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Europeans from the Start? Slovenia and Croatia Between State-building, National Identity and the European Union

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ABSTRACT


The article draws on Hansen and Wæver's three-layered framework of state-nation-Europe, and applies it to Slovenia and Croatia. The aim is to examine how nation- and state-building affect these countries' Europeanization before and after EU accession. The novelty of the contribution is the specific attention paid to the post-Yugoslav space as a reference for nation- and state-building. Our findings underline that the Slovenian and Croatian state-nation concept and its relationship to Europe are not per se fixed frames, but are fluid attitudes, prone to change and reaffirmation. We also establish a comparative difference between domestic and relational Europe layer for the two states.

KEYWORDS

Slovenia; Croatia; state-building; nation-building; Europeanization; post-Yugoslav space

Introduction

Not only have Slovenia and Croatia been the first from the former Socialist Yugoslav Federation (henceforth Yugoslavia) to become members of the EU, but they are also considered to be very active in an endeavour to be part of the 'core' of the European Union (EU; defined here as EU-15). As such, they merit attention in the context of this special issue on the state-nation concept in the post-Yugoslav states (see Keil and Stahl 2023). Basing our discussion on the work of Hansen and Wæver's (2002), who have highlighted how state- and nation-building processes have substantially impacted on the positioning of the Scandinavian countries towards the EU, we too take the relationship of state- and nation-building as our starting point to examine Slovenia's and Croatia's positioning towards the EU immediately after independence and assess their EU policies once they had joined the union. Even if their general policy stance towards the EU had been relatively stable, their identity basis and justification show more dynamic interactions. It has been well documented how both states have – albeit for different identity reasons – undergone a journey 'away from the Balkans' in the 1990s to 're-joining' the Balkans in the late 1990s and early 2000s.¹ However, recent changes in their EU policies indicate the weakening of their unrivalled commitment to aligning their own foreign policies with the interests of the EU. We argue that these can be understood if investigated

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from the perspective of nation-state conception. Our contribution will focus on an assessment of the developments in the state-nation concept in Slovenia and Croatia in light of their Europeanization and the context of their representations and policies towards the EU.²

This study will combine the analysis of the state-nation concept within Slovenia and Croatia with a broader study of Slovenian and Croatian foreign policy toward the EU (Hansen and Wæver 2002). We find this framework useful because it helps in ‘tracing how the concept of the nation is related to the state, and how these constructions influence the current debate on Europe’ (Hansen 2002, 2). In this regard, the article will apply the three-layered model from the work of Hansen and Wæver (2002) on Nordic states to Slovenia and Croatia. It will use the cases of the two countries to discuss the state-nation conception in the context of Europeanization, and how the latter influence their policies towards the EU. We expect the layers of nation-state building and its positioning towards Europe (layers 1 and 2) are not as fixed as highlighted in previous work – a finding similar to those in other contributions to this special issue (see, for example, Dzankic, Mladenov, and Stahl 2022). We argue furthermore that the two classical layers – domestic and European – are both additionally affected by nation and state-related factors stemming from the former Yugoslav reality and thus intervene on other layers.

Theoretical considerations

Ample work has been done so far, discussing state- and nation-building processes in the context of candidate states joining the EU. Hansen and Wæver (2002) discuss EU Member States’ Europeaness (constructed thorough practices or discourses) at the level of European enlargement policy, the changing interpretations of Europe(anness), in the light of other European states/policies and the interpretations of Europe within the state-nation constellation. Europeanization is understood in this context as the adoption of the EU’s legal framework (*acquis communautaire*), as well as the adoption of norms, values, and identity of the EU, and the participation in common EU policies (including foreign policy) (Sedelmeier 2011).

The domestic level of the nation-state concept can be explored independently as layer one through characteristics such as size, national resources, demography, geography/geopolitics, history, culture, military, economic capabilities, and political system (Hudson 2007, 144–153). Yet, interpretations of Slovenian and Croatian Europeaness can also be explored as an effect of the EU’s (enlargement) policy. This makes up layer two, which offers a relational understanding of a nation and a state with regards to Europe. As discussed by Subotic (2011), identification with Europe and the EU is vital to understand the EU integration process in the countries of the former Yugoslavia, while Kovacevic (2014) highlights how Europeanization affects state identity – thereby pointing to the relational dependence of state identity (both statehood and nationhood) and Europeanization (both EU integration and policies towards the EU/within the EU). In this regard, we will be focusing on the two states’ self-identification towards Europe directly and in the context of their relation to the other post-Yugoslav states. This is a novelty with regards to Hansen and Weaver’s model. We argue that the two states do not just position themselves towards the EU, but also define their own position towards the EU in light of

their self-identification through negative sentiments towards what they perceived as the dissolved, conflictual, unstable – in short non-European – Balkans. The third layer of state- and nation-building is about concrete policies that states take towards Europe; we analyse the countries' foreign policy actions during the EU accession process and their participation as full EU members. We gather data from relevant secondary sources for historical analysis and offer our content analysis and interpretation of primary sources.

The state-nation concept in Slovenia and Croatia

Slovenians have developed as a *Kulturnation* and as a political nation (people) within the Austrian empire since the Spring of Nations in 1848.³ The Socialist Republic of Slovenia as one of the constituent Republics of Yugoslavia, proclaimed its independence as the Republic of Slovenia on 26 June 1991, thereby representing the first nation-state formation of Slovenians. In all previous multi-ethnic state formations, Slovenians represented a coherent ethnic unit, living in Central Europe with its language on the frontier between Germanic, Latin, Hungarian, and Slavic nations. The first layer of our analysis thus reveals Slovenian state-building in terms of constructing a Slovenian nation-state on a territory that is ethnically relatively homogenous and in which a well-developed nation has been settling for centuries.

In terms of foreign policy, Slovenia, then still a fledgling state hoping to be recognized internationally, was searching for its foreign policy identity. The early orientation was somewhat natural: it focused its economic and foreign policy on post-Yugoslav states, knowing that the 'best possible relations with the states [should] be formed on the ground of SFRY [Yugoslavia] because of economic and many other reasons' (Key Elements 1991). Besides that, Slovenia at the time was toying with the idea of having a neutral foreign policy strategy (Benko 1992). However, when the violent conflict with the Yugoslav People's Army (YPA) became unavoidable, neutrality ceased to be an option, and the new country needed to defend itself. To this end, Slovenia employed the Territorial Defence forces (*Teritorialna obramba*) which in Yugoslav times used to function as a territorially organized part of the YPA. The resistance to the YPA in the Ten-Day-War for Slovenia's independence (27 June–6 July 1991) was successful. A ceasefire was eventually brokered by the EC 'troika' and an agreement reached on 7 July 1991 essentially ended the war (Rupel 1996, 192–193).

In contrast to Slovenia, which had been ethnically homogenous, Croatia had been a multi-ethnic and multi-cultural society for a long time up until the end of Socialist Yugoslavia. Already in the ninth century, there are several references to 'Croatia' and 'Croats' (Steindroff 2013). In the process of nation-building, Christianization is of key importance, as the Catholic faith would become a key element of national self-identification (Renidć-Miočević 2002). As a territory, it was long split between different empires and only achieved territorial autonomy in 1868 within the Austro-Hungarian empire. The definition of the Croat nation has been influenced by the Spring of Nations as was the case with Slovenia. However, unlike the developments in the neighbouring territory, there were two national movements in Croatia, one that focused more strongly on the unity of all South Slav nations (including Serbs and Slovenes), and one that focused on exclusive Croatian nationalism, which would grow stronger, particularly in opposition to any cooperation with Serbs, the other major nation in Southeastern Europe (Calic 2010).

As a consequence, two important elements would develop in the quest for Croatian nationhood (first) and statehood (later). First, there was the contrast with Serbia. While the Illyrian tradition in Croatia emphasized South-Slav cooperation, exclusive Croat nationalism as practised by the Fascist Independent State of Croatia between 1942 and 1945 focused on the supremacy of Croats over Serbs and the need for an ethnically homogenous nation-state. Second, the quest for Croat statehood would be connected to conflicting perceptions of the unity of people and state, i.e. the idea that all Croats should live in one state. Already the 1939 *Sporazum* had united all Croats in one territorial unit within Royal Yugoslavia (Djilas 1991). The existence of a substantial Serb population living in Croatia would make it more difficult to establish a homogenous nation-state, ultimately resulting in violence in the early 1990s.

After Croatia's declaration of independence in June 1991, violence broke out in those areas that were mainly inhabited by Serbs. Croatian Krajina-Serbs, themselves radicalized by a nationalist leadership, established areas of self-government and forced many Croats to leave (Silber and Little 1996, 169–189). The situation quickly turned into a full-scale war in which Croatian Serbs (heavily supported by militias from Serbia and the YPA) fought for secession from Croatia and conquered one-third of Croatia's territory.

The birth of Croatian independence is connected to four decisive factors that would influence Croatian identity and foreign policy for years to come (Zakošek 2008). First, the rise to power of Franjo Tuđman and his party, the Croatian Democratic Union (*Hrvatska demokratska zajednica* – HDZ), which promoted a nationalist programme, and openly discriminated against Croatian Serbs. Second, even before Croatia officially declared its independence and asked for recognition, Serbs had already established areas of self-government and were armed to fight against the Croatian authorities in areas with a Serb majority population (particularly in the Knin region). Third, Croatia was forged at war, as Tanner (2010) described it. The combined experience of violence, ethnic cleansing, and eventual victory followed by restoration of territorial integrity played a key role in Croatia's self-portrayal after the war and in the closing stages of the conflict. As Jović (2017) points out, the singular interpretation of the 'Homeland War' and its connected myth of national liberation and democratic awakening of the Croat nation remain of vital importance for Croatian politics until today, though they pose a distinct challenge to liberal democratic norms. Connected to this point is the fourth argument, namely the disappointment with the international community. Tuđman believed that Croatia, as a European country should join other free European countries and that it was attacked by Serbia (rather than local Croatian Serbs) and should therefore be protected and receive support from other European countries in particular, and the international community in general. However, European support never materialized (arms deliveries only started after the foundation of the 'federation' in the Bosnian war), Tuđman (1996a) recognized that the international community was not willing to go to war for Croatia and to defend the country's sovereignty and territorial integrity.

Croatia also actively intervened in the conflict in Bosnia and Herzegovina (henceforth Bosnia), supporting radical Croats in Bosnia in their attempt to establish a statelet that would eventually be able to join Croatia (Hoare 1997; Bieber 2001). What was seen as Croatian territory was, therefore, 'cleansed' of those that were not part of the Croat nation, whilst those considered part of the nation, who lived outside of the borders of

the Republic of Croatia, were actively supported in their secessionist attempts. Croatia's self-identification as a nation-state highlights the dilemma that at the point of independence, a large group of non-Croats lived in the state (and threatened national homogeneity), while on the other side, many Croats lived outside of the borders of the state. The first challenge was addressed through violent ethnic cleansing in 1995 and the resulting flight of hundreds of thousands of Serbs, while the second challenge has remained a major issue in Croatian politics.

Both states see themselves as nation-states in which the dominant ethnic group has been able to fulfil its historical destiny and create a state on the homeland of the nation. The state-nation concept is limited to members of the same culture, indeed of the same ethnic origin. Slovenia has had no territorial claims outside its borders and has a resolved but non-implemented border dispute settlement with Croatia (more on this below). In contrast to Slovenia, the issue of ethnic minorities, in particular Croatian Serbs, remained of vital importance for the political development in post-war Croatia (Štiks 2010). While Slovenia has a more open concept of nationhood,⁴ Croatia strongly connects (the ethnic) nation and state. In fact, this is the main reason why Serbs (as outsiders) have been excluded from Croatian citizenship for a long time, while Croatian passports were handed out to Bosnian Croats living in Bosnia (Brubaker 1995; Štiks 2010). This demonstrates that whilst Croatia identifies as a nation-state, it is not consolidated. In fact, the preamble of the original Croatian Constitution captures this very strongly:

At the historic turning-point marked by the rejection of the communist system and changes in the international order in Europe, the *Croatian nation* reaffirmed, in the first democratic elections (1990), by its freely expressed will, its millennial statehood and its resolution to establish *the Republic of Croatia as a sovereign state*. (Constitution of the Republic of Croatia 1991, Preamble, Italics added)

The Constitution also exposes a clear distinction between those that are members of the (ethnically defined) national group of Croats and those that do not belong to this group but live in Croatia, such as Serbs and Jews.

The state-nation concept and its relation to Europe

Already during the process of the dissolution of Yugoslavia, Slovenia positioned itself strongly towards the European Community (EC), which became the EU in 1993. In the first Slovenian Foreign Policy Strategy, EC membership features as a strategic foreign policy goal second to international recognition (Key Elements 1991). Slovenian politicians aligned themselves with the EC/EU on both normative and economic grounds. Unlike most countries in Central and Eastern Europe, Slovenia was not at all dependent on the markets of the former Soviet Union. Besides heavy trade with Yugoslav republics and autonomous provinces (about half of the overall trade), in 1989 it was sending 52% of its exports to the Member States of the EC (European Commission 1999, section C).

In searching for its own space in Europe, and in the light of the major war going on in Croatia and Bosnia, Slovenia soon made a step further – it tried to ‘decouple’ from the rest of Yugoslavia, presenting itself as being closer to Western democratic values (Bojinović Fenko and Šabič 2017, 48), which were also diligently inserted into the Slovenian Constitution (Bojinović Fenko and Šabič 2017, 48–49). At the level of the nation- and state-

building the obvious ‘Other’ for the Slovenian people and state became ‘the Balkans’. Knudsen (2002, 189) theorizes this identity/integration problem by arguing that national identity is usually determined by finding out who one thinks one is not. Hansen (1996, 473) calls these efforts as establishing Slovenia as a ‘natural state’, that Slovenia is an organic part of Europe, in contrast to the other former republics of Yugoslavia, which belong to the non-European Balkans. Slovenia’s foreign policy strategy of ‘away from the Balkans’ was never formally codified but was practiced very evidently by political leaders, and foreign policy-makers – some authors saw this less as a pragmatic move and more as an act of egoism (Patterson 2003). Be that as it may, the Slovenian political elite strove to establish the image of a ‘normal’ independent and democratic state via internal nation-building and external state-building (Bojinović 2005).

Thus, nation-building included the reinterpretation of history,⁵ and Slovenia’s geographical position close to the Balkan area as artificial (Bojinović Fenko and Požgan 2014, 60). State-building was conducted as building an image of a peaceful and stable democratic state and a market-based economy. This was pursued by an active and at the time instrumental attempt to be included in any kind of Western European intergovernmental forum, if that forum could serve as evidence that Slovenia’s belonging to the West could be recognized. These attempts were not always successful, as proves the unsuccessful bid of Slovenia to take part in the Euro-Mediterranean Partnership (EMP) in 1995.⁶ When the centre-right parties were in power, the Central European dimension has also been emphasized, however, the idea of Slovenia becoming a member of the Višegrad group was never seriously considered (Šabič and Drulák 2012).

Slovenia was negotiating the conclusion of a Europe Agreement from 1993 to June 1996. At the time, the most important element of the second-layer explanations of the Europeanization of Slovenian foreign policy is the political conditionality of the Copenhagen criteria for EU accession. Moreover, Italy and Austria sought to extract certain concessions from Slovenia in exchange for EU membership to solve open bilateral issues (Šabič 2002). These two states did not hesitate to present those essentially bilateral problems as European ones and did not hesitate to put pressure on Slovenia to prove its ‘European-ness’. The cases of these bilateral political conditions were: a border issue, the status of minorities, and the status of Italians who left Istria after the Second World War in case of Slovenian-Italian relations, and the closure of the Krško nuclear power plant, the status of the German-speaking population in Slovenia, the question of property of the German population who were dispossessed after the Second World War, and the status of certain so-called AVNOJ⁷ decrees, which provided the legal basis for dispossession in the case of Slovenian-Austrian relations (Bučar 1999). Slovenia solved these issues through negotiations and mediation and with very little additional legal adaptation. The border issue was not pursued successfully by Italy as it would present a challenge to the European post-Second World War order, and minority protection in Slovenia was assessed by the Council of Europe as exemplary. However, property restitution was successfully brought by both states within the *acquis* norm of non-discrimination and Slovenia had to align its law in this matter (Bojinović Fenko and Urlič 2015). For this reason, these issues did not influence either Slovenian perception of itself or the EU (or Europe).

Slovenia applied for EU membership in June 1996 and began accession negotiations in April 1998. In between, direct pressure was conducted on Slovenian political leaders to reintegrate into the Balkans’ post-conflict management and regional politics as a

condition of entry into the EU and NATO.⁸ Despite strong fears from the government that the opposition would interpret Slovenian engagement in Southeast Europe as an act of re-establishing the former Yugoslavia (Bojinović 2005), the Slovenian state eventually responded to the external pressures. However, it also managed to successfully condition its identity-based role on assuming only the position of a donor state (and not aid-recipient as other states of the regional post-conflict fora). Domestically, the government ‘sold’ this new foreign policy course by claiming its engagement in the region because of its comparative advantage; it would act as a connoisseur of the area and a bridge-builder between the EU and the countries of the former Yugoslavia. Thereby Slovenia effectively portrayed itself again as part of Europe, part of a stable, democratic, more developed block that supports and helps the Southeast European countries, rather than as a member of the Balkan post-conflict and aid-dependent region (Bojinović 2005). One can therefore conclude that Slovenia interprets its nation-state identity not as one of competition with European identity but rather very much as an overlapping one: with Europe as its ‘natural home’.

The Croatian state-nation concept’s relationship to Europe as a form of dual, overlapping, or indeed identical identity has been developed in three phases. In the first phase, even before the declaration of independence, Tudjman and the HDZ argued that the independence of Croatia would be the ‘return to Europe’ of the country. Indeed, as Razsa and Lindstrom (2004, 2) argue, ‘Croatia was, like Slovenia, more integrated into European networks than other /Yugoslav/ republics due to its Habsburg legacy, geographical location, and trade orientation toward Western markets’. Historically, these perceptions go back to Slovenia’s and Croatia’s membership in the Austro-Hungarian empire, their conversion to the Catholic faith, and their self-perception as the EU’s external border countries (Leutloff-Grandits 2022). Independence and recognition by other European states were therefore seen as the re-entering of Europe away from the Balkans by Slovenian and Croatian elites alike. This self-identification as Europeans also includes a process of ‘Othering’ towards other post-Yugoslav states, in the case of Croatia particularly Bosnia and Serbia, which are seen as the ‘Balkans’ – Other.

However, Croatia’s involvement in the war in Bosnia and its military actions against Serb settlements in 1995 including substantial ethnic cleansing, and the establishment of a more authoritarian style of government have resulted in a more antagonistic relationship between Croatia and Europe. Because of the problematic human rights situation, the Council of Europe postponed Croatia’s membership until 1996, and in 1997 the EU blocked Croatia’s request to start membership negotiations (Razsa and Lindstrom 2004). Tudjman changed his pro-European stance in the post-war years to blame Europe for having sacrificed Croatia during the war and for intervening in Croatia’s internal affairs. While this form of resistance towards any external pressure on cooperation and regional collaboration with other post-Yugoslav states can also be identified in the case of Slovenia, it is important to highlight that Slovenian elites gave in. They accepted to support initiatives such as the Stability Pact because of their hope to integrate more quickly into the EU and gain more access to the Balkan market, while Tudjman refused any compromises. For instance, he reacted angrily when Europeans demanded an improvement of the human rights conditions in Croatia, in particular the rights of Serb refugees (Tudjman 1996b). Tudjman’s nationalism became hostile towards the concept of Europe and the EU, because the EU and European states did not support Croatia

during the war and instead focused on keeping Yugoslavia together; Europe thus became the new ‘Other’ in Croatia’s self-identification and national discourse (Jović 2006). Using the combination of Croatia as both a winner and a victim of the Yugoslav wars, Tudjman portrayed the EU as weak and focused on the establishment of Croatia as a sovereign and independent nation-state, thereby alienating it further from the international community (in particular the EU). This international isolation had very serious consequences since Croatia was exempted from the EU’s financial support for the accession preparations in the 1990s (Kušić 2013).

The change in relations to Europe happened after Tudjman’s death (1999) and the HDZ’s defeat in parliamentary elections. The new government under Prime Minister Račan and President Mesić focused immediately on a re-orientation towards Euro-Atlantic integration. Already in May 2000, Croatia was invited to join NATO’s Partnership for Peace Programme and in October 2001, the EU signed a Stabilisation and Association Agreement with Croatia. The new government pushed forward an enormous number of reforms including changes to the Constitution and a stronger commitment to the return of Serb refugees. It was rewarded with a ‘return’ not only as a recognized member of the international community, but particularly to the EU, which awarded the country candidate status in 2003. After 2000, following Šeperić (2011), the integration into NATO and EU became *the only issue* in the country’s foreign policy. Domestic reform was connected to the country’s consolidation as a democracy and an open market economy, relations with Bosnia were normalized and Serbia and Croatia started a new era of cooperation. In 2012, Croatia closed the remaining chapters of the *acquis communautaire* and it became the 28th EU Member State in July 2013. As part of this integration process, Croatia was also able to deal with its bilateral issues with Slovenia and accept European and international resolutions to bilateral problems.

It is, however, more complicated to assess the role of Europe in the state-nation constellation in the case of Croatia compared to Slovenia. Europe has, over time, received a new definition in Croatia’s self-portrayal. It is no longer ‘the other’ of the Tudjman years, but ‘by joining the EU, Croatia would be more protected, more influential and more respected in the community of nation states; [...] it will have achieved not only symbolic recognition (such as in 1992) *but real recognition of its statehood*’ (Jović 2011, 35, emphasis in original). Indeed, Croatia’s self-identification as a European nation and a European state, a member of the EU and in good relations with its neighbours was the result of a profound party-political shift from the HDZ era to Social Democratic rule, and consequently internal reforms within the HDZ to also support Croatian EU membership (Jović 2011, 2012). This cross-party consensus on the issue highlights the re-interpretation of Europe on a consensual societal level, without fixing per se the unconsolidated state-nation level.

Policies towards the EU

Slovenia and Croatia have much in common when comparing the third layer of Hansen and Wæver’s framework, i.e. concrete policies, both towards Europe during the accession process and as EU members. This layer focuses specifically on concrete policies (in our analysis the focus is on foreign policy actions) towards the EU, either as outsiders (Norway for example) or as reluctant members (Denmark and Sweden in Wæver’s discussion). Both states are small states that focus on two central aims in their foreign policy;

first, integration into the EU and good relations with the EU Member States, and, second, good relations with neighbouring countries and support for the EU integration of the other Western Balkan states. This allows for an important conclusion in terms of the state-nation concept and their self-positioning towards Europe. Both states articulate their desire to act as a bridge between the EU and the other Western Balkan countries. While doing so, however, they emphasize that they are part of the EU/Europe and offer support to the other Western Balkan states, rather than identifying themselves as 'Balkan states'. Moreover, conversion with EU norms, principles and policies has been challenged in both countries, thereby also undermining their support for the EU integration of the Western Balkans. Instead, different conceptions of what the EU is and what the EU should be, have emerged, which have also directly impacted on the policies of both countries towards other post-Yugoslav states.

The process of Slovenian identity and foreign policy reintegration into Southeast Europe started as early as 1999, when the Slovenian National Assembly adopted a Declaration on the Foreign Policy of the Republic of Slovenia (there on Declaration 1999). The document states that Slovenia is able to pursue its fundamental foreign policy goals within the UN and other important international organizations (the Council of Europe, NATO, the OECD, and the OSCE) by 'consolidating Slovenian statehood, strengthening its international position as a democratic, stable and successful Central European country, assuring security and prosperity of its citizens' as put in the Introduction of the Declaration (1999). Slovenia was due to the diligent adoption of the EU *acquis* and domestic economic and political reforms marked as 'a star pupil' of the Big Bang enlargement (Bojinović Fenko and Svetličič 2022). Yet, after acquiring EU and NATO membership in 2004, the Declaration became obsolete in terms of foreign policy priorities. The process of developing a coherent foreign policy orientation was slow. The first move towards developing a new strategy began with reference to the area from which Slovenia tried to dissociate in the 1990s and beyond: the Western Balkans. Namely, on 15 July 2010, the Slovenian parliament adopted a Declaration on the Western Balkans (thereon Declaration on WB). However, the document itself hints that its conception and adoption did not come out as a natural move to the Slovenian politicians but as an *obligation* that Slovenia – as the new EU and NATO member state and co-responsible for the stability of the Western Balkans – had to assume in the region (Declaration on WB, 2010, Preamble). The Declaration on WB was adopted *after* Slovenia presided over the Council of Ministers of the OSCE in 2005, the Council of the EU in the first half of 2008, and the Council of Europe in 2009. Given that the Western Balkans featured high on the agenda in that period (especially during the EU Presidency in 2008⁹) it almost seems that Slovenia needed to 'learn again' about the significance of the Western Balkan region for its foreign policy orientation. Meanwhile, Slovenia's Ministry of Foreign Affairs has introduced a special department focused on the Western Balkans and regional initiatives, as well as a special office for assistance to the region.¹⁰ From 2013 when Croatia joined the EU at the initiative of the Slovenian and Croatian Presidents of the Republics a multilateral annual summit meeting takes place for leaders of the Western Balkans, called Brdo-Brijuni Process. This joint bilateral initiative shows leadership aspirations of the two EU member states for the support of Western Balkans' EU accession (Office of the President of the Republic of Slovenia, n.d.).

The next milestone of the development of Slovenia's foreign policy is found in the year of 2015 when a new Declaration on Slovenian Foreign Policy and the Foreign Policy

Strategy (2015) were adopted. The Foreign Policy Strategy (2015) is arguably the most coherent description of Slovenia's foreign policy, and certainly one that reflects the interests of various corners of Slovenian society. This is due to the grass-roots approach the government took in the preparation of the text of the strategy, i.e. consultations from below discussing possible contents of the strategy with stakeholders ranging from individual experts, think tanks, the business sector to universities.¹¹ The Strategy (2015, 3) clearly expresses the resolve of Slovenia to (a) be an advocate of shared European norms and values; (b) be in the core of Europe; (c) clearly focus on the neighbouring regions – the Western Balkans and the Declaration on WB are specifically mentioned. The strategy has set the path for Slovenia as a fully-integrated EU member state.

However, Slovenia's development of the European identity has seen some challenges along the process of creating a new foreign policy strategy. This is particularly the case with neighbouring Croatia. As a strong supporter of the Western Balkans' EU path, Slovenia has been a steady and firm advocate of Croatia's EU integration. However, Slovenia conditioned the resolution of outstanding bilateral issues in exchange for giving a nod to the Croatian application for membership (as Austria and Italy did in Slovenia's case – see Roter and Bojinović 2005), focusing specifically on two issues, namely the border dispute between Slovenia and Croatia, and the dispute over Croatian citizens' bank deposits in a former Slovenian-seated bank from the times of the former Yugoslavia. The EU dimension was particularly important in the case of the border dispute which the two countries had tried to resolve bilaterally, but with no success. The two countries came close to a solution in 2001 when the Prime Ministers reached an accord by which Slovenia would have gained access to international waters through a special corridor.¹² However, unlike the Slovenian National Assembly, the Croatian *Sabor* rejected the ratification of the agreement (Sancin 2010; Bickl 2017). When Croatia presented EU-related documentation as part of membership negotiations it was not difficult to predict that Slovenia, based on the failed attempt to resolve the border issue in 2001 and its own experience with political conditionality (Šabič 2002) would seize an opportunity to condition its green light to Croatia's EU membership with the solution to the border issue – which it promptly did. Eventually, Croatia accepted the reality of Slovenia's resolve, and the states reached an agreement to set up an *ad hoc* arbitration in November 2009. The agreement, which set up an Arbitration Tribunal in the Hague, came into force in 2010 and the Tribunal delivered its judgment on 29 June 2017. Another bilateral issue of conditionality occurred just before the ratification of the Croatian Accession Treaty, related to the solution of the financial compensation for Croatian depositors who lost their savings in the liquidation of the Slovenian-based Yugoslav bank *Ljubljanska banka*, and was again successfully resolved.¹³

The bilateral border dispute was raised to the EU level of policy (third layer) but resolved within the perception of a European (second layer) way of conduct between states; through peaceful means of dispute-settlement. This is also why Slovenia had turned to the European Commission and later the European Court of Justice in order to receive confirmation that Croatian non-implementation of the 2017 Arbitration Judgment prevents implementation of certain EU policies. Slovenia was, however, unsuccessful as the Court decided it lacked jurisdiction to rule on the border dispute (Judgment in Case C-457/18 2020, *Slovenia v Croatia*). Yet, the Court added that those two Member States 'are required / ... / to strive sincerely to bring about a definitive legal solution to the dispute consistent with international law' (Judgment in Case C-457/18 2020). It is

not to be expected that Slovenia would let go of its position which is clearly stated in its Foreign Policy Strategy (2015, 17) as well. However, one cannot report of any withdrawal of the support for European values or changes in Slovenian Europeanness despite the decision of the European Court of Justice.

Slovenia consistently followed its EU-15 course. Such focus has seen a bit of stalemate in the period 2020–2022 when the centre-left government fell apart and the centre-right coalition led by the Social Democratic Party of Janša took over. Such a turn of events had important ramifications for Slovenia both domestically and regionally. At the domestic level, the government quickly resorted to practices that seemed similar to the governing style of neighbouring Hungary which for some time had been on the agenda of the EU due to its non-democratic practices (Bojinović Fenko and Svetličič 2022). At the EU level, the deteriorating state of democracy was noted by the European Parliament, which on 16 December 2021 adopted a Resolution 2021/2978(RSP) on Fundamental Rights and the Rule of Law in Slovenia. The government had plans with the foreign policy strategy, too. Realizing that the complete re-writing of the strategy would need to wait until after the election, Janša's government decided to 'edit' the existing one from 2015 along its ideological stance and produced The Foreign Policy Strategy (2021). Perhaps the most important among those changes is that the reference to Slovenia being in the core of Europe was gone. Instead, the Slovenian government opted for a potentially divisive principle of 'greater synergy and unification of the understanding of the fundamental values of the Union' (Foreign Policy Strategy 2021, 12). The document offers direct reference to 'self-questioning about what the European way of life is' and defends 'taking into account the specifics of individual member states, including structural obstacles to the rule of law, which may also be historically conditioned' in member states classified as 'young democracies' (Foreign Policy Strategy 2021, 7).

Besides the patch-ups in the foreign policy strategy, the Slovenian leadership found itself on the path to losing credibility in the Western Balkans. Namely, the government shockingly got involved in an informal discussion about the possibility to redraw the Dayton borders of Bosnia. It was reported that 'the "non-paper", an EU term for an unofficial set of talking points shared confidentially between governments or institutions, originated from the office of Prime Minister Janša' (Brezar 2021). Worse still, the idea seemed to be advocated also by the Slovenian President Pahor. In a 2020 visit to North Macedonia, Pahor was quoted as saying that 'the belief might eventually prevail in the region that the disintegration of the former Yugoslavia is not yet complete and that ethnic borders should be established instead of the existing ones' (Brezar 2021). As far as Slovenia is concerned, a reversal of policy towards the Dayton Agreement – to become more constructive than destructive – is to be expected, because in the Spring election of 2022 the political landscape in Slovenia changed again. The new centre-left party called 'Gibanje Svoboda' (the Freedom Movement) won parliamentary elections by a landslide specifically with an agenda to reclaim European values in Slovenian politics and society (Bojinović Fenko and Svetličič 2022). It was able to form a coalition government, in which Tanja Fajon, formerly a vocal Member of the European Parliament and Rapporteur on Western Balkans EU accession within the Committee on Foreign Affairs, has assumed the position of Minister of Foreign Affairs.

In Croatia, different actors have, at different times, supported or opposed European integration and there has been little consistency among parties and other social actors

(Fink-Hafner 2008; Grubiša 2009).¹⁴ While the major Croatian parties have backed Croatia's EU integration since 2000 (in the case of the HDZ since 2003), there is nevertheless a high degree of Euroscepticism recognizable within Croatian society (Salamurović 2012). Following the self-inflicted political isolation in the 1990s, reforms that followed the 'change of regime' in 2000 have resulted in a political environment, in which all major actors promoted Croatia's membership in the EU (Jović 2011, 2012). However, as discussed in the case of Slovenia above, support for formal membership in the EU does not necessarily mean acceptance of the EU's values, norms, and concrete policies.

While the Croatian referendum on EU membership in early 2012 saw nearly 2/3 of votes in favour of EU membership, less than 50 per cent of the electorate turned up to cast their vote. To some extent, this can also be explained by the shifting discourse within the EU towards Croatia's integration. While the integration of the countries in Central and Eastern Europe (including Slovenia) was seen as a form of 'uniting Europe', of ending the deep divisions of the cold war; the integration of Croatia and the other countries in the Western Balkans is seen in a much more pragmatic way. Instead of adopting the Slovenian discourse of the early 1990s on the 'return to Europe', enlargement towards Croatia and the other Western Balkans countries is focused much more on security concerns and peace- and state-building (Keil 2013). In this regard, being viewed as a country of the Balkans, a post-war society, and a relatively poor new member of the EU has contributed to a stigmatization of Croatia, which is also reflected in its concrete policies. It is too small to challenge common EU norms and values on a regular basis, but at the same time, Croatian elites have used their country's membership in the Union to push for their own agenda and priorities. The most important example of this is the re-opening of the question of the congruence of the state and the nation by supporting irredentist tendencies of Croats in Bosnia, and by pushing for the complete ethnic division of the country (Stopić 2021) in line with the above-mentioned non-paper, which may potentially open the door for a future re-unification of all Croats in one state.

Croatia has undergone an impressive re-positioning towards Europe in the last 20 years. Had Tudjman blamed the EU for Croatian suffering during the 'Homeland War', President Josipović declared one day before Croatia joined the EU that 'Europe was, is and will be an idea to which we belong. We were, are and will be Europeans. Europe is a key part of our national identity' (Josipović 2013). The level 2 changes in Croatia have also had some fundamental impact on the policy level. Already in 2000, Croatia was invited to join NATO's Partnership for Peace programme at a summit that was held in Zagreb to symbolize the Alliance's support for the important changes in Croatia, and the country's key position in Southeast Europe. Croatia joined NATO in 2009. However, as the conception of all Croats united in Europe through the EU became ever-more unlikely due to general enlargement-fatigue, Croatian elites both from the Social Democrats and the ruling HDZ have continued to intervene in Bosnian internal affairs and used their position as an EU and NATO Member State to put pressure on Bosnia's government to provide an end to the perceived discrimination of Croats in Bosnia. In 2022 for example, after the Russian attack on Ukraine, Croatia's President publicly threatened to veto NATO enlargement towards Finland and Sweden, if reforms to the electoral law (which would substantially benefit the Croatian nationalist party HDZ in Bosnia – a sister party of the HDZ in Croatia) were not implemented and supported by other NATO members (Focus Washington 2022).

The 20-year road to accession has been full of delays, problems, and blockades. Bilateral issues with Slovenia in particular (as discussed above) have resulted in delays. The start of negotiations with the EU about Croatia's accession was over-shadowed by ongoing controversies in relation to Croatia's cooperation with the International Criminal Tribunal for War Crimes in the former Yugoslavia. It remains to be seen if Croatia will use its newly gained 'power' as an EU member with veto rights to influence outstanding bilateral issues with Serbia and Bosnia. While it followed in the footsteps of Slovenia in terms of generally supporting further EU enlargement, it has nevertheless used its new power as an EU Member State to comment in European institutions on the political situation in Bosnia, and to slow Serbia's EU integration (Anastasjevic 2016). Most recently, Croatia is seen as one of many post-Yugoslav countries that have taken an illiberal turn (Bieber 2020; Mujanović 2019). This internal deterioration of democracy and liberalism is also a result of the unconsolidated state-nation conception and has directly affected Croatia's foreign policy as an EU Member States. While Croatian Members of the European Parliament, especially from the HDZ, regularly use the European arena to complain about the situation of Croats in Bosnia, the Croatian government has so far preserved its image as a 'good EU member'. In the first half of 2020, Croatia held the EU Council Presidency and listed EU enlargement as one of its key priorities. However, Croatia regularly interferes directly in the affairs of Bosnia, leaning vocal and material support to HDZ – the main party representing Bosnian Croats (Al Jazeera Balkans 2018).

While Croatia's progress towards the EU initially was hailed as a success of state-building and democratization (Milacic 2020), it appears that since 2013, there has been limited Europeanization of norms and values, as well as foreign policy of Croatia (Zhelyazkova et al. 2019), precisely because the nation and the state remain incongruent and Croatian elites continue to see themselves as defenders of the Croats in Bosnia. EU membership has therefore enabled Croatia to become a 'normalized European state' and overcome the stigma of the Western Balkans to some extent, but it has also enabled Croatian elites to re-open the old discourse of the congruence of territory and people by leaning substantial political support and intervening directly in favour of the Croats of Bosnia. In 2021, the Croatian government passed a new foreign policy strategy and a larger strategy with strategic objectives until 2030. As part of these documents, Croatia's membership in the EU and NATO continue to form its basic foreign policy framework, as well as a commitment to multilateralism and the principles of the United Nations.¹⁵ The strengthening of Croatia's links with the Croats of Bosnia is explicitly mentioned as a strategic priority for Croatia's foreign policy, as well as the responsibility to improve their position and protect Croatian culture abroad – highlighting again how an unconsolidated state-nation concept and its ambiguous relation with Europe directly impact on foreign policy choices.

Slovenia and Croatia have both as EU Member States taken on a very similar engagement of active promotion of regional stability and reconciliation in the Western Balkans. Both countries were working together to promote the fast and comprehensive integration of other post-Yugoslav states; Brdo-Brijuni process has become a joint Slovenian-Croatian activity. Furthermore, Croatia has provided its own translation of the *acquis communautaire* to the other post-Yugoslav states as a gesture of goodwill and a sign of support for their EU paths. Both countries have remained committed to the EU integration of the other post-Yugoslav states, yet their policies have nevertheless faced

adjustment, evolution, and contradictions at times – the third level of their concrete EU policies therefore heavily depending on developments at layer 1 (in the case of Croatia) and layer 2 (for Slovenia).

Conclusion

This article questioned how the development of nation- and state-conceptions in Slovenia and Croatia affected their policies towards the EU. We establish that the underlying argumentation of the two states' Europeanness has been rather changing based on their self-perception of a nation and a state. Slovenia has been able to consolidate its nation and its state relatively quickly without much contestation. It strongly emphasized its nature as a Central European rather than Balkan/South-European state in the post-independence period. The state was able to accept difficult compromises as part of its integration into the EU under the concept of 'European solution', i.e. bilateral conditionality by Italy and Austria, conditioned inclusion into the Western Balkan post-conflict institutions, non-invitation to NATO in 2002, and the EU's non-jurisdiction with regards to implementation of judgement on border dispute with Croatia. Nevertheless, these specific efforts did not cause disruption in the socio-political fabric which remained strongly committed to European identity. What did cause the weakening of EU policies during the 2020–2022 period, however, was the at-the-time right-wing government's aspirations to join some other central-east European EU Member States which have demanded a reopening of a conversation on European values, such as liberal democracy and rule of law. Slovenian voters strongly punished this un-European manoeuvre in the last general election, confirming their identity consolidation in the core EU principles and policies. This confirms that the layer 2 aspect of Slovenian nation and state is strongly consolidated as European.

Consolidation of nation and state has been more problematic in the case of Croatia, where contested concepts of nationhood and statehood of the newly independent Croatian nation-state have resulted in violence between 1991 and 1995. These challenges were only partially resolved by the end of the Yugoslav wars and continue to affect Croatian politics until today. While a distinct policy change in Croatia's commitment towards the EU could be observed after 2000, the unconsolidated state-nation conception remains a key factor in Croatia's self-positioning towards Europe. The state has remained a strong supporter of further EU integration, but at the same time, it has continued to interfere in the internal affairs of Bosnia in favour of the Bosnian Croat community. It has done so in clear opposition to European policy frameworks and in contradiction to the efforts of the EU and other partners to find a solution to the ongoing crisis in Bosnia. Yet, this is not to say that Croatia openly and permanently defies EU policies. First, it is using its powers as an EU Member State to Europeanize its bilateral issues with Serbia and Bosnia. Second, Croatia's policy has rarely openly contradicted that of its closest allies, and even when it clashed with major partners, for example when threatening to veto NATO accession for Finland and Sweden, it quickly retracted and re-aligned its stance.

Jović (2022, 193–194) recently pointed out that while some progress has been achieved in the transition to liberal democratic free market economies and open societies in the post-Yugoslav states, there is still a lot of 'unfinished business'. This discussion has demonstrated that many of these processes are long-term and subject to change, re-adjustment, and evolution over time.

Notes

1. On the foreign policies of the post-Yugoslav states, see the discussions in Keil and Stahl (2015), as they highlight in detail how EU integration has become the most important foreign policy priority in all post-Yugoslav states.
2. On a detailed discussion of the state-nation concept and its relation to Europe, see Hansen and Wæver (2002) as well as Keil and Stahl (2023) in the Introduction to this special issue.
3. The idea of Slovenians living in their own state emerged after French rule over Slovenia in the first half of the nineteenth century; however, it has not been realized in full until 1990–91. The closest the Slovenians came to their own state was within the short-lived state of Slovenians, Croats and Serbs in 1918 (Rupel 2011, 57–60). Its successor was the Kingdom of Serbs, Croats and Slovenians from 1918 to be renamed the Kingdom of Yugoslavia in 1929, which existed until its dissolution and the formation of the Socialist Yugoslavia in November 1945. On Slovenian nation-building, see Benderly and Craft (1996).
4. One argument against that is the case of ‘erased’. After Slovenian independence about 26,000 of Slovenian inhabitants mainly originating from the former Yugoslav republics, who did not opt for Slovenian citizenship, had found their names erased from the register of permanent residents. Slovenian government addressed this issue with a law in 1999 to the satisfaction of the European Commission, but the compensation for these inhabitants’ disrespect of human rights was only achieved in 2012 via a European Court of Human Rights rule (Bojinović Fenko and Urlič 2015, 115–116).
5. Hansen (1996, 473–474) claims that ‘Slovenia is a story of competing political projects involving competing articulations of national identities, and the reinvention of history’.
6. The latter is reported by Slovenian senior officials in Bojinović Fenko (2010, 82–83): Slovenia at the time did not have genuine intentions of Mediterranean co-operation, but only wanted to be perceived as a democratic state by ‘western-standards’.
7. AVNOJ stands for Anti-fascist Council of the National Liberation of Yugoslavia.
8. NATO accession was comparatively much less important for Slovenia’s European identity than integration into the EU. This is partly because of limited contacts with the organization before 1993 and due to the public opinion’s doubts over NATO membership in light of Slovenia’s constitutional provision (Constitution of the Republic of Slovenia 1991, Art. 124) of ‘pursuing a peaceful policy and culture of peace and non-violence’. The non-invitation to NATO accession in 2002 was thus not a critically relevant negative self-positioning of Slovenia towards Europe (Šabič and Brglez 2002).
9. Already during the negotiations on the EU accession after EU/NATO pressure, Slovenia had made clear that it would be most active on issues regarding the Western Balkans and that it would promote regional cooperation and support for other post-Yugoslav states (Kajnc 2011, 204).
10. See the website of the Centre for European Perspective (CEP), founded by the Government of the Republic of Slovenia, <http://www.cep.si/>.
11. The authors have direct knowledge about the development of the consultation process.
12. The agreement was signed by the then Prime Minister of Croatia, Ivica Račan, and the then Prime Minister of Slovenia, Janez Drnovšek. The agreement has been widely known as ‘Drnovšek-Račan agreement’.
13. Slovenia demanded the settlement to be reached on the basis of the Agreement on Yugoslav Succession Issues and not by individual suits against the state of Slovenia. On 11 March 2013, the two governments signed a Memorandum of Understanding. This enabled Slovenian ratification of the Croatian EU Accession Treaty.
14. The exception being the Social Democratic Party, which has supported Croatia’s EU integration throughout the 1990s and implemented important reforms to move the country closer towards the EU after it came to power in 2000.

15. Both documents are available online in local language.

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<https://mvep.gov.hr/UserDocImages/files/file/2021/211901-Provedbeni-program-MVEP--2021-2024.pdf>

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