBRD, the OECD, the EU, *Freedom House*, EUMAP, etc. have monitored the structural conditions, the implementation of economic, political and social policies, as well as the respect of human rights in the country. According to most of their opinion, in the medium- and long-term future, Slovenia has excellent chances of making positive achievements with respect to the quality of its citizenship. In other words, it can successfully transit from its post-independence relatively “thin citizenship” towards “thicker” and more comprehensive one.

This paper has only tried to show a possible way of operationalising and measuring the quality of citizenship in one country – Slovenia. Without trying to be exhaustive and scientifically authoritative, it has attempted to bridge the gap between theoretical and empirical reality regarding the qualitative (and quantitative) analysis of various aspects of European citizenship applied in the candidate countries. A more far-reaching

ambition of this project is to open new avenues for the study of and measuring of the quality of both national and supranational citizenship on a much wider scale – i.e. in Europe and across the world.

Figure 1

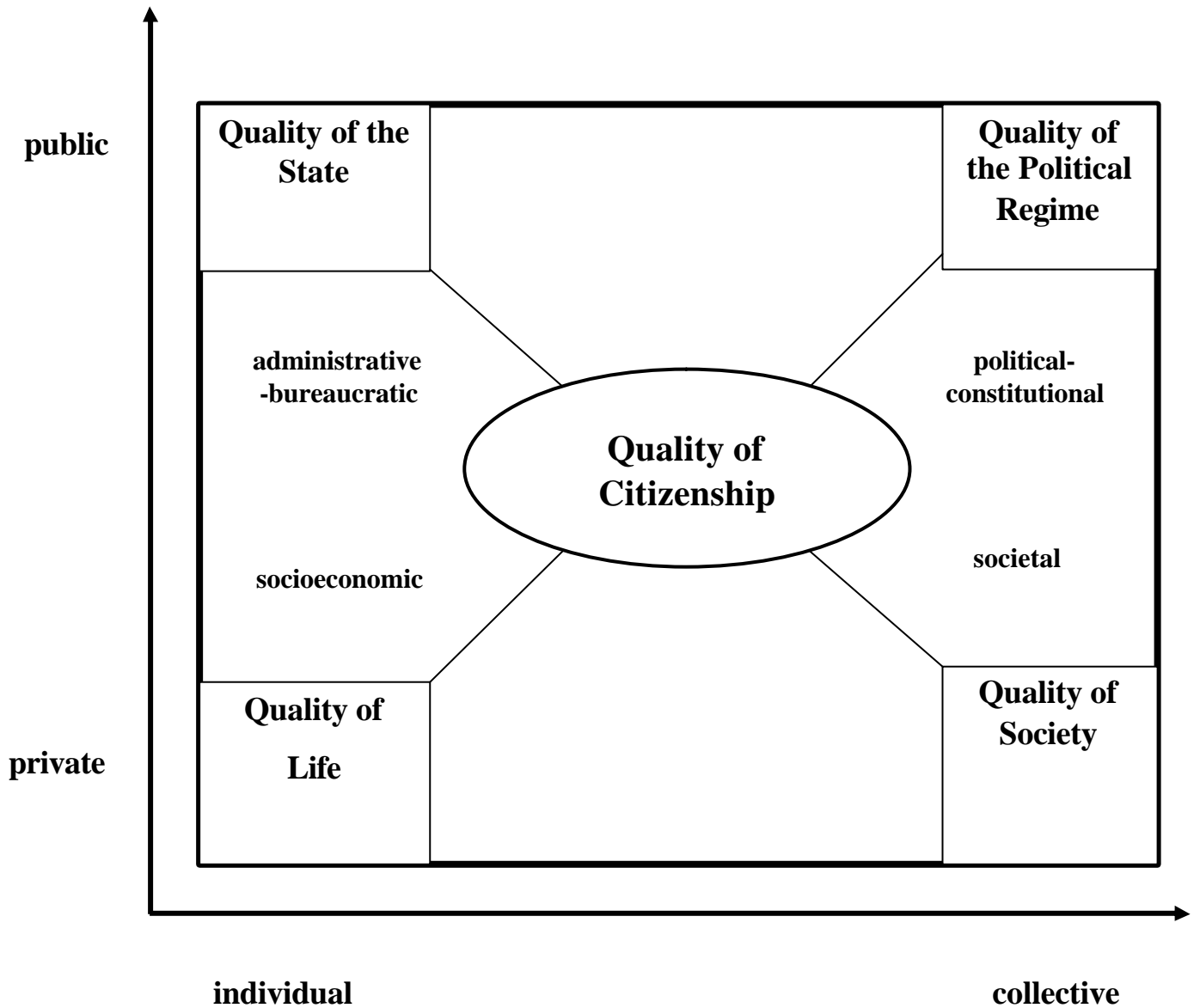
The Dimensions of European Citizenship



Vertical dimension (functional) - territorial/social-economic

Figure 2

The Quality of Citizenship



Appendix I

General sources

The Europa World Yearbook (2002), Vols. 1 and 2
Keesing's Record of World Events (2002)
The World Factbook (2002)
Banks and Muller's *Political Handbook of the World* (2002)
Countries of the World and Their Leaders Yearbook (2002), Vols. 1 and 2
The Statesman's Yearbook (all years)
Open Media Research Institute, Prague, *Annual Survey of Eastern Europe and the Former Soviet Union* (all editions)
East-West Institute, New York, *Annual Survey of Eastern Europe and the Former Soviet Union* (all editions)

Online resources related to Eastern Europe

Territory

U.S. Department of State *Country Reports on Human Rights Practices* (1993-02)
[Http://www.state.gov/www/global/human_rights/\(year.\)_hrp_report/\(year\)hrp_report_eur.html](http://www.state.gov/www/global/human_rights/(year.)_hrp_report/(year)hrp_report_eur.html)

Elections

OSCE *Election Reports* (1990-03) <http://www.odhr.org/>
CNN Election Watch <http://cnn.com/WORLD/election.watch/europe/>

Human Rights

U.S. Department of State *Country Reports on Human Rights Practices* (all years since 1990)
[http://www.state.gov/www/global/human_rights/\(year...\)_hrp_report/\(year...\)hrp_report_eur.html](http://www.state.gov/www/global/human_rights/(year...)_hrp_report/(year...)hrp_report_eur.html)
International Helsinki Federation for Human Rights *Reports*
<Http://www.ihf-hr.org/reports/osce03/>

Associations & Trade Unions

U.S. Department of State *Country Reports on Human Rights Practices* (all years since 1990)
[http://www.state.gov/www/global/human_rights/\(years...\)_hrp_report/\(years...\)hrp_report_eur.htm](http://www.state.gov/www/global/human_rights/(years...)_hrp_report/(years...)hrp_report_eur.htm)
OECD reports (1992-99) www.oecd.org/puma/sigmaweb/

Appendix II

Slovenia

– statistical information

Area: 20,273 km²

Length of borders: 1,334 km;

with Austria: 330 km; with Italy: 232 km; with Hungary: 102 km;

with Croatia: 670 km

Length of coastline: 46.6 km

Population: 1,964,036 (2002 census)

Population density: 97 inhabitants per km²

Nationalities:

(2002 census): **Slovene** 1,631,363; **Italian** 2,258; **Hungarian** 6,243; **Serbs** 38,964; **Croats** 35,642 **Bosniacs** 21,542 **Albanians** 6,182 **Roma** 3,242

Language: Slovene; in nationally mixed areas also Italian and Hungarian

Main religious groups: **Catholic** (around 70 per cent). There are around 30 other religious groups and spiritual communities registered in Slovenia, mainly

Muslim, Eastern Orthodox Christians, Protestant and Jews.

Birth rate: 4.9 per 1000 live-born.

Life expectancy: for men is 71,8 years and **79,5 for women.**

Literacy rate: nearly 100% (99.2%).

Source: Statistical Office of the Republic of Slovenia (April 2003)

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Telo, Mario (ed.) (1995) Democratie et construction europeenne, Edition de l’Universite de Bruxelles.

Abstract:

The main goal of this paper is to conceptualise and measure **the quality of European citizenship** in Slovenia. The tentative model of analysis gradually progresses from clarifying the notion and the role of European citizenship in the current Slovenian context to eventually proposing a measuring technique that focuses on one of the aspects of European citizenship in this country – *the quality of Slovenian society*.

It is hypothesized that the process of creation of an unified EU citizenship would have far-reaching but also contradictory results for the CEE countries which have to be made explicit and, if possible, measured. In order to achieve this, one has to have a clear idea about what she/he is looking for: namely, elements of European citizenship in a specific national context. The strategy of this research is to develop a dynamic concept of European citizenship which is future-orientated; hence, it will try to incorporate in the measurement procedure not only elements of the existing EU (supranational) citizenship – which is quite limited indeed – but also other equally important elements and factors present at the

national level that could be incorporated into the evolving concept of European citizenship in the foreseeable future.

First, it is clarified what European citizenship is and what functions it performs in the domestic and international environment. Secondly, the background conditions accompanying present-day Slovenian citizenship are made explicit. Thirdly, the concept of European citizenship is operationalized for measurement purposes. Fourthly, elements of European citizenship (i.e. gender equality; ethnic tolerance; educational attainment; rich /poor ratio; young/old ratio; rural/urban proportion; uniform application of the rule of law) are measured qualitatively in order to determine the present state of Slovenian society.

European citizenship is currently in its rudimentary phase of development. Although it exists in parallel to national citizenship, it cannot exist without it and, in the case of individuals, it is fully dependent upon the holding of citizenship of one of the member states of the Union. Both academics and practitioners disagree about the exact importance of European citizenship for the future development of the Euro-polity especially in view of its future enlargement eastward and southward. Whatever the vices and virtues of the newly-created supranational citizenship, European citizenship tries to accomplish at least two things: (a) to reduce the gap between the EU institutions and the European nationals, and (b) to extend the political space beyond the nation state “providing a shelter for multiple identities be they local, regional or national”.

In the case of Eastern Europeans, arguably some more time would be needed for these people to 'socialise' with the supranational institutions as well as to realise their individual and collective rights and responsibilities, simply because their states are still not members of the EU and their respective role as European citizens is poorly defined. It could easily be hypothesised that the ongoing democratisation process in most countries of Eastern Europe would breed various expectations regarding the quality of democracy on the part of the citizenry at the national level after decades of communist rule and, as a consequence, this could set relatively high standards also for the quality of citizenship within an enlarged EU.

Anticipating a future EU membership, all the candidate countries' governments try not only to meet the formal criteria of enlargement stipulated by the Commission and other European institutions, but, by building national and supranational citizenship in parallel, they also make an effort to 'catch-up' with some of the more advanced in this respect member states. As a consequence, the construction of a better-quality European citizenship seems to be the 'collective destiny' of both Eastern and Western people participating in and being responsible for the same integrationist processes.

List of people interviewed in relations to the project on “The European Citizenship in Slovenia”:

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