Party Fragmentation, the Proportional System and Democracy in Slovenia

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Abstract
In Slovenia, political parties have been the key actors in opting for a proportional electoral system and constitutional choice of a parliamentary system, both of which are believed to help to develop a consensual type of democracy. However, a vicious circle involving a fragmented party system and a proportional electoral system has not only led to polarisation within the party system, but has also contributed to problems of democratic governability and legitimacy. The destabilisation of the party system since 2011 has not only caused a crisis of political legitimacy and accountability, but has also contributed to a recent trend of de-democratisation. At the moment, there does not appear to be a realistic alternative to the existing electoral rules in the near future, in spite of recurring calls by an anti-communist party (Slovenian Democratic Party) to introduce a majoritarian system.

Keywords
party system, party fragmentation, Slovenia, electoral system, democracy

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Introduction
In this article, we point at idiosyncrasies of Slovenia that challenge the existing theories on design and re-design of electoral systems in Central and Eastern European countries (CEEC) in several aspects.

Initial theoretical expectations have been that post-socialist party systems would consolidate, (Millard, 2004) particularly when peaceful transition happens with democratic elections (Linz, 1990). However, party system destabilisation, including a hurricane of new political parties (Haughton and Deegan-Krause, 2015) and electoral reforms have recently created a common trend in older and newer democracies. While institutional choices were generally believed to be crucial for a successful transition to democracy (Lijphart, 1991), institutions have later been found to matter only in the context without...
war (Fink-Hafner and Hafner-Fink, 2009). Also, it has been assumed that during the transition to democracy, parties were concerned with ensuring democracy as a collective good (Birch et al., 2002; Linz, 1990; Millard, 2004: 176) but partisan calculations and uncertainty (Andrews and Jackman, 2005) have also mattered.

As a rule, in CEEC, there has been negotiation and compromises or copying extra or intra-regional models (Birch et al., 2002: 182) that led to the electoral system choice after the first free elections. Here, parties were found to respond to challenges of new parties by changes in the electoral law (Birch et al., 2002: 176). Later, electoral laws have also contributed to stabilisation in CEEC by presenting barriers to entry and reinforcing the cartel of victories (Birch et al., 2002: 170). Little evidence was found for a notion that, once in place, electoral systems become part of self-reinforcing institutional structures (Birch et al., 2002: 173). The openness of the party system based on a proportional electoral system was revealed as a factor of the learning process (Birch et al., 2002: 183, 187). Nevertheless, the political context as well as uncertainty have been revealed as factors of changing electoral rules (Andrews and Jackman, 2005; Birch et al., 2002: 183, 188).

While generally proportional systems tend to be more inclusive, their link to consensual democracy has been positively evaluated (Farell, 2001; Lijphart, 1991). However, fragmented coalition governments are usually relatively unstable, and electoral systems linked to more transparent governance are generally better evaluated (Farell, 2001).

Slovenia, with its idiosyncratic political context (Ramet and Fink-Hafner, 2006), challenges several theses presented earlier. The party system characteristics and the related uncertainty have been a key factor explaining the lack of change in electoral rules since the transition to democracy. Rather than through negotiations, the consensus on a long-term electoral system choice was made based on the real-life political experiment conducted in the 1990 elections. While systemic factors (Birch et al., 2002: 171), including difficulties in governing, have continued and even escalated, the role of uncertainty has played crucial a role in Slovenia, and ideologies have mattered to a limited extent.

In this article, the phenomenon that there have been only minor electoral system changes in Slovenia since the democratic transition that go against existing theories is explained by the following factors: (a) political context, (b) initial (pre-first free elections) party preferences, (c) party system characteristics and (d) problems with governability and accountability. Our thesis is the following: the weight of partisan interests varies among contexts and that Slovenia presents the case where this factor has been predominant until today. The main actors in creating the electoral engineering have been party elites pursuing their own interests to gain and retain power. In the circumstances of the long-term impact of the initial transitional institutional choice (parties agreed on a parliamentary constitutional system and a proportional electoral system) and a persistent party system fragmentation, changes in laws determining the electoral system have proved to be impossible. After several cycles of debates on changing the electoral rules, the proportional system was even included in the constitution. All in all, a vicious circle of a proportional electoral system produced a fragmented party arena, where the majority of parties (both old and ever new entering the parliament) do not have an interest in changing the electoral rules. While Slovenia used to be an example of democratic stability combined with a dynamic and at the same time fragmented party system, extreme and very dynamic renewal (in fact de-consolidation) of the party system since 2011 has contributed to the current, challenged democracy.

After a short presentation of the Slovenian political context, we continue by explaining electoral system developments and changes. In the following part of the article, we focus
on political controversies related to electoral system change, and we describe problems with accountability and governability before presenting our main concluding arguments.

**Slovenian Political Context**

Slovenian party politics resembles early modern party politics from the nineteenth century characterised by a ‘division of spirits’ between liberals and conservatives (Kos, 1996: 85–86). More recent cleavages (including the communist vs anti-communist) have, to a great extent, overlapped this old ideological–political cleavage.

Due to the unsuccessful negotiations between Yugoslav political elites on allowing the transition to democracy, Slovenia opted for independence in 1991. Since Slovenia to a great extent avoided involvement in the war, institutional choices are more comparable to CEEC than other former Yugoslav republics (Fink-Hafner and Hafner-Fink, 2009).

The contractual pattern of transition led to an agreement on the rules for the first free elections and the constitutional choice of a parliamentary system with a very weak president (the new Constitution, adopted in December 1991; Fink-Hafner, 1992, 2010). Parliamentary constitutional choice was a logical, ideological continuation of a draft constitution already published in April 1988 (Gradivo za slovensko ustavo, 1988). All in all, institutional choices were in line with Lijphart’s (1991: 76) assertion that the consensual type of democracy (including the parliamentary system) is better for societies deeply divided by social, ethnic, religious or political cleavages. The proportional system first used for elections into the socio-political chamber with minor adaptations has been maintained until today.

Since the 1990s, it has only been one (in first half of the 1990s, very small) anti-communist social democratic party led by Janez Janša, who advocated for a more majoritarian democracy, recently known as the Slovenian Democratic Party (anti-communist social democratic party reformed into a centre-right party) project of the Second Republic. However, during the 1990s, Slovenia belonged to the least polarised post-socialist countries (Enyedi and Casal Bértoa, 2011: 134), but in the 2000s, it had joined the trend towards bipolar party competition in many other democracies (Bartolini et al., 2004; Mair, 2006; Müller and Fallend, 2004; Fink-Hafner, 2006), towards an increased role of political personalities (Mair, 2006; Poguntke and Webb, 2005), party system instability (Fink-Hafner and Krašovec, 2019; Fink-Hafner, 2020a, 2020b; Haughton and Deegan-Krause, 2015) and difficult coalition governing leading to inefficient governance (BTI, 2020; Johannsen and Krašovec, 2017; Nikić Čakar and Krašovec, 2021) and extensive use of referenda on policy issues – many of them initiated by parties and groups of members of parliament (MPs; Državna volilna komisija, 2021).

The emergence of a clear cleavage between liberal market and welfare and mismanagement of transition to the European Union (EU) as well as crises after 2004 by centre-left and centre-right parties (Fink-Hafner, 2020b; Krašovec and Ramet, 2017) have not only brought about protests but also a series of early elections. After the 2011 early elections, only one party emerged from the old socialist political organisation (successor of the reformed Communist Party) and one successor of the socialist opposition party (anti-communist SDS) remained in the parliament. In 2020 – in the context of a hung parliament, dysfunctional coalition government leading to the stepping down of the Prime Minister and emerging COVID-19 crisis – SDS took over the centre-right government and used the context of crisis for political changes that have been recognised as autocratization comparable to orbanisation in Hungary (Fink-Hafner, 2020b).
Electoral System Developments

Lijphart (1994: 52) warned that fundamental changes to electoral systems are relatively rare and usually occur in idiosyncratic historical circumstances. Electoral reform is based on the presumption that the changing of formal rules is really transformed into social effects (Norris, 2004: 5). Therefore, it is built on an expectation that new institutional rules will bring the desired results. Still, Slovenia stands out with a long-term trend that the majority of party elites sought to keep: (a) electoral rules that mirrored the proportions of electoral support in proportions of parliamentary seats and practically excluded independent candidates and (b) party lists enabled party elites to control the whole electoral process including the selection of people actually sitting in parliament. Indeed, the Gallagher index of electoral systems’ relative disproportionality between votes received and seats allotted in a legislature reaches low average values (see Appendix 1).

Electoral System Changes

As changes in electoral rules have been minor, Slovenia’s party system fragmentation has endured (see Appendix 1). Slovenia’s experiences are somewhat in line with research findings that in electoral reforms, there is a tendency for the greater adaptation of party systems to stricter rules than to softer rules (Shugart, 1992: 218). The Slovenian case also supports Shugart’s (1992) thesis that the declared electoral reform goals are practically limited by the interests of parties in their own survival.

The electoral system for the first multiparty election was adopted in fragmented political circumstances. Beside leanings towards a proportional system, there were some views that favoured a majority system or a combined system (Jambrek, 1989). Since the 1990 elections were to be held in the old institutional framework (in a three-chamber assembly at the level of the Republic), a political consensus was built on experimenting with various electoral systems at the same elections. The Chamber of Associated Labour was elected according to the plurality system, the Chamber of Communes on the basis of the majority system and the Socio-Political Chamber on the basis of the proportional system. Seats in the Socio-Political Chamber were first distributed on the basis of a Hare quota, whereas the remaining votes were finally distributed on the national level between lists of candidates according to the d’Hondt system. The 1990 system was very complicated not only for voters but also for the electoral officers (Grad, 1997: 179).

The electoral rules for parliamentary elections were not included in the 1991 Constitution. Only after long negotiations, an agreement was reached based on domestic experiences with the electoral rules for the 1990 elections, the existence of a relatively small National Assembly (88 deputies plus two representatives of two ethnic minorities elected by ‘their’ ethnic communities; Cerar, 2002: 105, 109). The main basic requirements determined to be met by the law were (Grad, 1997: 175):

a) the seats should be distributed according to the proportional system, b) there should be a link between the elected members and the voters and c) the stability of the legislative and executive power should be ensured as much as possible.

In order to ameliorate any negative effects of the proportional electoral system on the stability of parliament, a threshold was introduced – three mandates, which was effectively a 3.33% threshold at the 1992 elections (Cerar, 2002: 115; Grad, 1997: 179). The newly adopted system was again proportional and seats were again distributed at two
levels – first at the constituency using the Hare quota and then at the national level using the d’Hondt system as a corrective (Cerar, 2002: 116–117; Grad, 1997: 179).

A two-third parliamentary majority for the inclusion of a proportional electoral system into the Constitution was achieved in 2000. Under Article 80, it was stated that both (a) 4% threshold were needed to win a seat and (b) seat allocations in constituencies were based on calculations using the Droop quotient; at the state level, the d’Hondt method would be used. In 2004, measures for ensuring equal gender opportunities in candidacy for national and local level elections were introduced in the Constitution. The law adopted in February 2021 redrew the boundaries of 15 constituencies.

**Party Preferences and Party System Changes**

The proportional electoral rules used for elections to the Socio-Political Chamber in 1990, together with the decision of all political parties to compete individually, prevented the creation of the rule of one large party or blocks of parties (Cerar, 2002: 117). Demos (a coalition of newly established opposition parties for the first free elections) was neither strongly institutionalised nor ideologically homogeneous. Due to big ideological differences, it was dissolved in December 1991.

Since the democratic transition, the principle of the personalisation of the elections has been only partially ensured as parties granted themselves a large degree of influence over the distribution of the seats gained. According to the statutory mechanism, up to half of the seats distributed at the national level could be distributed to candidates, irrespective of the number of votes they had gained, according to a ranking determined by the parties themselves. This was a result of the intervention of almost all political parties, which wanted to ensure seats for party leaders (Cerar, 2002: 117; Grad, 1997: 180). The procedure for the selection of candidates was also in the hands of the political parties, although the law also provided for the nomination of candidates by voters themselves. It was exactly the public controversy over the party lists which opened the 1995–1996 cycle of debates on changing the electoral rules. This focus moved to the issue of the preferential vote, which has become an increasingly difficult topic for political parties increasingly involved in the process of presidentialisation (Fink-Hafner and Krašovec, 2019; Passarelli, 2015), difficult and unstable government coalition-building (Fink-Hafner, 2020a) and the related loss of legitimacy (Fink-Hafner, 2020a; Johannsen and Krašovec, 2017). Likewise, parties have not reacted to expert warnings of territorial-political inequalities in political representation caused by the system over time (Toplak, 2000) but rather to pressures coming from the Constitutional Court.

So far none of the new parties that were propelled into office has advocated changes to the electoral system due to uncertainty of the electoral support. This was also the case with the Party of Miro Cerar (winner of the 2014 elections; in 2015, renamed the Party of the Modern Centre) led by Miro Cerar, a legal expert in the field of elections and referenda.

Political parties have insisted on the proportional system with low threshold in spite of many changes in the party system due to uncertainty of the electoral support. This was also the case with the Party of Miro Cerar (winner of the 2014 elections; in 2015, renamed the Party of the Modern Centre) led by Miro Cerar, a legal expert in the field of elections and referenda.

Political parties have insisted on the proportional system with low threshold in spite of many changes in the party system: (1) the shift from an early two-polar to three-polar system in the 1990s and again to bipolar after 2000 (Fink-Hafner, 2020a, 2020b); (2) the extremely lively emergence of ever new political parties and bringing about the biggest replacement of MPs so far (Appendix 1); (3) the re-emergence of very high polarisation, now even including elements of an extra-parliamentary extreme right and radical left; and (4) the recent creation of two political blocks (one around Social Democrats (SD) and the other around SDS) also including the engineering of new centre-right parties – potential SDS coalition partners. In the future, parties might also change their preferences.
regarding electoral rules. Janša (the leader of SDS) already floated a proposal through Facebook to the ‘transitional left’ to agree on a mixed system (a combination of a proportional and majoritarian system; Janša, 2019).

Political Controversies Related to Electoral System Change

Controversies During the 1990s

Controversies over political representation and a type of electoral system that arose in the 1990s have retained political prominence until today.

The first cluster of issues is related to the growing criticism that the National Assembly did not represent the interests of voters and involved a negative cadre selection due to national party lists. This was challenged by a proposal to reassure voters that the candidates they had voted for would be their representatives coming from a non-party association called the Slovenian Developmental Council (Slovenski razvojni svet). Based on the initiative of 31 MPs (the first signature by Ciril Ribičič from the successor of the reformed Communist Party) on 14 June 1995, the Constitutional Court ruled that the legal regulation of party lists was not against the Constitution, but the Law on the Electoral System was not in line with the Constitution as the will of voters regarding the question of which candidates they wanted to give their vote to simply could not be determined (Ribičič, 2000: vii).

The second cluster of issues was put on the agenda in November 1995 by SDS MPs. Their proposal included measures for majoritarian corrections of the existing law (including a new system of distributing mandates in the second round of distribution and a 5% threshold) but, due to the lengthy procedure and lively further political developments, it was not accepted (Grad, 2004: 102). On 31 December 1995, a proposal for a mixed electoral system was presented, involving the idea that 50 MPs should be elected on the basis of the majority system (two of them representatives of the country’s two minorities) and 40 MPs on the basis of the proportional system with a 5% threshold, as well as limiting the number of MPs elected on the basis of national party lists to two MP posts and the introduction of an MP recall (odpoklic poslanca). The proposers had counted on the support from the National Council (the parliamentary upper chamber) and were considering a referendum, but were overtaken by other actors (Ribičič, 2000: vii).

Nevertheless, in the 1996 political debate, five proposals to amend the electoral law were presented to the public: (1) SDS and a popular initiative proposal made by just over 43,000 voters was in favour of a two-round majority electoral system; (2) the National Council proposed a variation of the German electoral system; (3) a group of 30 deputies proposed the continuance of the proportional system, but sought to make the entire country one constituency; (4) a bill on the amendments to the Law on Elections to the National Assembly included lowering the threshold for being directly elected within the constituency (the Droop quotient) and (5) a replacement of the old arrangement of the second distribution of seats (the remainders of votes are taken into account in the second distribution of seats) by an arrangement taking into account the total number of votes cast for same-name lists in all constituencies. In spite of many activities by several actors (Cerar, 2002: 117–118, 121), the November 1996 elections were held on the basis of old law, while all the political parties followed the Constitutional Court’s instructions regarding their party lists (Cerar, 2002: 118, 121).

In a competitive situation, the demands for referendums were used in a struggle to gain political prestige (Cerar, 1996: 50, fn. 9). In December 1996, three of the mutually exclusive demands were put to a referendum simultaneously. With only 37.9% turnout, the
‘determining the yes’ votes were puzzling since voters were not given very clear instructions on how to vote. Grad (2000) and Ribičič (2000) estimated that in fact there was no political will to make the referendum very clear as the majority in parliament did not really like any of the three models proposed.

In 1998, this cycle came to an end with the hotly disputed (for being politically biased) Constitutional Court ruling on the results of the 1996 referendum on the electoral system – with just a single decisive vote difference presided by Constitutional Court judge Peter Jambrek (a long-term supporter of the SDS initiative to introduce the majority electoral system). The Constitutional Court declared that the proposal for a majority system proposed by SDS and the 43,000 voters should be interpreted retrospectively as the winner since it had gained the support of the largest relative majority of votes and demanded the National Assembly adopt a law in line with that ruling. As a two-thirds majority to enact the majority system was not available in parliament, the Constitutional Court’s demand was not enacted.

**Controversies Related to the 2000 Constitutionalisation of the Electoral System**

The 2000 cycle started with an initiative by a group of MPs for a change to the Constitution so that it would include the proportional system. After its rejection by the Constitutional Commission of the National Assembly, in July, the government proposed a change to the Constitution based on the idea that (with regard to the Constitutional Court ruling of 1998) the will of the people could only be fully respected if a referendum on the electoral system were held again. Since it would in fact be the people adopting the law in this referendum, the Constitution would have needed to be changed to allow for such legislation. As this was not accepted, the proposal by the group of MPs was revived and accepted in the framework of the procedure for a constitutional revision.

The Constitutional Act Amending Article 80 of the Constitution, adding a fifth paragraph including proportional representation and a 4% threshold, was adopted on 25 July 2000. The National Assembly adopted rules for implementation of the amended article to be used already for the 2000 national elections; a 4% threshold of all votes in the country received on behalf of candidate lists, the Droop quota for the allocation of seats in constituencies, taking into account the sum of votes cast for the same candidate lists. The centre-right, short-lived government led by Andrej Bajuk, a leader of the New Slovenia party (at that time Peter Jambrek, a minister in that government was also a member of the Venice Commission) created just before the 2000 national elections, requested an independent expert opinion from the Council of Europe’s Commission on Democracy, the so-called the Venice Commission, on whether Slovenia had a valid electoral system to be used at the 2000 national elections in a situation when the Constitutional Court ruling from 1998 was respected or not. After the outrage of domestic experts and many public opinion leaders in Slovenia and the Venice Commission’s response admitting the legitimacy of the newly adopted constitutional change, all parliamentary parties competed on the basis of the 2000 electoral rules, although some individual opinions were published questioning the legitimacy of these elections (e.g. Teršek, 2000).

Since the constitutional law includes a provision that ‘the elections to the National Assembly in the year 2000 and until an amendment to the law regulating elections to the National Assembly comes into force’, the current constitutional solution on implementation of the new fifth paragraph of Article 80 leaves some room for variations in that framework when adopting or changing the electoral law (Grad, 2004: 105).
Controversies after the 2000 Constitutionalisation of the Electoral System

During the 2004–2008 centre-right government’s term, a question of fairness in the 2007 presidential elections emerged. The issue was the posting of some 40,000 ballots to voters whose permanent residence was abroad, even when their exact addresses were unknown (before the 2007 presidential elections, this was only done at the prior request of voters living abroad). Although these votes were not decisive at the 2007 presidential elections, the issue was identified as needing a resolution before the 2008 parliamentary elections.

On 18 June 2008, opposition (mostly centre-left) parties (the Liberal Democracy of Slovenia (LDS), Zares-New Politics, SD and the Slovenian National Party (SNS); see Appendix 2) sent Article 82 of the Law on Elections to the National Assembly regulating voting on behalf of Slovenians with a permanent residence outside Slovenia so that it allows voting through mail using a blank ballot) to the Constitutional Court to check its consistency with the Constitution. This initiative, backed by an expert opinion from the Institute of Comparative Law at the University of Ljubljana (with the main author Franc Grad, a legal expert and a former judge of the Constitutional Court), challenged the solution (a decision by the Electoral Commission after the correction of the law in 2006; Potič, 2008) according to which ballots had been sent abroad to all voters listed in the Register of Voters (before that they were only sent to those voters who requested them). The opposition decided on this step since the centre-right government did not prepare a promised correction of the act. The 2008 elections and three early elections (2011, 2014, 2018) have been held on the basis of the rules constitutionally determined in the year 2000.

However, several issues related to electoral rules have appeared in public. One related to the re-considering of determination of electoral districts (ensuring equal opportunities for citizens to actually get their representative) and the other on preferential voting in order to limit the power of party elites in the electoral process.

In 2015, the National Council demanded a Constitutional Court trial of one paragraph of the Act Establishing Constituencies for the Election of Deputies to the National Assembly (1992) and eight paragraphs of the National Assembly Election Act (1992). While the opinions of lawyers on these matters have differed (Božič, 2018; MMC, 2017), on 8 November 2018, the Constitutional Court ruled that 26 years after adopting electoral rules, electoral districts no longer fulfil any of the criteria set in the 20th paragraph of the National Assembly Election Act (the criteria being an equal number of residents, geographical integrity, the maximal possible integrity of the local community) and therefore, the fourth paragraph of the Act Establishing Constituencies for the Election of Deputies to the National Assembly is not in line with the National Assembly Election Act to the extent that it is unconstitutional (Ustavno sodišče, 2018). The National Assembly was required to change the Act in line with the Constitution within 2 years (by November 2020). Only at the third attempt under SDS government (2020 to present) was the Act Amending the Act Establishing Constituencies for The Election of Deputies to the National Assembly (2021) adopted in February 2021 with 45 votes (out of 90) to change the boundaries of 15 constituencies (MMC, 2021). However, scepticism remains about whether the National Assembly has sufficiently fulfilled the Constitutional Court ruling.

Problems with Governability and Accountability

The lively competition seen among political parties especially during the 1990s involved ideological fever and many splits especially within the new political parties. In the relatively fragmented party system, ruling coalitions were very difficult to form and even more difficult
to maintain throughout the mandate. This was particularly a problem in the 1990s, when safe governing majorities could not have been created without the inclusion of ideologically very diverse parties. Among the mechanisms to hold a government together was the signing of separate agreements (e.g. the LDS led a coalition government including the anti-communist SDS combined with the LDS agreement with the successor of former Communist Party in 1992). Among the instruments has also been the signing of a special agreement between the party of the Prime Minister and an individual opposition party on so-called ‘project collaboration’ (e.g. the LDS and the Party of the Youth of Slovenia in 2000). More recently, the SNS and the Left developed a strategy of collaboration with a centre-left government, while staying in opposition, and the SNS and Democratic Party of Pensioners (DeSUS; after leaving the centre-right government) did something similar with the centre-right government.

In line with Sartori (1976), we can say that all of the parliamentary parties have been relevant (see Appendix 1) if not due to their parliamentary size then to their blackmail potential (Sartori, 1976), which is especially important for adopting critical laws. During the 1990s, it was a small SDS precursor party that had strong blackmail potential, more recently small parties such as DeSUS, SNS and the Left that have had such potential. In particular, political developments in 2020 and 2021 have not only clearly shown the relevance of all political parties but even the relevance of each individual member of parliamentary party groups and individual votes of the two representatives of ethnic minorities, who are not supposed to act as a political party group.

From a long-term point of view, party fragmentation has led not only to coalition governments but also to dispersed accountability. Especially during the 1990s and after 2008, problems with government formation and governmental instability have not only damaged the efficiency of managing society, but have also increased distrust of political parties and of the institutions of the political system, especially the parliament (Fink-Hafner, 2020a; Johannsen and Krašovec, 2017). Party conflicts about changing electoral rules have even included (centre-right) parties’ claims that particular elections were stolen (e.g. in 1996 and in 2014) or at least that the electoral system is ‘distorted’ (e.g. in 2004). A political crisis has clearly evolved since the early elections of 2011, bringing about not only a series of early elections, but also the phenomenon of changing governing coalitions within the same mandate, while none of the governing coalitions has been able to get and maintain a governing majority in the parliament (Nikić Čakar and Krašovec, 2021). Indeed, negative consequences of party change on representation and accountability (Ibenskas and Sikk, 2017), which was limited in the past, have become significant after the 2018 elections bringing about the phenomenon of hyper-accountability and the radical replacement of the national parliamentary elite (Fink-Hafner et al., 2017).

Problems of governability, accountability (including poor capacity of strategic planning, policy coordination and policy implementation; BTI, 2020) and frequent use of referenda have even been magnified by mismanaging of the COVID-19 crisis. Now they even include a shift towards autocratisation (Fink-Hafner, 2020b). Trust, especially in political parties, has become almost non-existent. The scope of these problems is so critical that it cannot be solved only by corrections in the electoral rules.

Conclusion

Our analysis speaks in favour of the importance of political context in studying electoral system dynamics. It also shows that in idiosyncratic circumstances, the weight of partisan interests (and the related uncertainty) may persist as a predominant factor of a long-term electoral system dynamics.
The Slovenian experience also supports a thesis that there are changes in party system characteristics that make actual electoral reforms feasible and not vice versa. Partisan interests may matter so much that parties sacrifice not only governability and successful strategic management of society, but also the minimal voters’ trust in parties.

Nevertheless, during the 1990s, Slovenia showed that a combination of democratic stability and an open fragmented party system is feasible. However, after the implosion of the metrical centre in the party system (Liberal Democracy in Slovenia) and increasing polarisation, this has changed. The forming of a bipolar party competition in the 2000s and escalating problems with governability and accountability after 2004 have contributed to the continuous uncertainty for all parties as well as extreme and very dynamic party system renewal (in fact its de-consolidation), leading to the current challenged democracy.

Indeed, the Slovenian case shows that institutional choices per se do not guarantee democratic developments. While the parliamentary system and proportional electoral rules tended to be associated with consolidation of democracy (Lijphart, 1991), Slovenian developments have shown that this may be problematic when the party system is being radically renewed, and when weakly institutionalised, new political parties become parties of the Prime Minister immediately after their first parliamentary elections. Also, external factors appear to have increasingly mattered – particularly the recent multiple crises including the COVID-19 health crisis.

To conclude, in Slovenia, the most recent adoption of an act redrawing some electoral districts has some potential to impact the political power game. However, this very much depends on the kind of party system that emerges based on the 2022 parliamentary election results. A shift towards a less fragmented but polarised party system may open a window for a bigger role of ideology in conflicts over electoral rules and substantial corrections of the electoral rules as well as for the enhanced potential for autocratisation in Slovenia. Political uncertainty continues.

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### Appendix 1. Characteristics of the Slovenian party system.

| Electoral system | Slovenia | Two biggest parties | Parliamentary groups | Gallagher’s index | Eff Nv | EffNs | Relevant parties (Sartori) | Index of parliamentary fragmentation (Rae) | Parties with seats | Parties with >4% of votes | Volatility | Index of nationalisation |
|------------------|----------|---------------------|----------------------|------------------|--------|-------|--------------------------|-------------------------------------------|------------------|--------------------------|------------|--------------------------|
|                  |          |                     |                      |                  | n      | n     | n                        | n                          | n                 | n                        |            |                          |
| Legislature      | Votes (%)| Seats (%)           | n                    | 0–100            | n      | n     | 0–1                      | n                          | n                 | 0–1                      |            |                          |
| 1992             | 38.0     | 41.1                | 8                    | 13.5             | 6.66   | 6.61  | 6                        | 0.85                       | 8                 | 6                        | NA         |                          |
| 1996             | 46.4     | 48.9                | 7                    | 7.89             | 5.95   | 5.53  | 5                        | 0.82                       | 7                 | 6                        | 27.03      | 0.911                    |
| 2000             | 52.1     | 53.3                | 8                    | 2.95             | 5.11   | 4.86  | 6                        | 0.79                       | 8                 | 8                        | 22.98      | 0.905                    |
| 2004             | 51.9     | 57.8                | 7                    | 8.88             | 5.58   | 4.9   | 4                        | 0.80                       | 7                 | 7                        | 22.16      | 0.917                    |
| 2008             | 59.7     | 63.3                | 7                    | 5.74             | 4.83   | 4.43  | 4                        | 0.77                       | 7                 | 7                        | 23.87      | 0.907                    |
| 2011             | 54.7     | 60.0                | 7                    | 6.11             | 5.38   | 4.73  | 7                        | 0.79                       | 7                 | 7                        | 42.71      | 0.886                    |
| 2014             | 55.2     | 63.3                | 7                    | 10.02            | 4.99   | 4.15  | 3                        | 0.76                       | 7                 | 7                        | 44.58      | 0.935                    |
| 2018             | 37.5     | 42.2                | 9                    | 9.02             | 7.53   | 6.81  | 9                        | 0.85                       | 9                 | 9                        | 35.14      | 0.909                    |
| Average period   | 49.4     | 53.7                | 7.5                  | 8                | 5.8    | 5.3   | 5.5                      | 0.8                        | 7.5               | 7.1                      | 31.2       | 0.9                      |

Source: Own calculations on State Election Commission (2021).

Votes (%): Sum of the percentages of votes for the two biggest parties; Seats (%): Sum of the percentages of seats for the two biggest parties; n: number of parliamentary groups; Gallagher’s index: value of Gallagher’s index on the scale from 0 to 100; Eff Nv: effective number of parties, Vote share calculated based on Laakso and Taggert (1979) formulae, EffNs: effective number of parties, seat share calculated based on Laakso and Taggert (1979) formulae; Relevant parties: according to Sartori, qualitative analysis; Index of parliamentary fragmentation (Rae): value of the index on the scale 0–1; Parties with seats: number of parties with seats in the parliament; Parties with >4% of votes: number of parties with >4% of votes; Volatility: value of Pedersen index, Index of nationalisation: calculated based on Bochsler (2009).
Appendix 2. Parties’ ideological position and voters’ self identification on a left-right scale.

| Year       | 1991* | 1992  | 1993* | 1994* | 1995* | 1996  | 1997  | 1998  | 1999  | 2000  | 2001  | 2002  | 2003* | 2004* | 2005* | 2006  | 2007  | 2008  | 2009  | 2010  | 2011  | 2012* | 2013  | 2014  | 2015  | 2016  | 2017  | 2018  |
|------------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|
| Liberal democracy of Slovenia | 2631 | 2474 | 2566 | 2589 | 3763 | 3619 | 3191 | 2758 |
| Slovenian democratic party    | 3121 | 3195 | 3295 | 3249 | 6123 | 6472 | 6955 | 7574 |
| Slovenian people’s party      | 3526 | 3672 | 3623 | 3408 | 5677 | 6103 | 6.45 |
| New Slovenia – Christian Democrats | 3767 | 3896 | 3711 | 3.71 | 6631 | 6986 | 7389 |
| Social democrats              | 2269 | 2287 | 3861 | 2401 | 3617 | 3704 | 3506 | 2877 |
| Greens of Slovenia             | 2921 | 2894 | 2994 | 2946 | 4862 | 5343 | 6964 | 5092 |
| Slovenian National Party       | 3612 | 3527 | 3337 | 4151 | 4526 | 4.63 |
| Democratic Party of Pensioners | 2807 |     |     |     |     |     |     |     |
| Slovenian Youth Party          |     |     |     |     |     |     |     |     |
| ZARES                        |      | 2705 | 2021 | 2022 | 2023 | 2024 | 2025 | 2026 |
| Citizens’ list of Gregor Virant |      | 5.71 | 2021 | 2022 | 2023 | 2024 | 2025 | 2026 |
| Positive Slovenia              |      | 2926 | 2021 | 2022 | 2023 | 2024 | 2025 | 2026 |
| TRS party                     |      | 3.57 | 2021 | 2022 | 2023 | 2024 | 2025 | 2026 |

Source: ADP – Social Science Data Archives (2021).

*On scale 1–5, where 1 is left and 5 is right.

+On scale 1–10, where 1 is left and 10 is right.