
Multiculturalism Policy Index: National Minority Policies

Second edition

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Note to the Second Edition

This document has been prepared under our direction as part of the Multiculturalism Policy Index project. The first edition of the document, which was published in 2011, was completed by Caroline Duvieusart-Déry, who is now Knowledge Mobilization Coordinator in the Community Engaged Scholar Institute at the University of Guelph. Caroline also drew in part on research compiled by Lisa Vanhala in 2004 and by Janique Dubois in 2006. The 2011 edition has been archived and is available [here](#).

This second edition of this document was produced in 2021 to reflect the status of multicultural policies for national minorities up to that year. It was completed by Stephen Larin, Associate Director of the Centre for the Study of Democracy and Diversity, and an Assistant Professor of Political Studies at Queen's University.

Keith Banting and Will Kymlicka, July 2021

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The Index

Multiculturalism Policy Index for National Minorities, by Country, 1980-2020

	Territorial Autonomy				Official Language Status				Guaranteed Representation				Public Funding			
	1980	2000	2010	2020	1980	2000	2010	2020	1980	2000	2010	2020	1980	2000	2010	2020
Belgium	0.5	1	1	1	1	1	1	1	0.5	1	1	1	1	1	1	1
Canada	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Finland	1	1	1	1	1	1	1	1	1	1	1	1	0.5	1	1	1
France	0	0.5	0.5	0.5	0	0	0.5	0.5	0	0	0	0	0	0.5	0.5	0.5
Greece	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Italy	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Japan	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Spain	1	1	1	1	1	1	1	1	0.5	0.5	1	1	1	1	1	1
Switzerland	1	1	1	1	1	1	1	1	0.5	0.5	0.5	0.5	1	1	1	1
United Kingdom	0	1	1	1	0	1	1	1	0.5	1	1	1	0	1	1	1
United States	1	1	1	1	1	1	1	1	0	0	0	0	1	1	1	1

Note: For explanation of how these policies are defined and measured, see section 2 of this report.

Multiculturalism Policy Index for National Minorities, by Country, 1980-2020 (cont'd)

	Affirmation of Multinationalism				International Personality				TOTAL SCORE			
	1980	2000	2010	2020	1980	2000	2010	2020	1980	2000	2010	2020
Belgium	0.5	0.5	0.5	0.5	0	1	1	1	3.5	5.5	5.5	5.5
Canada	0	0.5	1	1	0.5	0.5	1	1	4.5	5	6	6
Finland	0	0	0	0	0.5	0.5	0.5	0.5	4	4.5	4.5	4.5
France	0	0	0	0	0	0	0	0	0	1	1.5	1.5
Greece	0	0	0	0	0	0	0	0	0	0	0	0
Italy	0	0	0	0	0	0.5	0.5	0.5	4	4.5	4.5	4.5
Japan	0	0	0	0	0	0	0	0	0	0	0	0
Spain	0.5	0.5	0.5	0.5	0	0.5	1	1	4	4.5	5.5	5.5
Switzerland	0.5	0.5	0.5	0.5	0	0	0	0	4	4	4	4
United Kingdom	1	1	1	1	0	0	1	1	1.5	5	6	6
United States	0	0	0	0	0.5	0.5	0.5	0.5	3.5	3.5	3.5	3.5

Note: For explanation of how these policies are defined and measured, see section 2 of this report.

Decision Rules for Ranking Multiculturalism Policies for National Minorities

GENERAL COMMENTS

This index examines regionally concentrated groups that exhibit significant forms of nationalist consciousness and mobilization. Such groups contain sizeable political parties or social movements which define the group as a nation within the larger state, and which mobilize to achieve recognition of their nationhood, either in the form of an independent state or through enhanced territorial autonomy within the larger state.

We focus on sizeable groups and have, somewhat arbitrarily, set the minimum size for inclusion at 100,000 people.

For countries where more than one national minority is examined, scoring is based on the minority with the highest level of accommodation.

1. FEDERAL OR QUASI-FEDERAL TERRITORIAL AUTONOMY

Yes: The division of power between the central state and the constituent units (provinces, regions, etc.) is enshrined in the constitution or otherwise guaranteed by the central state, and the territory of the national minority corresponds to one or many constituent unit(s) of the state so as to provide some form of minority autonomy.

Partially: The central state is supreme but delegates powers to sub-national units, including legislative and financial powers, through a process of decentralization, and the territory of the national minority corresponds to one or many constituent unit(s) of the state so as to provide some form of minority autonomy.

No: The central state is supreme and does not delegate powers to sub-national units, which perform administrative functions at most.

2. OFFICIAL LANGUAGE STATUS, EITHER IN THE REGION OR NATIONALLY

Yes: The minority language is granted official or national language status in the region or nationally. The minority language has equal footing with the majority language.

Partially: The minority language does not have full official language status, but is granted some level of recognition as a protected language in legislative documents or treaties. The minority language does not have equal footing with the majority (official) language.

No: The minority language is denied support or recognition by the central and regional governments.

3. GUARANTEES OF REPRESENTATION IN THE CENTRAL GOVERNMENT OR ON CONSTITUTIONAL COURTS

Yes: The electoral rules have been adapted to better recognize or accommodate national minorities and ensure their representation in the central government. For example, one or more seat(s) may be reserved for a member of the minority population, or electoral districts may be drawn so that the minority population form a majority in a constituency. Seats may be reserved on constitutional courts for members of the national minority.

Partially: No formal rules have been adopted to ensure the representation of national minorities in the central government or on constitutional courts, but there are informal practices of including national minorities in those positions. For example, by tradition, governments may include at least one minister from among the representatives of the minority.

No: The electoral rules have not been adapted to ensure the representation of the minority nation in the central government. No mechanism ensures the presence of members of the minority on constitutional courts.

4. PUBLIC FUNDING OF MINORITY-LANGUAGE UNIVERSITIES/SCHOOLS/MEDIA

Yes: There is full public funding of minority-language education and media. This funding can be provided either by the central state or the regional government.

Partially: There is public funding of minority-language education or media, but this is marginal or limited. This funding can be provided either by the central state or the regional government.

No: There is no public funding of minority-language education or media. However, there could be private funding of minority-language education or media.

5. CONSTITUTIONAL OR PARLIAMENTARY AFFIRMATION OF "MULTINATIONALISM"

Yes: The plurinational character of the country (or the existence of two or more nations on the state's territory) has been recognized in the constitution or in other official documents adopted by the parliament.

Partially: The parliament does not recognize the existence of more than one nation (the majority nation) but recognizes that minority groups have a distinct status (e.g., as "communities," "regions" or "linguistic minorities") that gives them special group rights.

No: There is no recognition of the existence of national minorities in the country. The constitution and the parliament refer to only one nation, that of the state's majority population.

6. ACCORDED INTERNATIONAL PERSONALITY

Yes: Minority nations have been accorded an international personality through one or more of the following:

- Minorities have legislative competence on the international scene in their areas of internal competences (constitutionally or de facto)
- Minorities have authority to sign bilateral or multilateral treaties
- Minorities can be represented on international bodies or have their own delegations abroad
- Minorities have their own team at the Olympics and other international sporting events.

Partially: Minorities are consulted by the state when it comes to making policy decisions on the inter- national scene but cannot make unilateral decisions on matters in their areas of internal competence. Minorities can be represented on international bodies or have their own delegations abroad, but under the authority of the central state. Minorities have their own team at regional sporting events.

No: The central state has full competence over international affairs, including the signing of bilateral and multilateral treaties, participation in international organizations and representation abroad. Minorities do not have separate sports teams at international events.



Evidence

Belgium

TOTAL SCORES				
Year:	1980	2000	2010	2020
Scores:	3.5	5.5	5.5	5.5

This section examines the legal and political status of the Flemish in Belgium. The Flemish are not a numerical minority (they form about 60 percent of the Belgian population), but they were historically subordinated to the French, and so like national minorities in other countries, have had to mobilize along nationalist lines for greater language rights and territorial autonomy. The term "Flanders" is used in two different ways: first, to refer to the cultural and linguistic community of the Flemish (over 6.5 million inhabitants); and second, to describe the geographical region in the north of Belgium.

1. FEDERAL OR QUASI-FEDERAL TERRITORIAL AUTONOMY

Yes.

Territorial Autonomy Scores				
Year:	1980	2000	2010	2020
Scores:	0.5	1	1	1

Evidence:

- Belgium has officially been a federal country since the constitutional revision of 1993, which was preceded by a process of devolution initiated in the 1970s. It consists of three communities (French, Flemish and German) and of three regions (Wallonia, Flanders and Brussels) (Constitution Belge 1994). The fifth reform, in 2001, increased the powers attributed to the regions, and the sixth reform in 2011 devolved further federal powers to the communities and regions and changed the composition of the Senate from direct election to members elected by and from the community parliaments.
- Powers are generally devolved to the regions on "territorial" matters (housing, transportation, environment, etc.), while "personal" matters (health, education, social services, etc.) are devolved to the communities, though employment policy and child allowances were devolved to the communities in 2011. Since 1980, the Flemish community and region form a single body with control over all of these areas (Flemishparliament.eu 2021).
- Culture, language use, education, economy, environment and international affairs are among Flanders' areas of responsibilities (Flemishparliament.eu 2021).
- The issue of state reform, and the degree of autonomy that should be given to the regions, prevented the formation of a (federal) coalition government for nine months in 2007-2008, and then an extraordinary 18 months following the June 2010 election, which also resulted in the 2011 state reform.

2. OFFICIAL LANGUAGE STATUS, EITHER IN THE REGION OR NATIONALLY

Yes.

Official Language Status Scores				
Year:	1980	2000	2010	2020
Scores:	1	1	1	1

Evidence:

- The Dutch language was placed on equal status with French in the 1898 Law of Linguistic Equality, and German has been an official language with equal status at the federal level since 1990.
- Language use in Belgium functions according to the principle of territoriality: there are no all-Belgian language rights. Instead, there is official unilingualism in Flanders and Wallonia, with Brussels being the only bilingual region. As a consequence, Dutch is the only official language for all Flemish institutions (European Federation of National Institutions for Language 2009).

3. GUARANTEES OF REPRESENTATION IN THE CENTRAL GOVERNMENT OR ON CONSTITUTIONAL COURTS

Yes.

Guaranteed Representation Scores				
Year:	1980	2000	2010	2020
Scores:	0.5	1	1	1

Evidence:

- The election of the 150 members of the Chamber of Representatives follows a proportional representation system.
- However, constitutional reforms since the early 1990s have made the consociational traditions of the country official and installed a requirement that the Cabinet (the prime minister excepted) be formed of equal numbers of Flemish and Francophone ministers (Keating 2001).
- Similarly, the Senate was reformed in 1994 so as to represent the regions and communities of Belgium, then modified again in 2014 (as a consequence of the 2011 state reform) by decreasing the number of senators from 184 to 60. 50 senators are elected at regional level, including 1 senator assigned by the German-speaking Community Parliament, and 10 senators that are co-opted (meaning elected by members of their own community) by taking into account the results of the election to the House of Representatives.
- The 60 senators are divided according to community: 35 Dutch-speakers, 29 appointed by the Flemish Parliament and 6 co-opted; 24 French-speakers, 20 assigned by the French community Parliament, the Walloon Parliament and the French-speaking group of the Brussels Parliament, and 4 senators co-opted; and 1 German-speaker assigned by the German-speaking community Parliament (Senate.be n.d.).

- The Constitutional Court (known as the Court of Arbitration until 2007) is composed of 12 judges, divided equally between the Dutch and the French language groups. One of the judges has to have sufficient knowledge of German (*Court Constitutionnelle* 2007). The Court's competences increased substantially in 1988 and 2003.

4. PUBLIC FUNDING OF MINORITY-LANGUAGE UNIVERSITIES/SCHOOLS/MEDIA

Yes.

Public Funding Scores				
Year:	1980	2000	2010	2020
Scores:	1	1	1	1

Evidence (education):

- Education, and the use of languages for teaching purposes, are responsibilities of the communities according to articles 24, 127 and 129 of the *Constitution Belge* (1994). The Flemish Minister for Education has considerable independence with respect to educational policy.
- The 1963 law on the linguistic regime in teaching has made Dutch the language of instruction in the Dutch language region (EFNIL 2007). Today, Dutch is the language of instruction from pre-school to university, even though some higher education programs are taught in other languages.
- The Flemish Department of Education and Training funds institutions at all educational levels up to university.
- State-funded education in Dutch was widespread in Flanders before the creation of the federal state and the devolution of powers to the Flemish community/Dutch language region.

Evidence (media):

- Similar to education, cultural matters such as media funding and regulation have been officially devolved to the Flemish communities in the 1994 *Constitution Belge*.
- Flanders' official radio and television broadcasting company, *Vlaamse Radio en Televisieomroep* (VRT), is publicly funded by the Flemish Community. It coordinates three television channels and five radio channels (*Vlaamse Radio en Televisieomroep* n.d.).
- Flemish productions or co-productions must account for at least 50 percent of the programming for all of VRT's television stations (Organization for Security and Co-operation in Europe 2004).
- Moreover, private radio stations must broadcast in Dutch, and a significant amount of television broadcast time has to be spent on Dutch language production (Flemish Media Decree, 1995).
- Dutch-language radio and television broadcasts are publicly funded in Flanders since at least 1930 (since 1953 for television) when it was under the responsibility of the *Belgisch Nationaal Instituut voor Radio-omroep*, the predecessor to VRT.

5. CONSTITUTIONAL OR PARLIAMENTARY AFFIRMATION OF "MULTINATIONALISM"

Partially.

Affirmation of "Multinationalism" Scores				
Year:	1980	2000	2010	2020
Scores:	0.5	0.5	0.5	0.5

Evidence:

- There is no specific mention of multinationalism in the Constitution Belge; article 33 states that all powers emanate from the "Nation" understood to be Belgium as a whole.
- However, the Belgian tradition of granting powers and responsibilities to cultural and linguistic communities, around which the entire constitutional structure of the country is built, shows some recognition of multiculturalism and multinationalism.
- Indeed, for some, "the new Belgian institutional arrangements reveals that the multinational character of the Belgian state has been formally acknowledged" (Rocher, Rouillard and Lecours 2001, 183; see also McRoberts 2003).
- Discussing the "nation" in Belgium is a source of unease, as reflected on the official state website which indicates that "the King represents and embodies not the State [...] but the Nation, which some may prefer to call the Country" (Belgium.be 2021, emphasis added).

6. ACCORDED INTERNATIONAL PERSONALITY (E.G., ALLOWING THE SUB-STATE REGION TO SIT ON INTERNATIONAL BODIES, SIGN TREATIES, OR HAVE THEIR OWN OLYMPIC TEAM)

Yes.

International Personality Scores				
Year:	1980	2000	2010	2020
Scores:	0.5	1	1	1

Evidence:

- The 1993 constitutional revision gave Belgian federal states autonomy regarding external policy that is "is unique in the world and arises from recognition of the constitutional principle '*in foro interno, in foro externo*', which means that the Belgian regions and communities are also externally competent for all matters for which they are internally competent (article 167, § 3, Constitution of Belgium). There is also an absence of hierarchy between different levels of administration. Thus, the federal government does not take precedence over the regions and communities in Belgium" (Paquin 2021, 5). This allowed Wallonia to have significant and widely publicised influence on negotiations over the Comprehensive Economic and Trade Agreement (CETA) between Canada and the European Union, which Belgium could not approve without its constituent units'

consent (Paquin 2021). Flanders attaches great importance to cooperation with other countries and international institutions. It maintains bilateral diplomatic and economic relations with more than 20 countries and sub-state entities, and participates in multilateral entities such as the World Trade Organization, the Organization for Economic Cooperation and Development and the Council of Europe (Flemish Department of Foreign Affairs n.d.).

- In addition to a shared (rotational) arrangement for the representation of Belgium at the European Council of Ministers, Flanders has representatives in the European Parliament and the EU Committee of the Regions.
- In 2008, Flanders held the presidency of the REGLEG network, a venture of European Regions with Legislative Power focused on enhancing the role of those regions in the EU (Flandersinvestmentandtrade.com 2007).
- Flanders never participates as a nation in international sports events.

Canada

TOTAL SCORES				
Year:	1980	2000	2010	2020
Scores:	4.5	5	6	6

The case examined here is the francophone minority of Canada, which can be described either as a linguistic minority including the francophone populations of all provinces and territories, or as a territorial nation limited to the Province of Quebec. More than eight million French-speakers live in Canada, over six million of them residing in Quebec (Statistics Canada 2019).

1. FEDERAL OR QUASI-FEDERAL TERRITORIAL AUTONOMY

Yes.

Territorial Autonomy Scores				
Year:	1980	2000	2010	2020
Scores:	1	1	1	1

Evidence:

- The *Constitution Act, 1867*, marks the formation of Canada as the federal union of four founding provinces (later 10 provinces and three territories), one of which was the Province of Quebec. The federal nature of the state was put forward so as to guarantee the protection of Quebec's institutions, language, religion and laws (MacKay 1963).
- Education, health and the administration of justice are listed, among others, as exclusive powers of provincial legislatures (Constitution Act 1867).
- Canadian federalism is known for its high degree of asymmetry, a formula by which Quebec's aspiration for control over its cultural and social life has allowed it to obtain some responsibilities that are otherwise not handled by the provinces. For example, Quebec operates its own pension plan, collects taxes and has extensive authority over labour market and training policies as well as immigration issues-matters that are typically managed by the federal government in other provinces. An example is the 2004 federal-provincial-territorial agreement that allows Quebec to use the federal government's funding to implement its own plan for renewing the health system (Canadian Intergovernmental Conference Secretariat 2004).

2. OFFICIAL LANGUAGE STATUS, EITHER IN THE REGION OR NATIONALLY

Yes.

Official Language Status Scores				
Year:	1980	2000	2010	2020
Scores:	1	1	1	1

Evidence:

- The role of the French language is emphasized in the Constitution Act, 1867, which permits the use of either English or French in the debates in Parliament and before the federal courts.
- The first Official Languages Act was adopted in 1969 (revised in 1988). It recognizes both languages as the official languages of all federal institutions. The Constitution Act, 1982, further affirms their equality of status and equal rights and privileges when used in all institutions of the Government of Canada.
- Quebec's Charte de la langue française (1977) states that the French language is the (only) official language of the Province of Quebec. The French language is used in legislation, justice, administration, paragonovernmental organizations, labour, commerce and trade as well as in education.
- The Quebec Charte de la langue française gives each individual the right to work, to be educated, to receive goods and services and to attend a trial in French. The provincial government and its departments communicate in French among each other and with organizations located within the Quebec territory.

3. GUARANTEES OF REPRESENTATION IN THE CENTRAL GOVERNMENT OR ON CONSTITUTIONAL COURTS

Yes.

Guaranteed Representation Scores				
Year:	1980	2000	2010	2020
Scores:	1	1	1	1

Evidence:

- The House of Commons consists of 338 members of whom 78 are elected to represent electoral ridings in Quebec. The *Constitution Act, 1867*, states that each province shall be divided into a number of constituencies proportional to its population, and that this number can never be inferior to that determined in 1867. There is, therefore, a guarantee that a minimum of 64 members of parliament are elected to represent Quebec ridings.
- As specified in the *Constitution Act, 1867*, 24 seats in the Senate (out of 105) are reserved for senators representing Quebec.
- The *Supreme Court Act* also offers a guarantee of representation to the national minority of Quebec: at least three of the nine judges appointed to the Supreme Court must be judges or advocates from the Province of Quebec.

- Section 38 of the *Constitution Act, 1982*, states that amendments to this same act have to be authorized by the Senate and the House of Commons, and by the legislative assemblies of at least two-thirds of the provinces representing at least 50 percent of the total Canadian population.
- There are no guarantees of representation for Francophones living outside Quebec.

4. PUBLIC FUNDING OF MINORITY-LANGUAGE UNIVERSITIES/SCHOOLS/MEDIA

Yes.

Public Funding Scores				
Year:	1980	2000	2010	2020
Scores:	1	1	1	1

Evidence (education):

- The Canadian Charter of Rights and Freedoms (1982) is the first constitutional document to address linguistic rights in education. It affirms the right of all citizens who have received their primary school education in the official minority language of a province to have their children educated in that language in that province. This right includes, where the number of beneficiaries so warrants, the right to have them educated in publicly funded facilities.
- In 2005, Part VII of the Official Languages Act was amended to require federal institutions to take positive measures to support the development of official language communities.
- Education being a provincial responsibility, each province is in charge of the public funding of universities and schools. The primary source of funding for colleges and universities in Quebec comes from the provincial government (other sources include direct transfers from the federal government).
- With the framework of the Roadmap for Canada's Linguistic Duality 2008-2013 (Canadian Heritage 2008), the Government of Canada reaffirmed its commitment to encourage and assist provincial/territorial governments to consolidate existing programs in minority-language education.
- In 2009, the federal and provincial governments signed a protocol governing official-language education and the delivery of programs in official language minority communities. The Government of Canada committed itself to a total investment of \$1.1 billion over five years (Council of Ministers of Education and Canadian Heritage 2009).

Evidence (media):

- The federal and provincial governments offer support to French language media industries (e.g., through funding programs and tax incentives).
- The Canadian Broadcasting Corporation (CBC) and its French equivalent, Radio-Canada, are Canada's national public broadcasters. They were founded in 1936 and are funded through a combination of public subsidies and private revenues. They include two national television and four radio networks in English and French and extensive online news and information services (Canadian Heritage 2009). However, important

cuts in CBC/Radio-Canada's financial resources were made at the end of the 1990s (Standing Senate Committee on Transport and Communications 2006).

- The *Broadcasting Act, 1991*, governs the activities of the CBC. Section 3 of the act stipulates that programming shall be "in English and in French, reflecting the different needs and circumstances of each official language community."
- Noting that the Internet remains a predominately English language space, the Cultural Affairs Sector ensures that at least 50 percent of projects supported through the Canadian Culture Online Strategy aim at creating French language or bilingual content (Canadian Heritage 2009).
- The government of Quebec has owned and funded the French language television channel *Tele-Quebec* since 1968. Ontario's network TFO "is the only French language Canadian broadcaster whose main operations are outside Quebec" (Office of the Commissioner of Official Languages 2009).

5. CONSTITUTIONAL OR PARLIAMENTARY AFFIRMATION OF "MULTINATIONALISM"

Yes.

Affirmation of "Multinationalism" Scores				
Year:	1980	2000	2010	2020
Scores:	0	0.5	1	1

Evidence:

- McRoberts argues that historically there has been a resistance to multinationalism in the political realm, denouncing that "within federal discourse the only nation is the Canadian nation and that is the nation of the Canadian nation-state" (2001, 694). When cultural and linguistic duality is recognized, the concepts of "distinct society" and "diversity" are preferred to that of "nation."
- The Constitution Act does not explicitly recognize binationalism or multinationalism. Attempts to formally recognize Quebec as a "distinct society" (in the Meech Lake Accord and the Charlottetown Accord, for example) were strongly opposed by the other provinces (McEwen and Lecours 2008).
- The vocabulary used to refer to Aboriginal peoples has entered mainstream Canadian politics more rapidly, and "First Nations" is a generally accepted term.
- In 2006, Canada's Prime Minister Stephen Harper presented in Parliament a "Quebecois nation motion" asking for the House to "recognize that the Quebecois form a nation within a united Canada" (House of Commons 2006). He specified that this understanding of "nation" was cultural-sociological rather than legal. The House of Commons overwhelmingly passed the motion by a margin of 266 to 16 (Canadian Broadcasting Corporation 2006).

6. ACCORDED INTERNATIONAL PERSONALITY
(E.G., ALLOWING THE SUB-STATE REGION TO SIT ON INTERNATIONAL BODIES, SIGN TREATIES, OR HAVE THEIR OWN OLYMPIC TEAM)

Yes.

International Personality Scores				
Year:	1980	2000	2010	2020
Scores:	0.5	0.5	1	1

Evidence:

- Quebec's international role has followed an improvised, de facto development, intensifying in the last fifty years. Federal-provincial tensions have, however, impaired this growing international presence (Bernier 1996).
- Quebec acts on the international scene through establishing representations abroad, signing international agreements, conducting bilateral affairs, and participating in international summits and diplomatic meetings (Michaud and Ramet 2004).
- For the government of Quebec, this international role is made possible by the absence of any rule forbidding it, either in the Canadian constitution or in international law (Ministere des Relations internationales 2006).
- Quebec is one of the founding members of the Organisation internationale de la Francophonie since 1970, the only multilateral government organization of which Quebec is a full-fledged member. The province uses La Francophonie as an international forum to promote its identity, language and culture and strengthen its ability to take action and influence events (Ministere des Relations internationales 2008).
- A Canada-Quebec agreement signed in May 2006 now allows for Quebec to have one permanent representative sitting in all Canadian delegations to the works, meetings and conferences of UNESCO.
- Overall, Quebec has been successful in securing international recognition and stands as a "model" among other minority nations (McRoberts 2001).

Finland

TOTAL SCORES				
Year:	1980	2000	2010	2020
Scores:	4	4.5	4.5	4.5

The case examined here is that of the Swedish-speaking minority of Finland. There are nearly 300,000 Swedish-speakers in Finland, about 5.2 percent of the population (Statistics Finland 2020). Most Swedish-speakers are found on the southern coast of Finland. They also form the majority of the population on the archipelago of Åland, which has an autonomous status.

1. FEDERAL OR QUASI-FEDERAL TERRITORIAL AUTONOMY

Yes.

Territorial Autonomy Scores				
Year:	1980	2000	2010	2020
Scores:	1	1	1	1

Evidence:

- Finland is a unitary country, but special laws protect the autonomy of the Åland islands, where about 25,000 Swedish-speakers live (or 95 percent of the population of the islands).
- Åland's autonomy was ensured in 1920 by the *Act on the Autonomy of Åland*. It was modified in 1951 and 1993 to transfer additional areas of competence and authority to the islands. This autonomy is further secured by section 120 of the Constitution of Finland.
- This regional autonomy gives Åland the right to legislate its internal affairs and to vote on its regional budget. The inhabitants of the island have their own parliament (*Ålands lagting*) and government (*Landskapsregeringen*) (Landskapsregeringen & Ålands lagting 2004). Regional citizenship and eligibility to vote in local elections are reserved for people permanently residing on the islands (Eriksson 2007).
- The powers and competencies of the state and of Åland are divided, not delegated. Laws affecting the islands' status are subject to adoption by *Ålands lagting* (parliament), which gives the region's autonomy very strong legal protection (ibid.).
- On the mainland, Finland's language policy is based on the division of the territory into unilingual (Finnish or Swedish) or bilingual communes in order to ensure that both linguistic groups can receive services in their own language on an equal basis. These divisions can change every decade according to the proportions of Finnish- and Swedish-speakers in the population (Sjöholm 2004).

- Changes made to the Constitution of Finland since 2000 have not substantially modified the status of Swedish-speakers. A process to revise the Autonomy Act began at least as early as 2010, but has not yet been completed (see Spiliopoulou Åkermark *et al.* 2019 for a comprehensive overview of the autonomy arrangement).

2. OFFICIAL LANGUAGE STATUS, EITHER IN THE REGION OR NATIONALLY

Yes.

Official Language Status Scores				
Year:	1980	2000	2010	2020
Scores:	1	1	1	1

Evidence:

- For a long time, Swedish had predominance over Finnish as the state language. After the independence of Finland from Sweden, Swedish remained the language of the Finnish administration for half a century, and Finnish was recognized as an official language only in 1863 (Swedish Assembly of Finland n.d.).
- The Constitution of Finland (1919) establishes that Finnish and Swedish are the two official languages of the country. According to Section 17 of the constitution, every citizen has the right to use either of these languages in its communication with the state.
- The *Language Act of 1922* (amended in 2004) regulates a wide range of public services for both official languages communities, based on the division of municipalities into unilingual and bilingual authorities: the language rights of an individual and "the use of each language in administration and in the courts of law depend on the linguistic character of the administrative district" (Swedish Assembly of Finland n.d.).
- On the mainland, about 6 percent of Swedish-speakers live in official monolingual (Swedish) municipalities, and about 79 percent live in official bilingual municipalities.
- The *Act on Autonomy of Åland* states that Swedish is the only official language of the islands and for all official communication between the islands and the Finnish state. Moreover, a satisfactory knowledge of the Swedish language is a requirement for a Finnish citizen to obtain regional Åland citizenship (Landskapsregeringen & Ålands lagting 2004).
- In 2014, a citizens' initiative backed by the right-wing national populist Finns Party to end the requirement that Finnish-speaking Finns learn Swedish as a second language. Many Swedish-speakers in Finland saw this as a sign of a more general threat to accommodation. In 2015, Parliament rejected the initiative by 134 votes to 48. A motion to allow flexibility in language teaching in Eastern Finland, where schools argued that Russian is more useful to learn than Swedish, was approved by a vote of 93 to 89 (Yle Uutiset 2015).

3. GUARANTEES OF REPRESENTATION IN THE CENTRAL GOVERNMENT OR ON CONSTITUTIONAL COURTS

Yes.

Guaranteed Representation Scores				
Year:	1980	2000	2010	2020
Scores:	1	1	1	1

Evidence:

- The 200 members of the Parliament of Finland are elected in each constituency on a proportional basis. In addition to the 14 constituencies of mainland Finland, Section 25 of the constitution (1919) guarantees that the Åland islands shall form their own constituency and elect one representative.
- There is no Finnish Senate or equivalent.
- The Swedish minority residing on the mainland does not benefit from any guaranteed representation in the central government, even though most governments have included Swedish-speaking ministers from either the monolingual Swedish People's Party or some of the bilingual parties (Swedish Assembly of Finland n.d.).
- The concept of a constitutional court is not included in the constitution, but this role is played in practice by the Constitutional Law Committee of the Parliament of Finland; there are, therefore, no guarantees of representation for the Swedish-speaking minority.

4. PUBLIC FUNDING OF MINORITY-LANGUAGE UNIVERSITIES/SCHOOLS/MEDIA

Yes.

Public Funding Scores				
Year:	1980	2000	2010	2020
Scores:	0.5	1	1	1

Evidence (education):

- The decision of the League of Nations to extend Finland's sovereignty to the territory of Åland in 1921 came with a guarantee that Swedish would stay the language of instruction on the islands.
- The *Act on the Autonomy of Åland* (1920) grants the islands full autonomy regarding education. Section 40 states that "the language of education in schools maintained by public funds or subsidised from the said funds shall be Swedish," but an Ålandic municipality is free to provide Finnish language instruction.
- On the mainland, Finland's territorial language settlement means that a Swedish school system exists in parallel to the Finnish one (Sjöholm 2004). Parents have the right to choose the language of instruction for their children.

- As much as 98 percent of Swedish schools are publicly funded through a combination of state and municipal investment (Ostern 2001).
- Swedish is a language of instruction at all educational levels, mostly at unilingual (Swedish) schools, but sometimes at bilingual schools. University level education is also provided in both Swedish and Finnish (Infonline.fi 2021).

Evidence (media):

- The Act on Yleisradio Oy (1993, amended most recently in 2017) defines the service provisions of the Finnish Broadcasting Corporation, the state-owned and publicly-funded broadcasting company. Section 7(4) of the act states that Finnish- and Swedish-speaking citizens should be treated on equal grounds with regard to the public provision of media.
- The Finnish Broadcasting Company maintains two Swedish television stations that broadcast about 1,000 hours of Swedish-language programming per year. It also operates two radio channels broadcasting fully in Swedish. Since 2001, a Swedish digital channel broadcasts approximately 2,000 hours of Swedish-language programming annually (Organization for Security and Co-operation in Europe 2004).
- Since 1988 and the signing of an agreement between the national public broadcasting companies in Finland and Sweden, programs broadcast from Sweden are also available in Finland (Swedish Assembly of Finland n.d.).
- The Act on the Autonomy of Åland (1920) gave the islands the right to operate licences for broadcasting. The public service broadcaster in the province, Radio Åland and TV Åland, has operated public service radio and television channels in Swedish since 1996. It also retransmits radio and television channels from mainland Finland and Sweden (Landskapsregeringen & Ålands lagting 2004).
- While many acts pertaining to the broadcasting industry have been introduced or amended in the past decade, they have not substantially modified the regulations in place with regard to Swedish media.

5. CONSTITUTIONAL OR PARLIAMENTARY AFFIRMATION OF "MULTINATIONALISM"

No.

Affirmation of "Multinationalism" Scores				
Year:	1980	2000	2010	2020
Scores:	0	0	0	0

Evidence:

- There is no explicit affirmation of multinationalism or the recognition of the Swedish minority as a "nation." Minorities in Finland, including the Swedish-speakers, are described as "language minorities" in most official documents.
- There is no mention of the "national" character of the Swedish-speaking minority in the Constitution of Finland, which however mentions the intention to organize administrative divisions so that the Swedish-speaking populations have an opportunity to receive services in their language.

- The fact that the Government of Åland has the power to grant (or deny) the right of domicile on the islands, as well as regional citizenship, can be seen as an implicit recognition of the province's national character, but nowhere has it been made official.
- According to Eriksson (2007), the inhabitants of Åland do not seek to discuss and negotiate their symbolic status as a national minority, but rather focus their negotiations with the Parliament of Finland on tangible claims.

6. ACCORDED INTERNATIONAL PERSONALITY
(E.G., ALLOWING THE SUB-STATE REGION TO SIT ON INTERNATIONAL BODIES, SIGN TREATIES, OR HAVE THEIR OWN OLYMPIC TEAM)

Partially.

International Personality Scores				
Year:	1980	2000	2010	2020
Scores:	0.5	0.5	0.5	0.5

Evidence:

- Foreign affairs and international relations are a responsibility of the Finnish state. However, section 9 of the *Act on the Autonomy of Åland* entitles the islands to take part in negotiations for topics falling within their sphere of competence. Moreover, the Åland Parliament must consent to the implementation of the terms of an international treaty or obligation that concern matters within the competence of the islands.
- Åland has been a member of the Nordic Council since 1970; it appoints two of the 87 members of the Council (Landskapsregeringen & Ålands lagting 2004).
- Åland was an active participant in the negotiations regarding Finland's accession to the EU, and in 1995 it obtained a special status in the EU as an autonomous region of Finland (Åland Islands Peace Institute 2009). The islands are represented at the EU Committee of the Regions.
- The islands have had their own flag since 1954, and their own postage stamps since 1984. Their passport also has the words "*Suomi*," "Finland" and "Åland" printed in the same size on the cover and, since 2005, they have had their own airline (Landskapsregeringen & Ålands lagting 2004; Eriksson 2007).
- Åland does not have its own Olympic team, but it is represented in the International Islands Games Association, which comprises 23 teams competing in 18 different sports. (International Islands Games Association 2010).

France

TOTAL SCORES				
Year:	1980	2000	2010	2020
Scores:	0	1	1.5	0.5

More than 20 regional languages and dialects make up France's traditional diversity (Delegation generale a la langue française et aux langues de France 2009). In fact, "France is one of the European countries where the ethnocultural minorities are the most numerous and active" (Nicolas, 2006, 290). For the purposes of this research, examples will be drawn from the cases of the Alsatian, Basque, Breton, Catalan, Corsican and Occitan minorities, whose populations vary between as few as 125,000 (for Catalan) and as many as 2 million (for the speakers of Occitan).

1. FEDERAL OR QUASI-FEDERAL TERRITORIAL AUTONOMY

Partially.

Territorial Autonomy Scores				
Year:	1980	2000	2010	2020
Scores:	0	0.5	0.5	0.5

Evidence:

- France is a unitary state. The Constitution de la Republique française states that "France is an indivisible, secular, democratic and social Republic."
- However, since 1982, the country has adopted a decentralization policy and transferred responsibilities to local and regional authorities. There are 26 administrative regions (four of which are overseas) that have the power to make regulations for matters under their jurisdiction, and are entitled to levy their own taxes (Ministere des affaires etrangeres 2006). However, according to Nicolas, their very small prerogatives and modest budget make these regions "appear as minors compared to their counterparts in federal states" (2006, 301).
- Even though the regions correspond more or less to the territories where national minorities are concentrated, it is not a perfect match: the Brittany administrative region, for example, consists of only four of the five departments that are part of the historical province (Nicolas 2006).
- Constitutional reform on the decentralized organization of the state was passed in 2003. This reform enshrined the principle of decentralization in Article 1 of the constitution and included the regions among the administrative divisions referred to in the constitution, making their role permanent.
- Corsica has had a slightly different trajectory, as a series of laws since the 1980s have granted the region a distinct status. Its cultural specificity was recognized, to a certain degree, by the 1982 Loi portant statut

particulier de la region de Corse, which provided for the election of a Corsican Assembly with budget- ary, legislative and consultative powers. This law was modified in 1991 to grant the region enhanced powers. The ‘Matignon Process’ negotiations in the early 2000s between Prime Minister Lionel Jospin and twenty-eight deputies of the Corsican Assembly led to a proposal for enhanced autonomy, but the French Constitutional Council rejected the delegation of legislative powers to the Corsican Assembly on the grounds that it threatened the stability of the French state (Hossay 2004). In 2018 Corsica’s main administrative bodies (the Assembly, the Executive Council, and the departments of Haute Corse and Corse-du-Sud) were merged into a new, single body, the Collectivity of Corsica (Nationalia.info 2019).

2. OFFICIAL LANGUAGE STATUS, EITHER IN THE REGION OR NATIONALLY

Partially.

Official Language Status Scores				
Year:	1980	2000	2010	2020
Scores:	0	0	0.5	0.5

Evidence:

- France has implemented discriminatory measures against languages other than French for the past two centuries (Nicolas 2006). Since 1992, Article 2 of the *Constitution de la Republique française* states that the language of the Republic is French.
- However, important progress towards the recognition of minority languages has been made in the last two decades. In 2001, the "*Delegation generale a la langue française*" became the "*Delegation generale a la langue française et aux langues de France*," and a section on regional languages has since been included in the institution's annual reports to Parliament (Judge 2007). Moreover, the constitution was amended in 2008 to include article 75-1, which states that "les langues regionales appartiennent au patrimoine de la France."
- Recognition of regional languages by the central state is, however, still limited. For example, while regional acts and official documents can be published in the minority language, only the French version has legal value (Delegation generale a la langue française et aux langues de France 2009).
- Important changes are also visible at the regional level. Some of France's minority languages have recently been granted official status by regional councils: Occitan in the Provence-Alpes-Cote d'Azur region in 2003 and Breton and Gallo in the Brittany region in 2004 (Judge 2007).
- Discussions about the enhanced autonomy of Corsica in 2000 included greater protection for the Corsican language, but this enhanced protection was never made official.

3. GUARANTEES OF REPRESENTATION IN THE CENTRAL GOVERNMENT OR ON CONSTITUTIONAL COURTS

No.

Guaranteed Representation Scores				
Year:	1980	2000	2010	2020
Scores:	0	0	0	0

Evidence:

- The French Parliament consists of the National Assembly and the Senate. The members of the National Assembly are elected directly by the citizens in single-seats constituencies. Constituencies have to coincide with departmental borders.
- By contrast, the Senate seeks to ensure representation of the Republic's territorial collectivities (Constitution, art. 24). Its members are elected by indirect suffrage by elected representatives from each department.
- These electoral entities have not been designed to ensure representation of France's national minorities. The borders of the departments do not necessarily coincide with those of the national minorities, and there is no guarantee that the minority regions will be defined as constituencies.
- The Constitutional Council is composed of nine members who are nominated by the presidents of the Republic, of the National Assembly and of the Senate (each appoints three members) (Conseil Constitutionnel n.d.). Thus, there is no guarantee that minorities are represented.
- The National Assembly adopted a law in October 2010 to modify the repartition of seats and the delineation of some constituencies, but this had no impact on the guarantees of representation (or lack thereof) for national minorities (*LOI n° 2010-165 du 23 février 2010*).

4. PUBLIC FUNDING OF MINORITY-LANGUAGE UNIVERSITIES/SCHOOLS/MEDIA

Yes.

Public Funding Scores				
Year:	1980	2000	2010	2020
Scores:	0	0.5	0.5	0.5

Evidence (education):

- Until recently, the French government actively discouraged the use of minority languages, and only a limited number of private schools offered instruction in Breton (since 1969), Catalan (since 1976) or Occitan (since 1982) (Judge 2007).

- Since the 1980s, a number of politicians have taken concrete measures to promote the use of regional languages, and minority languages are now taught to varying degrees at some state schools. The first bilingual state schools were set up in the Basque and Breton regions in 1983, followed by Corsican (1992), Catalan (1993) and Occitan (1999) (ibid.).
- Recent laws and "arretes" have allowed the teaching of ever more regional languages in state schools, and the number of children benefiting from these programs is increasing. Thousands of students enrolled in primary, secondary or college education receive bilingual education in French and Basque, Breton, Catalan, Corsican, Occitan or Alsatian at either state or state-funded private schools (ibid.).
- This evolution is even more visible in Corsica, where Corsican classes are now an option in all primary and secondary schools. Hossay (2004) indicates that negotiations in the early 2000s would have made mandatory the teaching of Corsican during the normal hours of elementary schools (rather than as an after-school activity), but this was rejected by the French Constitutional Council.
- That being said, Nicolas specifies that, in the case of Breton, state subsidies for the teaching of the regional language remain very limited and are "derisory in comparison with what a real linguistic policy should look like" (2006, 306).

Evidence (media):

- The public television channel, France 3, has had the responsibility since 1982 to contribute to the expression of regional languages and to act as the main provider of regional programs (Organization for Security and Co-operation in Europe 2004).
- Many official texts have reinforced this message since then. In 2000, the law on the freedom of communication highlighted that public (i.e., state-funded) media has a duty to promote minority languages and cultures. This was substantiated in 2004 by a decree stating that financial help could now be available to support publications in the regional languages (Judge 2007).
- In practice, this is achieved through the weekly broadcasting of regional programs in the local language(s). The 2005 Rapport au Parlement sur l'emploi de la langue française however shows important discrepancies between the amount of time allocated to each language, varying from only a few minutes to five or six hours per week (Delegation generale a la langue française et aux langues de France 2005; Judge 2007). This observation is valid both for radio and television programming.
- One case that stands out is that of Corsica, where the public community has been granted the right to negotiate directly with public companies in the broadcasting sector in order to ensure the development of the Corsican language and culture. As a result, the television channel France 3 in Corsica has to broadcast a minimum of 15 hours per day in Corsican (Delegation generale a la langue française et aux langues de France 2009).

5. CONSTITUTIONAL OR PARLIAMENTARY AFFIRMATION OF "MULTINATIONALISM"

No.

Affirmation of "Multinationalism" Scores				
Year:	1980	2000	2010	2020
Scores:	0	0	0	0

Evidence:

- Since 1789, France has emphasized the unity of all its citizens and refused to recognize rights for groups based on common origin, belief, culture or language. This principle is embedded in Article 1 of the *Constitution de la République française*, which also prevents the census from containing questions on religion, race or language use.
- Consequently, the Parliament has always been cautious of recognizing rights for groups formed on these bases (Organization for Security and Co-operation in Europe 2004).
- The proposed "Statut Joxe" of 1991 on the territorial collectivity of Corsica contained a controversial passage: "The French Republic guarantees to the historic and cultural community constituted by the Corsican people, component of the French people, the right to preserve its cultural identity and to defend its specific economic and social interests. These rights related to insularity are to be exercised with respect for national unity, in the framework of the Constitution, of the laws of the Republic, and of this present statute" (*loi no 91-428 du 13 mai 1991 Statut de la Collectivité territoriale de Corse*). This statement was seen as too weak by Corsican nationalists and a threat to French national unity by conservatives, and the Constitutional Council argued that "in the preamble of 1958, as in that of 1946 and in the Declaration of the Rights of Man in 1789, 'the French people' is always singular" and so recognizing a Corsican people "is contrary to the Constitution which only recognizes a French people, composed of all French citizens without distinction of origin, race, or religion" (Hossay 2004, 420). The controversial passage was replaced by a reference to "the region of Corsica as a territorial collectivity of the Republic" (Judge 2007, 101; Hossay 2004, 420).
- France sometimes ratifies international treaties referring to minority rights or recognition, but usually subjects these treaties to reservations in order to prevent problematic clauses from being enforceable. This was the case when France signed the European Charter for Regional or Minority Languages (Eysseric 2005).

6. ACCORDED INTERNATIONAL PERSONALITY (E.G., ALLOWING THE SUB-STATE REGION TO SIT ON INTERNATIONAL BODIES, SIGN TREATIES, OR HAVE THEIR OWN OLYMPIC TEAM)

No.

International Personality Scores				
Year:	1980	2000	2010	2020
Scores:	0	0	0	0

Evidence:

- According to Keating, "the French state has historically been very jealous of its monopoly on representation abroad" (2000, 5).
- Article 52 of the constitution gives the power to negotiate and ratify treaties to the president of the Republic. No explicit role or responsibility is given to the regions.
- No evidence can be found of the representation of the French regions on international committees and organizations, with the exception of the committees comprising the many regions of the European Union's member countries. For example, the French delegation to the Committee of the Regions of the European Union includes representatives of the Alsace and Brittany regions (Committee of the Regions n.d.).
- Some regions have sought to be actively involved internationally. Brittany thus initiated bilateral cooperation with other European or international regions and participated in some interregional committees (Region Bretagne n.d.). Since 1996, Corsica has had an office in Brussels to ensure the follow-up on the region's files with the European Union (Collectivité de Corse n.d.).

Greece

TOTAL SCORES				
Year:	1980	2000	2010	2020
Scores:	0	0	0	0

This section examines the case of the Macedonian, or Slavic-speaking, minority of northern Greece. The size of the minority population is a matter of dispute. No official census includes these figures, and self-identification has been strongly discouraged by state politics (Human Rights Watch 1994). Unofficial estimates of Slavic ancestry range significantly from 50,000 to 200,000, although the number who exhibit language retention and self-identification is lower.

1. FEDERAL OR QUASI-FEDERAL TERRITORIAL AUTONOMY

No.

Territorial Autonomy Scores				
Year:	1980	2000	2010	2020
Scores:	0	0	0	0

Evidence:

- Greece is a unitary state consisting of 13 administrative regions called peripheries. It is also divided in 54 prefectures (second level of government), as well as in municipalities and communities (first level of government).
- The historical region of Macedonia, where most Greek Macedonians are concentrated, is split into three peripheries: West Macedonia, Central Macedonia, and East Macedonia and Thrace.
- Article 102 of the Constitution of the Hellenic Republic (1975) states that the first and second levels of government are responsible for the administration of local affairs. They have administrative and financial autonomy.
- A number of administrative competencies were devolved to the peripheries and the municipalities in the mid-1990s as part of a decentralization process. Most of the duties of the prefectures were transferred to the peripheries (Ioakimidis 2000).
- Amendments to the constitution made in 2001 specified that for the administration of local affairs, "the presumption of competence concurs in favour of local government agencies" (Article 102). They perform their functions independently from other levels of government, and without hierarchical relationship to each other or to the central government (Department of Economic and Social Affairs, United Nations 2004).

- That being said, this decentralization is mainly administrative and there is no evidence of any decision by the state to enable minority autonomy. On the contrary, the Greek state is ideologically opposed to the idea of granting autonomy to minorities, which are not recognized.

2. OFFICIAL LANGUAGE STATUS, EITHER IN THE REGION OR NATIONALLY

No.

Official Language Status Scores				
Year:	1980	2000	2010	2020
Scores:	0	0	0	0

Evidence:

- The language spoken by the Macedonian minority is not recognized by the Greek state and, as a consequence, has not been granted official status nationally or regionally.
- According to Human Rights Watch, the Greek government even denies that the language spoken by the Macedonians of northern Greece exists: it is at best referred to as an idiom. Its use has long been restricted, and it still cannot be used in teaching or in judicial proceedings (Human Rights Watch 1994).
- However, the 2018 Prespa Agreement between Greece and the Republic of Macedonia changed the name of the latter to the Republic of North Macedonia as of February 2019 and recognizes the Macedonian language for North Macedonia, which may help make it possible to recognize the Macedonian language in Greece sometime in the future (Joseph & Vangelov 2018).
- Since 1951, official censuses do not count the number of minority-language speakers.
- Greece has not signed the European Charter for Regional and Minority Languages.

3. GUARANTEES OF REPRESENTATION IN THE CENTRAL GOVERNMENT OR ON CONSTITUTIONAL COURTS

No.

Guaranteed Representation Scores				
Year:	1980	2000	2010	2020
Scores:	0	0	0	0

Evidence:

- Elections to the Greek Parliament are based on a system of reinforced proportional representation. Most members of Parliament (288 out of 300) are elected in 56 constituencies, whereas the 12 others are selected from nationwide party lists (Greece index, n.d.). Constituencies mostly coincide with prefectures and can never be deprived of representation nor merged with another prefecture's constituency.

- Under the current electoral law ("reinforced proportionality"), a party must receive at least a 3 percent vote *nationwide* in order to elect representatives to the Parliament. This gives the most popular party a substantially higher share of seats than its share of votes, and disadvantages smaller parties. This limits considerably the possibility for a Macedonian ethnic party to elect some representatives.
- The Supreme Special Court of Greece serves as the ultimate instance for both electoral and constitutional matters. Article 100 of the Constitution (1975) states that members of the Supreme Special Court are selected from the highest ranking members of the Council of State, the Court of Cassation and the Chamber of Accounts. None of these courts guarantee representation for the Macedonian minority.

4. PUBLIC FUNDING OF MINORITY-LANGUAGE UNIVERSITIES/SCHOOLS/MEDIA

No.

Public Funding Scores				
Year:	1980	2000	2010	2020
Scores:	0	0	0	0

Evidence (education):

- Primary and secondary education, as well as higher education, are the responsibilities of the Greek central government (Ioakimidis 2000).
- Political activists have called for the teaching of Macedonian in local schools since the 1980s, but this is still not permitted in either public or private schools (Karakasidou 2000; Radio Free Europe 2002).
- Teaching in Macedonian is not allowed because the state denies that this language exists. Foreign languages can be taught in Greek schools after obtaining a license and a certificate, but these are refused to Macedonian teachers and schools (Human Rights Watch 1994).
- In their 2004 manifesto, the European Free Alliance Party (2004) affirmed the necessity for the Greek state to recognize minority languages such as Macedonian and introduce them in the education system, but this has not taken place.

Evidence (media):

- According to article 15 of the constitution (1975), radio and television broadcasting are the direct responsibility of the Greek state. Here again, the central government's denial of the existence of a regional Macedonian language has prevented any programming in the minority language (Radio Free Europe 2002).
- Broadcasting regulations are supervised by the Greek National Council for Radio and Television (Mediterranean Network of Regulatory Authorities 2017). Based on the available evidence, the council's mandate does not seem to include any reference to the protection, representation or use of minority languages.
- The Hellenic Broadcasting Corporation is the Greek public broadcaster, and provides radio and television services at the national, regional and local levels. It currently operates two national and two regional television channels, as well as six national and 19 regional radio stations (Hellenic Broadcasting Corporation n.d.).

- One television channel and one radio station are located in the Macedonian region and are said to be of a local nature. However, there is no mention that any of the programming is in the Macedonian language. On the contrary, the Hellenic Broadcasting Corporation's mission includes the upgrading, safeguarding and promotion of the Greek language (ibid.).

5. CONSTITUTIONAL OR PARLIAMENTARY AFFIRMATION OF "MULTINATIONALISM"

No.

Affirmation of "Multinationalism" Scores				
Year:	1980	2000	2010	2020
Scores:	0	0	0	0

Evidence:

- The Greek government does not acknowledge the existence of minorities in the country and emphasizes that the state is ethnically homogeneous, with the exception of the Turks, which are described as a religious minority (Radio Free Europe 2002).
- In an undated publication issued in the early 1990s, the Greek Foreign Ministry stated that since the populations' exchange in the first half of the 20th century, "there has been no Slav minority in Greece" (Hellenic Resources Network n.d.). According to Roudometof (2002), Greek officials are wary of this recognition because they see it as a potential threat to the state's territorial sovereignty.
- The state uses the term "Macedonian" only as a geographic term describing the region in northern Greece. It denies assertions of an ethnic Macedonian minority and argues that a Macedonian national identity is fiction (Human Rights Watch 1994).
- For Human Rights Watch (1994), this failure to recognize the "multinationalism" of the country is reflected, among other things, in the government's refusal to allow the opening of a centre of Macedonian culture and the prohibition of Macedonian songs and dances.
- In the late 1990s, the Greek government seemed to relax its approach, and organized a conference on Macedonian minorities where it emphasized the right to the private pursuit of cultural mobilization by Macedonian activists (Roudometof 2002).

6. ACCORDED INTERNATIONAL PERSONALITY
(E.G., ALLOWING THE SUB-STATE REGION TO SIT ON INTERNATIONAL BODIES, SIGN TREATIES, OR HAVE THEIR OWN OLYMPIC TEAM)

No.

Affirmation of "Multinationalism" Scores				
Year:	1980	2000	2010	2020
Scores:	0	0	0	0

Evidence:

- According to article 36 of the constitution (1975), the central state is responsible for all representation in the international sphere: it signs international treaties, negotiates economic cooperation agreements and seats on international organizations.
- Since the Greek state denies the existence of the Macedonian minority, there is no recognized institutional entity representing the minority's interests in international relations. The administrative regions of Western Macedonia, Central Macedonia, and Eastern Macedonia and Thrace are members of the EU Committee of the Regions, but so are most of the other administrative regions and there is no evidence of Greek Macedonian involvement as such in international bodies or agreements.

Italy

TOTAL SCORES				
Year:	1980	2000	2010	2020
Scores:	4	4.5	4.5	4.5

The national minority examined in this case is that of the German-speaking population in the province of South Tyrol (formally referred to as Bolzano/Bozen or Alto Adige/Südtirol), which is part of the region of Trentino–Alto Adige/Südtirol in northern Italy. The German-speaking community, with a population of about 310,000, forms the majority of the province. The French-speaking minority of Valle d'Aosta, in the northwest of Italy, counts only about 90,000 inhabitants. It is sometimes mentioned but is not the focus of this section.

1. FEDERAL OR QUASI-FEDERAL TERRITORIAL AUTONOMY

Yes.

Territorial Autonomy Scores				
Year:	1980	2000	2010	2020
Scores:	1	1	1	1

Evidence:

- Italy has twenty regions, five of which (including Trentino–Alto Adige/Südtirol and Valle d'Aosta/Vallee d'Aoste) have 'special autonomous status', which gives them varying degrees of legislative, administrative and financial autonomy beyond the other regions. According to the constitution, the republic is committed to the promotion of local autonomies.
- The 1946 'Gruber–De Gasperi Agreement' between Italy and Austria promised equal rights for South Tyrol's German-speakers, safeguards for the German-speaking character of the population, autonomous legislative and executive powers, linguistic group proportionality in the public service, mother-tongue education, and the equal status of the German and Italian languages. Italy characterised the 1948 creation of the special Autonomous Region of Trentino–Alto Adige as the implementation of the Agreement, but 71.5 per cent of the regional population were Italian-speakers, and the German-speakers were easily outvoted on many decisions that directly affected them.
- The Autonomy Statute was revised in 1972 to devolve most of the region's powers to its two constitutive provinces, Trentino and South Tyrol, making them autonomous provinces within the autonomous region. It also introduced consociational power-sharing between the German-, Italian-, and Ladin-speaking linguistic groups in South Tyrol. The so-called 'second' Autonomy Statute was implemented over a twenty-year period, and the conflict was declared settled in 1992. A variety of amendments in practice made by

Enactment Decree over the following decade were formally incorporated into the Autonomy Statute at the same time as the 2001 Italian constitutional reform (see Woelk *et al.* 2007 for a comprehensive overview of South Tyrol's autonomy arrangement, and Larin & Röggl 2019 for a recent update).

- The 2001 constitutional reform transformed Italy's system of government and the distribution of powers: the state now has competence in a limited number of areas (including foreign relations, immigration, social security and some general provisions on education), while regions have legislative powers in all matters that are not explicitly covered by state legislation (Roux 2008).
- This reform further adopted fiscal federalism and devolved the capacity to raise and manage their revenues to sub-state administrations (Calamai 2009). As Wolff explains, "the constitutional status of the Bolzano/ Bozen province is now very similar to that of a state in a federal country" (2004, 394).

2. OFFICIAL LANGUAGE STATUS, EITHER IN THE REGION OR NATIONALLY

Yes.

Official Language Status Scores				
Year:	1980	2000	2010	2020
Scores:	1	1	1	1

Evidence:

- The 1948 Autonomy Statute stated that Italian was the official language of the state and of the region of Trentino–Alto Adige/Südtirol. German could, however, be used in public life, in public administration as well as in the political sphere.
- The 1972 revision of the Autonomy Statute made the German language equal to Italian in the region of Trentino–Alto Adige/Südtirol. This was taken to mean that "German was henceforward to be considered a local official language" (Alcock 2001, 13).
- The official status of German in the Trentino–Alto Adige/Südtirol region (as well as of French in Valle d'Aosta) has also been recognized in Italy's report to the OSCE High Commissioner on National Minorities (Organization for Security and Co-operation in Europe 1999).
- German-speakers are allowed to communicate in their own language with the region's administrative authorities as well as in judicial proceedings, but this is not required of the state administrative authorities (Special Statute for Trentino–Alto Adige, 2001). Ladin-speakers have similar linguistic rights to German-speakers, but these are mostly limited to the predominantly Ladin-speaking valleys.
- Since 2001, the Constitution of the Italian Republic recognizes the bilingual name "Alto Adige/Südtirol."

3. GUARANTEES OF REPRESENTATION IN THE CENTRAL GOVERNMENT OR ON CONSTITUTIONAL COURTS

Yes.

Guaranteed Representation Scores				
Year:	1980	2000	2010	2020
Scores:	1	1	1	1

Evidence:

- Italy possesses a bicameral legislature; the Chamber of Deputies (630 members) and the Senate (321 members) have equal powers. Elections are held through a fully proportional system based on party-list representation. Constituencies either respect (for the Chamber of Deputies) or correspond to (for the Senate) regional borders (Repubblica Italiana n.d.).
- Some pro-minority additions to the electoral rules show an intent to have minorities represented in the central government and court.
- Seats in the Chamber of Deputies are allocated among the parties that pass (state-wide) thresholds according to the total vote on a *state-wide* basis. However, parties representing linguistic minorities can obtain seats if they gather at least 20 percent of the ballots in their *constituency*.
- The Senate is elected on a regional basis. Article 57 of the constitution states that no region can have fewer than seven senators, and guarantees that Valle d'Aosta (a region with a majority of French-speakers) has one seat.
- According to the constitution, three delegates from every region participate in the election of the president of the Republic (in a joint session with the Parliament) so as to ensure that minorities are represented.
- While German-speakers do not form a majority in the region of Trentino–Alto Adige/Südtirol, guarantees of representation at the regional and provincial levels (see below) ensure that members of the minority have a role in the selection of the president.
- The Constitutional Court is composed of 15 judges chosen partly by the president of the Republic, by the Parliament and by the three superior tribunals. Membership of the Constitutional Court seeks to "mirror [...] the political, legal and cultural pluralism of the country as closely as possible" (Corte Costituzionale 2019, 22), but there is no guarantee of representation for the national minorities, and no native German-speaking judge currently sits on the court.
- Since South Tyrol is a consociation, there are a wide variety of representational guarantees at both the regional and particularly the provincial level. Several political and administrative positions are reserved according to linguistic group affiliation, in some instances rotating between groups. The most important are on the provincial Joint Commission of Six, which must include at least one German-speaker as a state representative and at least one Italian-speaker as a Provincial representative; the Provincial executive, in which one of the three Vice Presidencies must be allocated to each official linguistic group; and the Province's Autonomous Section of the Regional Court of Administrative Justice, appointments to which must be equally distributed between German- and Italian-speakers. In addition to this, all executives (regional, provincial, and municipal) must include affiliates of each official linguistic group in proportion to their distribution in the relevant council.

4. PUBLIC FUNDING OF MINORITY-LANGUAGE UNIVERSITIES/SCHOOLS/MEDIA

Yes.

Public Funding Scores				
Year:	1980	2000	2010	2020
Scores:	1	1	1	1

Evidence (education):

- South Tyrol has separate German-, Italian-, and Ladin-language school systems, which are funded in proportion to the size of each linguistic group in the province.
- During the 1990s, the province's autonomy was extended to include competency on university education, and the trilingual "Free University Bolzano/Bozen" was founded in 1998 following these developments (Woelk *et al.* 2007).
 - Mitter (2004) further mentions that special agreements between Italy and its neighbours make it possible for members of the German minority to attend universities in Austria and Germany

Evidence 35

Evidence (media):

- The Public Broadcasting Act of 1975 included protection of minorities within the responsibilities of the public service broadcaster, *Radiotelevisione Italiana* (RAI). This meant the reservation of television and radio program slots for linguistic minorities in Bolzano/Bozen (German and Ladin), in Valle d'Aosta
- (French) and in Friuli-Venezia Giulia (Slovene), but only by specific request of the minorities themselves (Organization for Security and Co-operation in Europe 2004).
- These provisions were modified due to their unsatisfactory application and their failure to achieve successful results in practice. The Minority Languages Act (1999) now states that RAI and the Ministry for Communications have responsibility for ensuring that favourable conditions exist for protection of minority-language broadcasting in relevant regions (Organization for Security and Co-operation in Europe 2004, 266).
- Specific regional agreements between these regions and the public broadcaster regulate the transmission of programming in the protected language. Since 1975, *Rundfunk-Anstalt Südtirol* (RAS), a provincial equivalent to RAI funded exclusively by the local authority of Bozen, broadcasts in German, Italian and Ladin throughout South Tyrol (Rundfunk-Anstalt Südtirol 2019).
- There is no obligation for any other broadcasters (other than RAI) to include minority-language programming. In South Tyrol, however, both public and some private radio and television stations broadcast programs in German. Measures have also been adopted in order to fund minority-language newspapers.
- The German-speaking population of South Tyrol can also receive television or radio programs produced in Germany or in Austria (Venice Commission 1994).

5. CONSTITUTIONAL OR PARLIAMENTARY AFFIRMATION OF "MULTINATIONALISM"

No.

Affirmation of "Multinationalism" Scores				
Year:	1980	2000	2010	2020
Scores:	0	0	0	0

Evidence:

- There is no explicit affirmation of multinationalism or of the "national" diversity of Italy in the Constitution of the Italian Republic. On the contrary, there is a basic assumption that all citizens are members of the Italian nation, and Italy as a whole is described as "the Nation" (see articles 9, 59, 67, for example). There is no mention of the "national" character of the territorial minority in the Statute of Autonomy either.
- Only language is used as a distinctive feature to identify minorities (which are protected by special measures), excluding all references to "ethnic" or "national" minorities.
- According to Palermo, "the multi-cultural composition of the Italian 'nation' is emphasized by recognizing the minority languages" (2000, 9). In a later work, he describes Italy as a "national state of multinational and promotional inspiration" (Palermo and Woelk 2003, 228), assessing that recognition, protection and promotion of minorities are an essential component of the country's constitutional order.

6. ACCORDED INTERNATIONAL PERSONALITY (E.G., ALLOWING THE SUB-STATE REGION TO SIT ON INTERNATIONAL BODIES, SIGN TREATIES, OR HAVE THEIR OWN OLYMPIC TEAM)

Yes.

International Personality				
Year:	1980	2000	2010	2020
Scores:	0	0.5	0.5	0.5

Evidence:

- The legal framework in Italy has traditionally been very restrictive with regard to the international role and actions of sub-state entities, although it has gradually gained some flexibility (Keating 2000).
- Starting in 1970, members of the parliaments of South Tyrol and of Tyrol (an Austrian state) have held joint sessions of the two parliaments, discussing common issues and signing agreements and conventions. These meetings were extended to include members of the Parliament of Trentino in 1991 (Europaregion Tirol–Südtirol/Alto Adige–Trentino 2010a).
- Some competencies in the EU sector (such as the right to open a South Tyrol Office in Brussels) were given to the region during the 1990s, partly through court processes (Woelk *et al.* 2007). The Italian delegation to the Committee of the Regions of the European Union includes one representative of the Bolzano/Bozen province.

- Together with the Austrian state of Tyrol, the Italian region of Trentino-Alto Adige/Südtirol forms the Euroregion Tirol–Südtirol/Alto Adige–Trentino. They established the first trans-boundary EU liaison office in Brussels in 1995 (Europaregion Tirol–Südtirol/Alto Adige–Trentino 2010b).
- Changes made to the Constitution of the Italian Republic in 2001 now present the international and EU relations of the different regions as a shared competency: legislative powers are vested in the regions while the determination of fundamental principles is done by the central government. Article 117 further specifies that "the autonomous provinces of Trento and Bolzano take part in preparatory decision-making process of EU legislative acts in the areas that fall within their responsibilities."

Japan

TOTAL SCORES				
Year:	1980	2000	2010	2020
Scores:	0	0	0	0

Two main groups can be described as national minorities in Japan: the Ryukyuan people, concentrated in the Ryukyuan Islands in Okinawa and Kagoshima prefectures, with a population of nearly 1.5 million (approximately 1.2 per cent of Japan's population); and the Burakumins, historically segregated on the basis of their caste rather than ethnicity, with an estimated population of 2 to 3 million (1.6–2.4 per cent of the population).

1. FEDERAL OR QUASI-FEDERAL TERRITORIAL AUTONOMY

No.

Territorial Autonomy Scores				
Year:	1980	2000	2010	2020
Scores:	0	0	0	0

Evidence:

- Japan has been a unitary country since the adoption of its constitution in 1946. It is composed of 47 prefectures, each overseen by an elected governor, which are responsible for the implementation of some governmental policies.
- The Ryukyuan minority is concentrated in the Okinawa prefecture, a group of islands in the south of the country.
- Most government expenditure takes place at the regional or local level, but the prefectural government is dependent on money transferred from the central government and is very limited in its autonomy with regard to spending (Inoguchi 2007).
- The Burakumin are widely dispersed on the Japanese territory and have no form of territorial autonomy.

2. OFFICIAL LANGUAGE STATUS, EITHER IN THE REGION OR NATIONALLY

No.

Official Language Status Scores				
Year:	1980	2000	2010	2020
Scores:	0	0	0	0

Evidence:

- Japanese is the only official language of the state, and more than 99 percent of the population of Japan is said to speak it as their first language.
- The Ryukyuan languages are similar to, but distinct from, Japanese. They tend to be presented as dialects of Japanese—a portrayal that is considered to be political rather than linguistic (Gottlieb 2005).
- Since the annexation of the Ryukyuan islands by Japan in 1872, language planning activities deliberately promoted Japanese as the sole state language, and few people born after 1950 are fluent in a Ryukyuan language.
- Recently, attempts have been made to revitalize the Ryukyuan languages: many research centres and organizations were established in past decades, and the preservation of the languages has become Okinawa Prefecture's policy. The Council for Restoration of the Okinawa Dialects was created in 2000 and is working to establish a standard orthography for a variety of Ryukyuan languages that cannot be accurately represented using Japanese characters (Heinrich 2004). The prefecture has also adopted some 'covert language planning' initiatives over the past ten years—intended to encourage changes in language behavior without explicitly resisting the central state's objectives (Heinrich and Ishihara 2018)—which are discussed in section 4.
- The Burakumin have no language of their own.

3. GUARANTEES OF REPRESENTATION IN THE CENTRAL GOVERNMENT OR ON CONSTITUTIONAL COURTS

No.

Guaranteed Representation Scores				
Year:	1980	2000	2010	2020
Scores:	0	0	0	0

Evidence:

- Japan's legislative organ is the bicameral Diet, consisting of a House of Councillors and a House of Representatives. Members of both houses are elected according to a supplementary member system or mixed member majoritarian system (House of Councillors n.d.).
- A majority of the members of the Diet, that is, 300 members of the House of Representatives and 146 members of the House of Councillors, are elected in multiple-seat constituencies. The remaining mem- bers are elected

by proportional representation in prefectural constituencies, in the former case, or from a single nationwide electoral district, in the latter (House of Representatives 2014).

- According to election law, prefectural constituencies are ensured a minimum of one representative. This, de facto, ensures that at least one representative of Okinawa is elected to the House of Representatives, but there is no indication that this was adopted to guarantee representation to the national minority (Free Choice Foundation, 2007).
- There is a Minister of State for Okinawa and Northern Territories Affairs, but there is no requirement that this position be taken by a member of the Ryukyuan minority.
- In fact, the UN special rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance reports that national minorities are "invisible in state institutions" (Commission on Human Rights 2006, 22), and recommends that "political representation of minorities should be guaranteed" (ibid.).
- As indicated by the Constitution of Japan (1946), judges to the Supreme Court are appointed by the Cabinet. This appointment is then reviewed by the people at the first general election of the House of Representatives, and judges can be dismissed if the majority of the voters decide so (Supreme Court of Japan 2020). Since this vote is cast on the national level, this system does not guarantee representation for national minorities.

4. PUBLIC FUNDING OF MINORITY-LANGUAGE UNIVERSITIES/SCHOOLS/MEDIA

No.

Public Funding Scores				
Year:	1980	2000	2010	2020
Scores:	0	0	0	0

Evidence (education):

- Even though public schools in Okinawa are overseen by their own regional prefectural board of education, language planning activities in the 20th century consistently imposed negative measures against Ryukyuan languages. These minority languages were banned from schools in 1907 in an attempt to enforce the "standard language," Japanese (Heinrich 2004).
- The central government does not recognize or authorize languages other than standard Japanese as the language of instruction in public and private schools, or as the language used in textbooks and pedagogical material. In fact, Maher (1997) reports "neither government financial support nor accreditation will be given to those institutions" (that seek to maintain minority languages or cultural habits). Children graduating from minority-language schools are also ineligible for entry to institutions of higher education.
- Attitudes towards minority-language education are slowly changing, particularly because of the growing awareness of the declining use of these languages and of the pressure made by groups seeking to revitalize minority cultures. Ryukyuan plays and songs have been incorporated into Okinawan public schools, and basic Ryukyuan language courses have been offered at many universities since at least the early 2000s (Heinrich 2004).

- Efforts in what Heinrich and Ishihara (2018) call ‘covert language planning’ have been introduced over the past decade, primarily by focusing on ‘shimakutuba’, or (deliberately unspecified) ‘local languages’. This allows the prefecture to address language endangerment without directly confronting Japan’s monolingual self-representation, through measures such as the 2012 “Okinawa 21st Century Vision Master Plan”, which declares shimakutuba to be the base of Ryukyuan culture and that efforts will be made to preserve them, and producing shimakutuba language manuals for both the general public and schools. Furthermore, Okinawa’s “Local Language Prefectural Campaign” encourages municipal governments, schools, mass media, private corporations, and ordinary citizens to promote the use of shimakutuba.

Evidence (media):

- There is little evidence of central government support for minority media, both in terms of content and as a medium.
- Television and newspaper coverage of Japan's national minorities is marginal.
- In 1997, Maher noted the sole use of standard Japanese in radio, television, and all print media, suggesting that this accelerated the decline of vernaculars such as the Ryukyuan languages. In 2004, however, Heinrich reported the broadcasting of news in Ryukyuan twice a week by a local radio station in Okinawa, as well as the publication of four issues of a newspaper in Ryukyuan per year.
- The past decade has seen further developments. The *Okinawa Times*, for example, has published a separate page every Sunday since 2013 titled “Local Language Newspaper Uchinaa Times”, supplemented by podcasts and other internet resources. NHK Okinawa, the prefectural branch of the national television broadcaster, has broadcast a Ryukyuan-themed program titled “Let’s Play in Okinawa” since 2010. And other TV and radio stations in Okinawa have been broadcasting programs in Ryukyuan as well (Heinrich and Ishihara 2018).
- In its 2006 report on Japan, the UN special rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance recommends that "Japanese national media should give more space to programmes on minorities," which should be developed with the collaboration of minorities (Commission on Human Rights 2006).

5. CONSTITUTIONAL OR PARLIAMENTARY AFFIRMATION OF "MULTINATIONALISM"

No.

Affirmation of "Multinationalism" Scores				
Year:	1980	2000	2010	2020
Scores:	0	0	0	0

Evidence:

- Japan is far from acknowledging its multinational character; on the contrary, the state's claims of racial and cultural homogeneity are vigorous (and numerous).
- The preface of the 1946 Constitution of Japan starts with "We, the Japanese people" emphasizing a unity among all Japanese that is not nuanced later on. In a more explicit way, the central government has repeatedly denied the

existence of linguistic minorities over the years and affirmed the racially homogenous character of the country, describing it as having one nation, one civilization, one language, one culture, and one race (Maher 1997; Gottlieb 2006; Burgess 2007).

- While Burakumin and Ryukyuan people have never been recognized as racial, ethnic, or national minorities, the government has acknowledged the deep discrimination and economic difficulties suffered by these groups (particularly by the Buraku people), and has taken a set of actions to improve their social conditions. Thus, the Law on Special Measures for Dowa Projects (1969, terminated in 2002) and the Okinawa Promotion and Development Plan (2002) were adopted in order to improve the living conditions of the minorities, without, however, recognizing their particular needs and characteristics as such (Commission on Human Rights 2006). In 2016, the Diet adopted the “Act on the Promotion of the Elimination of Buraku Discrimination”, which asserted the government’s responsibility to combat discrimination against Burakumin through establishing consultation mechanisms, improving education and investigating instances of discrimination. Since it does not actually outlaw discrimination against Burakumin, however, contraventions of the law cannot be penalised (Minority Rights Group International 2018).
- Discussion of minority rights and recognition is taboo in Japanese public space, partly because of the population's continued ignorance of the minorities' distinct culture and heritage. For example, the parts of school history books dedicated to the Buraku and Ryukyuan people are reported to be deliberately limited, reinforcing the impression of a Japanese uniform history (Commission on Human Rights 2006).

6. ACCORDED INTERNATIONAL PERSONALITY
(E.G., ALLOWING THE SUB-STATE REGION TO SIT ON INTERNATIONAL BODIES, SIGN TREATIES, OR HAVE THEIR OWN OLYMPIC TEAM)

No.

International Personality Scores				
Year:	1980	2000	2010	2020
Scores:	0	0	0	0

Evidence:

- Article 73 of the Constitution of Japan (1946) states that managing foreign affairs and concluding treaties are prerogatives of the state's Cabinet. The constitution does not recognize any role of the prefectures in that matter.
- No evidence can be found of independent international activities undertaken by the Okinawa prefectural government, and no change in these criteria can be observed over the last decade.

Spain

TOTAL SCORES				
Year:	1980	2000	2010	2020
Scores:	4	4.5	5.5	5.5

This section examines the three minorities of Spain said to be "historic nationalities": the populations of Catalonia (7.7 million), the Basque country (2.2 million) and Galicia (2.7 million) (Instituto Nacional de Estadística 2020). These regions, described as autonomous communities in the Spanish context, are those where minority languages are most widely spoken.

1. FEDERAL OR QUASI-FEDERAL TERRITORIAL AUTONOMY

Yes.

Territorial Autonomy Scores				
Year:	1980	2000	2010	2020
Scores:	1	1	1	1

Evidence:

- The adoption of the Spanish Constitution and the passage to democracy in 1978 came with the creation of a highly decentralized state based on autonomous communities.
- Seventeen autonomous communities were formed from the 50 provinces of Spain. While decentralization is designed for all sub-national units, Catalonia, the Basque Country and Galicia, considered to be historic nationalities because they used to possess a special statute before Franco's reign, obtained a greater level of autonomy through a fast and simplified process of devolution (Keating 2001, 114-117).
- The Statutes of Autonomy for Catalonia and the Basque Country were approved in 1979; for Galicia, the statute was affirmed in 1981. They recognize the legislative, executive and judicial structures of the autonomous communities and give them jurisdiction over education, health, culture and social services, among others.
- The Statute of Autonomy of the Basque Country gives the autonomous community the right to raise almost all its own taxes. Catalonia and the Basque Country also have their own autonomous police corps that replaces some of the functions usually carried out by the state police.
- A vast process of reforming Statutes of Autonomy took place in Spain from 2004 to 2007. A new Statute of Autonomy was adopted by the Catalan Parliament, the Spanish Congress and the population of Catalonia by referendum in 2006, expanding the authority of the autonomous community, particularly with regard to tax collection (Nationalia.info 2010).

- Statute reforms in Galicia and the Basque Country were not completed. The processes came to an end in the regional parliament and in the national parliament, respectively (Orte and Wilson 2008).
- The past decade has seen dramatic political changes in Catalonia. In 2010 the Constitutional Tribunal, Spain's highest court of constitutional interpretation, made four decisions that overturned important aspects of the 2006 Autonomy Statute: "Catalonia could not call itself a 'nation' in the legal sense; could not give the Catalan language preferential status in public administration; could not shield already-devolved policy areas from future central-government involvement; could not unilaterally put a cap on what it paid into the central treasury; could not raise its own taxes; could not impose a floor below which central government investments in the region would not be allowed to drop; and could not run its own justice system" (Mueller 2019, 147). These decisions, along with austerity measures introduced by the new Spanish government in 2011, significantly increased support for greater autonomy or independence among Catalonians. On 1 October 2017 the Catalan government held a referendum on independence, which had been ruled illegal by the Spanish Constitutional Court. 90% voted in favour of independence, but turnout was only 43% and there was police violence and reports of other voting irregularities. On 10 October the President of the Government of Catalonia declared Catalonia's independence, but said that the effect of the declaration was suspended and called for negotiations with Spain. On 27 October 2017 the Catalan Parliament approved a resolution declaring Catalonia's independence from Spain, which was immediately followed by the Spanish government dismissing the Catalan government and imposing direct rule by invoking article 155 of the Spanish Constitution (BBC News 2017). Catalonia's autonomy was reinstated in June 2018.

2. OFFICIAL LANGUAGE STATUS, EITHER IN THE REGION OR NATIONALLY

Yes.

Official Language Status Scores				
Year:	1980	2000	2010	2020
Scores:	1	1	1	1

Evidence:

- Section 3 of the Spanish Constitution states that Castilian (Spanish) is the official language of the State. Other languages can also be official at a regional level.
- Six (of the 17) autonomous communities have made a minority language co-official in their region, and another two are committed to the protection of their dialects (Organization for Security and Co-operation in Europe 2004).
- The Statutes of Autonomy made the Euskera (Basque), Catalan and Galego (Galician) languages co-official in their autonomous communities: the populations of the Basque Country, Catalonia and Galicia thus have the right to use either Spanish or the regional language. The Statute of Autonomy of Catalonia further states that Catalans have the duty to know the two official languages.
- The reformed Statute of Autonomy of Catalonia of 2006 indicated that "Catalan is the language of normal and preferential use" in public administration, media and education. The use of "preferential" was, however, deemed unconstitutional by the Spanish Constitutional Court in 2010 (Helmich 2020).

3. GUARANTEES OF REPRESENTATION IN THE CENTRAL GOVERNMENT OR ON CONSTITUTIONAL COURTS

Yes.

Guaranteed Representation Scores				
Year:	1980	2000	2010	2020
Scores:	0.5	0.5	1	1

Evidence:

- The electoral constituencies for the Spanish Congress are the provinces, which are sub-units of the autonomous communities. Each constituency is allotted a minimum number of representatives, and the remaining seats are distributed in proportion to the population.
- The Spanish Senate, said to be the house of territorial representation, is constituted in a similar way. However, in addition to 208 senators elected by the voters in the provinces (each province elects four senators), each autonomous community appoints at least one senator and one other for every million inhabitants in their respective territories (Senado de Espana 2021). This special feature of the electoral system shows the importance placed in guaranteeing representation of the communities.
- As stated in the Spanish constitution, members of the Constitutional Court are nominated by the Congress, the Senate, the government, and the General Council of the Judicial Power (members of this latter body are also nominated by the Congress and the Senate).
- Catalan and Basque leaders have consistently asked for a more direct role in the appointment of judges to Spain's Constitutional Court (Keating 2001). Since 2006, article 180 of Catalonia's Statute of Autonomy states that the autonomous community participates in the processes for the designation of magistrates of both the Constitutional Court and of the General Council of Judicial Power. However, it is unclear how this has been implemented.
- Most of the reformed statutes of autonomy now regulate bilateral cooperation between the self-governing community and the state. The Catalonia-State Bilateral Commission was created after adoption of the 2006 Statute of Autonomy as the permanent framework for bilateral relations (Ministerio de política territorial n.d.). The Basque Country had a similar demand, but its statute reform was not completed.

4. PUBLIC FUNDING OF MINORITY-LANGUAGE UNIVERSITIES/SCHOOLS/MEDIA

Yes.

Public Funding Scores				
Year:	1980	2000	2010	2020
Scores:	1	1	1	1

Evidence (education):

- The creation of self-governing communities after 1978 led to the transfer of education, in some parts of the country, to the regional governments. As the dictatorship was losing power in the second half of the 1970s, the teaching of minority languages in schools became first a voluntary and later a mandatory subject in elementary and secondary schools (Miley 2006). The teaching of Catalan, Gallego and Euskera (among others) was also included in the terms of the statutes of autonomy of each region (*Euskera Act*, 1982; *Catalan Language Planning Act*, 1983; *Galician Act*, 1983).
- While the presence of Catalan and Euskera was previously limited to the private network of education, since the 1980s all education is organized in a bilingual format; the instruction of the minority language going from subject to medium according to the autonomous community and the parents' choice (Huguet 2006).
- The Catalan 1983 *Language Planning Act* further requires that children be taught primarily in Catalan. The primacy of Catalan as the language of teaching and learning, both for university and non-university education, was also emphasized in regional decrees and in the 2006 Statute of Autonomy. Through the Universities and Research Language Policy Office, the regional government funds projects to foster and drive the Catalan language in universities.
- Since 2000, there have been attempts by the Spanish government to recentralize some policies including in the field of education (Requejo 2007). However, the public funding of minority-language institutions has not been questioned.

Evidence (media):

- According to section 149 of the Spanish constitution, the central state has competence over the organization of the press, radio and television. However, the autonomous communities have the opportunity to devise and implement additional broadcast policies (Organization for Security and Co-operation in Europe 2004).
- Since its creation in 1980, the national public broadcaster is obliged to provide regional television and radio programs. The new *Ley de la radio y la television de titularidad estatal* (2006) further specifies that part of these programs be broadcast in minority languages. The national public broadcaster has advisory committees in each autonomous community.
- Where public service broadcasters exist in autonomous communities, most of the programming is in the co-official language. Catalan and Basque television stations broadcasting in the minority language were established in 1983, while a television station in Galego was established in 1985 (*ibid.*).
- The regional acts usually require public authorities to fund the production of works in the regional languages. Article 26 of the 1998 *Language Policy Act of Catalonia* even obliges radio and television concessionaires to respect quotas: 50 percent of the programming must be in Catalan, and for radio stations, 25 percent of the songs broadcast must be in Catalan. The new *Act 11/2007* on the creation of the Catalan Broadcasting Corporation further affirms that Catalan is the language to be used in the provision of public broadcasting services.
- Similarly, Decree 313/1996 of Navarra (one of the provinces constituting the Basque Country) established promotion and protection of the Basque language as a key principle of local television concessionaires.

5. CONSTITUTIONAL OR PARLIAMENTARY AFFIRMATION OF "MULTINATIONALISM"

Partially.

Affirmation of "Multinationalism" Scores				
Year:	1980	2000	2010	2020
Scores:	0.5	0.5	0.5	0.5

Evidence:

- An intense debate over the uni-national or plurinational nature of the Spanish state has taken place during the first half of the 2000s. The need for electoral support encouraged the Spanish central government to abandon its increasingly nationalistic discourse and a centralizing set of policies, and allowed historic nationalities to start to ask for recognition as nations (Requejo 2005; Keating 2009).
- The revision of many statutes of autonomy in the mid-2000s has thus been marked by a normative discussion over whether some regions constitute "nationalities" or "nations" (Orte and Wilson 2008).
- Both the proposed Basque and the Galician statutes of autonomy increased recognition for their autonomous communities. The Galician Statute mentioned that Galicia ought to be recognized not just as a historical nationality, but also as a nation, while the Basque version proposed political status that included official recognition of a Basque nationality and citizenship. However, neither statutes of autonomy were ratified.
- The Catalan Statute of Autonomy of 2006 also defines Catalonia as a nation and as a nationality. In this case, however, the statute was adopted by the Spanish parliament. While the Constitutional Court of Spain declared some articles unconstitutional in 2010, it did not remove the term "nation" from the statute, but the court insisted that the term had no legal standing (La Vanguardia 2010).

6. ACCORDED INTERNATIONAL PERSONALITY (E.G., ALLOWING THE SUB-STATE REGION TO SIT ON INTERNATIONAL BODIES, SIGN TREATIES, OR HAVE THEIR OWN OLYMPIC TEAM)

Yes.

International Personality Scores				
Year:	1980	2000	2010	2020
Scores:	0	0.5	1	1

Evidence:

- The Spanish constitution affirms that the state holds exclusive competence over international relations and the signing of political treaties. However, the legal restrictions that prevented Spanish autonomous communities from acting abroad were relaxed in a Constitutional Court ruling in 1996 (Keating 2000).
- Moreover, devolution of some powers to autonomous communities has meant that external activities in areas such as economic development, education or tourism can be carried out by the minority communities.
- The 2006 Catalan Statute of Autonomy recognizes Catalonia's right to conduct foreign relations in the areas corresponding to its powers, and Catalonia now has a Ministry of Foreign Action.
- Since the 2000s, Catalan delegations have opened in fourteen countries as well as at the European Union, and collaborates in various ways with a range of international agencies and organizations including the United Nations and the Council of Europe (Ministry of Foreign Action 2019)
- Similarly, the Basque Country has started to take a more political international role following the relaxing of the restrictions on international involvement, and has established relationships with a variety of international actors (Lehendakaritza 2016).
- Representatives of the Basque government, the regional government of Catalonia and the autonomous community of Galicia are members of the EU Committee of the Regions (Committee of the Regions n.d.).

Switzerland

TOTAL SCORES				
Year:	1980	2000	2010	2020
Scores:	4	4	4	4

Switzerland is composed of four ethnolinguistic groups. The German-speaking group forms the majority both in terms of population (62%) and territory. Around 23 percent are French-speaking, and 8 percent are Italian-speaking (Swiss Federal Statistical Office 2021). These minority groups are geographically concentrated in different parts of the country. Romansh-speakers account for only about 0.5 percent of the total population, or 35,100 people; they are not the focus of this section.

1. FEDERAL OR QUASI-FEDERAL TERRITORIAL AUTONOMY

Yes.

Territorial Autonomy Scores				
Year:	1980	2000	2010	2020
Scores:	1	1	1	1

Evidence:

- Switzerland has been a federal state since 1848. It is composed of 26 federated cantons and demi-cantons which have a permanent constitutional status and a high degree of independence. Article 3 of the Federal Constitution of the Swiss Confederation states that cantons shall exercise all rights that are not vested in the Confederation.
- Cantons are further divided into more than 2,300 communes, which are granted varying degrees of autonomy (Presence Switzerland 2017).
- Switzerland also comprises three main linguistic and cultural regions—German, French and Italian. These linguistic boundaries do not necessarily correspond to cantonal ones: while most cantons are unilingual, three cantons are bilingual (French and German) and one is trilingual (German, Romansh and Italian) (Grin 1998, 3).
- The constitution was amended in 1999 (it came into effect on 1 January 2000), but no notable changes to the federal structure were introduced.

2. OFFICIAL LANGUAGE STATUS, EITHER IN THE REGION OR NATIONALLY

Yes.

Evidence:

- Language rights are enshrined in the constitution. German, French and Italian have had the status of national and official languages since 1848, whereas Romansh was recognized as a national language in 1938. The constitution was further amended in 1996 so as to grant the status of official language to Romansh, thus allowing Romansh-speakers to communicate in their language with the government (Swissinfo.ch 2006).
- Article 70 of the constitution states that each canton can decide its official language(s). Four cantons are French-speaking (Geneva, Jura, Neuchâtel and Vaud), three are bilingual in French and German (Bern, Fribourg and Valais), and one is Italian-speaking (Ticino). Romansh is an official language only in the trilingual (German, Italian and Romansh) canton of Graubünden (Presence Switzerland 2020).
- Establishment of linguistic variety was the central issue at stake in the revision of the constitution in 1999. The new constitution places a larger emphasis on the equality of all national languages (Organization for Security and Co-operation in Europe 2003).
- Changes in the constitution have further led to the implementation of a new law on language in July 2010, which regulates the government's use of official languages and its support for multilingual cantons, focusing specifically on the protection of Italian and Romansh language and culture. This law replaces and expands on a previous law from 1995 (Loi sur les langues, 2007).

3. GUARANTEES OF REPRESENTATION IN THE CENTRAL GOVERNMENT OR ON CONSTITUTIONAL COURTS

Partially.

Guaranteed Representation Scores				
Year:	1980	2000	2010	2020
Scores:	0.5	0.5	0.5	0.5

Evidence:

- The Swiss Parliament consists of two chambers of equal standing: the National Council and the Council of States. The 200 members of the National Council are elected according to a system of proportional representation on a cantonal basis (with each canton constituting a constituency and having at least one seat). The Council of States is composed of 46 representatives of the cantons (two representatives for each regular canton, or one representative for each canton that was a 'half-canton' until 1999), elected according to the rules in place in each canton (articles 149 and 150, Constitution).
- Because of the language distribution in the cantons, elections guarantee representation of the French-speaking people (for at least four cantons) and the Italian-speaking people (for at least one canton) to the Swiss Parliament. The Romansh-speaking citizens, which are only a minority in the trilingual canton of Graubünden, have no guarantee of representation.

- While no legal regulations ensure the representation of language minorities to the federal government, linguistic considerations are taken into account in the selection of government's ministers, and at least two out of seven ministers are usually French or Italian-speakers (Pfaff-Czarnecka 2004).
- Federal Court judges are elected by the Federal Assembly on the basis of linguistic, regional and specialization criteria and takes into account the proportion of representation of the major political parties. The Federal Court has 38 full-time judges and is made up of 3 Italian-speaking judges, 12 French-speaking judges and 23 German-speaking judges. Romansh is no longer represented. (Tribunal Federal n.d.).

4. PUBLIC FUNDING OF MINORITY-LANGUAGE UNIVERSITIES/SCHOOLS/MEDIA

Yes.

Public Funding Scores				
Year:	1980	2000	2010	2020
Scores:	1	1	1	1

Evidence (education):

- Article 62 of the constitution states that cantons are responsible for the system of school education; each canton, thus, makes its own decision about the language(s) of instruction. Public education is available in German, French, Italian and Romansh.
- Because of the principle of territoriality, citizens do not have a right to instruction in another national language (for example, a German canton has no obligation to offer public education in Italian or French). According to Grin (1998), however, cantons are usually lenient in this matter.
- The same principle is applied for higher education: in addition to the German institutions, university- level education is available in French (five institutions) and Italian (one institution) according to the canton where they are based (State Secretariat for Education, Research and Innovation 2019).

Evidence (media):

- The constitution states that legislation on radio and television as well as on other forms of public broad- casting is a responsibility of the federal state. However, regional needs are taken into account and every language area is provided with its own media (Organization for Security and Co-operation in Europe 2003).
- The Swiss Corporation for Radio and Television (SRG SSR) is charged with the production and broadcast of public radio and television programs. In accordance with the *Loi federale sur la radio et la television* (2006, previously 1991), the SRG SSR has to provide complete radio and television programs of the same value in German, French and Italian. One radio program must be broadcast for the Romansh-speaking region.
- The SRG SSR runs two television channels and four radio stations for the French language part of Switzerland, and two television channels and three radio stations for the Italian-speaking part. The Romansh minority has its own radio program and is allocated some time within the television program of the German-speaking zone (Organization for Security and Co-operation in Europe 2003).

- French and Italian programs from neighbouring countries are also available and increasingly popular in Switzerland.

5. CONSTITUTIONAL OR PARLIAMENTARY AFFIRMATION OF "MULTINATIONALISM"

Partially.

Affirmation of "Multinationalism" Scores				
Year:	1980	2000	2010	2020
Scores:	0.5	0.5	0.5	0.5

Evidence:

- Switzerland has historically defined itself as a federation or confederation of territorial cantons (which happen to speak different languages), not as a federation of distinct nations or linguistic communities. In fact, there was no mention of the terms "linguistic minority" or "linguistic community" in the constitution or legal documents before the 1990s, and the distinct language groups have not defined themselves as distinct "nations" or "peoples" (Dardanelli 2010). As a result, there is no constitutional or parliamentary acknowledgement of multinationalism, and the language communities have not sought to be recognized as nations or as component units of the federation.
- However, since the 1990s, commentators have noted that language is becoming more important as a form of political identity, alongside the older cantonal identities, and some suggest that the distinct linguistic communities are in fact growing apart (Steiner 2001).
- Whether the Swiss form a single (multilingual) "nation" is a matter of discussion. In some of its documents, Swiss political authorities explicitly state that the country does not form a single "nation," but rather is a confederation of historically sovereign communities (Suisse 1999). The principle of multilingualism is firmly entrenched, and the coexistence of the four official languages and cultures is described not only as a component of national identity but also as a constituting element of the country's cultural policy (ibid).

6. ACCORDED INTERNATIONAL PERSONALITY (E.G., ALLOWING THE SUB-STATE REGION TO SIT ON INTERNATIONAL BODIES, SIGN TREATIES, OR HAVE THEIR OWN OLYMPIC TEAM)

No.

International Personality Scores				
Year:	1980	2000	2010	2020
Scores:	0	0	0	0

Evidence:

- According to the constitution, foreign relations are the responsibility of the state, which represents Switzerland abroad.
- The central state is responsible for signing and ratifying international treaties although cantons may conclude treaties on matters lying within the scope of their powers. Cantons are particularly active in cross-border cooperation, but their power to sign agreements with neighbouring countries is always subordinate to that of the federal government. The cantons' role in cross-border cooperation has been increasingly important since the 1980s (Federal Department of Foreign Affairs 2020).
- Even within the *Organisation internationale de la francophonie*, it is the Swiss state that holds membership and that represents the country, rather than the French minority or French cantons (*Organisation internationale de la francophonie* n.d.).

United Kingdom

TOTAL SCORES				
Year:	1980	2000	2010	2020
Scores:	1.5	5	6	6

This section focuses on the Scottish, Welsh and Northern Irish minorities of the United Kingdom, with regional populations of about 5.5 million, 3 million and 1.9 million, respectively. While there is growing recognition of the Cornish minority in the southwest of England, its population is too small to be considered here.

1. FEDERAL OR QUASI-FEDERAL TERRITORIAL AUTONOMY

Yes.

Territorial Autonomy Scores				
Year:	1980	2000	2010	2020
Scores:	0	1	1	1

Evidence:

- Even though the UK has a unitary system of government, sub-state institutions have been in place for decades in Scotland, Wales and Northern Ireland. However, until 1999, "the UK Parliament at Westminster had absolute legislative authority with respect to all matters, including all aspects of public policy that could impact on Britain's minority linguistic communities" (Dunbar 2003, 5). Sub-state institutions consisted mainly of administrative offices which still permitted some degree of autonomy (Mitchell 2006).
- Unprecedented reforms to the structure of the UK have been carried out since 1997. The UK set up a series of new institutions such as the Scottish Parliament, the National Assembly for Wales and the Northern Ireland Assembly.
- The Scotland Act (1998), the Government of Wales Act (1998) and the Northern Ireland Act (1998) created the positions of first minister in each sub-state nation as well as governmental bodies to take on the devolved powers. The Cornwall Devolution Deal (2015) gives the administrative county of Cornwall a greater say over public sector funding and promotes local decision-making in many public services.
- Mooney et al. (2006) emphasize that devolution, while a UK-wide process, has been uneven across nations. The Scottish Parliament has the most extensive autonomy, which was broadened and further guaranteed by the Scotland Act 2016 in the wake of the 2014 Scottish independence referendum. Welsh autonomy was deepened with the addition of an executive and additional competencies by the Government of Wales Act 2006, and most recently with the Wales Act 2017, which devolves further powers including the ability to

change the name of the Welsh National Assembly (now the Senedd Cymru / Welsh Parliament since May 2020). The Northern Ireland Assembly has been suspended on several occasions, leading to intermittent direct rule, most recently from 2017–20.

- Devolution is different from a federal system of government in that it is reversible, and the devolved institutions are subordinate to the UK Parliament (Leeke, Sear and Oonagh 2003). However, while the UK government is still sovereign and can legislate in matters that have been reserved to the sub-state nations, it will not normally do so without the consent of the devolved institutions.
- In June 2016 the United Kingdom voted to leave the European Union in the ‘Brexit’ referendum. Since then, some formerly EU powers have been transferred to the central government and others to the devolved governments, and on some issues new UK-wide ‘common frameworks’ have been or will be created to ensure consistency or co-ordination across certain policies. According to the Institute for Government, the “UK and devolved governments also agreed that the overall effect will deliver ‘a significant increase in decision-making powers for the devolved administrations’, and that no existing devolved policy power will be taken away” (2020).

2. OFFICIAL LANGUAGE STATUS, EITHER IN THE REGION OR NATIONALLY

Yes.

Official Language Status Scores				
Year:	1980	2000	2010	2020
Scores:	0	1	1	1

Evidence:

- English is the official language of the United Kingdom, but minority languages have been granted some level of recognition regionally.
- The United Kingdom ratified various sections of the European Charter for Regional or Minority Languages with respect to Welsh (Wales), Gaelic (Scotland), Scots (Scotland and Northern Ireland) and Irish (Northern Ireland) in 2001, and to Cornish in 2002.
- According to the 2011 census, 19 percent of the population of Wales is able to speak Welsh (Welsh Government 2020). The major piece of legislation with regard to the Welsh language is the *Welsh Language Act 1993*, which establishes the equality of Welsh and English in Wales. It places an obligation on the public sector to treat Welsh and English equally when providing public services in Wales. A Welsh Language Commissioner has been responsible for promoting and facilitating the use of the Welsh language in Wales since 2012, and the National Assembly for Wales (Official Languages) Act 2012 amended the Government of Wales Act 2006 to make Welsh and English the two official and equal languages of the National Assembly for Wales.
- Only 1.1 percent of the Scottish population aged three or older is able to speak, read or write Gaelic. Since the mid-1980s, and particularly since devolution and the creation of the Scottish Parliament in 1998, the Gaelic language has gained some recognition and support (Dunbar 2003). The *Gaelic Language (Scotland) Act* of 2005 establishes the *Bord na Gaidhlig* (Gaelic development body) "with a view to securing the status of the Gaelic language as an official language of Scotland commanding equal respect to the English language" (*Gaelic Language Act*, 2005, Section 1 (3)).

- The 2011 census reports 3.7 that percent of the Northern Irish population is able to speak, write, and understand Irish. Irish received recognition in Northern Ireland for the first time under the Belfast Agreement of 1998, which also established *Foras na Gaeilge*, a cross-border body promoting the Irish language. The New Decade, New Approach agreement struck in January 2020 includes provisions for new legislation on Irish and Ulster-Scots to be implemented by amending the *Northern Ireland Act* 1998.

3. GUARANTEES OF REPRESENTATION IN THE CENTRAL GOVERNMENT OR ON CONSTITUTIONAL COURTS

Yes.

Guaranteed Representation Scores				
Year:	1980	2000	2010	2020
Scores:	0.5	1	1	1

Evidence:

- The UK House of Commons consists of 650 elected members of which 40 represent constituencies in Wales, 59 in Scotland and 18 in Northern Ireland. According to the *Parliamentary Constituencies Act* (1986), constituency boundaries are reviewed by four permanent "boundary commissions" (i.e., boundary commissions for England, Scotland, Wales and Northern Ireland). Members of those commissions must include representatives from the national minorities. Moreover, the act states that a minimum number of constituencies are guaranteed for each region (e.g., a minimum of 16 constituencies in Northern Ireland and of 35 for Wales).
- The House of Lords does not guarantee representation for members of sub-state nations. Most lords are appointed by the Crown (on the advice of the prime minister), and some are hereditary members elected by their party or by the House.
- There also exists a system of territorial ministers whose task is to coordinate central policy with the peripheral nations and to represent these regions in the central government. The secretaries of state for Scotland, Wales and Northern Ireland historically headed a substantial administration. Since devolution in 1999, the role of the secretaries of state has diminished, and most contact between the UK government and the devolved institutions is taking place between the individual government departments that are dealing with specific matters (Torrance 2020).
- Before 2005, the Judicial Committee of the Privy Council was the final judicial authority on devolution matters. This jurisdiction was transferred to the Supreme Court under the *Constitutional Reform Act*, 2005, which also made this institution the final court of appeal in the UK. The Supreme Court decides whether devolved sub-state authorities have acted within their powers or failed to comply with their duties (Supreme Court 2021).
- There is no provision in the *Constitutional Reform Act*, 2005, guaranteeing Scottish, Welsh or Northern Irish representation on the Supreme Court, but section 27 states that the first minister in Scotland, the assembly first secretary in Wales and the secretary of state for Northern Ireland must be consulted as part of the selection process. There are currently two Justices from Scotland, one from Northern Ireland, and one from Wales (Supreme Court n.d.).
- Overall, effective representation of the different national minorities within the central institutions of the UK seems to have weakened since devolution and the implementation of regional representative mechanisms. For

example, the clause guaranteeing 71 seats for Scotland in the House of Commons was cancelled in the *Scottish Act* (1998).

4. PUBLIC FUNDING OF MINORITY-LANGUAGE UNIVERSITIES/SCHOOLS/MEDIA

Yes.

Public Funding Scores				
Year:	1980	2000	2010	2020
Scores:	0	1	1	1

Minority language policy in the UK has historically been the preserve of the central government and has been, in Dunbar's words, "uncoordinated, unprincipled and largely reactive" (2003, 55). It began to change with devolution in 1999.

Evidence (education):

- While Welsh-medium education (i.e., schools where all subjects are taught in Welsh) dates from the 1940s in Wales, the *Education Reform Act* of 1988 and the *Welsh Language Act* of 1993 have favoured the spread of bilingual education at the primary and secondary levels.
- Both Welsh-medium education and the teaching of Welsh as a subject are state-funded in Wales. There are no primary or secondary schools where no Welsh is taught (Dunbar 2003). Since 2000, the teaching of Welsh is compulsory for all children until they are 16 years old.
- Welsh universities teach primarily in English, but all offer some courses in Welsh.
- Gaelic education has been a national priority since 2000, and the Scottish government has provided considerable (and increasing) financial support for it. Core funding from the Scottish Funding Council supports a series of colleges and universities where students can study Gaelic and conduct research in Gaelic. The Education (Scotland) Act 2016 supports Gaelic education in a number of ways, including the requirement that every education authority in Scotland must promote the potential provision of Gaelic medium education and support any existing Gaelic education provision in the authority area (Scottish Government n.d.).
- In 2015 the Scottish Government introduced a Scots Language Policy to promote and support Scots and encourage its respect and recognition in education and media "in order that what for many is the language of the home can be used in other areas of Scottish life" (Scottish Government 2015).
- In Northern Ireland, provisions in the Education Order 1998 placed a duty on the Department of Education to facilitate Irish-medium education, and enabled it to fund Irish-medium schools. The *Comhairle na Gaelscolaíochta* was established in 2000 as an advisory body on that matter.
- While a few Irish-medium primary schools have been funded since the 1980s, most were established after 2000, and the only two post-primary (college) Irish language institutions date from 2000 and 2002.

Evidence (media):

- Broadcasting is not a devolved matter. However, the UK's 2003 *Communications Act* is the first piece of media legislation that recognizes devolved institutions. It recognizes the role of the Welsh Authority and of the Scottish government in providing public broadcast, and states that a substantial proportion of the programs shall be in Welsh and in Gaelic, respectively.
- Wales is the only nation in the UK that has two publicly funded public broadcasters. *BBC Wales Cymru* broadcasts TV services, two radio stations (one in Welsh), as well as online services in English and Welsh. *Sianel Pedwar Cymru* (S4C) broadcasts Welsh-language programming in peak-time and runs an all-Welsh-language digital station available on satellite since 1998 (Andrews 2003).
- The Gaelic Broadcasting Committee (renamed Gaelic Media Service in 2003) was set up under the *Broadcasting Act* 1990 to fund the production of Gaelic-medium programming. All television and radio companies have access to the fund.
- Progress has been made with regard to Gaelic broadcasting. Additional support from the Scottish government has permitted the launching of MG Alba in 2008 in order to establish a new digital Gaelic channel, now supported with approximately £11.8 million of core funding each year (Scottish Government n.d).
- Most of the Irish language media are funded by, and broadcast in, the Republic of Ireland but can be tuned into from Northern Ireland. BBC Northern Ireland broadcasts a very limited number of hours in Irish (Dunbar 2003).
- The Irish Language Broadcast Fund was created in 2005 to develop and foster a publicly funded Irish language television production sector in Northern Ireland (Northern Ireland Screen 2021).

5. CONSTITUTIONAL OR PARLIAMENTARY AFFIRMATION OF "MULTINATIONALISM"

Yes.

Affirmation of "Multinationalism" Scores				
Year:	1980	2000	2010	2020
Scores:	1	1	1	1

Evidence:

- The United Kingdom has historically been very generous in recognizing the plurality of its constituents and the national character of its sub-units (Keating 2001). For McEwen and Lecours, "this has taken the form of symbolic rather than constitutional recognition, but one that has been so taken for granted that the issue of constitutional recognition has never arisen" (2008, 238).
- The term "nation," according to McRoberts (2001), is regularly used by the UK's political leadership in Westminster, and the term "national" has long been attached to Scotland's institutions (Keating 2001).
- This multinational political culture can be observed, for example, in the practices of "maintaining distinct sporting teams for Wales and Scotland, organizing the British military along national lines, or issuing Scottish notes through the Bank of Scotland" (McRoberts 2001, 712).

- The process of devolution and the establishment of the Scottish Parliament and of the Welsh National Assembly has been described as a new way of giving voice to minority nations within the UK (McEwen and Lecours 2008).

6. ACCORDED INTERNATIONAL PERSONALITY
(E.G., ALLOWING THE SUB-STATE REGION TO SIT ON INTERNATIONAL BODIES, SIGN TREATIES, OR HAVE THEIR OWN OLYMPIC TEAM)

Yes.

International Personality Scores				
Year:	1980	2000	2010	2020
Scores:	0	0	1	1

Evidence:

- International relations and relations with the European Union remain the prerogative of the UK government and parliament. Since devolution, the latter, however, recognizes the interests of sub-state institutions in international policy-making in relation to devolved matters, and wishes to involve them "as directly and fully as possible" in discussions and in decision-making (Memorandum of Understanding 2001, 17).
- According to the Concordat on International Relations of the Memorandum of Understanding (2001), the devolved administrations can be represented overseas on issues related to devolved matters.
- The devolved administrations are also members of the British-Irish Inter-Parliamentary Body (Scottish Parliamentary Corporate Body 2007) and the Commonwealth Parliamentary Association (Commonwealth Parliamentary Association UK 2021).
- In most international competitions, England, Scotland, Wales and Northern Ireland are represented by separate teams that are collectively referred to as the "Home Nations". This excludes the Olympics, however, where the UK is represented by the Great Britain team.

United States

TOTAL SCORES				
Year:	1980	2000	2010	2020
Scores:	1.5	5	6	6

This section examines the case of the Hispanics in Puerto Rico. The territory of Puerto Rico was ceded to the US in 1898 and is now a self-governing entity located in the Caribbean Sea. A majority of the four million inhabitants are monolingual Spanish speakers.

1. FEDERAL OR QUASI-FEDERAL TERRITORIAL AUTONOMY

Yes.

Territorial Autonomy Scores				
Year:	1980	2000	2010	2020
Scores:	0	1	1	1

Evidence:

- Puerto Rico is an "unincorporated territory" of the United States, that is, an insular area belonging to the United States, but to which only selected parts of the Constitution of the United States apply (Office of Insular Affairs 2007).
- The first Constitution of Puerto Rico in 1952 officially declared the island to be an "Estado Libre Asociado," a self-governing territory of the US with commonwealth status. The constitution established internal self-government which has authority over Puerto Rico's internal affairs.
- Non-binding, locally initiated plebiscites were held in 1967, 1993 and 1998 to determine the political status of the island. Voters were presented with various options: statehood, independence, an enhanced form of commonwealth or, in 1998, a more autonomous "free association" with the US (Perez 2002).
- The *Puerto Rico Democracy Act*, 2009, authorizes the conduct of another plebiscite to determine the island's political status. Three non-binding referendums returning a result in favour of statehood have been held over the past decade, in 2012, 2017, and 2020. The 2012 and 2017 votes were controversial due to issues such as ballot design and low voter turnout, rendering them ineffective, but the November 2020 referendum posed a clear question yes or no question, with 52.52% voting in favour of statehood and 54.72% registered voter turnout (Comisión Estatal de Elecciones 2021). The power to grant statehood lies with the United States Congress, and serious debate over how Congress should respond to the referendum began after the Biden administration took power in January 2021.

- At present, Puerto Rico's relationship with the US is very similar to that of regular American states, with certain exceptions. For example, residents lack voting representation at the central state level; no federal taxes have to be paid on local income; and the island receives less funding in some federal programs. Puerto Rico also manages its own local taxation system (Pantojas-García 2013).

2. OFFICIAL LANGUAGE STATUS, EITHER IN THE REGION OR NATIONALLY

Yes.

Official Language Status Scores				
Year:	1980	2000	2010	2020
Scores:	0	1	1	1

Evidence:

- Spanish and English are both official languages in Puerto Rico. English is used in all federal matters, but the Commonwealth government and its municipalities run their affairs in Spanish.
- The only reference to language in the Constitution of Puerto Rico, 1952, states that all members of the Legislative Assembly have to be able to read and write both Spanish and English.
- Spanish and English have had official recognition for more than a century in Puerto Rico, with a short exception starting in 1991, when Spanish was made the island's only official language. The equal status of Spanish and English was restored in 1993 (Welcome to Puerto Rico 2021b).
- The United States has no official language, despite many attempts to amend the constitution so as to make English the official language of the country (U.S. Constitution Online 2010).

3. GUARANTEES OF REPRESENTATION IN THE CENTRAL GOVERNMENT OR ON CONSTITUTIONAL COURTS

No.

Guaranteed Representation Scores				
Year:	1980	2000	2010	2020
Scores:	0.5	1	1	1

Evidence:

- Puerto Ricans are not eligible to vote in elections for the US president and vice president, but they are accorded equal/proportional representation in both Republican and Democrat primaries. They are represented in the US House of Representatives by a nonvoting delegate, the resident commissioner (Central Intelligence Agency 2021).
- Puerto Rico is not represented in the Senate, which is composed of two representatives per state (for a total of 100 senators).

- Article 2 of the Constitution of the United States gives the president power to appoint judges to the Supreme Court. Even though no piece of legislation explicitly excludes Puerto Ricans from being nominated as justices, none of the Supreme Court judges have so far been residents of the island.
- The 2020 referendum vote in favour of statehood could lead to a radical transformation in the island's representation in the central government, but the referendum is non-binding and the power and decision to grant statehood lies with the United States Congress.

4. PUBLIC FUNDING OF MINORITY-LANGUAGE UNIVERSITIES/SCHOOLS/MEDIA

Yes.

Public Funding Scores				
Year:	1980	2000	2010	2020
Scores:	0	1	1	1

Evidence (education):

- The Constitution of the Commonwealth of Puerto Rico (1952) gives all citizens the right to free public education. The public education system is funded and managed by the Puerto Rico Department of Education.
- English-medium education has been favoured in Puerto Rico in the early decades following its cession to the USA in 1898. Spanish was gradually introduced as the language of instruction (particularly in the lower grades) in 1915, while higher grades were taught predominantly in English (Welcome to Puerto Rico 2021c).
- Since 1949, Spanish has been restored as the primary language of instruction in the public school system, but English is still taught as an integral part of the curriculum from kindergarten to high school (Barreto 2007).
- In 1996, a public education reform led to the creation of bilingual education centres, aimed at improving English instruction. These centres are still the topic of much discussion in Puerto Rico (ibid.).
- Puerto Rico has more than 50 institutions of higher education. The *Universidad de Puerto Rico*, founded in 1903, operates completely in Spanish.
- While language policies with regard to the education system are still a topic of controversy in Puerto Rico, no substantial change has been observed since the 1949 reform.

Evidence (media):

- The first public TV and radio stations based in Puerto Rico date from the creation of the Public Radio and Television Service, in the mid-1950s.
- The operation of public broadcasting was transferred to the *Corporación de Puerto Rico para la Difusión Pública* in 1996, which was granted increased budget and increased the quality and quantity of programming services. It now runs two radio stations and two television stations in Spanish (Corporación de Puerto Rico para la Difusión Pública 2021).
- The establishment and operation of television and radio stations in Puerto Rico is regulated exclusively by the US Federal Communications Commission. This has limited the development of Puerto Rico's broadcasting

industry, partly explaining the popularity of Spanish-language media based in the United States and in Latin American countries (Artero 2009).

- With the exception of a limited number of programs, all stations in Puerto Rico transmit in Spanish. Most of them are affiliated with, or owned by, an American network (ibid.).
- Public funding of Spanish media has been continuously ensured for the past 60 years, and increased in the mid-1990s.

5. CONSTITUTIONAL OR PARLIAMENTARY AFFIRMATION OF "MULTINATIONALISM"

No.

Affirmation of "Multinationalism" Scores				
Year:	1980	2000	2010	2020
Scores:	1	1	1	1

Evidence:

- There is no mention of the national or distinct character of Puerto Rico in the Constitution of the United States of America nor in the Constitution of Puerto Rico, 1952. On the contrary, the concept of the "nation" is used in the dominant discourse in the USA to refer to the entire country.
- Public Law 600 (1950) and the *Puerto Rico Democracy Act* (2009), respectively the oldest and the most recent pieces of legislation on the self-governing status of the island, are presented as the product of,
- and a response to, domestic and international demands, and are devoid of any reference to the existence of a Puerto Rican nation or a distinct society.

6. ACCORDED INTERNATIONAL PERSONALITY (E.G., ALLOWING THE SUB-STATE REGION TO SIT ON INTERNATIONAL BODIES, SIGN TREATIES, OR HAVE THEIR OWN OLYMPIC TEAM)

Partially.

International Personality Scores				
Year:	1980	2000	2010	2020
Scores:	0	0	1	1

Evidence:

- The United States has control over most areas of international politics: interstate trade, foreign relations and commerce, immigration, nationality and citizenship, etc.

- The island hosts no embassies, but does host consulates from 41 countries (Welcome to Puerto Rico 2021a). It is an associate member in some international organisations, but cannot develop international relationships without the permission of the United States.
- Puerto Rico has representation in all international competitions; it has its own Olympic team and competes in the Pan American Games, the Caribbean World Series, the Central American and Caribbean Games and Miss Universe competitions. It is a member of the International Olympic Committee and the World Combat League (ibid.).
- The Commonwealth of Puerto Rico has its own national anthem, *La Borinqueña*.

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