How the European Charter for Regional or Minority Languages Limits Itself From Harnessing Its Economic and Societal Benefits

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The European Conference on Language Learning 2022
Official Conference Proceedings

Abstract
Previous qualitative and quantitative studies (Liu, 2015) argue that promoting minority languages increases in FDI and GDP and societal public trust. However, quantitative comparisons of four Balkan countries (Albania, Bosnia and Herzegovina, North Macedonia, and Serbia) suggest the European Charter for Regional or Minority Languages (ECRML), is not reliably providing these benefits. Negative outcomes were found with segregation of linguistic groups. This was hypothesised to decrease public trust and harm economic growth (Liu, 2015)) by pitting linguistic groups against one another. This hypothesis was confirmed through a qualitative comparison of the Netherlands' protection of Frisian and Papiamento, where delegation of protection to local authorities (segregating minorities from others and the dominant group) risked public trust decreases.

Keywords: European Charter for Regional or Minority Languages, Minority Language Protection Economic Benefits, Balkan

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1. Introduction

Previous qualitative and quantitative studies (Liu, 2015) argue that promoting minority languages increases in FDI and GDP and societal public trust. However, quantitative comparisons of four Balkan countries (Albania, Bosnia and Herzegovina, North Macedonia, and Serbia) suggest the European Charter for Regional or Minority Languages (ECRML), is not reliably providing these benefits. Negative outcomes were found with segregation of linguistic groups. This was hypothesised to decrease public trust and harm economic growth (Liu, 2015)) by pitting linguistic groups against one another. This hypothesis was confirmed through a qualitative comparison of the Netherlands' protection of Frisian and Papiamento, where delegation of protection to local authorities (segregating minorities from others and the dominant group) risked public trust decreases.

To illustrate this argument, I will first present an overview of the economic and societal benefits of promoting multilingualism. Then I will present the methodology, results, and analysis of the Balkan data. After, I will do the same for the data regarding Papiamento and Frisian. Lastly, I will showcase that the results are best explained via inherent characteristics of the ECRML.

Liu (2015) reports on the economical and societal effects of language regimes in South-East Asia. She argues that language policy (embodied by language regimes), has indirect economic effects. She divides language regimes into four types that either centralise political, cultural, and social power into one language (centralised regimes); share power across more than one language (power-sharing); neutralise power through exclusively promoting a lingua franca (power neutralizing); or share power and neutralise it (neutralized-sharing).

She ran a quantitative comparison of thirty-four countries in Asia between 1945 and 2005, and a deeper qualitative comparison of Singapore and Malaysia. Asia was defined broadly here as ranging from Turkey to Japan; and Russia to the Maldives and Timor-Leste (Liu, 2015:36). Thus, her results are representative of how linguistic policy influences the economy (Liu, 2015:37). Singapore and Malaysia were compared because both were very similar but differed in terms of their economy. Both had made language a central point of their nation state creation and are equally culturally diverse. Further, both had been British colonies, started out with similar GDP, and high unemployment (Liu, 2015:38-39).

In both studies, the dependent variables were economic growth, foreign directed investment (FDI), and social capital or public trust. For public trust, power-neutralising regimes had a significant positive effect on general trust and altruism. Liu (2015:170) argues trust is lower in power-concentrating regimes with large(r) non-dominant linguistic groups due to their disenfranchisement vis a vis the dominant language. With increased recognition, less groups feel disenfranchised and thus public trust increases. However, due to the prestigious position of the dominant language, minority groups still feel somewhat disenfranchised unless a lingua franca is the dominant language.

For FDI, the results indicated that power-concentrating, neutralized sharing, and power-sharing regimes attract very similar amounts of FDI. Only power-neutralising regimes attracted substantially more FDI (Liu, 2015:183). More democratic countries also attracted more FDI compared to more authoritarian countries, as did countries with bigger markets.

For economic growth, the results were that the degree of power neutralization a language regime had, had no direct effect on economic growth. Instead, economic growth was directly positively affected by public trust and FDI. Language regimes thus affect the economy indirectly by affecting public trust and FDI.

Open questions however are i) whether there are inherent aspects of individual frameworks or policies affecting the results; and ii) whether protecting more minority languages yields greater effects. Question i) is important since many EU candidate countries and those in the (EU) Neighbourhood have implemented the ECRML. Question ii) is also important, since recent research shows that current candidate countries protect more languages and need to make more effort to fulfil their obligations under the ECRML (Ramallo, 2019). It is thus relevant to know if increased protection might affect their attempts to fulfil other economic and political EU membership criteria.

To investigate both questions, this paper partially replicated Liu (2015) in a quantitative comparison between Serbia and Albania (to study the effect of not applying the ECRML), and another between BiH and NM (to study the effects of protecting more languages).

2. Methodology

The countries for research question 1 are Serbia and Albania, since they differ in whether they have ratified the ECRML, and in their language regime. Serbia has ratified it, while Albania has not. At the same time, Serbia has a power-sharing language regime, while Albania has a centralised one, which allows the effects of adopting the ECRML and sharing power to be studied. The comparison was run between 2007 – 2019 (one year after the ECRML was ratified).

The countries compared in research question 2 are Bosnia and Herzegovina (BiH) and North Macedonia (NM). The countries were selected since they both have a shared power regime but differ in whether they have ratified the ECRML. BiH has ratified it, while NM has not. But since 2001's Ohrid Framework Agreement NM also has a power-sharing language regime. Thus, the effect of the ECRML can be studied a) *vis-à-vis* another minority language protection framework and b) in terms of if the number of languages protected matters since BiH protects more languages than NM (15 versus 2-3). The comparison was run between 2011 – 2019 (one year after the ECRML was ratified).

The countries allow for a good replication of Liu (2015) since linguistic rights are core national questions in these states. Serbia has the linguistically diverse Vojvodina province. Albania has significant minorities (primarily Greek and North Macedonian), who are antagonistic to the state (Cesari, 2014; Giannakou & Tsoukalas, 2011). BiH is divided as a linguistic/ethnic compromise into the Serbian dominated Republika Srpska, the Bosnian and Croat dominated Federation of Bosnia and Herzegovina, and the Brčko District, which is under international supervision. I will mainly deal with the state of BiH which comprises of these entities. In NM language also mattered as interethnic violence between Macedonians and Albanians is well documented (Bloodsworth, 2020) and ended with the Ohrid Framework Agreement that directly touches upon cultural, language and educational rights (Petrushevska, 2014).

I adopted the same research design as Liu (2015) with modifications. Like in Liu (2015), I will run three different experiments. One investigating the effect of the ECRML on public

trust, FDI, and economic growth (GDP and GDP per capita). The dependent-, and control variables remain the same, but colonial legacy is not included. The independent variable is also changed to degrees of power sharing, which is based on Liu's (2015) formula for degrees of power neutralization. I calculate degrees of power sharing as in (1). x_{Dd} stands for degree of power sharing between dominant (*D*) and minority languages (*d*). *n* stands for the number of years the language has been used as a medium of instruction in public primary and secondary education. *k* stands for the number of recognized languages. *t* stand for a year.

$$(1)\ x_{Dd}\ (\textit{country-year } t) \quad = \quad \frac{n_{\mathrm{d}1} + \cdots + n_{\mathrm{d}(\mathrm{k}-1)}}{n_{\mathrm{D}} * (k-1)}$$

Degrees of power sharing thus takes a value between 0 (complete centralization) and 1 (complete sharing). The data for how many years a language was used as a medium of instruction comes from the OECD's *Education at a Glance* and *Reviews of National Policies for Education: South-Eastern Europe* series. Minority language education data was also gathered from academic journals and for BiH and Serbia from the ECRML progress reports. In the case of BiH where several languages are dominant, only the language with the greatest number of speakers is classified as dominant. Like in Liu (2015), only use of the minority language as a medium of instruction in primary and secondary public education is considered, since public education is the main way, the state legitimises and gives a language power. Tertiary education was not included since the Bologna Process incentivises the use of English for independent reasons. Medium of instruction for Liu (2015) refers to using the language to teach a subject other than the language. I however will also count cases where the language is used to teach the language to native speakers of said language. I do this because this step is more common in the Balkans and these classes often also teach culture and history according to the Council of Europe, which serves as an intermediary step towards using the minority language to teach other subjects. However, if these classes are optional, they will not be counted. If it is not clear that classes are taught for minority language speakers as opposed to as a second language, then it will not be counted. If it is not clear if previously mentioned educational policies were continued, the continuation of the status quo was assumed.

For the first experiment, public trust is the dependent variable. Degrees of power sharing is the explanatory independent variable. Level of linguistic heterogeneity, and GDP per capita were included as fixed control variables, with degree of democracy as a random effect. Public Trust was measured through the level of corruption reported by the Corruption Perceptions Index (CPI) using a 10-point scale, because corruption levels are strongly negatively correlated with public trust (Diamond, 2007; Jameel, Asif, Hussain, Hwang, Sahito & Hussain Bukhari, 2019; Christensen & Lægreid, 2008; Guo, 2014; Manion, 2004; E. W. Welch, Hinnant, & Moon, 2005). As in the CPI, a score of 10 corresponds to most trusting and 0 to least trusting. CPI scores after 2012 were converted from the 100-point scale to a 10-point scale. Linguistic heterogeneity is measured with the Herfindahl-Hirschman concentration index since it was validated in Liu (2015). Degrees of democracy will be measured with the Economist Intelligence Unit's Democracy Index because it does not consider economic variables, which are used independently in the analysis. It uses a 10-point scale (10 (fully democratic) and 0 (fully authoritarian)). GDP per capita was measured in units of 1000 USD. The data comes from the World Bank.

In the second experiment, FDI is the dependent variable. Degrees of power sharing was the explanatory independent variable. A lagged dependent variable, linguistic heterogeneity, and

market size were included as control variables. Degrees of democracy was a random effect. Market size was calculated via GDP (in billions of USD) and population (in 100,000).
In the third experiment, annual percentage growth rate of GDP is the dependent variable with degrees of power sharing as the explanatory independent variable. FDI, public trust, and linguistic heterogeneity were included as control variables. Degrees of democracy was a random effect.

3. Results

The results for Serbia and Albania indicated that degree of power sharing and linguistic heterogeneity were significant predictors of public trust. However, only degree of power sharing had a positive correlation. Linguistic heterogeneity had a negative correlation.

Fixed Effects

	Estimate	Std. Error	df	t value	Pr(>|t|)
(Intercept)	29.24046	10.31537	25.96646	2.835	0.00876*
Power Sharing	5.98361	2.06221	25.36682	2.902	0.00757*
Linguistic Heterog	-91.16314	36.10589	25.99283	-2.525	0.01801*
GDP per Capita	-0.02106	0.09963	25.99695	-0.211	0.83428

Correlation of Fixed Effects

	(Intercept)	Power Sharing	Linguistic heterog
Power Sharing	0.967		
Linguistic Heterog	-0.999	-0.959	
GDP per Capita	-0.259	-0.447	0.218

Table 1: Results for Correlation between public trust and degrees of power sharing in Serbia and Albania

For BiH and NM all fixed variables had a significant negative correlation.

Fixed Effects

	Estimate	Std. Error	df	t value	Pr(>|t|)
(Intercept)	22.4034	6.9990	18	3.201	0.00495**
Power Sharing	-7.0669	3.2412	18	-2.18	0.04275*
Linguistic Heterog	-26.8388	10.9074	18	-2.461	0.02421*
GDP per Capita	-0.1237	0.1487	18	0.832	0.41628

Correlation of Fixed Effects

	(Intercept)	Power Sharing	Linguistic heterog
Power Sharing	-0.981		
Linguistic Heterog	-0.995	0.984	
GDP per Capita	0.377	-0.47	-0.466

Table 2: Results for Correlation between Public Trust and Degrees of Power Sharing in BiH and NM

The results for Serbia and Albania indicated that GDP and degree of power sharing was significant. However, only degree of power sharing was (slightly) positively correlated. GDP was (slightly) negatively correlated.

Fixed Effects

	Estimate	Std. Error	df	t value	Pr(>|t|)
(Intercept)	-46.59644	43.55309	24	-1.070	0.295317
Power Sharing	-39.80905	16.01937	24	-2.485	0.020318*
Linguistic Heterog	140.206	161.00544	24	0.871	0.392482
FDI(t-1)	-0.02035	0.15237	24	-0.134	0.894877
Population	1.90377	1.72646	24	1.103	0.281092
GDP	2.11508	0.48574	24	4.354	0.000215***

Correlation of Fixed Effects

	(Intercept)	Power Sharing	Linguistic heterog	FDI(t-1)	Population
Power Sharing	0.097				
Linguistic Heterog	-0.995	0.001			
FDI(t-1)	0.121	0.713	-0.051		
Population	0.348	-0.871	-0.438	-0.619	
GDP	-0.032	-0.079	0.035	-0.093	-0.163

Table 3 Results for Correlation between FDI and Degrees of Power Sharing in Serbia and Albania

For BiH and NM no variable was significant, though linguistic heterogeneity would be significant with a negative correlation under a p>0.1 threshold.

Fixed Effects

	Estimate	Std. Error	df	t value	Pr(>|t|)
(Intercept)	-7.51392	4.11837	13.94299	-1.824	0.0896
Power Sharing	2.05898	3.49299	14.55192	0.589	0.5646
Linguistic Heterog	13.54725	6.93569	12.94663	1.953	0.0727
Population	-0.04037	0.05055	23.63710	-0.799	0.4382
GDP	0.03117	0.03172	15.99828	0.983	0.3404
FDI(t-1)	-0.14117	0.20108	14.28937	-0.702	0.4939

Correlation of Fixed Effects

	(Intercept)	Power Sharing	Linguistic heterog	FDI(t-1)	Population
Power Sharing	-0.585				
Linguistic Heterog	-0.82	0.017			
Population	-0.188	0.885	-0.393		
GDP	0.127	0.526	-0.528	0.548	
FDI(t-1)	0.105	0.022	-0.165	0.125	-0.046

Table 4: Results for Correlation between FDI and Degrees of Power Sharing in BiH and NM

For Serbia and Albania, only FDI was a significant positive predictor of GDP growth. No other variable was significant in predicting GDP growth.

Fixed Effects

	Estimate	Std. Error	df	t value	Pr(>|t|)
(Intercept)	32.9992	103.757	26	0.318	0.753
Power Sharing	-3.7111	19.5205	26	-0.19	0.8507
FDI	1.0515	0.421	26	2.498	0.0192*
Linguistic Heterog	-129.2214	361.4559	26	2.498	0.0192
Public Trust	2.1755	1.6243	26	1.339	0.1921
GDP per Capita	-0.4185	0.8765	26	-0.477	0.637

Correlation of Fixed Effects

	(Intercept)	Power Sharing	Linguistic heterog	FDI(t-1)	Population
Power Sharing	0.979				
FDI	0.585	0.517			
Linguistic Heterog	-0.998	-0.971	-0.604		
Public Trust	-0.036	-0.093	0.493	-0.01	
GDP per Capita	-0.471	-0.563	-0.574	0.458	-0.272

Table 5: Correlation between Economic Growth and Degrees of power Sharing in Serbia and Albania

For BiH and NM no variable was significant at $p<0.05$. But both Power sharing and linguistic heterogeneity were significantly negatively correlated at $p<0.1$ level.

Fixed Effects

	Estimate	Std. Error	df	t value	Pr(>|t|)
(Intercept)	349.7831	169.9337	18	2.058	0.0543 .
Power Sharing	-256.1268	122.4288	18	-2.092	0.0509 .
FDI	-2.2889	2.3732	18	-0.964	0.3476
Linguistic Heterog	-496.2135	236.5274	18	-2.098	0.0503 .
Public Trust	-07075	1.1025	18	-0.642	0.5292
GDP per Capita	0.9664	0.6579	18	1.469	0.1591

Correlation of Fixed Effects

	(Intercept)	Power Sharing	Linguistic heterog	FDI(t-1)	Population
Power Sharing	-0.999				
FDI	0.165	0.15			
Linguistic Heterog	-0.999	1	0.152		
Public Trust	-0.486	0.455	0.531	0.46	
GDP per Capita	-0.404	0.381	-0.156	0.384	0.357

Table 6: Correlation between Economic Growth and Degrees of power Sharing in BiH and NM

4. Discussion

As the results are preliminary, they are only tentative. The discussion here is therefore held with the assumption that the trends noticed will continue in the future. Though the results are preliminary, they are interesting, since they confirm only a part of the argument in Liu (2015).

The results for BiH and NM gave opposite results than expected. Public trust was only correlated positively with degree of power sharing for Serbia and Albania. But for BiH and NM, the correlation was negative. Further, since degree of power sharing is based on

linguistic heterogeneity, it is surprising that for both comparisons it was correlated negatively to public trust. Similarly, GDP per Capita also had a negative correlation in the BiH and NM comparison.

Considering that a decrease in public trust is the same as an increase in corruption (since public trust values were derived from the CPI), I explain the result as follows: The negative correlation of degrees of power sharing to public trust in BiH and NM is due to the language regime being segregationist. In BiH ethnic majorities are used to define the main constituents of the country. Thus, ethnicities rarely need to come into contact in ways that requires consensus and trust building. Instead, ethnic majorities rule over minorities in largely ethnically homogenous areas. This is also evident in NM where schools exist that have two schools under one roof with separate buildings based on ethnicity (Bloodworth, 2020). Meaning that the metric of power sharing does not actually reflect power sharing in these countries, but rather several centres of power concentration. In contrast in Serbia, while much of the linguistic diversity is concentrated in the Vojvodyna province, there was no evidence to suggest the language regime was segregationist. Thus, ethnicities come into contact with one another, which increases public trust with increased language power sharing. This might also explain why GDP per capita increases in BiH and NM were linked to increases in corruption but not in Serbia and Albania. Concentrated centres of linguistic power tend to increase discrimination and thus corruption. Corruption can set up shadow economies, which end up greasing the wheels of the economy (Honairu, et al., 2020; Beck & Mahler, 1986; Caselli & Michaels, 2013; Jiang & Nie, 2014).

The negative correlation of linguistic heterogeneity in all countries can be seen as a product of the Yugoslav civil war. As a recent war fought along linguistic and ethnic fronts, it probably resulted in higher level inter-linguistic distrust. It is therefore encouraging that well-executed power sharing regimes, can counteract the effect of high linguistic heterogeneity, since high heterogeneity often causes increased power sharing.

The positive correlation of degrees of language power sharing and FDI in Serbia and Albania replicated results in Liu (2015). Also, since degrees of power sharing decreased public trust, in BiH and NM, the non-significance of degrees of power sharing and FDI was not surprising as the increase in FDI in Liu (2015) is based on power sharing increasing public trust. The negative correlation in Serbia and Albania of GDP to FDI is surprising though. Especially since this result was also upheld when market size differences were eliminated. The results are most likely a product of more opportunistic FDI in the region. Since increased market size generally speaking attracts more FDI (Liu, 2015), and FDI is a limited resource, there is a threshold effect where countries with small enough markets gain no advantage from market size increases (Asiedu & Lien, 2003). Therefore, FDI into these countries is riskier. Thus, if the FDI into countries like Serbia and Albania is perceived to be risky, then one way to mitigate the risk is to invest into Albanian and Serbian companies when it is cheap to curtail losses. Since BiH and NM's FDI not being significantly affected by FDI, might be due to the threshold effect on it. That linguistic heterogeneity had a potential negative correlation to FDI in BiH and NM is not surprising considering that linguistic heterogeneity was negatively correlated to public trust which under Liu (2015) would drive up FDI.

The results for economic growth were somewhat surprising in Serbia and Albania in light of Liu (2015)'s results, but since these countries are developing economies, it is not too surprising that FDI is the only driver of economic growth with no effect from public trust. The potential negative correlations in BiH and NOM were not surprising due to their negative

correlation to public trust, though the lack of an indirect relationship between the variables and economic growth seems to suggest the negative effect is stronger than the positive effect measured in Liu (2015).

Thus, increasing degree of power sharing via the ECRML has the possibility to increase public trust which came with some of the benefits found in Liu (2015). However, this seemed to be undone by segregationist language regimes in BiH and NM. It is unclear though, whether this negative effect on public trust is mainly driven by the segregationist language regimes, or the language regime in conjunction with these countries' recent history and overall social and economic situation. Both results would indicate an inherent inefficiency in the ECRML that allows for this situation to occur. But the former would indicate that the problem is more widespread, the latter that it is less so. The former would also indicate that the explanatory power of the competition among linguistic and ethnic groups to explain decreased public trust is stronger as it is not mediated through other variables. I will argue that the first explanation is more likely based on a qualitative comparison between the protection of Papiamento and Frisian by the Netherlands.

5. Comparing the Protection of Papiamento and Frisian by The Netherlands

Comparing how the Netherlands and BiH instantiate the ECRML is useful, because both have ratified the ECRML and delegate minority language protection to local authorities but share otherwise few confounding variables. The Netherlands unlike BiH, has a high Democracy Index score, high level of public trust, and a healthy economy. It also, only protects 5 languages (Frisian, Limburgish, Low Saxon, Romani, and Yiddish) as opposed to 15.

The shared explanatory variable amid very few shared characteristics means that if situations that decrease public trust arise even for the Netherlands, then it is likely that the measured public trust decrease in BiH and NM is due to the a similar language regime. However, measuring a decrease in public trust in the Netherlands might be difficult, since it has a good economy, already high public trust etc. Thus, this research focuses on investigating whether there are situations that (absent these variables) could lead to lower public trust decreases. If this is the case, then these situations could cause decreasing public trust, in BiH and NM that have worse economies and a lower baseline public trust.

The minority languages were chosen because Frisian has the highest level of protection the Dutch state offers. It thus operates as a gold standard of Dutch minority language protection. Papiamento however is not protected state and can thus represent the other end of the spectrum. For instance, Frisian is an autochthonous language, while Papiamento has a colonial legacy. As such, Frisian shares both cultural and geographical affinity with the Dutch, meaning it might be easier to convince people of its needs for protection. Frisian also has a written standard which Papiamento lacks. Thus, Frisian is easier to protect, since both the logistics of producing written material in the language is easier. Therefore, if both languages share situations that could cause a decrease in public trust, then it is reasonable to assume that this applies also to other minority languages in the Netherlands. Such results would mean that situations in which public trust is at risk are i) a more widespread phenomena between ethnic and linguistic communities in the Netherlands and ii) due to this pattern mimicking the one hypothesised for BiH, it is probably an indication of a systemic issue with the ECRML, which indicates the ECRML has inherent characteristics that limit its societal and economic benefits.

The data for this comparison comes from scholarly work, government-funded reviews about minority language protection, and the periodic reports on and by the Netherlands to the Council of Europe. The data focuses on minority language protection in law, education, and culture. These areas were chosen because they match the areas the ECRML identifies as areas in which minority languages should be promoted in. Also, if a language can be used in court, is used for education, and has a cultural presence, then it is highly likely that it enjoys enough power to contribute to an increase in public trust. For Papiamento I also limit my research to Aruba, Bonaire, and Curacao since these islands have the most speakers.

Only results where both Papiamento and Frisian share a situation that could decrease trust will be taking as evidence for the interpretation of the data in BiH and NM. This is done to eliminate language specific variables from influencing the results, and only focus on the results driven by the ECRML.

In education both Frisian and Papiamento are subjects and mediums of instruction in primary school. However, Papiamento is primarily taught for speaking purposes (Dijkhoff & Pereira, 2010:248). Further, schools are within limits free to choose what language to use as a language of instruction. Current legislative efforts are trying to promote the use Papiamento but have historically been hampered by the lack of materials and teachers. Considering that high school was very Dutch dominated, and national exams were in Dutch, many Papiamento speakers in Aruba either dropped out of secondary school or opted for vocational training instead of more academic schooling (Dijkhoff & Pereira, 2008; 2010). Therefore, many schools fought against teaching in Papiamento. The Dutch Education Ministry also indicated that 'Dutch must remain the language of instruction in the Netherlands Antilles' (Dijkhoff & Pereira, 2010:259). In Frisia, Frisian is a required subject in primary school and the lower secondary school. In the latter half of the secondary school, it becomes instead an optional subject (Gorter, van der Meer, and Riemersma, 2008:196). Frisian can also be studied at university, though the class sizes are small. As such, Frisian benefits from legal support, standardization, and access to both teachers and materials, due to its status as a recognized minority language. Thus, while the Council of Europe has noted that educational support of Frisian is 'intolerable' in primary schools (Gorter, van der Meer, and Riemersma, 2008:200), Frisian has not had to battle against public perception, lack of resources or interference from the Dutch government, as much as Papiamento. At the same time though, many of the problems Frisian faces (such as lack of educators and teachers) are partially caused by the Dutch government delegating the protection of Frisian per default to the provincial administration (Gorter, van der Meer, and Riemersma, 2008:195). The situation is thus not unlike Papiamento's, where '[the Dutch government] is very reluctant to intervene in the Caribbean countries, especially where culture and language are at stake' (Bröring & Mijts, 2017:32). Since, Papiamento is not protected under the ECRML, there exist no mandate to force the Netherlands to intervene. As a result, the Dutch government takes a laissez-faire approach to protecting both languages by delegating protection duties to local administrations.

In the justice system, Frisian can be fully used in writing or speaking in court. Though in practice it is hardly being used (Gorter, van der Meer, & Riemersma, 2008:196) that. This is partially caused by a lack of sufficiently proficient law professionals. This, and a related problem also affect Papiamento. Across the ABC islands, local law is often a carbon copy of Dutch law, and that there are not enough trained professionals with sufficient proficiency in Papiamento. The former means that often the Dutch law does not take into account a multilingual situation. The latter means that even if the law is modified, that this modification

is not reinforced in practice. Bonaire, as an official municipality of the Country of Netherlands also must contend with that European judges with no proficiency in Papiamento might rule in cases. Further, specifically for Aruba, Papiamento is always labelled as an option, while Dutch is the default. For instance, while it is possible to swear an oath in Papiamento, the law per default prescribes the Dutch oath (Bröring and Mijts, 2017:35). Additionally, despite being an official language of Aruba, Aruban law still stipulates Dutch exclusively as the language of legislation and criminal proceedings (Bröring and Mijts 2017:35). As such, in law, Frisian has more representation and protections. Though it like Papiamento suffers from trained professionals.

In culture, the presence of Frisian in media, culture and economic activity is modest but increasing (Gorter, van der Meer, and Riemersma, 2008). Often there are only one or two media outlets for television, radio, internet publication or newspapers, and products and advertisements are largely in Dutch. But, since family announcements in newspapers have seen an increase and Frisian is regularly used in elderly care (Gorter, van der Meer, and Riemersma, 2008:199), it seems there are domains in which Frisian is outgrowing Dutch. Frisian also benefits from a strong tradition of promotion literacy that goes back to 1947 (Gorter, van der Meer, and Riemersma, 2008:199), therefore Frisian has a stable cultural representation in literature, song, and theatre. Papiamento shows less similar findings though it is likely that a lack of a written standard and encouragement to use Papiamento cause this. Further, the ABC island's reliance on tourism automatically means that the local language also must contend with being side-lined in favour of attracting foreign travellers. Therefore, in culture Papiamento also fairs worse than Frisian, though it is unclear whether the measures cultural productivity (informed by the ECRML) are useful for a primarily oral language. It is also worth pointing out that the cultural activity in Frisian and Papiamento is driven by grassroot movements (Gorter, van der Meer, and Riemersma, 2008; Oldenhof, 2006; Wiel, 2022). For Papiamento this is not surprising, since the lack of a written standard makes its promotion difficult. Thus, both Frisian and Papiamento show how the delegation of minority language protection to different authorities results in less effective use of the language in cultural matters.

In conclusion, the data from the comparison of Frisian and Papiamento shows that due to the laissez-faire attitude of the Dutch government to minority language protections, separate centres in charge of protecting minority languages are established, even for Frisian that enjoys the highest protection. This in turn affects the quality of protection and risks creating a situation where positive effects on public trust might be hampered, and each language needs to compete against each other for more recognition.

Therefore, the ECRML has inherent limitations since it allows for states to decide how to protect minority languages. This is problematic, as it allows for situations in which a nation state pits ethnic and linguistic groups in competition with one another and lowers the quality of protection. This problem is potentially widespread in the ECRML states since this is the case in both wealthier countries with little (recent) history of linguistic tensions and less-wealthy countries with a history of linguistic tensions. Since this problem also seems to affect public trust negatively, the ECRML risks being a social and economic destabilizer in less wealthy countries with history of linguistic tensions that do not have other attendant factors to cushion the effect of lower public trust. Thus, the ECRML should be revised to account for this effect in these countries, since power sharing language regimes are able to actually increase public trust significantly, if implemented properly. This is of further importance since current EU candidate countries all share the profile of being developing economies with

weak(er) democracies and recent experiences with linguistic tensions. Thus, an unrevised ECRML poses a risk for a smooth possible future enlargement into the region.

6. Conclusion

This paper investigated whether the ECRML could replicate the social and economic benefits associated with shared language power regimes found in Asia (Liu, 2015). Two comparisons were run: One between Serbia and Albania, to test the effects of adopting the ECRML, and another between NM and BiH, to test the effects of protecting more versus less languages.
The results indicated that protection significantly increased public trust only in Serbia and Albania but significantly decreased it in BiH and NM. For FDI, protection was not a significant variable, neither was it for GDP growth. In fact, protection was negatively correlated to GDP growth in the BiH and NM comparison. The surprising negative correlations in BiH and NM were hypothesised to be due to the countries' segregationist language policies, which create competing linguistic groups which decreases public trust and has a negative economic impact.

This hypothesis was strengthened by comparing the protection of Frisian and Papiamento by the Netherlands. The comparison showed that the Netherlands (like BiH and NM) protected minority languages via local authorities. This caused situations where public trust decreases were likely, since the quality of minority language representation in law, education, and culture was low. It also risked minorities competing for scarce resources that local administrations did not have.

Since this situation is caused by the ECRML allowing states to decide which languages and how to protect them, it showed how inherent characteristics of the ECRML limit its ability to increase public trust and the economy.

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