

## POSTPRINT

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# Parliamentary structures and their impact on empowering minority language communities

**Abstract** This chapter analyses the impact of political decentralization in a state on the position of ethnic and linguistic minorities, in particular with regard to the role of parliamentary assemblies in the political system. It relates a number of typical functions of parliaments to the specific needs of minorities and their languages. The most important of these functions are the representation of the minority and responsiveness to the minority's needs. The chapter then discusses six examples from the European Union (and Norway) which prototypically represent different types of parliamentary decentralization: the ethnically defined Sameting in Norway and its importance for the Sámi population, the Scottish Parliament and its role for speakers of Scottish Gaelic, the German regional parliaments of the Länder of Schleswig-Holstein and Saxony and their impact on the Frisian and Sorbian minorities respectively, the autonomy of predominantly German-speaking South Tyrol within the Italian state, and finally the situation of the speakers of Latgalian in Latvia, where a decentralized parliament is missing. The chapter also makes suggestions on comparisons of these situations with minorities in Russia. It finally argues that political decentralization may indeed empower minorities to gain a greater voice in their states, even if much ultimately depends on individual factors in each situation and the attitudes by the majority population and the political center.

**Keywords** Decentralization · Parliaments · Scottish Gaelic · Sámi · South Tyrol · Latgalian · Minorities in Germany

## 1 Introduction

This chapter discusses the relationship between political decentralization and language maintenance efforts. By decentralization, I shall mean the devolution of power to a lower level within a decision-making hierarchy. In practice, this usually means that central authorities share their purviews with institutions which operate at a

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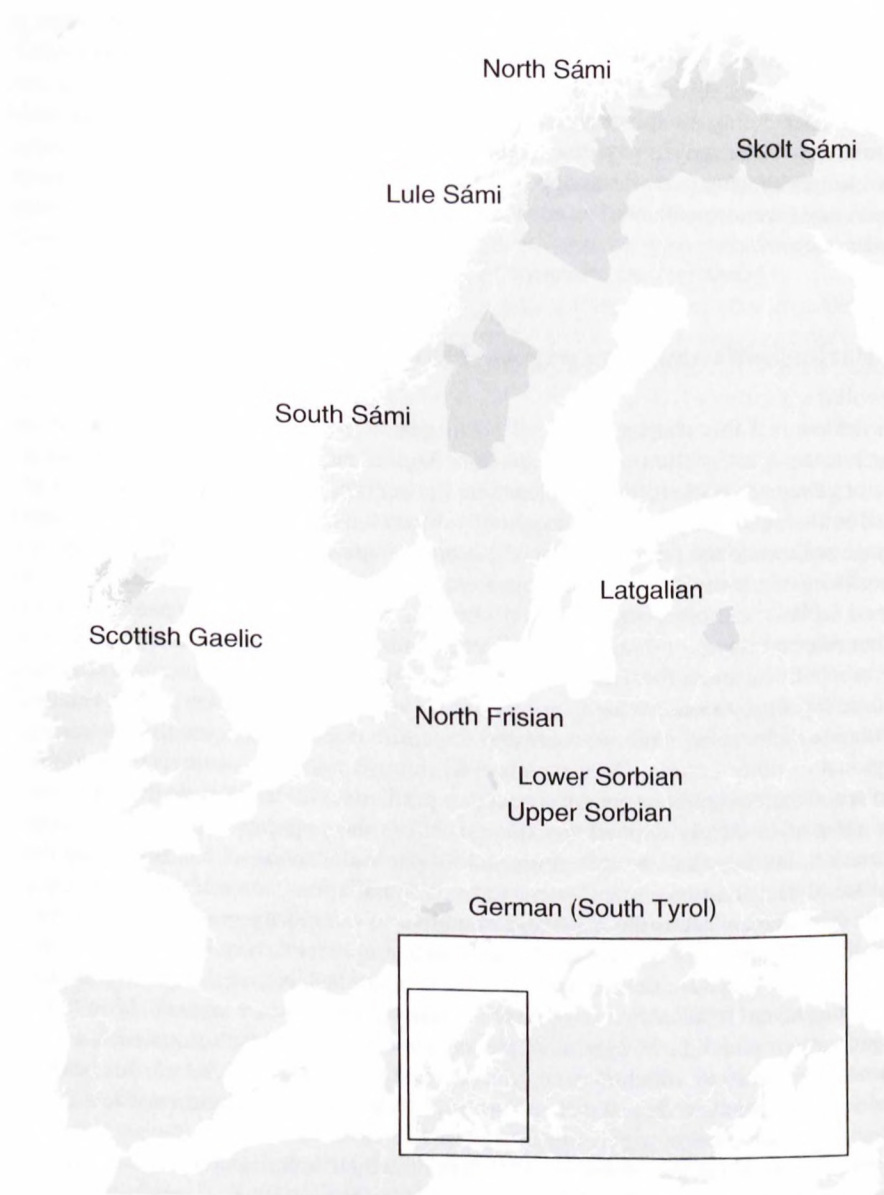
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regional or local level defined by territorial boundaries. However, there are also cases where decentralized political units are shaped to meet the needs of a certain (ethnic or linguistic) group regardless of their place of residence within the limits of state borders. From the point of view of political structures and constitutional provisions, devolution of power may take the shape of one of several types of autonomy or of federalism (cf. Ackrén 2005). Although these are fundamentally different concepts from a perspective of law and of political rights, there are also views which regard these as part of a continuum of political structures, at least as regards practical implications for decentralized decision-making and of agency for regional communities (cf. Arzoz 2009). For the purpose of this chapter, this distinction will therefore only play a marginal role—what I will focus on is the practical effect on language policy and maintenance and the voice of linguistic and cultural minorities in a political system.

One of the most important players in this power-sharing are decentralized parliamentary institutions. Therefore the chapter will start by discussing several functions of parliaments and their impact on the participation of linguistic minorities in decision-making processes. In this way, the topic is at the heart of a number of related concepts within the literature on minority language policy, such as the empowerment of minorities. Fishman (2001), for instance, argues that the aim for minority language speakers should be to reach the same high level within the power hierarchy that speakers of majority languages have, i.e. that a minority language can be used in high-prestige functions within mainstream society. Within the structure of this book, this chapter therefore discusses a number of “classical” cases of linguistic minorities from the European Union (and Norway) as examples of good and bad practices which are juxtaposed with several minority situations in Russia and which may thereby help to understand ways through which minority language groups in Russia and elsewhere may strive for more influence in their specific situations.

Ways to empower linguistic minorities through parliamentary decentralization in the sense of this chapter can take various forms. These depend on the structures and traditions in a political entity, and on the characteristics of a minority group such as its size, its area of settlement and issues of identity in relation to ethnicity and the state. In order to give a very broad overview of the spectrum of shapes which these processes may take, I have chosen a number of prototypical and well-discussed examples of participation of linguistic minorities (Fig. 1) which are summarized very briefly and in a way which, within the limits of this chapter, necessarily reduces the complexity of the individual situations. Obviously, there would also be many other examples to mention which will not be discussed here, such as the Spanish autonomous regions since the death of Franco (see also Arzoz’ chapter “The Impact of Language Policy on Language Revitalization” in this volume) or Quebec. Nonetheless, the examples chosen are representative for a number of ways of empowering linguistic minorities through parliaments. At the same time, they are sufficiently unambiguous to allow concentrating on the main characteristics of each situation. In this it is of vital importance to keep in mind that any type of empowerment of a minority essentially depends on how well democratic structures function and on how participative values are established in society, on the efficiency of the legal system, and ultimately on the





**Fig. 1** Map showing the current geographic core areas of the languages discussed in the present chapter

degree to which the majority population or at least parts of it are ready to respect the right to be different and to share power with a minority. In an authoritarian state, it is by far more difficult for *de jure* decentralization, where it exists, to have an impact, depending on the degree to which attitudes which are opposed to central power may be raised. In any case, even where structures are less favorable, decentralized parliaments provide an opportunity as forums of discussion which may give a certain voice to speakers of minority languages, even where they play no real role in decision-making.

## **2 Parliaments and Languages—Functions and Roles**

At the core of this chapter's topic lies the question of what actually counts as a parliament. The functions of parliamentary bodies may differ considerably, and it is not always possible to draw a clear line between parliaments and other types of institutions such as administrative councils. From the point of view of minority language policy and the representation of minority language speakers, I shall mean by "parliament" any assembly which represents a portion of society in order to take a stand on laws and other regulations, on funding of public activities, and to discuss other relevant issues of distributing power and resources within the framework of a certain political structure. This power has to be guaranteed by constitutional or other public legal provisions. What is not included in this perception are private organizations which cannot claim to represent the entire population according to certain regional or other criteria. On these grounds, lobbying groups, activist institutions, clubs and their assemblies are not counted as parliaments since they do not represent the total of (a clearly defined specific subset of) the population based on a legal provision, but have a clear aim of promoting particular interests based only on the unilateral decision of a certain spectrum of the population—even if they in practice may, for instance, act as the main representative of a minority group. It is also crucial that parliamentary institutions have to be distinguished from institutions of the executive, i.e. they are not institutions whose primary task is to actively carry out the decisions taken. It is, however, too easy to assign parliamentary status only to those organizations which have legislative power. First, there are institutions such as the *Sameting* in Norway which may count as parliamentary and which lack this power, and second it would reduce the functions of parliaments to legislation and leave out other important aspects which will be discussed below.

In the context of the multitude of functions which a parliament as it is understood in this chapter may have, Lord Hope of Craighead (1998) distinguishes two fundamental dichotomies. The first parliamentary function is exactly the legislative question mentioned above—or, in his words, whether a parliament is lawmaking or not. He states that prototypical parliaments certainly are lawmaking. However, if the *raison d'être* of a parliamentary institution is rather to be a representative assembly of a group of the population, it may be limited in its legislative authority. Lord Hope of Craighead's second dichotomy is the question of whether a parliament is sovereign



or not. Sovereignty implies that there is no higher-level institution which sets limits to the parliament's functions and decisions. Sovereign parliaments are thus usually the parliaments of sovereign states, whereas regional or local parliaments which have to stick to the constitutional framework of the entire political entity (i.e. the nation-state in most cases) are typical examples of non-sovereign parliaments. Most decentralized parliamentary bodies are therefore non-sovereign, even though there are more unclear cases on a continuum of sovereignty such as the parliaments of the German *Länder* (i.e. federal states) which have voluntarily agreed to delegate parts of their authority to the national parliament of Germany, the Bundestag.

Bearing these distinctions in mind, let us take a look at other classifications of typical functions which have been identified in the analysis of the status and the tasks of parliamentary bodies as well as in how they work in practice (cf. Marten 2009, 38–48 for a more detailed discussion). Hague and Harrop (2001) identify the following functions as constitutive of parliamentary institutions: representation, deliberation/debating, legislation, authorizing expenditures, and the making and scrutinizing of governments. Broderstad (1995), in the context of the Norwegian Sameting, discusses three core functions of parliaments. First, parliaments speak on behalf of the various groups within the political entity. Second, they are representative, i.e. they reflect the structure of the population according to certain criteria such as age, class, gender, or language. Third, they are responsive to wishes and demands of the population and promote these at different layers of decision-making through debates, legislation, funding of projects, and electing a government. Whereas Broderstad's first two functions are generally in line with the Hague and Harrop function of representation, responsiveness is closely related to what has also been labeled the “canalizing of grievances” (Winetrobe 2001, 181).

Turan (1994, 105–108) establishes a similar distinction in the specific context of the national Parliament of Turkey. As Turan notes, one focus of representation lies in the characteristics of a population and how these are reflected in a legislature. Patterns in the population (should) translate into patterns in the parliament, e.g. concerning ethnic or racial groups, religion, sex and age distributions, even though Turan also notes that it is impossible to represent all characteristics in an elected body and that a distinction between (more) relevant and (more) irrelevant characteristics is needed. It is obvious that, in the context of ethnic and linguistic minorities, language questions, ethnicity, and other features important to minorities or regional groups whose identities are strongly characterized by being different from the majority are among the most relevant issues. On the responsive side of a legislature, Turan identifies four dimensions: policy, service, allocation, and symbolism. In this classification, the dimensions of policy, service and allocation broadly correspond to the Hague and Harrop functions of legislation, expenditure, and government. Symbolic responsiveness, in contrast, focuses on attitudes towards the legislature, rather than on the behavior of the legislators.

These parliamentary functions are all of potential relevance for minority language speakers in decentralized contexts. May (2001, 146) explicitly discusses parliaments and their dominant position as the centers of pluralist policymaking in modern statehood in their relation to linguistic minorities. In order to enable linguistic minorities

to participate adequately in power structures, they should have distinct rights in the form of self-government or special representation. The role of parliaments in this process includes the two functions of legitimizing a language through official legislation, and of institutionalizing it through its regular use in official bodies. In this terminology, legitimization is similar to the idea of the responsiveness of a parliament, e.g. with regard to the development of language policy and legislation as the basis of policymaking. The authorization of expenditure is directly connected to the provision of services and the allocation of means for the funding of language-planning projects. From Hague and Harrop's list of functions of parliaments, the making and scrutinizing of governments, however, are potentially of the least practical relevance for minority language speakers: a considerable degree of strength is needed to directly influence the formation of a government and minority language speakers usually lack this, even though minority language speakers may at least play a certain role in specific contexts of electing and controlling a government.

May's concept of institutionalization may be seen as part of representation. The ultimate aim, according to May (2001), is that language varieties different from the dominating one will become "normalized", i.e. taken for granted in any context. This includes parliament-internal communication and the external communication between parliaments and the citizens, as well as between parliaments and other political institutions. In this sense, the representation and the deliberation of a linguistic minority do not only guarantee the inclusion of the speakers of that minority in decision-making processes. There is also a highly symbolic value in the presence of multilingualism as a topic of discussion or in parliamentary multilingualism itself. In this way, a parliament may bridge the abstract concept of a political unit and the needs of individuals. Only if the population (or a subset of the population such as an ethnic or linguistic minority) feels genuinely represented in an institution such as a parliament can this parliament and the political entity (usually the state, the region or similar) which it stands for be positively connoted in the eyes of the population (group). Representation of minority issues at such a prominent position in the political system as a parliament thus guarantees a certain degree of awareness of minority issues and at the same time may lead to positive attitudes among the minority group towards the political system.

Table 1 summarizes the parliamentary functions as they have been identified by the authors discussed. We will return to these functions in the final section of this chapter.

The hopes for the empowerment of minority language speakers in relation to political decentralization are therefore the following: first, decentralization can help to bring representation closer to the minority population. It is by far more likely that a minority will be represented in a decentralized body in a way that it will get a voice and agency in political issues than in a national parliament which usually represents many more people and their needs. On the symbolic side, a region may through a decentralized parliament demonstrate its readiness to display a minority as one of its unique selling points. The institutionalized use of a minority language within a parliamentary body is a particularly strong symbol in this. In a national parliament, the symbolic aspect of such a representation would arguably even be stronger, but



**Table 1** Categories of parliamentary functions with relevance to minority languages

Category I	Category II	Author(s)
Representation <ul style="list-style-type: none"> <li>• Speaking on behalf of the population</li> <li>• Pattern of the population</li> </ul>	Responsiveness <ul style="list-style-type: none"> <li>• Policy/legislation</li> <li>• Service</li> <li>• Allocation/expenditure</li> <li>• Symbolic</li> <li>• Deliberation/debate</li> <li>• Making/scrutinizing governments</li> </ul>	Hague and Harrop; Broderstad; Turan; Winetrobe
Legitimizing functions	Institutionalizing functions	May
Lawmaking	Non-lawmaking	Lord Hope of Craighead
Sovereign	Non-sovereign	Lord Hope of Craighead

the likelihood of such symbolic steps being taken is greater in a parliament which speaks for a smaller unit.

Second, a decentralized parliament is also considerably more likely to be responsive to the needs and wishes of a linguistic minority and thereby take steps towards its legitimization. Policies (and legislation if it has the power to enact such) may much more easily be addressed to an ethnic or linguistic minority if it is widely perceived as an important constituent of a smaller regional unit than in an all-encompassing national parliament. Ways of negotiation are shorter, voices are more easily heard. The same applies to the provision of services and the allocation of financial means. Similarly, it is also more likely that debates take place in accordance with demands by a minority group if its members constitute a visible group in a decentralized assembly than in a central parliamentary body where a minority may have only very few representatives, if it is represented at all. Whether this also refers to influence on the composition of the government, depends again on the level to which a decentralized parliament has the power to elect an executive. Where that is the case, however, it is also much more likely that a government responds to the wishes of a minority group or that a member of the minority community might even have an outstanding position within that government.

With that said, it should also be mentioned that the disadvantage of a decentralized parliament may be that its influence is usually less far-reaching than that of a central institution. If a national parliament, even if that might be more unlikely, takes up a minority issue and passes a new policy or even a law, such steps are by far more influential. The same applies to expenditure and the budget—national governments tend to have considerably higher amounts of expenditure available than regional or other decentralized bodies.

In summary it is thus legitimate to conclude that representation (which as a concept is closely related to institutionalization) and responsiveness (and with it legitimization) are the two main strands of parliamentary functions and that the decentralization

of these functions may imply noteworthy benefits for a linguistic minority. In particular this takes place through bridging gaps between a minority group and levels of power, both with regard to representation and to responsiveness. These main categories may take different shapes and focus on different aspects in each individual case. Adequate representation in this is not only crucial for reflecting the population in balanced decision-making, it is also highly symbolic for minority language speakers. Through its language policy and planning potential, parliaments are responsive to the wishes of a linguistic or ethnic minority and enable it to participate in decision-making, in particular with regard to legislation and the distribution of means.

### **3 Prototypical Examples of Regionalism and Their Impact on Minority Languages**

The following section provides a short overview of examples where the presence of representatives of linguistic minorities in decentralized parliamentary contexts have had various degrees of impact on policymaking and ultimately the well-being of the minority language in question. The following examples will refer to the main features of each situation only and will be briefly evaluated in terms of the concepts of representation and responsiveness (including their sub-functions) as identified in the previous chapter.

#### ***3.1 The Sameting in Norway—A Minority Assembly Paving the Way for New Policies***

The Norwegian Sámi Parliament, the Sameting,<sup>1</sup> is an example of a parliamentary, democratically elected representative body for a minority population only, based on the ethnic self-assignment of the Sámi population regardless of their place of residence within the borders of Norway. Similar institutions exist for the Sámi populations in Finland and Sweden. It is as such a rather unusual case of parliamentary decentralization. In contrast to all other examples given here, the Sameting's electorate is not determined on a territorial basis but by self-assigned ethnicity. The Sameting is elected by universal suffrage of the entire Sámi population in Norway. Its inauguration in 1989 ended a decade-long political struggle for greater recognition by Sámi activists which had ultimately resulted—in Sámi terms—in mass protests against the destruction of large parts of traditional Sámi lands by the damming of the Alta river in northern Norway. The Sameting has since then been a core player in Sámi politics. It has been characterized as having two main functions (Sara 2002)—on the one hand it is the center of Sámi administration, and on the other hand it enables

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<sup>1</sup> See <http://www.samediggi.no>.



political representation of the Sámi population in Norway based on a mandate by legislation and through the people.

In this model of decentralization, the minority population is very close to the public parliamentary debate of e.g. language policy issues. However, the direct implications of the Sameting's decisions are by far less clear. Regarding language, the Sameting's most important success took place already a few years after its establishment, when it exerted a substantial degree of influence in the debates which led to the adoption of the Sámi Language Act by the Norwegian parliament in 1991.

The Sameting is highly representative of the Sámi population—more than any other parliamentary body could be. This is at the same time linked to the highly symbolic constant use of North Sámi (and less frequently of the two other main Sámi languages in Norway, Lule Sámi and South Sámi) in the Sameting. Regarding responsiveness, the Sameting actively debates all issues, as its statutes define, which it considers to be of importance to the Sámi people. Furthermore, through its administrative function of deciding on which services to offer and on expenditures, it directly contributes to shaping Sámi policies. However, legislation is strictly limited to the Norwegian Parliament, and any further-reaching steps on Sámi issues have to be negotiated with central authorities. The same applies to the government—the Sameting has no say on the composition of the Norwegian government, and can only elect its own leaders which are then entitled to act on behalf of the Sámi population.

The processes which resulted in the language law, as well as other lawmaking procedures were strongly influenced by decision-making on the Sámi position within the Sámi community, followed by negotiations with the Norwegian government. In this sense, there is a strong legal and moral support for Sámi issues through the establishment of the Sameting. Within mainstream Norwegian society, most important political players support the status quo (cf. Marten 2007). In this it is obviously also of help that Norway has one of the highest per capita GNPs of the world.

Yet, in spite of the success of the Sameting, even the wellbeing of the situation of the Sámi in Norway is contested. The obvious disadvantage of this model is that the Sameting has only limited power in terms of lawmaking. After all, it is highly dependent on central structures when it comes to implementing its decisions. A lot of its political success has depended on the general willingness of the Norwegian government and a far-reaching acceptance among the Norwegian mainstream of the Sámi people's right to equality. Considerable restrictions on Sámi decision-making, however, are still grounded in the constitutional limits of the Sameting's competence. These restrictions apply even to certain language issues, even though language policy generally belongs to the matters which have been assigned to the Sameting's purview. Regarding the lack of Sámi signage in specific places such as at the highly symbolic territorial markers of airports or harbors, for instance, the Sameting can only complain, but it does not have any authority to change reality and thus ultimately depends on the willingness of mainstream institutions. Another important issue in which the restrictions on the authority of the Norwegian Sameting have regularly been felt are land rights and the negotiations in the land right council in the county of Finnmark in northern Norway, the region with the highest proportion of Sámi in Norway and which includes the largest parts of the Norwegian Sámi administrative

area. The board of the Finnmark land right council consists of three members elected by the Sameting, and three members elected by the County Council of Finnmark. It thereby connects the principles of ethnicity and of territoriality and establishes a second important player in what can be labeled as a dual system. The land right council is entitled to make ultimate decisions on such important issues as land use and it may also overrule decisions taken by the Sameting, even though this requires the support of at least one of the board members elected by the Sameting.

In summary, however, the model of the Norwegian Sameting shows that a democratically elected minority-only parliament can gain a lot of functions and use these successfully for shaping policies in favor of the minority and its language. This is based both on the solid legal basis on which it operates and on the willingness of the mainstream population to decentralize such rights, but also on members of the minority group who have actively seized the political opportunities provided. Therefore, it can be argued that Sámi democracy in Norway today is among the best-established examples of democratic influence of minorities—but with clear limits including several highly symbolic and controversial topics.

### ***3.2 The Scottish Parliament—Gaelic Embraced as a Distinctive Marker of Regional Identity***

The Scottish Parliament as a territorial regional institution within the United Kingdom is another example of how a new parliamentary institution can give momentum to minority language policy and contribute to giving a voice to its speakers. As a decentralized parliamentary authority with legislative competence, it has helped Gaelic speakers in Scotland to receive far more attention in mainstream politics than was previously the case in the centralized Westminster parliament. Similarly to the Sameting, also the establishment of the Scottish Parliament generated new policies which resulted in a language law after several years of negotiations—the Scottish Gaelic Language Act of 2005 (cf. McLeod 2006; Marten 2009, for the deliberations in the process of discussing and passing this Act).

The Scottish Parliament thereby also offers a forum for discussion. Representation of Gaelic speakers is much higher than in the Westminster Parliament, but until today only very few Gaelic speakers have been elected even to the Scottish Parliament. This is not surprising when one considers the low percentage of Gaelic speakers in the population of Scotland, amounting to less than 2 %. One of the aspects which were largely mentioned in this process was the symbolic use of Gaelic in the Scottish Parliament. On the responsiveness side, the impact on policy and even legislation has been enormous. The entire new Gaelic policy has been based on the fact that there was a new player with a new culture of responsiveness and more than ready to debate Gaelic issues. In the Scottish government, the post of a deputy minister for Gaelic has existed for some time. This new attitude to Gaelic applies also to services—including the Scottish Parliament itself which functions partly in Gaelic—and to the allocation



of financial means, even if these are still by far too limited in the opinion of many Gaelic activists.

After the Gaelic Act had been passed, it needed another few years until the envisaged language plans for Gaelic development were created and partly implemented. In spite of this slow process, however, Gaelic has in total received attention from institutions and individuals throughout Scotland to a degree previously unknown. As in the case of the Sameting, however, it was of vital importance that the mainstream discourse no longer be dominated by minority-hostile attitudes. On the contrary, many voices were heard in the debate, even from people with a non-Gaelic background who stressed the importance of Gaelic for Scottish identity as a whole.

However, since the Gaelic language is a topic like any other within the Scottish Parliament and Gaelic speakers are citizens just like all other citizens of Scotland, there is in no sense a guarantee that matters regarding the Gaelic language and its speakers will be dealt with at all. Among some parts of mainstream society, a perception has been dominant that by passing the language act, sufficient tribute has been paid to minority language policy. The struggle in the wake of enacting these new normative documents has therefore focused on their implementation and further steps to follow. The lines of division today mostly run between supporters of stronger measures for Gaelic and people who do not want to take Gaelic policies any further—similar as in the Sámi case. In total, however, the establishment of the Scottish Parliament has had a clearly positive impact in terms of legal guarantees, raised awareness, and financial support for Gaelic. This is in spite of the fact that the language-planning-based model which was chosen is by far weaker than the rights-based approach adopted in Norway. Even if this is considered by many activists to be less than ideal, without the Scottish Parliament even these policy changes would have been much more difficult to achieve.

Gaelic policy in Scotland may therefore be a useful point of orientation for those territorial units in the Russian Federation for which a minority group plays a significant role in its identity, but where that group is not the majority of the population. This may apply, for instance, to the case of the Komi-Permyak (see Jääts' chapter "Fallen Ill in Political Draughts" in this volume) which shows how the negotiation of ethnic and linguistic identity may influence policies, and in particular how these may deteriorate once such a territorial unit is abolished. A contrastive view of practices may, on the other hand, also shed light on the differences to the examples given by Zamyatin (this volume), in particular with regard to the paradoxes of Russian language policy in its official perception and support of multilingualism.

### ***3.3 The German Länder—Minority Issues in Regional Parliaments where the Minority is Not at the Heart of the Region's Identity***

The parliaments of the German Länder of Schleswig-Holstein and of Saxony are similar to the Scottish Parliament in a territorial sense, even though their structural position with the Länder having their own constitutions within the German federal

system is different. In contrast to the Scottish Parliament, the regional parliaments (*Landtage*) of the German Länder have a long tradition of decentralized decision-making. They are lawmaking within the framework of the separation of powers between the regional and the federal levels in Germany. They are non-sovereign in the sense that they do not conduct their own foreign policy, although within the range of their authority they may establish relations with other political players.

What is common to both Länder—in contrast to Scotland—is the fact that the existence of minorities is to by far a lesser degree constituent for the regions' identities. Schleswig-Holstein is, with regard to the minority languages of North Frisian and Danish, an example of how an old structure with a weak focus on linguistic minorities has taken up minority issues. While the Danish minority in Schleswig-Holstein has enjoyed far-reaching cultural and linguistic support since the 1950s, based on a bilateral agreement between the Federal German and Danish governments to grant basic rights to their respective minorities, the Frisian language was long neglected. Nonetheless, the 2005 Frisian Language Act shows that—in contrast to the Sameting and the Scottish Parliament—also an established decentralized structure can generate new language policies. However, legislative guarantees are significantly weaker than in Scotland or Norway, and the way which has been chosen is neither rights-based nor promotes an active language policy, but is based on shaping the legal ground for voluntary individual efforts so that these cannot be questioned by reluctant mainstream politicians or administrators.

Political representation of the Frisian and Danish minorities takes place mostly through the South Schleswig Voters' Association (SSV in Danish/SSW in German), a political party which explicitly aims at representing these minorities, but which in recent years has increasingly gained votes also from non-minority voters. As a special rule in Schleswig-Holstein, the threshold which allows parliamentary representation only for those parties which gain at least 5 % of the votes in an election does not apply to the SSV/SSW. Therefore, these minorities receive an almost institutionalized representation: they are not guaranteed any seats in the parliament as such, but the SSV/SSW has always succeeded in getting the necessary number of votes for at least one seat since this rule was established. The symbolic side of this is obvious, even though other symbolic aspects, such as the use of Danish or Frisian in parliamentary proceedings, do not take place. The passing of the Frisian Language Act was the culmination of the policy/legislation responsiveness regarding Frisian, and responsiveness in terms of service, expenditure, and debates takes place in line with all other activities by the Schleswig-Holstein Landtag.

One major reason for this weakness in legislation is the Frisian minority's lack of importance for the identity of Schleswig-Holstein. The debate around these issues never reached the dimensions of the case of Gaelic, let alone Sámi. Even those parts of the majority population that have been willing to deal with the issue do not see Frisian as an important part of Schleswig-Holstein's identity as a whole, but instead they continue to argue along the lines of "us" and "them", which became clear from the debate around the language act (cf. Marten 2008).

However, in spite of the weak support by the general public and the fact that the decentralized structures are only loosely related to minority language and identity



issues, the Schleswig-Holstein Landtag has still given much more attention to Frisian issues than the German national parliament (the Bundestag) or the federal German government have. In the federal government in Germany, within the structures of the Ministry of the Interior, there is a commissioner officially in charge of minority issues and also a government-supported council acting as a voice for the national minorities in Germany. However, the amount of attention that is dedicated to minority issues is illustrated by the fact that the minority commissioner is at the same time responsible for issues relating to ethnic Germans outside Germany. The impact of the minority council is limited; the lion's share of minority policies, including the allocation of funding, takes place within the structures of the *Länder*. In total, there has never been any truly coordinated approach to minority policies in Germany at the federal level, let alone any laws. In these structures, both representation of minorities and responsiveness to minority interests are much more likely to have an impact when they take place at the decentralized level. In the Bundestag in Berlin (or previously in Bonn), both Danish and Frisian issues would be too distant, and it would be very unlikely that a party would be able to gain the sufficient number of votes to be represented even if similar rules applied as to the Schleswig-Holstein parliament. The fact that the SSV/SSW has been part of the Landtag has, in contrast, contributed directly to the legislative framework of Frisian and towards the awareness of this topic in society. In this respect, even the weak tolerance-oriented law in Schleswig-Holstein is by far more than the federal level has ever generated for Frisian.

On the other hand, this approach has also led to a situation in which large parts of the mainstream population do not see a need to deal with minority questions. There is a widespread belief that the SSV/SSW will take care of these issues, and ultimately it depends on individual initiatives and strategies of conviction whether minority policies may be implemented. It has therefore been observed with great interest that in 2012, the SSV/SSW for the first time joined the Schleswig-Holstein government as the smallest partner in a coalition with the Social Democrats and the Green Party, and that the coalition treaty contains an—albeit rather unspecific—commitment to a more active minority policy (cf. Bündnis für den Norden 2012).

Comparable examples from the Russian Federation are territorial units where an ethnic or linguistic community is not seen as decisive for a region's identity. In Russia this would usually imply that there is also no tokenistic autonomy in the sense of an official republic which bears the name of the minority. In reality, however, it might be argued that many of those republics which are officially autonomous are, in terms of impact on language survival, rather more comparable to the situation of Frisian in Schleswig-Holstein than to the situation of Gaelic in Scotland: As Zamyatin (chapter "The Evolution of Language Ideology in Post-Soviet Russia" in this volume) shows in his examples of Udmurtia and Mari El, the concrete impact of existing policies is rather sporadic and just as limited as it has traditionally been for Frisian—even if the official labels would imply a different situation. Nonetheless, the territorial decentralization in such cases has also led at least to a certain level of attention for the minority languages, which may trigger limited efforts for preservation. In Schleswig-Holstein—just as in Udmurtia or Mari El—it would have been unlikely that such a situation could have been achieved if only the central state had been in charge.

Policies with a rather limited impact on the survival of a minority language have also dominated in the second example from Germany—the Land of Saxony with regard to the Sorbian language and its speakers. In contrast to Schleswig-Holstein, there is no substantial political party which represents the Sorbian population (although there is a Sorbian cultural umbrella organization which speaks on behalf of Sorbian issues). Instead, most Sorbs who wish to be politically active have chosen to participate in one of the mainstream parties. The culmination of this is that the current (2014) Prime Minister of Saxony, Stanislaw Tillich, is a Sorb. Tillich is a member of the Christian Democratic CDU and as such has led a coalition government since 2007, until 2009 with the Social Democrats and since the 2009 regional elections with the liberal FDP. On the one hand, this is in many respects a situation many other minorities can only dream of—a representative with a minority background in the highest office. However, it needs to be stressed that the fact that the Prime Minister of Saxony is a Sorb seems to be purely accidental. Tillich does not hide his Sorbian background and occasionally discusses it,<sup>2</sup> but Sorbian issues have never played an essential role in his political campaigns. He can therefore be considered to be part of mainstream society rather than an example of an explicit promoter of minority identity.

This situation obviously means that Sorbian representation is guaranteed on a very high level of (regional) political decision-making. This also applies to the symbolic side of the presence of a minority representative as a regional Prime Minister. Nonetheless, this symbolism has not extended to any symbolic use of the Sorbian language and is bound to disappear when a new prime minister is elected. In terms of responsiveness, it still depends entirely on the individual situation whether new policy or legislation initiatives are launched, and to what degree services, expenditure, and debates are directed towards minority issues. In the case of the Sorbs, there is a certain awareness among the mainstream population that there is a Sorbian minority in Saxony, but this existed before Tillich came into office and has not increased or changed substantially. It also needs to be stressed that, from an institutional and financial point of view, the situation of Sorbian policies is quite comfortable. There is a well-established network of organizations and funding possibilities for which the Landtag of Saxony has a large share of responsibility. However, there is no policy of active revitalization or any promotion of Sorbian beyond the direct response to individual wishes. Recent criticism of Sorbian policies has shown that the level of financial support would actually suffice for far more sustainable language survival or revitalization efforts (see Toivanen's chapter "Obstacles and Successes" in this volume). This criticism thereby shows that the institutionalized responsiveness is largely shaped by perceptions of the mainstream population about where and how Sorbian should be supported—but that a true spirit of actively promoting the Sorbian minority or creating a bilingual German-Sorbian environment does not exist.

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<sup>2</sup> Cf., for example, an interview in the Berlin daily *Der Tagesspiegel*: "Die SED war ein ganz anderes Kaliber." Interview with Stanislaw Tillich. <http://www.tagesspiegel.de/politik/deutschland/die-sed-war-ein-ganz-anderes-kaliber/1384568.html>.



It is therefore legitimate to state that, as in Schleswig-Holstein, the attitude by the mainstream largely determines minority policies, and that in spite of relatively well-funded structures, language policies are hardly responsive to the demands for giving the Sorbian language and its speakers a more prominent position in society. All in all, the fact that a speaker of Sorbian is prime minister of Saxony has had hardly any impact on political decisions. It may be beneficial for creating a certain general awareness for Sorbian issues, but the individual's lack of willingness to make use of this potential and to make Sorbian language maintenance a prime policy issue has hindered any additional language policy efforts. In addition, the lack of any usage of Sorbian in the Parliament of Saxony is a missed opportunity to institutionalize the Sorbian language, thereby underlining the general attitude in Germany of treating minority languages as something exotic, something having a place only in a niche clearly separated from mainstream policies, even if funding for Sorbian cultural projects and education is rather generous.

The situation in Saxony is in many respects similar to the situation of those autonomous republics within the Russian Federation which are led by a politician with a non-Russian ethnic background, but where this has not resulted in considerable pro-ethnic language policies. Such situations are exemplified by the paradoxical policies which pay lip service to official support for minorities while at the same time protecting the Russian language in an increasingly nationalist climate. In spite of the criticism of existing policies, however, it also has to be stressed that the likelihood that a politician with a minority background—both in the German and the Russian examples—may succeed in gaining such a high position is much higher in a decentralized political entity than at the national level. At the same time, it is also rather unlikely that a member of a regional government with a minority background would openly encourage a minority-hostile agenda.

### ***3.4 South Tyrol—Long-term Experience with Autonomy which Reverses Minority and Majority***

The example of the predominantly German-speaking Italian province of South Tyrol (Südtirol/Alto Adige) is different to the cases discussed so far in that about 70% of the population of the region belong to the German-speaking minority. South Tyrol enjoys far-reaching autonomy within the Italian state, including the right to carry out its own policies in language, culture and education. In this way, the minority-majority relationship in the territory of South Tyrol for the areas of decentralized authority is reversed in relation to the dominant majority-minority relations in the Italian state. It is as such similar to other examples of areas with a dominating regional minority such as the autonomous regions in Spain (see the chapter “The Impact of Language Policy on Language Revitalization”).

The regional parliament of South Tyrol is one of the strongest factors for guaranteeing the rights of the German-language population (here and in the following

cf., for example, Schweigkofler (2000); Eichinger (2002)). The 1972 South Tyrol autonomy statute provided a legal solution to a decade-long period of (partially violent) conflicts. The so-called “proportional system” guarantees representation of the language groups in administration according to their demographic strength in the region—a rule which applies to the speakers of German and Italian as well as to the small minority of speakers of Ladin (about 5 % of the population). The regional parliamentary elections have resulted in the center-right South Tyrol People’s Party, which sees itself as a voice of the entire German-speaking population regardless of ideological preference, continuously leading the regional government. In the most recent regional elections in October 2013, the South Tyrol People’s Party, which had been shaken by a number of scandals in the previous legislature, lost its overall majority for the first time since World War II, but it continues to be the strongest party and the leader of the government.

Today South Tyrol is frequently considered to be close to a separate system within the Italian state in which the German-speaking population is largely satisfied with its status, one which is also not threatened by the relative success of smaller sectarian parties which demanded the (re-)unification of South Tyrol with the Austrian parts of Tyrol in the 2013 election. German is the dominant language in the regional Landtag, in which also Italian and Ladin are used. The Landtag as the place of discussion and decision-making unites aspects of representation and responsiveness, including on a highly symbolic level. It elects the regional government, which gives the German-speaking population direct power on allocating large parts of its expenditure. This system thereby guarantees the German-speaking population direct influence on all but a few issues which remain under the control of the central state authorities in Rome. Interestingly, it is widely acknowledged that this model has also been beneficial to the Ladin-speaking population, for the autonomy granted to the large German-speaking minority has raised awareness for minority issues in general, and the rights of such a smaller “minority within the minority” could not be ignored. Consequently, the number of speakers of all three languages has over the past decades remained largely stable.

With regard to regional identity, the difference is apparent to the cases discussed above in that the German language is constituent of the region. What is crucial, however, is the fact that the political measures have stabilized the situation as an equilibrium between both extremes: the proportion of the German-speaking population has remained stable during the past decades, and therefore the autonomy has led to an end of fears that the German language would be marginalized within the region. At the same time, also those voices which argued in favor of separation of South Tyrol from Italy and union with Austria have largely been calmed. In total, this model may therefore be considered to be highly successful. However, for its success it requires a territorial unit in which the minority is strong enough to gain a voice, and it also requires that the political will of the central state allow a high level of autonomy and not to interfere in regional affairs, which also in the case of South Tyrol was granted only after a long period of dissatisfaction and protests.

The situation in South Tyrol may therefore serve as a reference point for those republics of the Russian Federation where the titular ethnicity is also the



demographically and institutionally dominant group in the republic, such as in Tatarstan. However, the situation of the Tatar language and the influence that its speakers have on political affairs are considerably worse than the situation of the German language and its speakers in South Tyrol, not least because of the lack of a neighboring state which could speak in favor of the minority and internationalize existing problems, as the Austrian state long did for the German-speakers in South Tyrol. Even if Tatar is not endangered, the level of its institutional recognition and its use in official functions is by far not as prevalent as the use of German in South Tyrol. The dominant role of the Russian state authorities *limits more favorable de facto* policies. Nonetheless, when comparing the agency of speakers of both German in South Tyrol and Tatar in Tatarstan to other ethnic and linguistic minorities, it becomes evident that the existence of a territorial unit dominated by the speakers of one minority language seems to be the most favorable way to give voice to this minority. Where a linguistic minority becomes a majority—even if only on a regional level—politicians and organizations who are dedicated to creating favorable policies for that language are much more likely to become influential in shaping policies or allocating expenditure in the minority's interests. This however presupposes that the demographic situation—both in terms of absolute and of relative numbers of speakers of a minority language—allows for the creation of such a unit.

### ***3.5 Latgalian in Latvia—How a Lack of Regional Parliamentarism Affects a Regional Language***

The final example discussed in this chapter is the situation of the Latgalian language in Eastern Latvia, a regional language closely related to Latvian, the only official language of Latvia. It shall serve as a contrastive example of how detrimental the situation of a minority language can be if any degree of decentralization is lacking. The Latvian state is highly centralist, and any notion of political regionalism is eyed suspiciously. The region of Latgale exists officially only as a planning region for economic development and as a historical cultural territory, even if the perception of a distinct Latgalian sub-identity within Latvian identity with its own traditions and the Latgalian language as one of its strongest manifestations is widespread among the population of Latgale. There are no regional administrative structures in Latgale, let alone a parliament which would help to prevent the marginalization of Latgalian in all domains of language use bearing an official notion or a higher level of prestige (Lazdiņa and Marten 2012; Marten 2012, cf. for a more detailed account of traditional attitudes towards Latgalian). The units of administration in Latvia formerly consisted of 26 provinces and 7 cities, supplemented by small parishes as smaller administrative units, but since the administrative reform of 2009 the provinces have been replaced by 110 counties (and there are now 9 province-independent cities instead of 7). This has created even more practical obstacles to cooperation between regional units which might find it

important to enhance a specific Latgalian identity and possibly conduct a language policy in favor of Latgalian. Even if the latest developments since 2012 seem to indicate that Latgalian is slowly receiving increased attention also from centralized political institutions, media, or educational authorities (cf. Lazdiņa 2013), these positive measures in support of the language entirely depend on decisions in the political center and the center's willingness to react to activist groups from Latgale. The situation of Latgalian is thereby similar to all those linguistic groups within Russia which lack any territorial or ethnic representation. Language policies in Latvia in this respect display paradoxes similar to those identified by Zamyatin for Russia (see the chapter "The Evolution of Language Ideology in Post-Soviet Russia")—Latgalian is squeezed in the ambiguity between a strong state language policy and public statements in favor of the preservation of cultural and linguistic heritage.

What theoretically could be done for Latgalian within a different structure with a regional parliament in Latgale? Shorter paths to decision-making would guarantee speakers of Latgalian more influence on issues which would be devolved to such a regional parliament. Discussions on the role of Latgalian would take place where decisions would be made, in contrast to the current situation where Latgalian is discussed mostly in Latgale, but decisions are taken in Riga. Speakers of Latgalian have regularly been elected to the Saeima, the Latvian Parliament in Riga, but Latgalian language issues are rarely discussed in the Saeima and it is highly unlikely that parliament members will vote in favor of some kind of legal status for Latgalian. Suggestions to use Latgalian in the Saeima have met with strong criticism, and in individual cases where members have made such attempts, these were quickly interrupted by the Saeima's President.

Wherever Latgalian has been awarded a certain role in education it depended until recently on a few local initiatives and on the goodwill of local authorities. A clear statement by a regional educational authority working under the auspices of a regional parliament would help to respond much more directly to the demands of Latgalian speakers in the educational sector. The same applies to the allocation of funding for other Latgalian issues such as scientific or cultural projects, which in a decentralized structure would not have to compete with applications from other regions. Finally, also the symbolic aspect of a regional parliament would be obvious. In a tradition of perceptions which frequently deny its speakers the right to call Latgalian a language in its own right, attitudes which consider Latgalian to not be "decent" enough to be used in highly prestigious domains would much more easily be questioned if a regional parliament existed which could demonstrate that Latgalian is just as suitable for use in more official functions as any other language.

It has only been recently that Latgalian has gained slightly more support and that attitudes slowly seem to be changing, with greater self-confidence among Latgalian speakers leading to a higher (economic and symbolic) value being assigned to Latgalian (cf. Lazdiņa 2013). This applies to the use of Latgalian in, for instance, tourism or culture, but also in education the status of Latgalian has recently received greater attention from central authorities. This change in attitudes was, among other factors, triggered by a 2012 referendum in Latvia on whether Russian should be



declared the second official language alongside Latvian. Voters in the referendum overwhelmingly voted against Russian as an official language, but Latgale was the only part of Latvia which voted in favor of the initiative. This result was widely interpreted as an outcry from the inhabitants of Latgale that their interests were too often ignored in central policy, and as a consequence, a few initiatives were launched in order to respond to the views of Latgalians. One of the results of this new trend has been a moderate inclusion of Latgalian into public school curricula. Unlike previous policies, this has been seen by many Latgalian activists as a large step forward, but it is still only considered a small step in the struggle for language maintenance. The idea of Latgalian becoming an official language in Latgale is still outside the agenda. In total, this example shows that, even if moderate policy changes in favor of Latgalian are possible under existing structures, these changes occur much more slowly than it would be possible if a regional parliament existed, and that responsiveness to Latgalian demands, in addition to requiring positive attitudes from local authorities, ultimately still depends on the central authorities. In the current situation, it has also been decisive that one highly dedicated member of the Saeima from Latgale, for whom the Latgalian language is an important part of his agenda, has continuously raised Latgalian issues.

#### **4 Conclusion—How Can Parliamentary Decentralization Contribute to the Wellbeing of Minority Languages?**

The examples given in this chapter have highlighted the variety of roles that decentralized structures, and in particular parliaments can play in giving voice to speakers of minority languages. It has tried to exemplify the opportunities and limits connected with different ways of decentralization. Table 2 summarizes the main impact of these measures from the perspective of the core functions of parliaments as identified above. In this it should be noted that any such classification in a theoretical framework cannot pay tribute to the often highly complex situation of a language and its speakers when analyzed on a micro-level. Therefore, Table 2 presents only an approximation to an evaluation of the individual situations.

In summary, it is legitimate to state that decentralization of political structures and in particular of parliamentary representation can help speakers of minority languages to gain more influence in decision-making processes. It may therefore be an aim for minority groups to argue in favor of decentralized structures in a state in order to get more voice in, for instance, financial debates with regard to issues which are of relevance to them. The examples discussed have shown that there is usually a political dynamic involved where decentralization takes place. These may, in every individual case, result in rather different concrete ways of policy or legislation, of financing these policies, with regard to attitudes of the minority and majority populations towards each other, or to questions of identity. The concrete outcomes for the empowerment

**Table 2** Functions of parliaments in prototypical examples of decentralized structures and their impact on the situation of the respective minority languages

Norway	Scotland	Schleswig-Holstein	Saxony	South Tyrol	Latgale
Sámi	Gaelic	Frisian, Danish	Sorbian	German, Ladin	Latgalian
Responsiveness: Policy/legislation					
Strong influence, partly indirect	Limited influence	Limited influence	No considerable increase; depends on individuals, but more likely than in national parliament	Strong impact and direct influence	Very limited influence
Responsiveness: Service					
Strong influence based on model agreed with national government	Present within limits	Limited influence	No considerable increase; depends on individuals, but more likely than in national parliament	Strong impact and direct influence	Only through central authorities, very limited attention
Responsiveness: Allocation/expenditure					
Strong influence based on model agreed with national government	Present within limits	Limited influence	No considerable increase; depends on individuals, but more likely than in national parliament	Strong impact and direct influence	Special attention given only in specific contexts through central authorities

(continued)



**Table 2** (continued)

Norway	Scotland	Schleswig-Holstein	Saxony	South Tyrol	Latgale
Sámi	Gaelic	Frisian, Danish	Sorbian	German, Ladin	Latgalian
Responsiveness: Symbolic					
Strong symbolic presence of minority language	Symbolic presence	Little symbolic presence	Very high as an individual, little impact on language use	Strong symbolic presence	No symbolic language use and little awareness through parliament
Responsiveness: Making/scrutinizing governments					
Only indirect impact on government	Direct influence on government with limited impact	Direct influence on government with limited impact	Outstanding presence, accidental but more likely than in national parliament	Direct influence on government with strong impact	Latgalian presence in government possible but purely accidental and with unclear impact
Representation: Speaking on behalf of the minority population					
Yes	Depends on individual parliament members	Depends on individuals; quite likely because of minority party	Depends on individual parliament members	Yes	No
Representation: Representing the pattern of the (minority) population					
Institutionalized and differentiated	Accidental but much more likely than in the Westminster parliament	Accidental but, because of special electoral rule and party, constant	Accidental but much more likely than in national parliament	Institutionalized and differentiated	In the national parliament, with little concrete impact

(continued)

**Table 2** (continued)

Norway	Scotland	Schleswig-Holstein	Saxony	South Tyrol	Latgale
Sámi	Gaelic	Frisian, Danish	Sorbian	German, Ladin	Latgalian
Type of Decentralization					
Cultural autonomy of a linguistic/ethnic group	Linguistic minority is minority in decentralized territory, minority language important for regional identity	Linguistic group is minority in decentralized territory, minority language not considered to be vital to region's identity	Individuals with minority background with outstanding position in territorial unit within majority system	Linguistic minority as majority in decentralized territory	Only some degree of administrative decentralization of territory, without decentralized parliamentary body
Lawmaking					
No	Yes	Yes	Yes	Yes	—
Sovereign					
No	No	Limited	Limited	No	—
Institutionalizing functions					
Multilingual Parliament (Sámi used regularly)	Multilingual Parliament (Gaelic used seldom)	Mostly monolingual German Parliament	Mostly monolingual German Parliament	Multilingual Parliament (German dominant)	Strictly monolingual Latvian national Parliament
General Impact					
Strong	Moderate	Limited	Very Limited	Strong	Very Limited



of minority language speakers and the survival of the language and culture may therefore vary.

In a decentralized political entity, there are obviously many different factors to take into account. A great deal depends on aspects such as the size of the minority group, their pattern of residence within the territory of a state, and ultimately also on individuals who may or may not seize opportunities to fight for improvement of structures when they arise. Also worth considering in this context is the question of how important the linguistic minority is to the identity of a region in total. Nonetheless, even where the impact by the minority on the region's identity is limited, it is still far more likely that a minority will be given a voice in a decentralized institution than in centralized structures. All in all, it therefore seems to be of great advantage to have stable decentralized structures in which both representation and responsiveness to the needs of a minority are closer to decision-making processes. At the same time, it has to be stressed that decentralization is not everything. It can provide opportunities, but these have to be seized by the users of a language.

A few general conclusions may also be drawn from the case studies discussed in this chapter. The examples show that both decentralization according to ethnic principles (as for the Sámi in Norway) and by territory (as in all other cases discussed) may generate language survival-friendly policies. How far they go depends ultimately on the willingness of the overall political framework and on mainstream attitudes. The juxtaposition of examples from the European Union (and Norway) on the one hand and Russia on the other shows that similar structures of decentralization may lead to very different results, and that attitudes by the Russian state to language policies, minorities, and autonomy play a decisive role in that. At the same time, the comparison also shows that demographic patterns and the importance of a language for the region's identity are most crucial: Where the demographic basis of the minority is strong, such as in South Tyrol, the chance of a successful minority language policy is highest. Where it is not strong, the importance of the language for the region as a whole is of outstanding importance, as exemplified by the case of Scottish Gaelic in contrast to Frisian or Sorbian.

The Latgalian example, finally, also shows how much more difficult it is for an ethnic or linguistic minority to gain a voice where a central state is largely opposed to decentralization and regionalism, and the degree to which any positive measures in support of the minority depend even more on the political center's willingness to react to political developments in a peripheral region and on dedicated individuals. In a decentralized state, there is a counterbalance to centralist attitudes, and it is more difficult for them to unfold their devastating effects on a minority where another, subordinate level of discussion and decision-making exists. This applies to all examples discussed, both from Russia and the EU/Norway: even where the impact of decentralization is low and the language situation is far from ideal, it is most probably much better than if the decentralized elements did not exist at all.

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