

MANIFESTO ON LEGAL SCHOLARSHIP IN SLOVENIA

Being aware that legal scholarship is one of the fundamental pillars of a democratic and constitutional state and convinced that without domestic legal thought it is impossible to uphold the rule of law, protect human rights, and ensure the high-quality functioning of legal institutions in the Republic of Slovenia (RS), we express our concern about the situation in which legal scholarship in the RS finds itself.

We are faced with an evaluation system that has been tailored to the natural and technical sciences and does not reflect the characteristics of legal research. A system based primarily on indicators linked to databases such as *Web of Science* cannot capture the actual significance and impact of legal scholarship on society. Such criteria steer researchers towards formally measurable publications rather than in-depth and socially relevant works. The result is a fragmentation of research topics, a decline in the importance of academic monographs, and a shift in research focus towards foreign, particularly English-language, journals that do not address issues essential to the Slovenian rule of law.

Legal scholarship is inextricably linked to the rule of law and is one of the foundations of Slovenian statehood. Its mission is to monitor, interpret and critically assess the development of the law, thereby safeguarding the constitutional order and the fundamental values of the Republic of Slovenia. Without strong legal scholarship in the Republic of Slovenia, the capacity for the independent development of the legal order is diminished, which in the long term threatens the sovereignty and stability of the legal system.

Balancing international openness and national responsibility

Since Slovenia's independence and its accession to the European Union (EU) and other international organisations, legal scholarship has become an integral part of the international academic landscape. The integration of Slovenian legal researchers into international research trends, publishing in recognised foreign journals and with reputable publishers, and participation in international research and educational networks is an essential component of contemporary legal scholarship. In this way, Slovenian legal researchers contribute to the development of international standards of the rule of law while simultaneously strengthening the reputation of Slovenian legal scholarship worldwide.

Developments in recent decades clearly show that the international activity of Slovenian legal researchers has significantly increased. The number of international publications in the field of law is now approximately three times as high as it was at the beginning of this century, and since 2015 the proportion of publications in top-ranking journals has also been rising rapidly. This trend indicates a high level of international comparability and excellence among legal researchers from the Republic of Slovenia, which should be maintained and further encouraged.

This manifesto does not call into question the importance of international publications, nor does it interfere with researchers' freedom to demonstrate academic excellence in an international context. On the contrary, researchers in all fields of law are encouraged to continue publishing in recognised international journals and with reputable publishers, to network with colleagues abroad, and to actively participate in international research and teaching projects.

Equal recognition of Slovenian and foreign-language academic publications in law

The manifesto's core concern is not international openness, but the danger that legal publications in the Slovenian language and research into fundamental issues of the Slovenian legal order may become systematically marginalised, leading researchers to address them with decreasing frequency.

If the perception were to take hold that only topics of international interest and foreign-language publications are academically relevant, there is a serious risk that issues crucial to the functioning of the

Slovenian rule of law – but which are not of particular interest to the international academic community – would not receive adequate scholarly attention. This would have long-term negative consequences for the quality of legislation, judicial practice and the protection of the rights of citizens and other residents of the Republic of Slovenia.

The balance between international openness and national responsibility therefore requires recognising **two equally important dimensions of legal scholarship**: its integration into the international academic community and its responsibility towards the domestic legal order. International excellence and high-quality research into the legal challenges facing Slovenia are not in conflict, but rather complement one another. **Only legal scholarship that simultaneously contributes to international legal thought and engages deeply with the domestic legal system can ensure the long-term stability, development and sovereignty of the rule of law.**

The role of legal scholarship

Legal scholarship has a responsibility to society to preserve, through its scholarly work, the legal culture, legal language, and the understanding of law within the national context. Its role extends beyond academic boundaries: it serves as a mirror of the functioning of public authorities, the foundation of legal education and a source of the professional independence of the judiciary.

Research organisations in the field of law must strike a balance between achieving international recognition and maintaining a focus on the state of the rule of law in the Republic of Slovenia. International openness is important, but it must not lead to the neglect of fundamental issues of the domestic legal order, which foreign researchers are unlikely to address.

Legal scholarship must also remain closely linked to legal practice—to the judiciary, the legislature, public administration, and the economy. Its task is not merely the theoretical study of law, but also the development of solutions that contribute to better legal practice and more effective protection of the rights of citizens and other residents of the Republic of Slovenia. The flow of knowledge between the academic environment and legal practice is essential for a functioning rule of law.

Neglecting domestic legal research leads to a gradual loss of intellectual sovereignty and diminishes the legal system's ability to reflect on itself, correct itself, and develop.

Monographs as a fundamental form of legal scholarship

In the past, comprehensive legal monographs have played a decisive role in the development of legal scholarship and the establishment of the rule of law in Slovenia. Without proper recognition, there is a serious risk that they may gradually disappear, thereby undermining the long-term development of the legal profession in Slovenia.

A scholarly monograph is a fundamental form of legal research: it is the result of many years of research, allows for a comprehensive examination of legal issues, and has a lasting impact on the development of the discipline. The fixed ratio between monographs and articles in habilitation and evaluation criteria in Slovenia does not reflect the actual nature of research in law and the humanities and encourages fragmented research and short-term publications rather than comprehensive scholarly works, which are the foundation of legal thought.

We support efforts to adjust the ratio of monographs to articles in the criteria applied by NAKVIS, ARIS, and universities in line with the principle of individual assessment. Extensive and substantively rigorous monographs must be recognised as independent scholarly achievements of the highest value. Only in this way can the system encourage the production of in-depth works that contribute to the sustainable development of legal scholarship in Slovenia.

Equal recognition of domestic and international publications

Slovenian legal journals that adhere to high academic standards and are recognised within the legal community must enjoy the same academic standing as international journals. Academic standing must not be determined by a journal's origin or language, but solely by the quality of the research published. Consequently, publications in the Slovenian language must not be regarded as inferior, particularly when they address issues essential to the preservation and development of the rule of law in the Republic of Slovenia, which, due to their specific nature, do not necessarily attract international research interest.

In the spirit of the Leiden Manifesto, the excellence of locally relevant research must be preserved, and it must be recognised that legal scholarship, by its very nature, stems from the national legal environment, which it helps to shape and guide. Following the example of Scandinavian countries, a national register of recognised legal journals should be developed to ensure that the quality and impact of domestic academic output are appropriately recognised and valued.

While recognising the equal standing of domestic journals, investment must also be made in improving their quality, visibility, and editorial excellence. Slovenian legal journals must remain the cornerstone of legal culture and academic discourse, while at the same time adhering to the highest standards of the peer-review process, international openness, and relevance. In this way, they will attract the best authors without losing their identity.

The Rule of Law in Slovenia and the Slovenian Language

The role of language in law is not merely cultural or symbolic, but also a substantive matter and a key element of nation-building. Language shapes research topics: publications in foreign languages tend to address issues relevant to the international context, while topics essential to the Slovenian legal order often remain underexplored in scholarship and thus lack support in legal theory.

Communication within the academic community on legal issues specific to the legal system of the Republic of Slovenia, in which foreign researchers do not participate, should not take place in English. This leads to a loss of Slovenian legal identity and undermines the tradition of professional expression in the Slovenian language. Slovenian legal terminology has developed over decades in domestic legal journals – beginning with *Pravnik* (1862) – and is of exceptional importance for the preservation of the nation's legal culture and identity.

In legal scholarship, the Slovenian language is not merely a form of expression, but carries meanings that can only be understood within the Slovenian legal context. When confronted with issues relating to the rule of law, Slovenian citizens rely on legal scholarship in the Republic of Slovenia—and this must remain rooted in the Slovenian language. This is not merely a question of language, but of the very functioning of the rule of law.

Call to action

We call upon state authorities, universities, research institutions, and professional organisations to recognise legal scholarship in Slovenia as a public good indispensable for the preservation of the rule of law and democratic culture. A change in the evaluation of academic work is necessary—one that ensures the fair evaluation of legal research, encourages the production of major academic monographs, and recognises the academic standing of domestic legal journals. Research institutions must encourage researchers to maintain a commitment to researching domestic legal issues alongside pursuing international recognition and to contribute to the understanding and strengthening of the rule of law in Slovenia.

This Manifesto expresses the shared will and commitment of the three law faculties in the Republic of Slovenia and two professional associations of lawyers, which, within a coordination group, will monitor the implementation of these principles and propose further measures to preserve and develop legal scholarship and the legal language in the Republic of Slovenia. Only in this way can

we maintain a balance between international openness and national responsibility and ensure that legal scholarship remains committed to its fundamental mission – to serve the law, society, and the state.

Recognition of EU-funded legal projects

We call for projects funded under the programmes of the EU Directorate-General for Justice and Consumers to be systematically recognised in the Republic of Slovenia as relevant forms of scientific research. The current provisions under Article 80 of the Scientific Research and Innovation Activities Act (ZZrID) treat law as a peripheral discipline or merely as a supporting discipline to other research fields. Although the ‘Justice’ programme primarily supports judicial cooperation, training, and access to justice, its projects make a significant contribution to the development of the European area of justice, the strengthening of the rule of law, and the creation of new legal knowledge, as evidenced by their research components in practice. Failure to recognise them constitutes an unjustified restriction on the international engagement of Slovenian legal researchers and a systemic hindrance to the development of legal scholarship.

Conclusion

Legal scholarship in the Republic of Slovenia is not merely an academic activity, but the backbone of the rule of law—its memory and its voice of reason. If it loses this position, the state will also lose its ability to understand itself. We therefore call for a joint effort to establish a system that will protect, promote, and value legal scholarship in accordance with its mission—in the service of the law, society, and the state.

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