

MANIFESTO FOR LEGAL SCHOLARSHIP IN SLOVENIA

Aware that legal science 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 regarding the situation in which legal science 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. Law is not merely a social science, but also a humanistic discipline, closely linked to language, history, culture, values and the institutional development of the community. A system based primarily on indicators linked to databases such as *Web of Science* cannot capture the actual significance and impact of legal science 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 science 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 a strong legal science in the Republic of Slovenia, the capacity for the independent development of the legal order is lost, which in the long term threatens the sovereignty and stability of the legal system.

Balance between international openness and national responsibility

Since the Republic of 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, publication in recognised foreign journals and with reputable publishers, and participation in international research and educational networks is an essential and inalienable component of contemporary legal science. In this way, Slovenian legal researchers contribute to the development of international standards of the rule of law whilst 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 foreign publications in the field of law is now approximately three times higher than it was at the start of this century, and since 2015 the proportion of publications in top-ranked 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 must be maintained and further encouraged.

This manifesto in no way calls into question the importance of international publications, nor does it interfere with the freedom of researchers to demonstrate their 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.

The equivalence of Slovenian and foreign-language academic publications in law

The core concern expressed by the manifesto is not international openness, but the danger that legal publications in Slovenian and research into fundamental issues of the Slovenian legal order might become systematically marginalised, leading researchers to tackle them with ever-decreasing frequency.

If the perception were to take hold that only topics of international interest and foreign-language publications are scientifically relevant, there is a serious risk that issues which are 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 entails recognising **two equally important dimensions of legal science**: its integration into the international academic sphere 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 science that simultaneously contributes to international legal thought and reflects deeply on the domestic legal system can ensure the long-term stability, development and sovereignty of the rule of law.**

The Role of Legal Scholarship

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

Research organisations operating in the field of law must, in their work, strike a balance between the international recognition of researchers and maintaining their interest in studying 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 will not address.

Legal science must also remain closely linked to legal practice – to the judiciary, legislation, administration and the economy. Its task is not merely the theoretical study of law, but also the formulation 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 means a gradual loss of intellectual sovereignty and diminishes the legal system's ability to self-reflect, correct itself and develop.

Monographs as a fundamental form of legal expression

In the past, systematic legal monographs have made a decisive contribution to the development of legal science and the establishment of the rule of law in Slovenia. Without their proper recognition, there is a serious risk that they will gradually disappear, thereby jeopardising the long-term development of the legal profession in Slovenia.

The academic monograph is the fundamental form of legal research: it is the result of many years of research work, enables a comprehensive examination of legal issues, and has a lasting impact on the development of the discipline. The fixed ratio between monographs and articles, as applied by habilitation and evaluation criteria in Slovenia, does not reflect the actual nature of research in law and the humanities, and encourages the fragmentation of research and short-term publications rather than comprehensive scholarly works, which form the foundation of legal thought. **Due to its distinct humanistic dimension, legal science often develops through in-depth monographic studies, which enable systematic reflection on the law and its value foundations.**

We support efforts to adjust the ratio of monographs to articles in the NAKVIS, ARIS and university criteria in accordance with the principle of individual assessment. Extensive and substantively demanding monographs must be recognised as independent scientific achievements of the highest value.

Only in this way will the system encourage the production of in-depth works that contribute to the sustainable development of legal science in the Republic of Slovenia.

Equality of domestic and international publications

Slovenian legal journals that adhere to high academic standards and are recognised within the legal community must have the same academic standing as international journals. Indeed, academic standing must not be judged on the basis of a journal's origin or language, but exclusively on the quality of the published research. Consequently, publications in the Slovenian language cannot 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 protected, and it must be recognised that legal science, by its very nature, stems from the national legal environment, which it helps to shape and oversee. Following the example of the Scandinavian countries (), a national register of recognised legal journals must be developed to ensure that the quality and impact of domestic academic output are appropriately recognised and valued.

Whilst recognising the equivalence of domestic journals, it is also necessary to invest in their quality, visibility and editorial excellence. Slovenian legal journals must remain the cornerstone of legal culture and academic discourse, whilst at the same time adhering to the highest standards of the peer-review process, international openness and topicality. In this way, they will attract the best authors without losing their identity.

The Slovenian rule of law and the Slovenian language

The question of language in law is not merely a cultural or symbolic one, but also a substantive issue and, at the same time, a key element of nation-building. **As part of a community's humanistic heritage, law emerges, develops and is understood through the language in which legal concepts, values and legal culture are formed.** Language determines the research topic: publications in a foreign language mostly address topics relevant to the international environment, whilst topics essential to the Slovenian legal system often remain without scholarly treatment and thus without 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, must not take place in English. In doing so, we lose our Slovenian legal identity and break with 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 forms part of our national heritage, being of exceptional importance for the preservation of our legal culture and national identity.

In legal scholarship, the Slovenian language is not merely a form of expression; it carries a meaning that can only be understood within the Slovenian legal sphere. When faced with issues relating to the rule of law, Slovenian citizens draw upon legal scholarship in the Republic of Slovenia – and this must remain Slovenian. This is not merely a question of language, but a question of the very functioning of the rule of law.

Call

We call upon state bodies, universities, research institutions and professional organisations to recognise legal science in the Republic of Slovenia as a public good that is indispensable for the preservation of the rule of law and democratic culture. A change in the evaluation of academic work is needed, which will enable fair treatment of legal research, encourage the production of fundamental academic monographs, and recognise the academic standing of domestic legal journals. Research institutions must encourage researchers to maintain a commitment to researching domestic legal issues alongside

international recognition, and to contribute to the understanding and strengthening of the rule of law in Slovenia.

The Manifesto expresses the shared will and commitment of the three law faculties in the Republic of Slovenia and the two associations of legal professionals, which, within the framework of a coordination group, will monitor the implementation of these principles and propose further measures for the preservation and development of legal science and language in the Republic of Slovenia. Only in this way will we maintain a balance between international openness and national responsibility and ensure that legal science remains committed to its fundamental mission – to serve the law, society and the state.

Recognition of European projects in the field of law

We call for projects funded by the programmes of the EU Directorate-General for Justice and Consumers to be systematically recognised in the Republic of Slovenia as relevant to scientific research. The current regulations under Article 80 of the Scientific Research and Innovation Activities Act (ZZrID) treat law as a distinctly 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 confirmed by their research component 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 science.

Conclusion

Legal science 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. **As a discipline that bridges the social science and humanities dimensions of law, it preserves legal culture, develops legal language and enables critical reflection on the functioning of the state and its institutions.** If it loses its 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 science in accordance with its mission – in the service of the law, society and the state.

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