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CONCLUSION: PATTERNS OF NON-TERRITORIAL AUTONOMY

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ABSTRACT. This article seeks to generalize about the significance of non-territorial autonomy as a mechanism for the management of ethnic conflict on the basis of a set of case studies covering the Ottoman empire and its successor states, the Habsburg monarchy, the Jewish minorities of Europe, interwar Estonia, contemporary Belgium, and two indigenous peoples, the Sámi in Norway and Maori in New Zealand. It begins by assessing the extent to which the spatial distribution of ethnonational communities determined the range of autonomy options available—whether these might be territorial, or whether only non-territorial autonomy would be realistic. The article continues with an assessment of the significance of 'autonomy' in circumstances where the institutions with which it is associated enjoy a non-territorial rather than a territorial writ. It concludes by suggesting that in almost all cases where autonomy is extended to a minority within a state this is exercised on a territorial basis, and that in many cases of non-territorial autonomy, or national cultural autonomy, the powers assumed by the 'autonomous' institutions are substantially symbolic. It argues that notwithstanding the limited empirical evidence for the existence of non-territorial autonomy, this device should not be written off at a normative level.

Introduction

Non-territorial autonomy, or national-cultural autonomy, has been hailed by many as a 'magic bullet' in the armoury of those seeking to cope with problems of ethnic diversity and conflict. The articles in this volume have sought to assess this judgement by looking at the extent to which commonly cited instances of non-territorial autonomy live up to that description, and, to the extent that they do, what the implications of this experience might be for the management of ethnic tension and conflict.

This concluding article returns to the central question in the light of the studies brought together in this collection, addressing three matters in turn. The first is the extent to which arrangements commonly described as 'non-territorial autonomy' can be described as genuinely 'non-territorial'. The second is the degree to which the 'autonomy' conferred in such cases in reality merits that description. The third has to do with the policy implications

of these joint considerations: to what extent does non-territorial autonomy offer a potentially rewarding path towards ethnic conflict management?

Ethnicity and Territoriality

The introduction to this collection (Coakley, 2016) has drawn attention to the considerable variation that is to be found in the complex link between ethnicity and geography, and different patterns have been discussed in the case studies above. This section looks systematically at the spatial distribution of national communities in the cases considered in this collection (also including, for illustrative purposes, certain other groups). We start with the big Ottoman, Habsburg and Romanov-ruled empires, where the debate about non-territorial autonomy received its initial outing, focusing first on the upper administrative tier—units which may be grouped to form new ‘ethnic’ territories. This approach ignores the question of ethnic mobilisation, including the extent to which members of certain ascriptively defined populations shared even a rudimentary identity, not to mention a political programme based on the notion of collective autonomy. We consider a purely technical aggregation of areas, ignoring the kinds of political consideration that would undoubtedly have altered these in practice should any scheme of ethnic autonomy have been introduced. This also ignores the sometimes very different spatial distribution of groups at lower levels, as discussed in the introduction to this collection and later in this article.

Of crucial importance in determining whether territorial autonomy is feasible (and, therefore, whether non-territorial autonomy is irrelevant) are three measures defined in the introduction to this collection: inclusiveness (the proportion of the group in question that is resident in the ‘ethnic’ territory), homogeneity (the proportion of the population of the ‘ethnic’ territory for which the group in question accounts), and compactness (the spatial coherence of the territory). Table 1 explores the question of territorial concentration by looking at these three measures at the level of primary sub-state administrative units—the *vilayets* or governorates through which the Ottoman Empire was administered, the similar *guberniĩ* in the Russian Empire, and the much more varied but more politically important crownlands of the ‘Austrian’ portion of the Habsburg monarchy.¹

[table 1 about here]

The data from the Ottoman empire are of particular interest, since the millet system there has been frequently cited as an outstanding example of an effort to confer autonomy on religious groups on a non-territorial basis. The 1882-89 census used here, based on the male population only, identified 11 millets. By far the largest was the Muslim group, within

which linguistic distinctions that were later to acquire great importance were ignored; this group included speakers of Turkish, Arabic, Kurdish, Albanian and other languages. Next in importance was the Greek Orthodox community, itself subject to growing secessionist movements—from the Greeks of independent Greece, whose autonomous or ‘autocephalous’ status was recognised in 1850, the Bulgarians (substantial autonomy in 1870, formal recognition of this only in 1945), the Serbs (1879) and the Romanians (1885) (McCarthy, 2001, pp. 50-51; Stamatopoulos, 2006, pp. 256-7, 161). The Armenian Gregorian millet was next in importance, though many of its members converted to Catholicism and Protestantism, religions that were given millet status in 1830 and 1850 respectively. Of the remaining millets, the Jewish one was most significant; it was territorially dispersed, with 58.2% living in the four cities of Istanbul, Salonica, Bagdad and Izmir, and only 4.9% in the territories that were later to form Palestine. Other millets appeared in the late nineteenth century; by 1897, for instance, a Maronite millet was separately recorded in the census (Shaw, 1978, p. 337). As Table 1 implies, the smaller millets were widely dispersed territorially; aside from the Muslims, only the Greek Orthodox and Armenian millets enjoyed any position of dominance at *vilayet* level, though the measures of inclusiveness and homogeneity for these territories were low.

When we move below the level of *vilayet*, the pattern changes. At *sanjak* level (N=92) and at *kaza* level (N=461) some predominantly Bulgarian districts emerge, but the degree of inclusiveness and homogeneity remains modest (though the core Bulgarian area was no longer under Ottoman rule, having become an autonomous principality in 1878). At the level of local communities there appears to have been a high level of residential segregation, as in Salonica, with Muslims, Christians and Jews concentrated in particular quarters (Quataert, 2000, pp. 177-8). Similar patterns are to be seen in the Ottoman successor states, of which we may take three examples. In Lebanon, the 1932 census showed extensive mixing at province level (N=5) between the three major groups (Maronite Christians, 28.7% of the population, Sunni Muslims, 22.4%, and Shia Muslims, 19.5%), though at the level of district (N=19) it is possible to identify a five-district Shia zone that would be rather inclusive (81.7% of all Shia) and homogeneous (its population would be 66.6% Shia; computed from Ballita, 1943). In Cyprus the pattern was similar: according to the 1881 census, Muslims (24.4% of the population) were a minority in all six of Cyprus’s districts, and in all 16 subdistricts (Barry, 1884, p. 12). But the villages were highly segregated. By 1960, 150 of the island’s 636 villages were predominantly Turkish; but 98 of these were wholly Turkish, and in a further 23 Turks constituted at least 95% of the population (computed from Cyprus, 1962). In Albania, divided between Muslim (67.7% in 1927), Orthodox (21.5%) and Catholic (10.8%) populations, territorial concentration was much stronger. At prefecture level (N=10) there

were three clearly defined zones, one for each religious group; at subprefecture level (N=39) the compactness of these zones broke down a little; but at village level there was an extremely high level of segregation, with 78% of the country's 2,361 villages without any minorities, and in a further 7% of these villages minorities were less than 10% of the population (computed from Selenica, 1928, pp. 496-558).

The position in the two other empires showed a very high degree of territorial concentration at all levels. Thus, in the Habsburg monarchy the eight historic crownlands that substantially coincided with the present territory of the Republic of Austria were collectively overwhelmingly German speaking (81.7%), though they failed to include a large German-speaking population (35.2% of the total) that was dispersed through other crownlands. Bohemia and Moravia, which corresponded to the territory of the contemporary Czech Republic, by contrast, were only 65.6% Czech-speaking, but they included almost all Czech speakers (94.9%). Polish speakers in Galicia and Serbo-Croatian speakers in Istria and Dalmatia followed a similar pattern (high level of inclusivity, moderately high level of homogeneity), while the Slovene speakers in Carniola and in Gorizia-Gradisca constituted a large local majority (83.8%, but this accounted for only 51.5% of all Slovene speakers). The minority that was least effectively represented in this system was the substantial Ruthenian (now Ukrainian) population: speakers of Ruthenian constituted a plurality (38.4%) in one small crownland, Bukovina, but this accounted for only 8.7% of all Ruthenian speakers; the great majority lived in predominantly Polish Galicia.

At the level of the local municipality, by contrast, the normal pattern in the Habsburg lands was one of dominance by a single language, comparable with the religious segregation that was a feature of the Ottoman millets at local level. But there was an important difference: instead of the patchwork that marked the typical Ottoman pattern, there was a tendency for adjacent municipalities to be dominated by the same language group. Thus, by using municipalities rather than crownlands as building blocks it was possible to create more coherent, nearly unilingual territories. For example, a relatively compact Slovene area was eventually carved out of Austria by devising frontiers that cut across existing crownlands; according to the Yugoslav census of 1921, this area included 96.1% of all of Yugoslavia's Slovenes, and was itself 92.9% Slovene (derived from Yugoslavia, 1921).² Of particular interest is the case of Moravia. Of its 87 judicial districts in 1910, 63 were predominantly Czech and 24 predominantly German. The Czech zone was inclusive and homogeneous: it included 92.4% of all Moravian Czechs, was 89.2% Czech and was relatively territorially coherent. The German zone fell short in each of these respects: it included only three quarters (74.5%) of all Moravian Germans, was 78.3% German speaking, and was

territorially fragmented, with its population clustered in two main zones in the North and South of Moravia (computed from Austria, 1918). It is not surprising, in these circumstances, that some kind of non-territorial formula was attractive to the Moravian Germans.

For Russia, table 1 lists 18 languages whose speakers constituted a plurality in at least one *guberniya*. For many of the larger groups (such as Russian, Ukrainian and Polish speakers), levels of homogeneity and inclusiveness were quite high, making territorial government entirely feasible; for some of the smaller ones, such as the Tatars and the Georgians, there were problems of inclusiveness or homogeneity. The sensitivity of these data to the administrative level of the units that are aggregated to form ethnic territories is illustrated by the cases of Estonia and Latvia. The inclusion of Livland *guberniya* (where Latvians slightly outnumbered Estonians) with Kurland (Latvian) rather than Estland (Estonian) reduces the homogeneity of 'Latvia' to 54.2% and the inclusiveness of 'Estonia' to 36.5%. However, if Livland is partitioned, with the five northern *uezdy* (districts) transferred to the Estonian area and the four southern ones to the Latvian area, and if three westerly *uezdy* of Vitebsk *guberniya* are transferred to the latter, the two resulting new areas would have very high levels of homogeneity and inclusiveness, as well as being territorially compact: the former would be 90.6% Estonian and would contain 86.5% of all Estonians; the latter would be 68.3% Latvian and would contain 91.8% of all Latvians (in fact, these territories would resemble closely those of the contemporary Republics of Estonia and Latvia).

For most of the groups listed in table 1, territorial autonomy would have been feasible, and the largest of these indeed went on to become constituent republics of the Soviet Union. The major exceptions were the Jewish (overwhelmingly Yiddish-speaking) and German-speaking groups; neither came close to being demographically dominant in any *guberniya*.

Nevertheless, there was a strong geographical component to their settlement pattern, with Jews, for example, concentrated overwhelmingly in the 'pale of settlement', the set of territories acquired by Russia in the course of the partitions of Poland (where many Jews had settled, attracted by the conditions offered them by the Polish Commonwealth; Nathans, 2002, pp. 24-9). In all, 94.9% of the Jewish population was concentrated in Poland and the pale. Here, as in the other two empires, the Jewish population was too dispersed territorially to constitute a local majority at *guberniya* or even *uezd* level; but in this area there were no fewer than 462 small towns (*shtetl*) with a Jewish majority, and in 116 of these Jews made up at least 80% of the population (Pinchuk, 2000, p. 498).

[table 2 about here]

Notwithstanding extensive boundary change and migration, the post-1918 successor states inherited challenging patterns of ethnic geography. The position in three interwar cases is illustrated in the top three panels of table 2. In Poland, only one minority, the Ruthenians, had a relatively coherent territory among high-level units, voivodships (N=18); at district level (*powiat*; N=267) their territory becomes more ragged, but also more inclusive (82.7%) and more homogeneous (64.7%). A Belorussian area appears only at this level. The two other significant minorities, the Germans and the Jews, are clearly non-territorial ones. No minority appeared in Estonia at the top level, that of district (*maakond*; N=11), and even at the level of municipalities (N=410) only two minorities appear, Russians and Swedes (the small but important German and Jewish minorities do not show up even at this level). In Lithuania, similarly, no minority appears at the level of the district (*apskritis*; N=24), but at the level of municipalities (N=314) small Jewish and Polish zones appear, though most Jews and Poles lived outside these zones; the Russian minority remains invisible.

The position in Belgium in 1947 contrasts sharply with these cases of intermingled ethnic communities. The census of that year ‘froze’ the language boundary, and language data ceased being reported subsequently in the census. Even at the level of Belgium’s traditional nine provinces, eight were overwhelmingly linguistically homogeneous. At the lower level of judicial *arrondissements* (N=41), two relatively clear territories emerge, a Dutch-speaking one (inclusiveness, 86.9%; homogeneity 95.1%) and a French-speaking one that includes Brussels (inclusiveness 94.6%, homogeneity 83.7%). In table 2, an effort is made to measure the position at commune level. This results in near-complete levels of inclusiveness and homogeneity in the two zones, and permits a small German-speaking area to appear, but at the cost of a slightly more fragmented physical shape in each case. In all of this, Brussels forms a Francophone island (or, at *arrondissement* level, a peninsula with a Dutch-speaking minority of 42.5%) in the middle of the Dutch-speaking zone.

The position of indigenous peoples offers a yet different expression of the relationship between ethnic communities and territory. To start with, such peoples normally identify their ethnic territory as an expanse from which they were pushed out or within which they were overwhelmed over the centuries by waves of alien settlement and colonisation. In the case of the two considered in this collection, New Zealand’s Maori and Norway’s Sámi, the associated territory comprises respectively the whole of New Zealand and the northern part of Norway. Maori comprise 15% of the New Zealand population, and Sámi about 1% of the overall population of Norway.³

According to the 2013 New Zealand census, Maori accounted for 14.9% of the population by ethnic background (though multiple responses were possible), and 17.5% reported Maori

ancestry (though even those with a remote Maori ancestor could claim this).⁴ The stark pattern of migration that was so characteristic of the second half of the twentieth century left Maori as a mainly urban population, however, far from their ancestral lands and meeting houses (Hill, 2016). Analysis of New Zealand's almost 2,000 area units in 2006 showed relatively high levels of residential segregation (Grbic et al., 2010, p. 32), with significant levels of segregation also in medium-sized cities, though not as high as in the case of African Americans in US cities (Johnston et al., 2005). In 2013, there were Maori majorities in only four of New Zealand's 67 administrative districts, but in one of these, where Maori numbered 60%, they were outnumbered by Europeans with 74%—an interesting illustration of the apparent anomalies to which multiple counting may give rise (computed from Statistics New Zealand, 2015). Even in the three main regions of Maori concentration (in the mid-eastern zone of the North Island), Maori identifiers accounted for only 28% of the population. In all, 21% of the total Maori population lived in these three regions, with a further 24% in the city of Auckland, by far the largest concentration of Maori.

In Norway, where the most recent census data on the subject are 45 years old, the 1970 census reported that just over 9,000 people identified as Sámi in certain census tracts in the three most northerly counties; a little over 10,000 stated that they spoke Sámi as a first language; and 27,646 in all had 'Sámi characteristics', including ancestral ones (Aubert, 1978, pp. 21-2, 43, 72-3). Taking account of difficulties of under-enumeration and under-reporting, it was concluded that there were 'probably some 40,000 persons whose life is in one way or another affected by their Lappish ancestry' at that time (Aubert, 1978, pp. 117-8). Since then, the Norwegian statistical authorities have been reluctant to investigate ethnic affiliation in the census, but the creation of a Sámi parliament permitted an alternative measure of Sámi affiliation: registration on the electoral roll. Eligibility to vote in Sámi elections depends on self-identification as Sámi and satisfaction of an 'objective' criterion (personal or ancestral link to the Sámi language, or having a parent already on the electoral roll). The electoral roll had reached almost 14,000 by 2009, but that is likely to be an underestimate of the number of those eligible to register due to the reluctance of some people of Sámi background to so identify (Pettersen, 2015). The 'political density' of the Sámi (a measure used by Pettersen, 2015) may be computed by comparing the general parliamentary (Storting) electoral roll for all of Norway's municipalities in 2013 with that for elections to the Sámi Parliament. This shows only three municipalities where Sámi Parliament electors exceeded 50% of the Storting electorate (a concentration accounting for 22% of all Sámi electors), and another 10 where they exceeded 10% (a further 20% of all Sámi electors).⁵

To summarise, then, the countries discussed in this collection are host to a mixture of territorial and non-territorial minorities, with some groups falling along a continuum between these two categories. A minority is considered a potential candidate for territorial autonomy if it meets three criteria that have been extensively used in the discussion above: it inhabits a territory that is homogeneous (overwhelmingly or at least predominantly inhabited by members of the titular population), inclusive (accounting for the great majority, or a very substantial portion, of the titular population) and compact (geographically coherent, or at least viable as a distinct administrative area). Many of the larger minorities discussed in this section meet these criteria, and this is particularly true of those which are defined by language—especially the larger groups in the Russian and Habsburg empires. The sensitivity of territorial status to the administrative tier that forms the basis of aggregation must, however, be emphasised: groups which are not predominant in any high-level area (such as province) may have a much stronger geographical presence in low-level areas (such as municipalities). This does not mean that they possess viable territories, and the case of religious minorities in the Ottoman empire (frequently distributed in patchwork fashion at village level) and of indigenous peoples in advanced industrial states (typically marginalised even in their ancestral territories, and widely dispersed outside them) shows how ineffective the granting of territorial autonomy is likely to be in such cases. In the states of interwar central and eastern Europe described in table 2, similarly, some groups (such as Ruthenians in Poland or Russians in Estonia) had relatively clearly defined territorial status, while others (such as Jews and Germans) were widely dispersed. Belgium seems to come closer to the territorial model, but with a challenging pattern of intermingling in and around Brussels.

Ethnicity and Autonomy

The second big question addressed in this article has to do with the extent to which the groups discussed here may be described as enjoying a minimum level of authentic autonomy. The introduction to this collection described a coding system for measuring autonomy (Hooghe et al., 2008), and the main components of this five-point scheme may be adapted, by replacing the first one, to serve as a framework to revisit the findings of the case studies included in this collection. Instead of the first point (a measure of the institutional depth of a general-purpose autonomous administration) we consider a more fundamental matter: the manner in which the group is formally acknowledged by the state. Table 3 uses this five-point approach to generalise about the cases considered in this collection. The five areas are:

- The extent of recognition of the separate character of minority groups
- The nature of any representative institutions for such groups
- The character of any executive bodies corresponding to such institutions
- The policy range of any autonomous authorities
- The degree of fiscal autonomy of any autonomous authorities.

[table 3 about here]

The first issue, mechanisms for recognising minorities, is particularly important. One of the big differences between territorial and non-territorial autonomy is that the explicit recognition of individual identity may be bypassed in the former, but not in the latter: a territory (such as Scotland) may act as surrogate for an ethnonational group (such as the Scots), even though the geographically circumscribed and ethnonationally defined communities are unlikely to coincide. When administrative geography is set aside in defining group membership, however, we may see a continuum ranging from 'closed' to 'open' extremes. Membership of the millets in the Ottoman empire lies near the 'closed' end of the continuum, not least because the route of conversion away from the dominant religion was, as in certain other pre-democratic societies such as Russia and Spain, for long perilous if not impossible (Deringil, 2000, pp. 551-4). Nevertheless, many people changed millet by changing religion, especially in the last decades of the empire, and there was sometimes an element of choice between adjacent religious communities; for example, after the creation of the autonomous Bulgarian Orthodox exarchate in 1870 individuals could choose to join this or remain with the Greek Orthodox patriarchate (Şaşmaz, 1994, p. 353).

Elsewhere, a mixture of 'objective' and 'subjective' determinants was used. In both Moravia and Estonia electoral rolls for communal representation were based on a draft compiled by officials, but there was an element of personal choice in that individuals could opt in or out of a particular list—freely in the case of Estonia, subject to official veto in the case of Moravia (Kuzmany, 2016; Smith, 2016). In the case of indigenous peoples, membership definition has shifted over time, hampered by the absence of an effective operational definition that is accepted internationally (Berg-Nordlie et al. 2015b; Costa, 2015). Membership of the Sámi and Maori electoral rolls is determined by a mixture of subjective and objective criteria, but with an emphasis on the former: it is based on self-definition plus an ancestral link to the Sámi community in Norway, and on free choice plus self-declared Maori status in New Zealand. The Francophone Community in Belgium represents a fascinating hybrid: the largest portion of its membership is objectively defined in accordance with the principle of administrative geography (the population of the Walloon region, *including Dutch speakers*

there, minus the population of nine German-speaking municipalities); the rest is made up of an undefined French-speaking population in the Brussels region. Here, no distinction is made in the electoral register on the basis of language; but voters are constrained to opt for either a French- or a Dutch-language party list (Dalle Mulle, 2016). In important respects, this part of Belgium's Francophone community, like its Flemish counterpart, represents a rare example of Renan's celebrated notion of the nation as 'a daily plebiscite', even if the frequency of choice is not quite daily.

The second question is the issue of representative institutions. Formally defining the membership of substate groups need not be a step on the path to autonomy; it may be designed to facilitate some other conflict management devices such as quota representation or consociation. The former was the intended function of the Maori electoral roll in New Zealand. From its introduction in 1867 to 1993 the Maori quota was fixed at four, but since then it has floated, depending on the level of registration of Maori electors. It is currently seven, out of a House of Representatives of 121 members, but there are a further 18 members of parliament of Maori descent, and a high proportion of Maori (currently, 45%) choose to remain on the general electoral roll (New Zealand Parliament, 2015). However, these arrangements are confined to national level; the pattern at local level is one of severe Maori under-representation (Sullivan, 2015). The division of the electoral roll in Moravia in 1905, and in Galicia and Bukovina later, had more direct implications for the disposal of power: it was designed to reduce intergroup conflict by fixing the representation level of each group and facilitating power sharing—not to confer autonomy on the various sets of communal parliamentarians (Kuzmany, 2016). The Ottoman millet system also facilitated power-sharing arrangements: at the level of local government (at *vilayet* level and lower), formal provision was made under the *tanzimat* reforms of the mid-nineteenth century for significant non-Muslim representation in the local administration (Shaw and Shaw, 1977, pp. 88-90).

The better-known feature of the millet system was, however, its role in ensuring group autonomy. Arrangements for religious autonomy at local level in the Ottoman empire were topped by mainly indirectly elected state-level councils for each millet, under new constitutions adopted by the major millets in the early 1860s (Davison, 1963, pp. 114-35). A key feature of arrangements in interwar Estonia was the creation of German and Jewish Cultural Councils, elected on a broad (ethnically defined) franchise. Since 1989, the Sámi Parliament in Norway has been elected on a similar basis. In Belgium, the Parliament of the French Community comprises members elected directly to the Walloon Regional Parliament and delegates from Brussels, its members thus playing a dual function. In New Zealand,

there is no body similar to the Sámi Parliament, but since 1962 a statutory Maori Council, comprising delegates from Maori district councils, has played a consultative role; given the strength of tribally-based identification, however, many of the most important indigenous interactions with the state are managed by groupings of tribal leaders.

The third area is that of executive power. In several of the cases just discussed, the logic of representative government has been followed through in the designation of a political executive. The chief figures in the Ottoman millets were the principal religious officials—the Orthodox and Armenian patriarchs, for example, and the Jewish Grand Rabbi. The state originally played a major role in their appointment, but by the late nineteenth century members of the millet were involved in the appointment process, though the decisiveness of their input varied from millet to millet. The German and Jewish Cultural Councils in Estonia appointed their own executives, as do the Parliament of the French Community and the Sámi Parliament. In Moravia, however, there were no effective communal executives, beyond school boards with limited remit; the system was essentially one of consociation rather than of non-territorial autonomy (Kuzmany, 2016). In the Maori case, the limited functions of the Maori Council extend also to its executive, though the expanding role of tribal leaderships in recent decades needs to be noted.

The fourth area is a crucial one: to what extent do such administrative, representative and executive institutions as exist dispose of real power? In practice, we find that the functions of the bodies discussed above have tended to be limited, with the areas of culture and education particularly prominent. These were the main focus of the cultural councils of interwar Estonia. The institutions based on the Ottoman millets were responsible not just for these areas, but also for others, such as ecclesiastical affairs and family law. In Belgium the Parliament of the French Community has responsibility not just for education and culture but also for health affairs, social welfare and other matters. The Sámi Parliament plays a role, in conjunction with the central government and the local authorities, in promoting Sámi culture and the economic development of the Sámi areas. In New Zealand, Maori institutions, official and non-official, are able to exercise modest powers.

Finally, the fiscal status of the several non-territorial authorities is closely related to the degree to which they are endowed with substantial functions. The millet administrations in the Ottoman empire had the most far-reaching responsibilities; they collected taxes not only for themselves, but also on behalf of the central government. The Estonian cultural councils had modest tax-raising powers to fund their activities. The budget of the Parliament of the French Community in Belgium is, however, based on transfers from the central government, but these are very substantial, and the Community institutions enjoy considerable latitude

under Belgium's complex system of substate territorial and non-territorial government. The running expenses of the Sámi parliament are very small, but it administers a relatively large budget transferred from the Norwegian government to cover its main functions. In New Zealand the political power of tribes has been boosted by resource transfers arising from settlements with the state.

We should, then, be cautious in applying the term 'autonomy' to the institutions discussed here. It seems clear that the Ottoman millet system, the cultural autonomy arrangements in interwar Estonia and the system of community government in Belgium tick the appropriate boxes: they represent instances of real autonomy, even if this varies from case to case, and changes over time within cases. The Sámi of Norway certainly possess the trappings of autonomy, and elements of its substance. Maori in New Zealand, however, enjoy little collective power, though the major tribes forge their own relationships with the state, while also pursuing issues of pan-tribal interest. Applying the coding scheme for self-rule devised by Hooghe et al. (2008), and retaining their award of nine points out of a maximum of 15 in respect of the French Community in Belgium, we might suggest the same level (nine points) for the Ottoman millets; Smith (2016) suggests nine points also for the German and Jewish cultural councils in Estonia; and eight points might be allocated in respect of the Sámi Parliament in Norway. It seems reasonable to recognise these bodies as representing authentic autonomy; but the others included as case studies in this volume fail to reach this threshold. It would be hard to allocate more than one point for the New Zealand Maori Council, though focusing on this body deflects attention from the considerable political weight of many tribal agencies. The arrangements for the two language groups in Moravia (like those planned for Bukovina and Galicia) seem not to merit any points at all—a significant finding for a case long held out as a model of non-territorial autonomy. As Kuzmany (2016) shows, the Moravian Compromise of 1905 was an experiment in consociational government, not in non-territorial autonomy.

Non-Territorial Autonomy and Ethnic Conflict

It is appropriate at this stage to review the balance sheet: to what extent can we find real instances of functioning non-territorial autonomy, and what lessons may we draw from them in respect of the value of this particular institutional instrument as a conflict management device? The last section has suggested that the contemporary world offers relatively few examples. This is compatible with Bauböck's (2004) three-part typology of cases of 'cultural' (non-territorial) autonomy, none of which is marked by substantive self-rule: the 'residual' category of the post-communist world, of little more than symbolic significance; the

‘supplementary’ category represented by Belgium, which is by definition a partial approach only; and the ‘transitional’ category, on the path from centralised statehood to minority self-government. None of these three types matches the relatively stable forms of autonomy exemplified by the Ottoman millet system or by interwar Estonia—essentially historical cases. As Barkey and Gavrilis (2016) remind us, the millet system was a product of its time, and cannot be emulated in modern society. Taken together, this suggests that there may be less—perhaps, much less—to non-territorial autonomy than meets the eye, except, perhaps, in the case of indigenous peoples, who can rely on the support of developing international legal norms (Falch et al, 2016). It is therefore worth looking at general assessments of non-territorial autonomy before going on to look at four areas where its contribution to the pursuit of ethnic peace has been questioned.

Positive assessments are easy to find: non-territorial autonomy has been described as being of ‘immediate intuitive appeal’ (Torode, 2008, p. 180), of simultaneously promising minority security and majority reassurance (Decker, 2007, p. 448), and of offering ‘an institutional possibility for coexistence *and* autonomy, in the Old World and the New’ (Dundas, 2004, p. 94). In the past, though, it was subject to severe criticism, not least in the very heartlands of ethnic tension where the concept received its initial intellectual elaboration, and where it was of strongest appeal to political activists. For Austro-Marxists such as Renner, and Jewish Bundists such as Medem, non-territorial autonomy offered a relatively painless and unthreatening potential solution to national conflict (Gechtman, 2016). But other alternatives to territorial autonomy were also being canvassed at that time: for the Polish Jewish activist Rosa Luxemburg (1976 [1909], pp. 279-80), the intermingling of nationalities in such parts of the Russian Empire as Lithuania and the Caucasus was so great that territorial autonomy was impractical; but she rejected non-territorial autonomy in favour of use of local government and a system of minority protection. On the Russian left, this position was roundly condemned by Lenin (1972 [1914]), who argued that only territorial autonomy was an appropriate response to ‘the right of nations to self-determination’. He dismissed the idea of non-territorial autonomy as a conservative device that would encourage bourgeois nationalism, and as an ‘opportunist dream’ (Lenin, 1973 [1913], p. 247). This position was shared by Stalin (1948 [1913], pp. 26-35), who, incidentally, seems to have been responsible for the widespread misattribution of the Renner scheme to Bauer.⁶

The verdict of later observers on practical implementation of the scheme has been less negative. While the Ottoman millet system should not be idealised, specialists in its history have in general reviewed it positively (Barkey and Gavrilis, 2016). For McCarthy (2001, p. 9) the millet system made the Ottoman empire ‘a state of exemplary tolerance in which differing

religious groups had lived together in relative peace'; Quataert (2000, p. 173) argued that minorities 'enjoyed fuller rights and more legal protection in the Ottoman lands than ... in the realm of the French king or of the Habsburg emperor'; and Kymlicka (1992, p. 38) endorsed the millet system as 'a viable alternative form of religious tolerance to Rawlsian liberalism' (see also Kymlicka, 2007). Not everyone praised the Ottoman experience so wholeheartedly; Yetişgin (2007, pp. 149-51) noted the positive features of the millet system in providing benefits alike to rulers (compliance) and ruled (stability and support), but also drew attention to its potentially divisive effects, while Abu Jaber (1967, p. 222) saw it as helping to preserve the language, culture, religion and folklore of minorities, but as also promoting suspicion, bitterness and a sense of separateness between Muslims and non-Muslims.

The Estonian cultural autonomy law of 1925 has also received a positive assessment (Smith, 2016). According to Macartney (1934, p. 469), 'by common consent, [it] has given the most admirable results in practice'; and Housden (2004, p. 232) noted its 'enthusiastic' reception by commentators. Weiss-Wendt (2008) has argued that, even if it was not designed with the small Jewish minority in mind, that group was able to profit from it; but he echoed Yetişgin's and Abu Jaber's criticisms of the millet system in pointing to its divisive consequences for Estonia. The verdict on the Belgian case has been similar: non-territorial autonomy has helped to reverse the decline of Dutch in Brussels, but it has also served to reinforce the division of the country (Dalle Mulle, 2016). While the creation of a Sámi Parliament has certainly not resolved the problems facing this group, the conclusion of observers as to its contribution to the quality of Sámi life is in general positive (Falch et al, 2016).

There are, however, a number of respects in which the potential or actual operation of non-territorial autonomy needs to be explored further. Rainer Bauböck's (2005, pp. 99-107) thoughtful critique of the conceptual basis of the Renner scheme, which overlaps with a similar set of points raised by Nootens (2005, pp. 56-58), offers a useful framework for considering four challenging features of non-territorial autonomy: the theory of nationalism on which it is based, its reification of ethnicity, its overlap with territorial jurisdiction, and its inappropriately symmetrical character.

The first problem is Renner's reliance on a traditional conception of the nation that has undertones of 'perennialism' in its assumption of the prior existence of national groups. This conception is now discredited; indeed, the contemporary debate about 'perennialism' and its close relative, 'primordialism' is a distraction from the serious study of nationalism, since it is virtually impossible to identify an academically grounded contemporary advocate of either of these positions (Coakley, 2013). But Renner's description of the national question indeed leaves him, and not a few of his contemporaries, open to this charge; and his political

colleague, Otto Bauer uses the alarming term *Schicksalsgemeinschaft* ('community of fate') in defining 'nation'. It is clear, though, that notwithstanding this potentially misleading expression, Bauer's understanding of the process of nation formation is a sophisticated historical sociological one (Coakley, 2012, pp. 153-5, 201-4). Even if Renner failed to share this more subtle interpretation of the path towards nationhood, this need not be fatal to his advocacy of non-territorial autonomy: a defective theory of the nation need not undermine a prescription for resolving the national question.

Second, and as a consequence of this, the Renner approach constrains individuals to choosing from a narrow range of affiliations to predesignated nations, and this is not necessarily compatible with their own understanding of their identity. The introduction of any system of 'ethnic' population or electoral registers—a near-unavoidable feature of non-territorial autonomy—forces people to opt for categories with which they may be uncomfortable, and imposes its own stark logic in what is likely to be a complex, tiered space, with multiple and overlapping identities. It has for long been recognised that shoe-horning people into ethnic boxes in the population census and related instruments may result in distortion or oversimplification of individual characteristics, may create political divisions where none existed previously, and may eliminate less clearly defined intermediate groups that might act as a bridge in divided societies (Teleki and Rónai, 1937). It may also harden the very boundary line that was seen as problematic in the first place. On the other hand, the public policy case for collecting data on ethnic affiliation is strong, and is just one of many such circumstances in which arbitrary lines are drawn by the modern state. It is in any case more generous than the typical jacobin practice of limiting recognition to just one 'nation'.

Non-territorial autonomy, however, goes further than simply categorising the population along ethnic lines, and may be seen negatively by a range of different groups. From the perspective of the ruling elite, concession of non-territorial autonomy, or autonomy of any kind, introduces a formal boundary within the state, and may be seen as threatening its integrity. Even from the perspective of the minority, registering as members of a particular group may well be perceived as creating a barrier to integration rather than as an instrument for group protection. Groups such as Roma may be reluctant to self-identify publicly for fear of retribution (Klímová-Alexander, 2005, pp. 128-30). The historical experience is not reassuring. Elaborate measures in Moravia to determine ethnic nationality may have appeared harmless in the early twentieth century, but after the Nazi takeover in 1938-39 a similar approach was used 'to ferret out Jews' from the Moravian population, and after the war the same approach was used to identify Germans, who were earmarked for expulsion (Kelly, 2003, p. 295). Members of other groups may also seek to claim membership to avail

of additional benefits, thus diluting the character of the group and undermining the logic of the system, a possibility in the millet system (Barkey and Gavrilis, 2016). Measures can of course be taken to prevent this, as in Estonia in the 1920s, when a law designed to prevent those of Estonian descent from claiming German nationality was enacted (Smith, 2016).

The third potential difficulty is that it is rarely possible to eliminate the territorial dimension completely. As is clear from the essays in this collection, there is no cast-iron distinction between territorial and non-territorial minorities; the difference is one of degree. Even when minorities are highly dispersed spatially, territory continues to matter, compromising the purity of the notion of non-territoriality. To start with, legislation governing minority rights has at least an implicit territorial jurisdiction—typically, it applies to the entire territory of the state. Depending on considerations of ethnic geography, a minority may find itself constrained to relate to the state simultaneously in two ways: as a territorial minority (in respect of the zone in which it is numerically dominant) and as a non-territorial one (in respect of its members who are dispersed elsewhere outside the core zone). In such cases as francophone Canada, for instance, the formula that suits those resident in Québec (territorial) is not likely to be optimal for those resident in dispersed conditions outside Québec (non-territorial). Furthermore, paradoxically, the writ of non-territorial government may be territorially restricted, as it is in Belgium in respect of the Brussels region (Dalle Mulle, 2016), or in Norway in respect of the special Sámi areas of northern Norway (Falch et al., 2016). A particular difficulty exists in the case of indigenous peoples, given attachment to their lands and traditional territories (Patton, 2005, pp. 118-9; Hill, 2016; Falch et al., 2016). The process of social change has in many such cases seen a colonisation of the indigenous group's traditional homeland and resettlement in cities, often far from its place of origin (Hill, 2016). Alienation of ancestral territories and loss of access to sacred sites may rankle with indigenous peoples, but their territorial ambitions face a formidable challenge, given the vastly superior resources of the dominant group. Even when groups are widely dispersed, then, territory matters.

Fourth, the Renner scheme treats the co-existing nations symmetrically, even though they may have uneven capacity to take advantage of any autonomy arrangements. In reality, though, asymmetrical variants are, like asymmetrical federalism, very common. Nevertheless, it is true that this scheme may result in institutionalised inequality, as well as posing other difficulties of implementation (Van Parijs, 2011, p. 17). Conferring autonomy on groups which lack the leadership and resources needed to make it effective may be damaging to the interests of these groups, as in the case of the Roma (Klímová-Alexander, 2005, pp. 128-30), and, in the inter-war period, the Slovenes in Austria and the Danes in

Germany (Macartney, 1934, pp. 398-400). In the 1920s, the League of Nations Minority Secretariat noted that non-territorial autonomy was more likely to be successful in circumstances where the minority was coherent from a socio-political perspective and possessed the economic resources to sustain it (Smith and Cordell, 2007, p. 341). One way of ensuring such capacity is positive action on the part of governments in supporting minority mobilisation, uncomfortable though this may be (Weaver, 1983; Robbins, 2015).

There may also be circumstances where the introduction of non-territorial government is designed not to empower but to marginalise minorities. In such cases, the recognition of minorities as 'distinct' is a stage not in the enhancement of their capacity for self-government, but in their exclusion from mainstream political life, as in pre-1994 South Africa's provisions for 'autonomy' for the Asian and Coloured populations, and Israel's recognition of the jurisdiction of the Palestinian Authority over the Palestinian population of the West Bank. But such exclusion applies potentially just as much to territorial devolution as to non-territorial autonomy (as in the African 'homelands' in pre-1994 South Africa, and Gaza's relationship with Israel), and unfortunate historical experience should not undermine the potential value of this unusual institutional device.

Conclusion

This article has reviewed the evidence presented by the case studies in this collection with a view to assessing the significance of non-territorial autonomy as a conflict management mechanism. If the expression is rigidly defined, persuasive examples are hard to find. There appear to be two related practical impediments: the possibility that autonomy will not in reality be non-territorial, and the chance that non-territorial arrangements will fall short of true autonomy. The fact that this institutional mechanism is rarely to be found operating effectively need not lead to its dismissal at a normative level. Non-territorial autonomy can deliver an important measure of at least symbolic recognition, substantial cultural benefits and perhaps even material gain to minorities that have no hope of ever achieving these through any kind of territorial system.

Non-territorial autonomy may also make these concessions to minorities without threatening the integrity of the state. Oskar Jászi (1929, pp. 179-80) has pointed out that the Renner scheme, ironically, was 'the most complete affirmation of the idea of a greater Austria and indirectly (though not outspokenly) of the German hegemony inside of Austria', and was likely to strengthen the state. The millet system, similarly, helped to prevent large-scale opposition to the state (Barkey and Gavrilis, 2016). Indeed, in Moravia the 1905 'compromise' succeeded in preserving the influence of conservative forces (Kelly, 2003, pp.

300-1), the 1925 Cultural Autonomy Law offered the Baltic Germans a residual hold on power in Estonia (Smith, 2016), and in Belgium the set of post-1970 constitutional reforms of which community autonomy was part helped to preserve the declining influence of the traditionally dominant French-speaking section of the population. In a world where populations are more intermingled than ever before, it would be inappropriate to write off the potential future of this institutional device. Even if it is not a 'magic bullet', its capacity to reduce tension may be sufficient to ensure its continuing attractiveness to policy makers.

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Notes

1. The Ottoman data use 33 primary units: 26 formally designated as *vilayets*, five special districts (one formally designated as a *sanjak*), and the city and suburbs of Istanbul as two separate units. The Russian data include 71 *guberniĭ* and 18 territories, mainly in Asia, formally designated *oblast* (region). The 17 crownlands of the 'Cisleithanian' portion of the Habsburg monarchy, which functioned in the manner of the component units of a federation, had their origins in complex historical developments, varied greatly in size, and had formally different designations (such as archduchy or duchy, though three had more elevated titles: the Kingdom of Bohemia, the Kingdom of Galicia and Lodomeria, as Austrian Poland was named, and the Kingdom of Dalmatia).
2. This ignores the significant Slovene population lying outside the borders of Yugoslavia (or the Kingdom of Serbs, Croats and Slovenes, to give it its official name), notably in the Austrian province of Carinthia.
3. Expressing the Sámi parliament electorate as a proportion of the general electorate for Storting elections in 2013 would give a lower estimate, 0.4%; by this measure, Sámi account for about 4% of their traditional territories in northern Norway; derived from Statistics Norway, 2015. The Sámi area is defined as the two most northerly Norwegian counties plus the northern part of a third county. It forms part of a broader area, Sápmi (the country of the Sámi, formerly known as Lapland), which extends over all of northern Norway, much of northern Sweden and Finland, and Russia's Kola peninsula (see map in Slaastad, 2014, p. 7).
4. The questions were: 'which ethnic group do you belong to?', with such options as New Zealand European, Maori, etc., and 'are you descended from a Maori (that is, did you have a Maori birth parent, grandparent or great-grandparent, etc)?'. Of those including 'Maori' in response to the ethnic affiliation question, 41% opted for Maori only, 49% for Maori and European and the remainder for other combinations; derived from Statistics New Zealand, 2015.

5. Computed from Statistics Norway, 2015, and from data on the Sámi electorate supplied by Statistics Norway.
6. Stalin (1948 [1913], pp. 26-35) spent almost as much time attacking Bauer as attacking Renner, even though the Bauer text that was his target simply offered a detailed description and endorsement of the Renner scheme (Bauer, 2000 [1924], pp. 281-92). This may have arisen because of the intellectual weight attached to Bauer as a theorist of nationalism, and seems to have given rise to the later misleading description of the Renner model as the Renner-Bauer one.

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Table 1. Territorial and non-territorial groups in three traditional empires

Empire and group	Share of total popu- -lation (%)	Territorial units	Features of 'ethnic' territory		
			<i>Inclusive- ness</i>	<i>Homog- eneity</i>	<i>Compactness</i>
<i>Ottoman Empire, 1882-89, vilayets (N=33), by millet, males only</i>					
Muslim	71.9	28	95.6	75.7	A-high
Greek	13.3	4	32.7	51.3	A-high
Armenian	5.8	1	6.4	51.9	A-high
Bulgarian	4.8	0	-	-	D-no territory
Jewish	1.1	0	-	-	D-no territory
<i>Habsburg Monarchy (Cisleithania), 1910, crownlands (N=17), by habitual language</i>					
German	35.6	8	64.8	81.7	A-high
Czech	23.0	2	94.9	65.6	A-high
Polish	17.8	1	94.1	58.5	A-high
Ruthenian	12.6	1	8.7	38.4	A-high
Slovene	4.5	2	51.5	83.8	A-high
Serbo-Croatian	2.8	2	99.4	76.3	A-high
Italian	2.7	1	15.5	62.3	A-high
Romanian	1.0	0	-	-	D-no territory
<i>Russian Empire, 1897, guberniĭ (N=89), by maternal language</i>					
Russian	44.3	41	88.5	81.1	A-high
Ukrainian	17.8	10	80.0	70.7	A-high
Polish	6.3	9	83.5	75.1	A-high
Belorussian	4.7	5	91.9	63.5	A-high
Yiddish	4.0	0	-	-	D-no territory
Kirgiz	3.3	6	89.4	74.0	A-high
Tatar	3.0	2	27.3	59.8	A-high
German	1.4	0	-	-	D-no territory
Lithuanian/Samogitian	1.3	2	79.9	62.3	A-high
Latvian	1.1	2	74.5	54.2	A-high
Bashkir	1.1	1	68.1	41.0	A-high
Moldavian/Romanian	0.9	1	82.1	47.6	A-high
Armenian	0.9	2	43.9	45.9	A-high
Estonian	0.8	1	36.5	88.7	A-high
Sart	0.8	1	81.5	50.2	A-high
Georgian	0.7	2	98.2	38.4	A-high
Uzbek	0.6	1	69.9	59.0	A-high
Turkmen	0.2	1	88.4	65.0	A-high
Yakut	0.2	1	97.4	82.1	A-high
Avar-Andi	0.2	1	74.5	27.8	A-high

Source: Computed from Karpat, 1978; Waber, 1915; Russia, 1899-1905

Note. Groups are listed in descending order of size; only groups accounting for at least 1% of the population or constituting a plurality in at least one area are included. The 'territorial units' column refers to the number of territorial units in which the respective groups made up a plurality of the population. 'Inclusiveness' is the population of the group in 'its' territory as a percentage of the population of the group in the state; 'homogeneity' is the population of the group as a percentage of the population of 'its' territory; and 'compactness' is an estimate of the territorial coherence of the area: A-high (there is a single substantive unit; the combined population of any enclaves and exclaves accounts for no more than 5%), B-medium (there is more than one significant unit; the largest accounts for at least 50% but no more than 95% of the population), C-low (there is a very high level of geographical fragmentation, resulting in a patchwork shape, with no single unit accounting for 50% of the population or more), D-none (there is no unit in which the group constitutes a plurality of the population).

Table 2. Territorial and non-territorial groups in selected states

State and group	Share (%) of total population	Territorial units	Features of 'ethnic' territory		
			<i>Inclusive- ness</i>	<i>Homog- eneity</i>	<i>Compactness</i>
<i>Poland, 1921, ethnic nationality by district (powiat; N=267)</i>					
Polish	69.2	201			
Ruthenian	14.3	51	82.7	64.7	B-medium
Jewish	7.8	0	-	-	D-no territory
Belorussian	3.9	13	74.6	55.9	A-high
German	3.9	1	1.2	61.9	A-high
Other		1	-	-	D-no territory
<i>Lithuania, 1923, ethnic nationality by municipality (valsčiai; N=314)</i>					
Lithuanian	83.9	307			
Jewish	7.6	5	12.6	59.5	C-low
Polish	3.2	2	10.5	62.2	C-low
Russian	2.5	0	-	-	D-no territory
Other	2.8	0	-	-	D-no territory
<i>Estonia, 1922, ethnic nationality by municipality (vallad; N=410)</i>					
Estonian	87.6	389			
Russian	8.2	15	57.2	83.9	A-high
German	1.7	0	-	-	D-no territory
Swedish	0.7	6	71.5	83.1	A-high
Jewish	0.4	0	-	-	D-no territory
Other	1.4	0	-	-	D-no territory
<i>Belgium, 1947, main language by municipality (commune; N=2,671)</i>					
Dutch	55.1	1,119	93.5	96.2	A-high
French	43.9	1,527	95.5	91.5	B-medium
German	1.0	25	60.8	92.2	A-high
<i>Norway, 2013, Sámi electors by municipality (kommune; N=429)</i>					
Sámi	0.4	3	21.8	46.0	B-medium
<i>New Zealand, 2013, Maori by district (N=67)</i>					
Maori	14.9	3	2.1	61.8	C-low

Source: Computed from Poland, 1925; Lithuania, 1925; Estonia, 1923-25; Belgium, 1954; Statistics Norway, 2015; Statistics New Zealand, 2015.

Note: As for table 1. In Belgium the data refer to speakers of a national language as a percentage of all speakers of national languages (and not of the total population, which is the officially reported reference group). In Norway the data refer to persons entitled to vote in Sámi Parliament elections, with the electorate for the Norwegian Storting as the reference group. In New Zealand the Maori data include multiple responses to ethnic categories. 'Territorial units' in this case refers to districts where Maori both exceeded 50% of the population and outnumbered Europeans.

Table 3. Features of institutional autonomy of selected minorities

Case	Recognition	Representation	Executive authority	Functional autonomy	Fiscal status
Ottoman millets: Orthodox Armenian Jewish	religious affiliation; limited personal choice	council or assembly: National Mixed Council National General Assembly Jewish Council	<i>milletbashi</i> : Orthodox Patriarch Armenian Patriarch Grand Rabbi	religious affairs, education, family law, millet property, other areas.	taxing powers; agency for central government
Moravia: Czechs, Germans	separate electoral rolls based on individual questionnaires; objection possible; official determines	none (fixed ratios within traditional curiae in Landtag)	none (de-facto consociation; separate school boards)	very limited (aspects of education)	Envisaged but not implemented
Estonia (1925-): Germans Jews	draft register compiled by officials; individuals may opt in or out	German Cultural Council Jewish Cultural Council	Executive appointed by Council	education, cultural activities, property management	tax-setting and raising powers
Belgium: Francophone community	mixed; territorial (Flanders); voters choose freely from party lists (Brussels)	Parliament of the French Community	Government of the French Community selected by parliament	language, education, culture, health policy, social welfare, scientific research, other areas	none; transfers from central government
Norway: Sámi	self-designation plus objective test	Sámi Parliament	Executive Council determined by Parliament	economic and cultural development	none; transfers from central government
New Zealand: Maori	ethnic self- identification; perceived ancestry; optional separate electoral roll	tribal organisations (plus reserved Maori seats in parliament; Maori Council)	none (Executive Committee of Maori Council)	consultative role	none; small government grant for administration

Source: case studies in this collection; Katsikis, 2009, pp. 178-81; Stamtopoulos, 2006, pp. 258-65; Kelly, 2003, pp. 294-5.