

<https://doi.org/10.22364/jull.15.08>

Development of the Normative Regulation on the Official Latvian State Language During the First Period of Independence

Dr. iur. Ringolds Balodis

Faculty of Law, University of Latvia,
Professor at the Department of Constitutional and Administrative Law
E-mail: *Ringolds.Balodis@lu.lv*

At the moment when a person no longer counts himself as part of the Latvian community and stops speaking Latvian, he is lost to the Latvian nation.¹

(President of the Republic of Latvia Vaira Vīķe-Freiberga)

The current article views the history of establishment and legal foundations of Latvian as the official language of the state, beginning from the position of Latvian among other languages in the newly established independent state of Latvia. The article includes not only analysis of works by other authors and publications in the area of research but also examination of transcripts of various joint sittings of legislators in different periods (the People's Council, the Constitutional Assembly, the *Saeima* of the first and the second period of independence, and the Supreme Council), as well as unpublished minutes of committees. Within the article, certain part of the research focuses also on normative acts related to the use and protection of the official language. The author provides a detailed review of normative acts concerning the official language, concluding the study with the review of the period before the Soviet occupation – the situation after establishment of Kārlis Ulmanis' authoritarian regime after the *coup d'état* on 15 May 1934.

Keywords: *Satversme* (Constitution of the Republic of Latvia), the Latvian language, official language, the Latgalian language, language policy, ethnic minorities.

¹ *Vīķe-Freiberga V.* Runa konferences “Trimda, kultūra, nacionāla identitāte” atklāšanā. Rīgas Latviešu biedrības namā, 2004. gada 30. septembrī [The speech at the opening of conference “Exile, Culture, National Identity” at Riga Latvian Society House, 30 September 2004]. *Vīķe-Freiberga, V. V.V.-F.* 4 plus 4. Runas 1999 – 2007 [*Vīķe-Freiberga, V. V.V.-F.* 4 plus 4. Speeches 1999–2007]. Rīga: Pētergailis, 2007, p. 380.

Contents

<i>Introduction</i>	94
1. <i>Regulation on languages in Latvia prior to adopting the normative regulation on Latvian as the official language in 1932</i>	96
1.1. <i>Draft laws on minority languages during the periods of the People's Council and the Constitutional Assembly (1919, 1922)</i>	99
1.2. <i>Normative regulation on languages during the first period of independence</i>	106
2. <i>The failed attempts to define in the Satversme the status of the official language for Latvian of the first period of independence</i>	111
2.1. <i>Article 115 of the unadopted II part of the draft Satversme (1922)</i>	112
2.2. <i>Attempt to amend the Satversme at the 4th Saeima (1934)</i>	116
3. <i>The issue of Latgilians at the Constitutional Assembly: Language, autonomy and church</i>	117
4. <i>Normative consolidation of the status of official language</i>	121
4.1. <i>Regulation on the Official Language with the force of law (1932)</i>	122
4.2. <i>The Official Language Law (1935)</i>	126
<i>Summary</i>	129
<i>Sources</i>	132
<i>Bibliography</i>	132
<i>Normative acts</i>	134
<i>Case law</i>	135
<i>Other sources</i>	136

Introduction

Today, it is taken as self-evident that we live in a free state and Latvian is the official language in Latvia, and it is one of the official languages of the European Union, interpretation into which is provided at the meetings of European institutions and the binding documents are translated into it. The story about the destiny of the Latvian language is inseparably linked to the complex course taken by the Latvian nation and the State founded by it. In a nation-state, which Latvia is, language, just like the anthem, flag and coat-of-arms, is both the proof of the nation's vitality and a symbol of the State.² This is exactly why the newly elected Members of the Parliament, upon assuming their office, in their oath solemnly promise to strengthen and defend the values of the State, which also include the Latvian language.³

The Latvian language is an important element of Latvia's constitutional identity, without which the constitutional order of Latvia and the system of *Satversme* (the Constitution) as such are inconceivable. Measures for protecting the Latvian language, including its constitutional level, have been and remain closely connected to the genesis of the State and its sovereignty.⁴ Latvians acquired the right to use their

² Short film by Legal Science Research Institute "Latvijas valsts simboli" ["Symbols of the Latvian State"]. Available: https://www.youtube.com/watch?v=brB8TrGpkVM&ab_channel=J%C5%ABrmalaspils%C4%93ta [last viewed 09.08.2021].

³ Rodiņa, A., Kļaviņa, I., Plepa, I. *Satversmes 18. panta komentārs* [Commentary on Article 18 of the *Satversme*]. Latvijas Republikas Satversmes komentāri. II nodaļa. Saeima [[Commentaries on the *Satversme* of the Republic of Latvia. Chapter II. The *Saeima*]. Collective of authors under scientific editorship by Prof. R. Balodis. Rīga: Latvijas Vēstnesis, 2020, p. 283.

⁴ Jundzis, T. *Tiesību reformu loma neatkarības atjaunošanā* [The Role of Legal Reforms in the Restoration of Independence]. Blūzma, V., Celle, O., Jundzis, T., Lēbers, D. A., Levits, E. Zile, Ī. *Latvijas valsts atjaunošana 1986. – 1993* [Restoration of the State of Latvia 1986–1993]. Rīga: LU žurnāla "Latvijas Vēsture" fonds, 1998, p. 156.

own language with the proclamation of their State; however, its status had to be won in parliamentary struggles and had to be safeguarded at a referendum on language. As soon as Latvia's statehood was lost, the language also lost its official status, giving in to the official language of the occupying state (German or Russian). However, language as the means of interpersonal communication, differs from other symbols of the State, which can be physically destroyed, prohibited or the use of which can be severely penalised. Invaders may attempt to impose maximum restrictions on the use of the language in public space, forcing inhabitants of the occupied state to speak, as much as possible, in the language of victors; however, it is practically impossible to eradicate it from private use even in a totalitarian order.

In Latvia, similarly with the other Baltic states, and in contrast to other provinces of the Union of Soviet Socialist Republics (hereafter – the USSR), e.g., Ukraine, Kazakhstan or Belarus, the situation regarding the language use was considerably better. Books in Latvian were published in Latvia, and the alphabet was not rewritten in Cyrillic. Despite occupation of the country, schools and higher education institutions operated in Latvian. At the same time, the state's policy aimed at Russification existed, and that was closely linked to the process of industrialisation. In the period from 1940 to 1990, in the territory of Latvia the number of Russian inhabitants increased four times. The Latvian language, as a minority language of the USSR, was entirely excluded from the sectors of industry, transport, railway, and construction.⁵ During the period of Soviet occupation, every Latvian person had to take into account that they would have to speak Russian on the street, in a shop, at the house-manager's office, at the police (militia) and, of course, at state institutions or, at the first request, switch over to Russian, otherwise risking to fail settling one's affairs. During the time of Soviet occupation, Russian, as the language of communication in the USSR, took the dominant role of the official language of communication also in the LSSR. For the Soviet people, Latvians being counted as one of them, the use of their native language was the area of their private life and even then not invariably. As a rule, Latvian was not the first language spoken in mixed families.

Five years before promulgation of the Declaration of Independence⁶, the song "Dzimtā valoda" ("Native Language") of rock group "Līvi" won "Mikrofons" song contest in 1986. This happened despite the desperate attempts of the Soviet censors to prevent the triumph of the ambiguous song at the popular TV show. The seemingly innocent lyrics of the song, rendered unforgettable by Jānis Grodums' raspy vocal⁷, brought tears to the eyes of many and made many clench their fists. Although at the time nobody suspected the global events that Latvia would be dragged into, ultimately regaining its independence, the song by "Līvi" clearly marked the approaching Awakening. The national self-confidence, for a long period suppressed by the Soviet regime, started rising in Latvians and, as the result, the song turned into one of the protest symbols of the Awakening period. A couple of years later, Latvia was

⁵ *Druviete, I.* Latviešu valoda pēc neatkarības atgūšanas: valodas situācija un valodas politika [The Latvian Language after Regaining Independence: Linguistic Situation and Linguistic Policy]. Latvieši un Latvija. Akadēmiski raksti. III sējums. Atjaunotā Latvijas valsts [Latvians and Latvia. Academic Articles. Vol. III. The Restored State of Latvia]. *Stradiņš, J.* (ed.-in-chief). Rīga: Latvijas Zinātņu akadēmija, 2013, p. 257.

⁶ Par Latvijas Republikas neatkarības atjaunošanu: Augstākās padomes deklarācija [On the Restoration of Independence of the Republic of Latvia: Declaration of the Supreme Council], 04.05.1990. Latvijas Republikas Augstākās Padomes un Valdības Ziņotājs, No. 20, 15.05.1990.

⁷ "The native language is mother, mother. Everything is sweeter in your native tongue. Laugh at yourself silently in your native tongue."

visited by the band “Čikāgas piecīši”, the recordings of their songs for years had been in semi-secret circulation among people, and Mežaparks Grand Bandstand gathered thousands to listen to nostalgic songs of emigrants about the lost statehood and freedom. During the Singing Revolution, Latvians restored the statehood and the right to their language.

With the constitutionalism of Latvia entering the second centenary⁸, the current article is dedicated to the development of the normative regulation concerning the Latvian language as the official language during the first independence period. It is planned to conduct research of the same scale of the second period of independence, which, hopefully, will be published in the next issue of the journal.

The article includes not only analysis of works by other authors and publications in the area of research but also examination of transcripts of various joint sittings of legislators in different periods (the People’s Council, the Constitutional Assembly, the *Saeima* of the first and the second period of independence, and the Supreme Council), as well as unpublished minutes of committees. Within the article, certain part of the research focuses also on normative acts related to the use and protection of the official language. The author attempts to examine consecutively the development of the official language, starting from its genesis, at the founding of the State, until the Soviet occupation.

1. Regulation on languages in Latvia prior to adopting the normative regulation on Latvian as the official language in 1932

A valid opinion, expressed by several experts in an interdisciplinary study (Ina Druviete, Annija Kārklīņa, Jānis Pleps, Gunārs Kusiņš and Edgars Pastars), has taken root in the Latvian legal doctrine that the drafting, adoption and promulgation of the *Satversme*⁹ in Latvian proves that the Latvian language had performed the role of the official language from the very moment when the State was founded. The Latvian language has been the official language of the Republic of Latvia, which is proven also by the fact¹⁰ that all documents, *inter alia*, the Act of Proclamation,¹¹ the first,¹² the second¹³ provisional *Satversme* were adopted only in the literary Latvian language. Procedures of the People’s Council (hereafter – PC TP), the Constitutional Assembly

⁸ 15 February 2022 will mark the centenary since the adoption of the Latvian *Satversme*.

⁹ Latvijas Republikas Satversme [*Satversme* (Constitution) of the Republic of Latvia]. 15.02.1922. Likumu un Valdības Rikojumu Krājums, 12. burtnīca, No. 113, 1922; Latvijas Vēstnesis, No. 43, 01.07.1993.

¹⁰ *Druviete, I., Kārklīņa, A., Kusiņš, G., Pastars, E., Pleps, J.* Satversmes 4. panta komentārs [Commentary on Article 4 of the *Satversme*]. Latvijas Republikas Satversmes komentāri. Ievads. I nodaļa. Vispārējie noteikumi [Commentaries on the Satversme of the Republic of Latvia. Introduction. Chapter I. General Provisions]. Collective of authors under scientific editorship by Prof. R. Balodis. Rīga: Latvijas Vēstnesis, 2014, p. 299.

¹¹ See: Latvijas pilsoņiem! Tautas Padomes Latvijas Republikas proklamēšanas akts [For Latvian citizens! Proclamation Act of the People’s Council of Latvia], 18.11.1918. Latvijas Pagaidu Valdības Likumu un Rikojumu Krājums, No. 1, 15.07.1919.

¹² See 2nd part of Art. 3, Art. 4 and also the 1st part of Art. 6. Tautas padomes politiskā platforma [Political Platform of the People’s Council]. Pieņemta Latvijas Tautas Padomes sēdē]. 17.11.1918. Valdības Vēstnesis, No. 14, 14.01.1918; Latvijas Pagaidu Valdības Likumu un Rikojumu Krājums, No. 1, 15.07.1919.

¹³ Deklarācija par Latvijas valsti: Latvijas Satversmes Sapulces deklarācija [Declaration on the State of Latvia, Declaration by the Constitutional Assembly of Latvia], 27.05.1920. Likumu un Valdības Rikojumu Krājums, No. 4, 31.08.1920; Latvijas valsts pagaidu iekārtas noteikumi [Regulation on the Provisional Order of the State of Latvia]. Approved at the plenary session of Republic of Latvia *Satversme* on 01.06.1920. Likumu un Valdības Rikojumu Krājums, No. 4, 31.08.1920.

and the *Saeima* point to this, although they allowed trilingualism (the Latvian, German and Russian languages) without providing interpretation into Latvian, the legislators' transcripts were made only in Latvian.

The Latvian language is the language of communication in the state, and during the first period of independence the State itself always perceived it as the official language. Several normative acts testify to this by comprising the legal concept "official language" both in the period when the *Satversme* was adopted and later. The first documents of the kind are the Provisional Regulation of 16 December on the Courts and Procedure of Litigation (Art. 10),¹⁴ the PC Rules of Procedure of 23 August 1919 (Art. 38), the law of 8 December 1919 "On Latvia's Institutions of Education" (Art. 8), which is followed by the Cabinet Regulation of 22 November 1921 "On Testing Civil Servants' Proficiency in the Official Language", the regulation with the law of force, issued in the procedure set out in Art. 81 of the *Satversme* on 4 October 1923, "Regulation on Reinstating the Activities by the Senior Notary of the Latgale Regional Court with Respect to Certification of Acts"¹⁵, as well as the law of 17 November 1924 "On Testing the Proficiency in the Official Language of Officers and Military Officials." Admittedly, though, the usage of the term lacked consistency, which, in turn, is proven by other normative acts where the legislator does not use "the official language" as a legal term. Thus, in the Law on Assemblies of 18 July 1923¹⁶ "assemblies organised by foreigners" and "the freedom of speech and language" appear, whereas the term "official language" is avoided. Likewise, the law of 23 April 1923, which approves of the Constitution of the University of Latvia, in its para. 3, makes no mention of the official language but the Latvian language.¹⁷ Bearing in mind that sometimes lectures at the University of Latvia, even in basic subjects, were delivered in German, this was not a matter of legal technique. A similar situation is revealed by looking into the laws of 8 December 1919 "On Latvia's Institutions of Education" and "On the System of Minority Schools in Latvia". Both laws were adopted on the same day, both are interconnected, and the first one comprised the concept of the official language,¹⁸ whereas, for reasons incomprehensible, it does not appear in the second one.¹⁹ Other examples of such lack of consistent policy could be found; however, the most important conclusion that follows from this is clear – the Latvian legal system lacked the status of an official language, defined in the hierarchy of legal norms. Due to this, consistent policy of the official language was also absent. The situation

¹⁴ See Art. 10. Par Latvijas tiesām un tiesāšanās kārtību: Tautas padomes pagaidu nolikums [Regulation on the Courts and Procedure of Litigation in Latvia]. Latvijas Pagaidu Valdības Likumu un Rikojumu Krājums, No. 1, 15.07.1919.

¹⁵ Noteikumi par Latgales apgabaltiesas vecākā notara darbības atjaunošanu attiecībā uz aktu apstiprināšanu [Regulation on Reinstating the Activities by the Senior Notary of the Latgale Regional Court with Respect to Certification of Acts], 04.10.1923. Issued pursuant to the Republic of Latvia *Satversme*, Art. 81. Valdības Vēstnesis, No. 222, 08.10.1923.

¹⁶ Likums par sapulcēm [Law on Assemblies], 18.07.1923. Valdības Vēstnesis, No. 152, 18.08.1923.

¹⁷ "The language of instruction at the University of Latvia is Latvian. Lessons can be taught in other languages only in certain cases with the special permission of the University Council". See Art. 3 in Latvijas Universitātes *Satversmē* [Law on the Constitution of the University of Latvia], 27.04. 1923. Valdības Vēstnesis, No. 66, 28.03.1923.

¹⁸ Art. 9 of the law "On Latvia's Institutions of Education" provided that "In schools and classes, where the language of instruction is not the official language, the latter shall be introduced starting with the second year of the elementary school".

¹⁹ Art. 4 of the law "On the System of Ethnic Minority Schools in Latvia" provided that "The requirements of the curriculum in schools of ethnic minorities may not be lower than the respective requirements in Latvian schools. Note: The scope of mandatory requirements for the Latvian language in ethnic minority schools shall be defined by the Ministry of Education".

changed only after “Regulation on the Official Language” was adopted in 1932 in the procedure set out in Art. 81 of the *Satversme*, the Regulation had the force of law and finally defined the status of the Latvian language. Only thereafter, the attitude towards language use not only within the public administration but also outside it started to change. Up to 1932, the Russian and German languages, compared to other foreign languages, had a more privileged status *vis-à-vis* the Latvian language, whose legal basis had not been defined yet.

Admittedly, the *Saeima* was a model in this respect on the level of constitutional traditions, allowing its members to speak in the *Saeima* in Russian and in German.²⁰ Similarly to state and municipal institutions, also in the *Saeima* records were kept, of course, only in Latvian.²¹ It is interesting to note that during adoption of the state budget it was obligatory for the rapporteurs to speak in Latvian.²² The Rules of Procedure of the *Saeima* only stipulated that the members themselves had to submit translations of their speeches. Transcripts show that some members ignored this procedure and we no longer have the possibility to study their speeches.²³ The Rules of Procedure of the *Saeima* (of 1923 and 1929), which regulated the parliamentary work during the first period of independence, instead of *permitting* trilingualism, *allowed it*²⁴, and even “Regulation on Language” of 1932 does not dare to change this tradition, which had existed since the establishment of the State, even including a note to Article 2, stating that the language use in the *Saeima* is determined by the Rules of Procedure of the *Saeima*.

²⁰ Research of the *Saeima*'s transcripts leads to a rather convincing assumption that part of the deputies representing minorities instead of not knowing the Latvian language, for political reasons, did not want to speak in Latvian, and the political will was lacking to ensure that only Latvian was used in the parliament and local governments. The *Saeima*, was quite fragmented at the time, just as it is today. Coalitions were weak, and nobody was sufficiently strong.

²¹ “Each application to be presented to the *Saeima* shall be worded in Latvian and signed by the submitter” (see Art. 45, “*Saeimas kārtības rullis*” [Rules of Procedure of the *Saeima*], law, 26.03.1923. *Valdības Vēstnesis*, No. 65, 27.03.1923.

²² Thus, at the sitting of 8 February 1929, the member of parliament V. Piguļevskis, who had to report on the tax exemption in the budget of 1928/29 in connection with floods, hail and crop failure, began his speech in Russian but following interjections from the audience, as well as a respective reprimand by the chairman of the sitting, changed to Latvian, in which he, judging by the transcript, was perfectly proficient (see *Latvijas Republikas III Saeimas II sesijas 6. sēdes stenogramma* [Transcript of the 6th sitting of II Session of III *Saeima* of the Republic of Latvia], 08.02.1929.

²³ For example, reading a transcript of II *Saeima*, the speech by the member of parliament Leonīds Jeršovs (Workers' and Peasants' Faction) cannot be found, as instead of his speech there is a note that the deputy had spoken in Russian, and “an abstract of the speech was not submitted”. See *Latvijas Republikas III Saeimas VIII sesijas 1. sēdes stenogramma* [Transcript of the 1st sitting of VIII Session of III *Saeima* of the Republic of Latvia], 20.01.1931.

²⁴ The Rules of Procedure of the *Saeima* of 1923, as well as the substitute thereof, i.e., the Rules of Procedure of the *Saeima* of 1929, provide that if deputies speak German or Russian during sittings, the people's representative must himself ensure that the translation of the speech is submitted to the Transcripts Bureau of the *Saeima*. Whether the statements made would appear in the transcripts depended on the deputy who chose to speak in these languages. See Art. 146 of *Saeimas kārtības rullis* [The Rules of Procedure of the *Saeima*], law, 26.03.1923. *Valdības Vēstnesis*, No. 65, 27.03.1923 and Art. 148, *Saeimas kārtības rullis* [The Rules of Procedure of the *Saeima*], law, 20.03.1929. *Valdības Vēstnesis*, No. 79, 10.03.1929. Examination of transcripts allows to verify how the regulation operated. Thus, for example, there is a stenographer's note in the transcripts of the sitting of I *Saeima* regarding deputy Marcus Nurock (member of the faction “*Agudat Yisrael*”) that he had spoken in German and the footnote informs that the text is an abstract of the speech in Latvian. The same can be found when examining the speech by deputy Max Lazerson (faction “*Ceire Cion*”). It is noted, however, that he spoke in Russian. See *Latvijas Republikas I. Saeimas 1. sesijas 7. sēdes stenogramma* [Transcript of the 7th sitting of Session 1 of the first *Saeima* of the Republic of Latvia], 13.12.1922.

Insight into two attempts made by ethnic minorities to attain laws that would regulate the use of minority languages follows below. One of these occurred at the time when PC functioned, the second one – at the time of the Constitutional Assembly. Since the debates on these prospective laws, their content and the true reasons for not adopting them are closely linked to the regulation on the Latvian language as the official language or, actually, the absence of it, these legislative battles must certainly be explored in this article.

1.1. Draft laws on minority languages during the periods of the People's Council and the Constitutional Assembly (1919, 1922)

The Political Platform of PC of 17 November 1918, which, as the first provisional *Satversme*, defined both the form of the State to be established, as well as the role of the institution itself, particularly accentuated the representation of ethnic minorities and also Latvia's regions in PC.²⁵ Latvian politicians understood quite well that peace in civil society and flourishing of the state directly depended on how productive their cooperation with politicians representing ethnic minorities would be. Founders of the State made all possible effort to gain ethnic minorities' support or, at least, their neutrality towards the prospective new State. Despite the Platform's wishes regarding proportions, the pre-Parliament of the State was established by representatives of eight Latvian parties. Latgalian Staņislavs Kambala was to be regarded as a regional representative, as he was not a member of parties but a member of the Land Council of Latgale, as at that time Latgale was occupied by Bolsheviks.

Examination of the PC Rules of Procedure, adopted on 23 August 1919, which is the primary source of pre-parliamentary internal procedures, does not reveal an algorithm that would ensure representation of ethnic minorities and Latvia's regions on PC. Ādolfs Klīve, an active participant in these past events, reveals in his memoirs that PC had been created by Kārlis Ulmanis, who had invested a particular effort into ensuring a certain proportion for representatives of national minorities and social democrats. The politician is of the opinion that PC “reserved for national minorities representation proportionally to the number of Latvians, without more particular rules”; moreover “leaving in the unlimited discretion of minorities the sending of their deputies to PC” had been a significant “inconsistence”. To quote Klīve, “some conservative Latvian parties were not admitted to PC but Germans and other minorities could send conservative politicians to PC without restrictions.”²⁶ This suggests that, despite the PC Rules of Procedure, the initial intention of the PC's Political Platform had a certain effect, at least, on ethnic minorities. One has to assume that representatives of ethnic minorities got into the pre-Parliament just like other Members of PC, by obtaining their mandate through party representation. Respectively, by the party submitting a request to the Presidium of PC to grant a mandate, which later would be confirmed at the general meeting of PC in general procedure.²⁷ Considering that the initial number of PC Members, representatives delegated by parties (17.11.1918), was 40, but when PC discontinued its activities(01.05.1920) – 245 (other sources mention 297), which is six times more than on the day when PC was

²⁵ The second part of Art. 3 of the Political Platform of the People's Council states: “The following participate in Latvian People's Council with their deputies: a) political parties, b) national minorities, c) those regions of Latvia, i.e., Kurzeme and Latgale, where there are no political parties at the moment.”

²⁶ Klīve, Ā. Brīvā Latvija: Latvijas tapšana: atmiņas, vērojumi un atzinumi [Free Latvia: Creation of Latvia: Recollections, Observations and Insights]. Bruklina: Grāmatu Draugs, 1969, pp. 234, 242.

²⁷ See Art. 1 and Art. 2. Latvijas Republikas Tautas Padomes kārtības rullis [The Rules of Procedure of the Latvian People's Council], law, 23.08.1919. Likumu un Valdības Rikojumu Krājums, No. 11, 1919.

established²⁸, it is clear that the Presidium of PC, headed by Jānis Čakste, had to think hard on who should be admitted to PC and who, perhaps, not. Ā. Klīve notes in his memoirs,²⁹ that the allies Americans even had called PC “a select group of parties”. Increasing number of PC Members was welcome as a rational proof that the unelected pre-Parliament represented various strata of society; however, on the other hand, the main role of the institution was also to perform the legislative function. PC was perfectly able to make all the preparatory work for establishing a democratically elected institution of people’s representation in Latvia³⁰, and many laws were in force until the Soviet occupation. Since laws were adopted in compliance with generally accepted parliamentary procedure, it is the evidence of professionally organised work and high intellectual level of PC Members. It would have been impossible without meticulous control over mandates by the PC Presidium and well-considered political agreements.

Thanks to Kārlis Ulmanis’ outstanding organisational skills and sound policy towards ethnic minorities during the first years in the life of the state, it was possible to attain civic concord. This policy can be discerned already in the second (!) month of PC’s activities, when it adopted the Provisional Regulation on the Courts and Procedures of Litigation in Latvia,³¹ which defines Latvian as “the language of transactions in courts and judicial institutions”, at the same time allowing also free use of Russian and German. It was striking evidence of the emerging state’s tolerance towards ethnic minorities and, how could it be otherwise, if, in accordance with the statistical data of 1920, from among 1 596 131 inhabitants of Latvia, 72.8% were Latvians. Great Russians and Belarussians (12.6%), Jews (5%), Germans (3.6%) and Poles (3.4%) are indicated as the largest minorities.³² It is important to note that, in rural areas, the number of Latvians in some places amounted to 90% and more, whereas in cities this proportion was different. In Riga, the capital city of Latvia, Latvians constituted slightly over half of the population, i.e., 55.12%, the situation was similar in Liepāja – 52.29%, but in the cities of Latgale it was slightly above 1/4 (19.26 % in Rēzekne) or even less (5.15% in Daugavpils).³³ The concentration of minorities in regions was not homogenous, which determined greater prevalence of German in Kurzeme region and of Russian in the southeast of Latvia. In Latvia, where the impact of the cultures and politics of major nations intersected, a large part of population was proficient in several languages, this, in particular, applies to the city dwellers “many of whom spoke two, three and even four languages”.³⁴

²⁸ 1918.-1920. gads Latvijas Republikas Pagaidu valdības sēžu protokolos, notikumos, atmiņās [The years of 1918-1920 in the Minutes of the Sitzings of the Provisional Government of the Republic of Latvia, Events, Recollections]. Rīga: Latvijas Vēstnesis, 2013, p. 72; Likumdevēju vēsture [History of Legislators]. Available: <http://www.saeima.lv/lv/par-saeimu/likumdevēju-vesture> [last viewed 09.08.2021].

²⁹ Klīve, Ā. Brīvā Latvija: Latvijas tapšana: atmiņas, vērojumi un atzinumi [Free Latvia: Creation of Latvia: Recollections, Observations and Insights]. Bruklina: Grāmatu Draugs, 1969, p. 234.

³⁰ Kusiņš, G. Latvijas parlamentārisma apskats [Overview of the Latvian Parliamentarism]. Rīga: Saeimas kancelejas izdevums, 2016, p. 17.

³¹ See. Art. 10. Par Latvijas tiesām un tiesāšanās kārtību: Tautas padomes pagaidu nolikums. [On Courts of Latvia and Procedure of Litigation: Provisional regulations of the People’s Council]. Latvijas Pagaidu Valdības Likumu un Rīkojumu Krājums, No. 1, 15.07.1919.

³² Skujeniņš, M. Otrā tautas skaitīšana Latvijā [The Second Population Census in Latvia]. Rīga, 1925, p. 52. Quoted from: Sosāre, M. Valodu likumdošanas jautājumi Latvijas Republikas pastāvēšanas sākuma posmā [Issues of language legislation at the initial stage of the Republic of Latvia]. Latvijas Zinātņu Akadēmijas Vēstis, part A, No. 4, 01.04.1992.

³³ Ibid., p. 58.

³⁴ Sosāre, M. Valodu likumdošanas jautājumi Latvijas Republikas pastāvēšanas sākuma posmā [Issues of language legislation at the initial stage of the Republic of Latvia]. Latvijas Zinātņu Akadēmijas Vēstis, part A, No. 4, 01.04.1992.

Participation of ethnic minorities in the work of PC and, later, in the Constitutional Assembly proved the support by the entire society for the formation of the new Latvian State. PC's transcripts include information about the agreement between the Farmers' Union and PC minority factions on Latvian as the official language.³⁵ Kārlis Ulmanis himself was the Prime Minister throughout the period of PC, and in all four provisional governments that he headed he allocated the office of the State Controller either to the Baltic German, representative of *Deutsch-baltische Fortschrittliche Partei*, Baron Eduard von Rosenberg (in the first provisional government) or the representative of the Jewish National-Democratic Party of Jewish extraction Paul Mintz (in the second, third and fourth provisional government).³⁶ It must be noted that the State Controllers were full-fledged voting members of the Provisional Governments³⁷ and that is why P. Mintz also in the last Provisional Government lead by Ulmanis performed the duties of the State Controller and the Minister for Labour at the same time. In the final period of PC, this delicate treatment of minorities, introduced by Ulmanis, changes. This happens with the approval of the Cabinet, led by Zigfrīds Anna Meierovics (17.06.1921), without a single representative of ethnic minorities, which is the reason for immediate expressions of indignation, stating that formation of the government had been guided by the principle "Get rid of minorities!".³⁸ An opinion can be found in historical overviews that the political representation of national minorities had had rather narrow interests, which accordingly influenced the formation of a stable government,³⁹ although, on the other hand, Ulmanis' policy of reconciliation with minorities contributed to the formation of the Latvian State – in PC Latvians, Germans, Russians had sat at the same table, jointly deciding the fate of the Latvian State. Both the rightist and leftist political forces had to take the minorities' block seriously.⁴⁰ Historian Ādolfs Šilde writes in his book "History of Latvia, 1914–1940" that in the pre-Parliament national minorities "always felt forced to remind of their requirements".⁴¹ This Šilde's statement can be certainly attributed also to the period of the Constitutional Assembly and the primary object of interest for minority politicians, quite logically, was protection of their national identity and language. PC's Committee for National Affairs was headed by Baltic German Paul Schiemann, who was an outstanding publicist, organiser, and lawyer. He initiated a legislative

³⁵ See the speech by Kārlis Vilhelms Pauļuks at the sitting of PC on 27 August 1919, discussing such an agreement. Notably, Pauļuks clearly states that the draft Language Law, elaborated by minorities, is a proof of an unwritten agreement between PC's factions on rocking the status of the Latvian as the official language (Tautas padomes IV sesijas 8. sēdes 1919. gada 27. augusta stenogramma [Transcript of the 8th sitting of IV session of the People's Council]).

³⁶ *Bebers, K. Statistika par Latvijas Republikas valdībām* [Statistics on the governments of the Republic of Latvia]. Latvijas Republikas Satversmes komentāri. III nodaļa. Valsts prezidents. IV nodaļa. Ministru kabinets. [[Commentaries on the *Satversme* of the Republic of Latvia. Chapter III. The President. Chapter IV. The Cabinet]. Collective of authors under scientific editorship by Prof. R. Balodis. Rīga: Latvijas Vēstnesis, 2017, pp. 658–662.

³⁷ *Balodis, R., Danovskis, E. Satversmes 87. un 88. panta komentārs* [Commentary on Art. 87 and Art. 88 of the *Satversme* of the Republic of Latvia]. Latvijas Republikas Satversmes komentāri. VI nodaļa. Tiesa. VII nodaļa. Valsts kontrole [Chapter VI. Court. Chapter VII. The State Audit Office.] Collective of authors under scientific editorship by Prof. R. Balodis. Rīga: Latvijas Vēstnesis, 2013, p. 179.

³⁸ *Šilde, Ā. Latvijas vēsture, 1914 – 1940. Valsts tapšana un suverēna valsts* [History of Latvia, 1914–1940. The Making of the State and the Sovereign State]. Stokholma: Daugava, 1976, pp. 351–352.

³⁹ *Spekke, A. History of Latvia*. Rīga: Jumava, 2006, p. 341.

⁴⁰ *Bleiere, D., Butulis, I., Feldmanis, I., Stranga, A., Zunda, A. History of Latvia the 20th Century*. Rīga: Jumava, 2006, p. 212.

⁴¹ *Šilde Ā. Latvijas vēsture, 1914 – 1940. Valsts tapšana un suverēna valsts* [History of Latvia, 1914–1940. The Making of the State and the Sovereign State]. Stokholma: Daugava, 1976, p.332.

fight not only for the right to the language of his nation but also involved other ethnic minorities in his activities. He prepared a draft law on the linguistic rights of ethnic minorities (hereafter – MLL), achieving support for it at the Committee for National Affairs, where it was supported by representatives of the Latvian parties. On 27 August 1919, the general meeting of PC was held, where MLL caused intense debate. The Latvian civic parties, led by the Farmer's Union, actively resisted MLL, because they perceived it as an attempt by ethnic minorities to sidestep the official language.⁴² Latgalian characterised MLL as unacceptable for Latgale, referring to it as “building the Tower of Babel”. The sitting caused a considerable political uproar. Procedural obstacles were desperately sought to stop further proceeding with MLL. When the national minorities reproached the Farmer's Union, since its own members had supported the draft law, the faction immediately recalled its representatives from the Committee for National Affairs, delegating other representatives to it. One of these representatives was Kārlis Skalbe, who, although having very strong national sentiments, had approved of the draft law directed against Latvian language.⁴³

The greatest critic of MLL at the sitting was Kārlis Vilhelms Pauļuks (Farmers' Union), who invited all those present to study the draft law carefully, because, actually, through the draft law under review the minorities were demanding the status of the official language for their languages. He called MLL “foreigners' programme” and spread alarm that this document was a blatant derogation “from our [Political] Platform [of the People's Council] [...] By the adoption of this law, the previous general conditions fall away because this draft comprises a special provision, on linguistic rights [...] But it cannot be fulfilled. Minorities demand from us what we cannot fulfil. [...]”.

Pauļuks underscored that MLL, strangely enough, did not speak about the official language. The politician was concerned, how could a law on language use in the State of Latvia be adopted if it did not comprise the main principle – Latvian as the official language. Pauļuks was of the opinion that such a draft law should be categorically dismissed or fundamentally revised, placing in its centre regulation on the Latvian language. Schieman categorically rejected this proposal, declaring that he had no intention of revising or recalling the draft law voluntarily. It seemed that the Baltic German's indignation has no limits.

[...] Cold water has been poured over the minorities. [...] The state must guarantee rights to all inhabitants, among others, also to national minorities. [...] At the very beginning of building a new state, we are deprived of our elementary civic and national rights. [...] We demand nothing more but that civil servants would know other languages, so that no citizen would be restricted in his rights due to not being proficient in Latvian. [...] Dismissal of this draft law will have devastating consequences for that new body of the State, building of which is currently our task. [...]”⁴⁴

To formally resolve the open confrontation with ethnic minorities and close the parliamentary discussion, Pauļuks expressed the opinion that the issue of languages

⁴² See Tautas padomes IV sesijas 8 sēdes 1919. gada 27. augusta stenogramma [Transcript of the 8th sitting of IV session of the People's Council of 27.08.2019].

⁴³ As is well known, later the poet was one of the most active defenders of Latvian as the official language in 1922 in the debates at the Constitutional Assembly on Art. 115 of the *Satversme*, as well as in discussing the provisions of the special Official Language Law of 1932 at the 4th *Saeima*.

⁴⁴ See Tautas padomes IV sesijas 8. sēdes 1919. gada 27. augusta stenogramma [Transcript of the 8th sitting of IV session of the People's Council of 27.08.2019].

should be decided on by the Constitutional Assembly, because PC was said to be there “for establishing order” and it had neither the time, nor the competence to delve into this issue of official language policy. The draft was removed from examination and did not appear in later discussion in PC. It is interesting to note that in contemporary legal literature this is deemed to be significant,⁴⁵ in connection with Schiemann’s answer why the principle of the official language had not been incorporated in MLL. Schiemann had retorted that the official language was not the problem of ethnic minorities, it was for the Latvians themselves to sort it out. Undeniably, his statement was saturated with irony, because, although MLL has not been preserved, the transcript shows that the basic principle of the draft law was “various rights to various languages in various places of Latvia”. The algorithm included in the draft law was closely linked to the density of minority population in the respective administrative region of the state. Thus, if 20 % in a city or in the respective rural parish 50% of minority inhabitants lived, then the minority language would enjoy the status of the official language there. The special rights of German in the cities in the central part of the state followed from the draft law, whereas the Russian language had a special status in Latgale and in four cities of the state.

Several months after the event described above, the Rules of Procedure of PC are adopted, where Art. 38 designated the Latvian language as the official language and, apparently, as revenge to P. Schiemann, it was written that any translations were possible only into the Russian but not into the German language.⁴⁶ This is an assumption; however, there is no rational explanation for ignoring the German language in the pre-Parliament’s procedural law because, in the further parliamentary life, at the Constitutional Assembly and all four pre-war convocations of the *Saeima*, German and Russian were used to an equal extent.

The second attempt to achieve adoption of MLL took place at the Constitutional Assembly and, again, under P. Schiemann’s leadership. Before exploring this case, it is worth to examine the available statistics on the ethnic composition of the Constitutional Assembly. Four ethnic (German, Jewish, Russian and Polish) or, more precisely, ethnic minority parties were represented in the Constitutional Assembly, which reflects the distribution of power objectively. Germans (the Committee of the German Baltic Parties) had six mandates, Jews (*Ceire Cion* and Jewish block) – five, Russians (Group of Russian Citizens) – four, but the United Polish Party – one, although its representative was a Latvian. Ādolfs Šilde, who collected these data, also wrote that from among 150 members of the Constitutional Assembly 132 persons or 88% were Latvians. Russian members of the Assembly

⁴⁵ See *Druviete, I., Kārklīņa, A., Kusiņš, G., Pastars, E., Pleps, J.* Satversmes 4. panta komentārs [Commentary on Article 4 of the *Satversme*]. Latvijas Republikas Satversmes komentāri. Ievads. I nodaļa. Vispārējie noteikumi [Commentaries on the *Satversme* of the Republic of Latvia. Introduction. Chapter I. General Provisions]. Collective of authors under scientific editorship by Prof. R. Balodis. Rīga: Latvijas Vēstnesis, 2014, p. 298; *Pleps, J.* Vienīgā valsts valoda: latviešu valoda un Satversme [The Only Official Language: the Latvian Language and the *Satversme*]. Valsts Valodas Komisija. Raksti 10. sējums. Valoda un valsts [Collected Articles of the Commission of the Official Language in 10 Volumes. Language and State]. Dr. habil. Philol. *Veisbergs, A.* (ed.). Zinātne, 2019, p. 11.

⁴⁶ “Amendments and issues raised during the sitting and to be put to the vote upon the request of a Member of the People’s Council who is not proficient in the official language, shall be translated into the Russian language. The President may entrust the translation to a special translator.” See the second part in Art. 38, Latvijas Tautas Padomes kārtības rullis [The Rules of Procedure of the Latvian People’s Council], law, 23.08.1919. Likumu un Valdības Rikojumu Krājums, No. 11, 1919.

constituted 2.6 7%, Jews – 5.33 % while Germans – 4 %.⁴⁷ During the parliamentary period, the politicians of national minorities had great impact on politics,⁴⁸ although, predominantly, they were in the opposition. As regards the national representation of Latvians amounting to 88%, it has to be noted, however, that part of Latvians were Latgalians. The Latgale People's Party, the Latgale Union of Christian Farmers and the Latgale Farmers' Union jointly had twenty-four mandates. Although only 18 members took part in voting on matters of protection the region and the interests of Latgalian dialect of the Latvian language used there, it is a united, organised block, which later⁴⁹ would decide the fate of the draft Constitution of Latvia – *Satversme*.

The Rules of Procedure of the Constitutional Assembly⁵⁰, in contrast to the Rules of Procedure of PC, no longer comprised a reference to languages, but that was understandable because intensive work continued to draft the *Satversme*, in the second part of which, namely, Art. 115 was intended to include a clause on the official language. The representation of national minorities in the Constitutional Assembly was strong, and in order to reach the major aim, an effort was made not to annoy ethnic minorities. Politicians belonging to ethnic minorities were mainly preoccupied with drafting MLL, intending for each minority to have their own: – one for Russians, their own – for Germans, and their own – for Jews. This approach was supported, and the Committee of the *Satversme*⁵¹ planned to include in Art. 115 a further reference to the need of a special law in the area of languages. Draft MLL were examined in the Committee in three readings. Draft MLL have not been preserved, however, the fragments recorded in the minutes of the Committee of the *Satversme*, suggest that P. Schiemann is the main author and guardian of these laws. This indicated that he continued the work that he had done already in PC in this respect. The Committee's minutes recorded that, finally, the Committee, on the basis of Schiemann's proposal, decided to combine various ethnic minorities' laws into one (to combine "German and Great Russian laws on languages" in one draft law and to do it in the third reading), the Committee did not object to it. Truth be told, at the sitting of 14 July 1922⁵², Chairman of the Committee Mārgers Skujenieks concluded the work of the Committee for Drafting the *Satversme* at the Constitutional Assembly, explaining, in particular, the situation connected to MLL. Skujenieks informed his colleagues that the sub-committee, which had been tasked with finalising MLL, had

⁴⁷ Šilde, Ā. Latvijas vēsture, 1914 – 1940. Valsts tapšana un suverēna valsts [History of Latvia, 1914–1940. The Making of the State and the Sovereign State]. Stokholma: Daugava, 1976, p. 348.

⁴⁸ "The Baltic Germans, due to their great internal organisation as a national minority, succeeded in achieving surprisingly good results during Latvia's parliamentary period. In each *Saeima*, Germans had 5 to 6 mandates out of 100. Considering their small proportion in the total number of population, only 3.9% in 1929, this is excellent." *Feldmanis, I.* The Political Activities of Baltic Germans in Latvia 1918–1940: Discussions in the Historical Literature. The Baltic States at Historical Crossroads. Political, economic, and legal problems and opportunities in the context of international co-operation at the beginning of the 21st century. *Jundzis, T.* (ed.). 2nd revised and expanded edition. Riga: Latvian Academy of Sciences, 2001, p. 611.

⁴⁹ See Section 3 of the article "The issue of Latgalians at the Constitutional Assembly: Language, Autonomy and Church".

⁵⁰ *Satversmes Sapulces kārtības rullis* [The Rules of Procedure of the Constitutional Assembly]. *Valdības Vēstnesis*, No. 251, 02.11.1920.

⁵¹ See *Satversmes komisijas* 1921. gada 3. novembra sēdes protokols Nr. 58 [Minutes No. 58 of the sitting of the Committee for Drafting the *Satversme* on 03.11.1921.] *Satversmes komisijas* 1922. gada 8. jūlija sēdes protokols Nr. 70 [Minutes No. 70 of the sitting of the Committee for Drafting the *Satversme* on 08.07.1922] and *Satversmes komisijas* 1922. gada 14. jūlija sēdes protokols Nr. 77 [Minutes No. 77 of the sitting of the Committee for Drafting the *Satversme* on 14.07.1922].

⁵² *Satversmes komisijas* 1922. gada 14. jūlija sēdes protokols Nr. 77 [Minutes No. 77 of the sitting of the Committee for Drafting the *Satversme* of 14.07.1922]. Unpublished.

been unable to convene a sitting because MLL had not been prepared for the third reading. This, in turn, meant that the Constitutional Assembly completed its work and, in the area of languages, had been unable to move further than PC. The Latvian language did not have the status of an official language, and neither did ethnic minorities have a separate regulation on the use of their languages. After the second part of the *Satversme* was not adopted at the Constitutional Assembly and Latvian was not defined as the official language in the *Satversme*, the Committee for Drafting the *Satversme* did not proceed with the draft law on minority languages. It should be noted that the matter of languages turned into an unresolvable *Gordian Knot* for the Constitutional Assembly, where, as strange as it might be, the main problem was not ethnic minorities but the concept of the official language, which did not permit constitutional derogations from the literary Latvian language.

Regretfully, draft MLL has not been preserved to the present, however, some minutes⁵³ permit to form an opinion about the main directions of the regulation. This regulation, apparently, even surpassed the previously drafted Language Law regulation for PC, because 10% algorithm was being discussed instead of 20% or 50%. Some records in the minutes regarding the wording of some Articles of the Russians Law (*Lielkrievu likuma*), approved by the Committee, were found, and it is worth quoting them in full:⁵⁴

Article 45. In all those units of Latvia's local government where Great Russians constitute no less than 10% of the total number of population, inhabitants shall have the right to turn to all judicial, state and local government institutions both orally and in writing in the Great Russian Language.

Article 46. All orders by state and local government institutions shall be published, for general knowledge, also in the Russian Language.

Article 49. In judicial institutions, litigants shall be allowed to use the Great Russian Language in writing and orally.

Most likely, articles in the German Language Law were similar. Only two wordings of articles approved in the second reading can be found in the minutes:

Article 37. Using the German language shall be permitted in postal, telegraph and telephone communication, public performances, social gatherings, as well as in written and oral communications. [A. Bergs' wording, which was approved].⁵⁵

Article 38. The use of spoken German in the sittings of the Saeima and local governments shall be allowed.

Article 40. In judicial institutions, except in Latgale, litigants shall be allowed to use the German Language in writing and orally.

Comparing the situation in Latvia to the one in Lithuania, where the development of statehood and parliamentarism was similar to that of Latvia, the state language policy evolved quite differently. Initially, when the State of Lithuania was established, the use of other languages in public administration, parliament and local governments was allowed there, as well. Just like in Latvia, in Lithuania the deputies representing ethnic minorities were allowed to speak from the podium in their own

⁵³ Satversmes komisijas 1922. gada 8. jūlija sēdes protokols Nr. 70 [Minutes No. 70 of the sitting of the Committee for Drafting the *Satversme* on 08.07.1922]. Unpublished.

⁵⁴ Ibid.

⁵⁵ The initial wording was, as follows: "Article 73. Everyone shall have the right to use the German language freely in writing and orally, in private life, as well as openly."

language (in the case of Lithuania, – in Polish, Yiddish and Belorussian), but they were requested to annex to their speeches a translation into Lithuanian. However, in contrast to the Latvian *Satversme* of 15 February 1922, the Lithuanian Constitution of 10 June 1920 included a norm on the Lithuanian language as the official language (Art. 6).⁵⁶ Despite the fact that a law was not adopted, starting with 1922, the Parliament discontinued transcribing speeches that were not in Lithuanian. If somebody started to speak in an un-official language, for example, Member of the *Seimas* Simon Rozenbaum attempted to deliver his speech in Yiddish (1923), the chairman of the sitting interrupted him, reminding of Art. 6 of the Constitution.⁵⁷ The constitutional basis in combination with a strong political will is a powerful argument.⁵⁸ In this regard, the practice in Latvia differs from that of the neighbouring state. On the one hand, Latvian was the official language of public administration in the State of Latvia; however, on the other hand, actual trilingualism (Latvian, German and Russian) prevailed in the *Saeima* and local governments, as well as the possibility to use the Latgalian dialect in Latgale region. An official language, defined in a law, and provisions regarding the use of minority languages can be spoken of only starting with 18 February 1932, when the Cabinet adopted “Regulation on the Official Language” with the force of law pursuant to Art. 81 of the *Satversme*. At the same time, respecting the status of Latvian as the official language, the use of German and Russian in the procedure set out in the law continued also after the Regulation with a force of law was adopted. Penalties were added to this Regulation with the force of law (1934), and the Regulation was revised (1935) as the Official Language Law of Kārlis Ulmanis’ authoritarian government.

1.2. Normative regulation on languages during the first period of independence

The following normative acts relating to the language issue can be listed that regulated the language issues during the first period of independence:

- Area of education and science: PC law “On Latvia’s Institutions of Education” of 8 December 1919⁵⁹ and its amendment of 1932⁶⁰, and PC law “On the System of Ethnic Minority Schools” in Latvia of 8 December 1919.⁶¹
- System of courts: Provisional Regulation of PC adopted on 6 December 1918 “On the Courts and Procedure of Litigation in Latvia.”⁶²

⁵⁶ Art. 6 of the Lithuanian Constitution provided that the use of the Lithuanian language is defined by a special law. See Lietuvos Satversme. Tautos Tiesības [Constitution of Lithuania. People’s Rights]. No. 11,12, 16.06.1927.

⁵⁷ *Vaišniene, D.* Valodas politikas sākumi Lietuvā [The Beginnings of Language Policy in Lithuania]. Valsts Valodas Komisija. Raksti 10. sējums. Valoda un valsts [Collected Articles of the Commission of the Official Language in 10 Volumes. Language and State]. Dr. habil. philol. *Veisbergs, A.* (ed.). Zinātne, 2019, pp. 43–45.

⁵⁸ *Ibid.*

⁵⁹ Likums “Par Latvijas izglītības iestādēm” [Law “On Latvia’s Institutions of Education”]. 08.12.1919. Likumu un valdības rīkojumu krājums, No.13, 31.12.1919. Available: <http://periodika.lv/periodika2-viewer/?lang=fr#panel:pa|issue:354805|article:DIVL50|query:Latvijas%20Likumu%20par%20izglitibas%20iest%20des%20> [last viewed 01.03.2022].

⁶⁰ Pārgrozījums likumā “Par Latvijas izglītības iestādēm” [Amendments to the law “On Latvia’s Institutions of Education”]. 20.04.1932. Issued pursuant to Art. 81 of the *Satversme*. Valdības Vēstnesis, No. 89, 22.03.1932.

⁶¹ Likums “Par mazākuma tautību skolu iekārtu Latvijā” [Law “On the System of Ethnic Minority Schools in Latvia”]. 08.12.1919. Likumu un valdības rīkojumu krājums, No.13, 31.12.1919.

⁶² Par Latvijas tiesām un tiesāšanās kārtību: Tautas padomes pagaidu nolikums [Regulation the Courts and Procedure of Litigation in Latvia]. Pagaidu Valdības Vēstnesis, 14.(1).12.1918; Latvijas Pagaidu Valdības Likumu un Rīkojumu Krājums, No. 1, 15.07.1919.

- Civil service: “Cabinet Regulation on Testing Civil Servants’ Proficiency in the Official Language” of 22 November 1921”.⁶³
- Area of national security: The *Saeima*’s law of 17 November 1924 “On Testing the Proficiency in the Official Language of Officers and Military Officials”⁶⁴;
- Latgale region: Cabinet Regulation on the Overseeing of Latgale’s Affairs of 30 June 1921;⁶⁵ Cabinet Regulation of 26 July 1921 on Appointing Civil Servants in Latgale;⁶⁶ Cabinet Regulation of 11 August 1921 on Using the Latgalian Dialect.⁶⁷

Normative regulation on the official language: Regulation with the force of law “On the Official Language” was adopted on 18 February 1932 in the procedure set out in Article 81 of the *Satversme*.⁶⁸ On 5 January 1935, this legal act is replaced by the Official Language Law.⁶⁹ Here an explanation is needed regarding the authoritarian period, which came into power in Latvia on 15 May 1934. Firstly, Kārlis Ulmanis’ regime based its activities on the regulation that had been adopted during the parliamentary period, without shying from introducing corrections to it, if needed. The area of languages was not an exception. From the legal perspective, the Official Language Law did not change much, and the Regulation on the Official Language of 1932 with Amendments of 1934 would have perfectly sufficed.⁷⁰ It had the force of law, therefore consolidation of it with only one minor amendment and renaming it a law changed nothing. The regime needed the Official Language Law of 5 January 1935, adopted by Ulmanis’ government, to build public relations with the Latvian part of society. Such documents as, for example, the Instruction of 27 June 1934 on the Use of the Latvian Language on Railway,⁷¹ were of marginal nature.⁷²

As shown by the legal acts arranged chronologically and listed above, a large part of them was adopted during the period when PC and the Constitutional Assembly functioned, from 1919 to 1921. Notably, the first years following the foundation of the Latvian State might have seemed unusual and peculiar for the two largest minorities (Germans and Russians)⁷³ because, in their view, Latvians had suddenly

⁶³ Noteikumi par ierēdņu pārbaudīšanu valsts valodas prašanā [Cabinet Regulation on Testing Civil Servants’ Proficiency in the Official Language]. 22.11.1921. Valdības Vēstnesis, No. 269, 28.11.1921.

⁶⁴ Likums par virsnieku un kara ierēdņu pārbaudīšanu valsts valodas prašanā [Law on Testing the Proficiency in the Official Language of Officers and Military Officials]. 17.11.1924. Valdības Vēstnesis, No. 262, 22.11.1924.

⁶⁵ Noteikumi par Latgales lietu pārziņāšanu [Cabinet Regulation on the Overseeing of Latgale’s Affairs]. 30.06.1921. Valdības Vēstnesis, No.177, 10.08.1921.

⁶⁶ Noteikumi par ierēdņu iecelšanu Latgalē [Cabinet Regulation on Appointing Civil Servants in Latgale]. 26.07.1921. Valdības Vēstnesis, No.174, 06.08.1921.

⁶⁷ Noteikumi par latgaliešu izloksnes lietošanu [Cabinet Regulation on Using the Latgalian Dialect]. 11.08.1921. Valdības Vēstnesis, No.183, 17.08.1921.

⁶⁸ Noteikumi par valsts valodu [Cabinet Regulation on the Official Language]. 18.02.1932. Issued pursuant to Art. 81 of the *Satversme*. Valdības Vēstnesis, No.39, 18.02.1932.

⁶⁹ Likums par valsts valodu [The Official Language Law]. Law, 05.01.1935. Valdības Vēstnesis, No. 7, 1935. 09.01.1935.

⁷⁰ Pārgrozījumi un papildinājumi noteikumos par valsts valodu [Amendments and Additions to the Regulation on the Official Language]. Valdības Vēstnesis, No. 132, 16.06.1934.

⁷¹ Instrukcija Nr. 94 par valsts valodas lietošanu dzelzceļu virsvaldē un tai padotās administratīvās vienībās [Instruction No. 94 on the Use of the Official Language in the Executive Board of Railways and Administrative Units Subordinated to it]. 27.06.1934. Valdības Vēstnesis, No. 166, 28.07.1934.

⁷² of the Official Language Law, 1935.

⁷³ *Feldmanis, I.* The Political Activities of Baltic Germans in Latvia 1918–1940: Discussions in the Historical Literature. The Baltic States at Historical Crossroads. Political, economical, and legal problems and opportunities in the context of international co-operation at the beginning of the 21st century. *Jundzis, T.* (ed.). 2nd revised and expanded edition. Rīga: Latvian Academy of Sciences, 2001, p. 610.

come to the very top of the vertical hierarchy of power. The former elite of the Russian Empire now had to respect the irrevocable will of the Latvian nation to establish its own state (*pouvoir constituant*), accepting that Latvians had become the titular nation, which would now create a state on its historical land and would define its national cultural identity.⁷⁴ For both ethnic minorities, imperial and colonial memories were too recent a past to be easily abandoned within a couple of years. It is worth recalling that, during this period, as the result of agrarian reform, huge land areas, belonging to barons and German clergy, were redistributed in favour of Latvian-speaking peasants. Adding to it the loss of titles, political influence, it would be naïve to wish that the majority of these former masters would start speaking the language of their coachmen and servants within a short time. With the roles being reversed, they observed the efforts made by Latvians with arrogant curiosity, pronounced doubts regarding the potential of the Latvian as the language of culture,⁷⁵ which alternated with fear about their own further existence in the new circumstances.⁷⁶ As regards the language, the groups of both ethnic minorities were sufficiently large to be linguistically self-sufficient. Eduard von Rosenberg, the first State Controller of the Republic of Latvia, spoke about the use of the Latvian language very emotionally, which is humanely understandable, (speaking in German):

[...] If you, gentlemen, demand from us proficiency in the Latvian language, then you are demanding from us the impossible, because we, regretfully, have never learnt this language in our schools. But all of you know our languages, either German or Russian, therefore we are not demanding anything impossible from you! [...]

This period is fundamental in terms of changing the worldviews also for the Latvian intelligentsia, part of whom in the pre-state period, to enter the high society, were forced to join either the German or the Russian cultural environment.⁷⁷ The Latvian language started to assume the role of the main (official) language naturally, becoming the lifeblood for of the public administration.

In PC, ethnic minorities achieved the governance and autonomy of schools that was acceptable to them,⁷⁸ which is proven by the laws of 8 December 1919 “On the System of Ethnic Minority Schools in Latvia” and “On Latvia’s Institutions of Education”, which guaranteed autonomy to minority schools. Art. 41 of the law “On Latvia’s Institutions of Education” defined the obligation of state and communal institutions to maintain “... for each nationality so many obligatory schools as are needed for educating their children, pursuant to the rules of this law.” Here, it should be noted that, in 1925–1935, the number of pupils in Russian schools increased 1.5 times, ensuring to all children basic education. for the first time in the history of Latvia’s Russians the State of Latvia achieved this, which the Russian Empire was incapable of doing. The law “On Latvia’s Institutions of Education” (Art. 7) stipulated that, in all schools in Latvia, “the following shall be included in the list of compulsory

⁷⁴ Levits, E. Valstsgriba. Idejas un domas Latvijai 1985–2018. [A Will for Statehood. Ideas and Thoughts for Latvia 1985–2018]. Rīga: Latvijas Vēstnesis, 2019, pp. 637, 688.

⁷⁵ Osipova, S. Valsts valoda kā konstitucionāla vērtība [Official Language as a Constitutional Value]. Jurista Vārds, No. 42 (689), 08.10.2011.

⁷⁶ Tautas padomes IV sesijas 8. sēdes 1919. gada 27. augusta stenogramma [Transcript of the 8th sitting of IV session of the People’s Council of 27.08.1919].

⁷⁷ Osipova, S. Latviešu juridiskās valodas attīstība pēc Pirmā pasaules kara [Development of Legal Latvian after the First World War]. Juridiskā zinātne, No. 1, 2010, pp. 82–83.

⁷⁸ Šilde, Ā. Latvijas vēsture, 1914 – 1940. Valsts tapšana un suverēna valsts [History of Latvia, 1914–1940. The Making of the State and the Sovereign State]. Stokholma: Daugava, 1976, p. 332.

subjects”: the Latvian language, the history and geography of Latvia. These subjects had to be taught “in all schools starting from the third year of elementary school, giving general introduction of these subjects to children. Later, these subjects shall be taught systematically in the official language”. Truth be told, these provisions did not make a considerable difference in promoting mastery of the official language among non-Latvians. Statistics show that, in the period between 1920 and 1930, the share of those proficient in Latvian in the Russian community increased very little (from 14 to 18%)⁷⁹, which does not speak well of the official language policy at the time. At the University of Latvia and the Riga Polytechnical Institute, faculty members lectured not only in Latvian but also in German and Russian.⁸⁰

The government also did a lot in creating normative regulation on language. At the time of the Constitutional Assembly, the Cabinet, headed by Zigfrīds Anna Meierovics, adopted several regulations in the area of language in 1921. Understandably, the government was concerned with the civil service, therefore on 22 November 1921 the Cabinet Regulation on Testing Civil Servants’ Proficiency in the Official Language was issued. This Regulation provided that, in the future, “only such persons who are sufficiently proficient in the official language” would be employed as civil servants, whereas those “who do not have sufficient proficiency in the official language but want to remain in the service of a state institution” would be given an opportunity to learn to speak fluent Latvian within one year. Proficiency in the official language had to be demonstrated in front of a commission. As regards Latgale, the term was extended for two more years. Undeniably, Meierovics’ government, indeed, tried to deal with the problems of Latgale region by special treatment of Latgale. Thus, for example, the Cabinet Regulation adopted on 11 June 1921 on using the Latgalian dialect provided that “all state institutions and officials” in the future had to accept applications, written in the Latgalian dialect, and allowed derogation from using the literary Latvian language in Latgale region. The Regulation was laconic and consisted of two paragraphs, and yet it had a considerable positive impact. The Regulation provided that, henceforth, officials, state and local government institutions had “the right to use the Latgalian dialect in clerical work and correspondence, as well as in advertisements, on signboards, etc.” On 30 June 1921, the Cabinet Regulation on the Overseeing of Latgale’s Affairs⁸¹ was issued, abolishing the Department of Latgale Affairs of the Ministry of the Interior (MoI), which had compromised itself, establishing instead the position of the highest-level civil servant – Deputy Minister for the Interior in Latgale Affairs with broad competence in the matters of Latgale. This official was given the right to request from any ministry or institution information about the work of these institutions in Latgale. The Regulation granted to the Deputy Minister for the Interior in Latgale Affairs the right to provide references in matters relating to appointments of civil servants. On 26 July 1921, the Cabinet adopted one more Regulation – on appointing civil servants in Latgale, which set out the obligation of central state institutions to coordinate with the Deputy Minister for the Interior in Latgale Affairs appointment of all civil servants who were

⁷⁹ *Dribins, L., Goldmanis, J. Mazākumtautību devums Latvijas Republikas kultūrā* [Contribution of Ethnic Minorities to the Culture of the Republic of Latvia]. *Latvieši un Latvija. Akadēmiski raksti. IV sējums. Latvijas kultūra, izglītība, zinātne* [Latvians and Latvia. Academic Articles. Vol. IV. Culture, Education and Science of Latvia]. *Stradiņš, J.* (ed.-in-chief). Rīga: Latvijas Zinātņu akadēmija, 2013, p. 234.

⁸⁰ *Osipova, S. Latviešu juridiskās valodas attīstība pēc Pirmā pasaules kara* [Development of Legal Latvian after the First World War]. *Juridiskā zinātne*, No. 1, 2010, p. 84.

⁸¹ *Noteikumi par Latgales lietu pārziņāšanu* [Regulation on the Overseeing of Latgale’s Affairs]. 30.06.1921. *Valdības Vēstnesis*, No. 177, 10.08.1921.

appointed “for the needs of Latgale”. The Regulation provided that, in appointing civil servants in Latgale, “preference should be given to those candidates, with other traits being similar, who know the Latgalian dialect and are familiar with the local conditions”.

This work continued also after the Constitutional Assembly ceased its operations. The first convocation of the *Saeima* adopted the Law of 17 November 1924 “On Testing the Proficiency in the Official Language of Officers and Military Officials”. The titles of these legal acts themselves testify to a degree of legal certainty in normative acts which regulate the level of proficiency in the official language in public administration and armed forces. Latvian is called the official language. The Cabinet and the *Saeima* make great effort to ensure sufficient proficiency in the Latvian language in public administration, armed forces. Admittedly, part of the civil service did not fare well in mastering Latvian, which was proven by the fact that, in 1923, a note was added to this Regulation⁸², stating that “the head of department” had the right to postpone this test until 31 December 1923 for some civil servants. The reason for such postponement was “justified grounds why [civil servants] had not been able to learn the official language”. This liberal approach was praised even by the contemporary defenders of the Russian language, noting that the Latvian State had been lenient towards those who had not passed the examination. This was a reference to the information that, in 1923, those heads of institutions who had not passed the exam were given the right to extend the term until 1924.⁸³ The timeframe of 2 years for mastering the language (similarly as for civil servants) was set also for those belonging to the armed forces.

In general, interethnic relations that developed during PC period, to a large extent due to the policy implemented by Kārlis Ulmanis, can be seen as stable and consistent. In pre-war Latvia and also Estonia, the minorities were ensured incomparably better conditions than in many other countries, which was proven by the State’s official position towards education in minority languages in schools.⁸⁴ The principles established in the PC period continued to function as guidelines and, to a large extent, served as the basis for culture and education of ethnic minorities. Thus, for example, during the first period of independence, the Jewish Theatre, the Riga Russian Theatre, the Riga German Theatre, the German Herder Institute, the Riga Association of German Theatre, the Latvian Polish Theatre operated in Riga, and there were other institutions, of which the greatest part was supported by the state.⁸⁵

Notably, with the Regulation on the Official Language of 18 February 1932, adopted pursuant to Art. 81 of the *Satversme*, the State launched new policy relating

⁸² Papildinājums noteikumos par ierēdņu pārbaudīšanu valsts valodas prašanā [Addition to the Regulation on Testing Civil Servants’ Proficiency in the Official Language]. 06.02.1923. Likumu un Ministru kabineta noteikumu krājums, 19.03.1923.

⁸³ Mazākumtautību tiesiskais un faktiskais stāvoklis Latvijā. Pēc viņu aizstāvju datiem. Demogrāfija, valoda, izglītība, vēsturiskā atmiņa, pilsonība, sociālā nevienlīdzība [The Legal and Actual State of Ethnic Minorities in Latvia. According to the Data of their Advocates. Demography, Language, Education, Historical Memory, Citizenship, Social Inequality]. Collected articles, *Buzajevs, V.* (ed.). Rīga: Latvijas Cilvēktiesību komiteja, 2015, 16.lpp.

⁸⁴ *Bleiere, D., Butulis, I., Feldmanis, I., Stranga, A., Zunda, A.* History of Latvia the 20th Century. Rīga: Jumava, 2006, p. 212.

⁸⁵ *Dribins, L., Goldmanis, J.* Mazākumtautību devums Latvijas Republikas kultūrā [Contribution of Ethnic Minorities to the Culture of the Republic of Latvia]. Latvieši un Latvija. Akadēmiski raksti. IV sējums. Latvijas kultūra, izglītība, zinātne [Latvians and Latvia. Academic Articles. Vol. IV. Culture, Education and Science of Latvia]. *Stradiņš, J.* (ed.-in-chief). Rīga: Latvijas Zinātņu akadēmija, 2013, pp. 231–260.

to the official language, which was continued and developed at the time of Kārlis Ulmanis' regime. This period saw flourishing of the Latvian language and culture. During Ulmanis' time, Latvia ranked second in Europe as regards the number of published books,⁸⁶ during this period, the Latvian Language Archive (1935), the Orthography Commission were established, which, in turn, made the publication of "Latvian Dictionary of Orthography" possible (1942, 1944). Yes, of course, Ulmanis promoted exaggerated and naïve ideologization of history in the spirit of national perspective, however, as stated by Professor Maija Kūle, Ulmanis' aim was much broader⁸⁷ and it was linked to the preservation of the Latvian nation. Propaganda of the regime and the misleading title of the Regulation of 1932, adopted pursuant to Art. 81 of the *Satversme*, i.e., "regulation", most probably was the reason why even at present Ulmanis' Official Language Law of 1935 is discussed⁸⁸, which unfoundedly overshadows achievements of the parliamentary period. Of course, an authoritarian regime with minimised legislative process, police methods and drastic penalties has greater chances to enforce compliance with the provisions on the official language; however, it is a part of a long-term process, which has been implemented step by step during the parliamentary period.

2. The failed attempts to define in the *Satversme* the status of the official language for Latvian of the first period of independence

As is well known, Latvian as the official language was enshrined in the *Satversme* only in 1998. This happened in the already restored Republic of Latvia, when the issue of the constitutionality of the Latvian language emerged with new relevance. Until 1998, during the first period of independence, there had been two failed attempts to do it:

- 1) in the spring of 1922, when the majority support was not gained at the third reading at the Constitutional Assembly to adopt the second part of the *Satversme* (the status of the official language for Latvian was introduced in Art. 115 of the draft law).
- 2) in the spring of 1934, when the third reading in the 4th *Saeima* did not take place because the *Saeima* was abolished (the status of the official language for Latvian was introduced in Art. 4 of sizeable amendments to the *Satversme*, submitted by the Farmers' Union).

⁸⁶ Zanders, V. Nacionālā grāmatniecība gadsimta ritumā [National Book Publishing Throughout Centuries]. Akadēmiskie raksti 4 sējumos "Latvieši un Latvija", IV sējums "Latvijas kultūra, izglītība, zinātne". [Latvians and Latvia, Academic Articles in 4 Volumes. Vol. IV "Culture, Education and Science of Latvia"]. Rīga: Latvijas Zinātņu akadēmija, 2013, p. 337.

⁸⁷ Kūle, M. Jābūtības vārdi. Etīdes par zināšanām un vērtībām mūsdienu Latvijā [Words of Moral Obligation. Sketches on Knowledge and Values in Contemporary Latvia]. Rīga: Apgāds Zinātne, 2016, p. 235.

⁸⁸ "...the law on Latvian as the official language was adopted only in 1935". See Latvīšu valodas aģentūra. Vēsture. Available: <https://valoda.lv/valsts-valoda/vesture/> [last viewed 09.08.2021]. Similar statements are found also in analytical articles: "The law [the Official Language Law of 1935] was significantly shorter and simpler compared to the contemporary regulation, and this was a new impetus for the development of the Latvian language, which significantly reinforced its position. See Ruks, M. Latviskās enerģijas nesējs. Kārlim Ulmanim – 135 [The Bearer of Latvian Energy. Kārlis Ulmanis Turns 135]. Latvijas Avīze, 04.09.2012.

Analysis of the historical regulation on the constitutional symbols of one's State is important because, by exploring the successes and failures in our past, we are able to make our statehood stronger and more capable. As noted by the Supreme Court, by analysing the past, we can gain important arguments to clarify the content of the concept "Latvian language".⁸⁹ When reading about debates with respect to Art. 115, on the one hand, the position should be supported that the majority of the Constitutional Assembly did not attempt to exclude the Latgalians from the Latvian nation, which would follow logically, if their dialect had been recognised as being a foreign language, but, quite on the contrary, to ensure as close as possible integration of the Latvian nation.⁹⁰ On the other hand, it is also clear that it would have sufficed with the Latgalians' votes to adopt the second part of the *Satversme* in the third reading and, together with the first part, it would have created a modern constitution for those times. There are grounds to consider that the language issue turned into an unresolvable problem, regarding which the authors of the constitution could not reach an agreement.

2.1. Article 115 of the unadopted II part of the draft *Satversme* (1922)

The draft *Satversme* was elaborated by the Latvian Constitutional Assembly (1920–1922), its special Committee for Drafting the *Satversme*, which organised its work in two sub-committees: Sub-committee No. 1 and Sub-committee No. 2. Each of them worked on its own, special part of the *Satversme*. Sub-committee No. 1 was responsible for the basic rules on organising the state, which was called the First Part of the *Satversme* (Preamble. Articles 1-88), whereas Sub-committee No. 2 was preparing the Second Part of the *Satversme* or the part on fundamental rights (Articles 87–117). In contrast to many other constitutions on the world, the Latvian *Satversme* was not approved as a united project but instead as two separate draft laws. Initially, each part of the draft was approved by the respective sub-committee in three readings, afterwards it was approved by the Committee for Drafting the *Satversme*, and only then the respective part was submitted to the Constitutional Assembly, where it had to be approved in three readings by the Constitutional Assembly. Readings of the *Satversme*'s parts were held consecutively. At the beginning, the readings of the first part were held, then – those of the second part. Consequently, on 15 February 1922, the first part of the *Satversme* had its third reading, following this, on 4–5 April, the second part of the *Satversme* was examined, which was unable to gain the support of majority.

The Committee for Drafting the *Satversme*, which laid the foundations for the architecture of the *Satversme*, already in 1921 largely had a clear picture what the *Satversme* would look like. The sitting on 29 April 1921 of the Sub-committee No. 2, which worked on the Second Part of the *Satversme* "Basic Rules in the Citizens' Rights and Obligations", was attended by four members of the sub-committee – Fricis Jansons, Andrejs Kuršinsis, Pauls Kalniņš and Jakovs Helmanis, the minorities' representative, who without any discussions accepted and entered into the minutes a new norm of the draft *Satversme*:

⁸⁹ Decision by the Department of Administrative Cases of the Supreme Court Senate on 18 August 2009 in Case No. SKA596/2009, para. 6.

⁹⁰ *Pleps, J. Latgaliešu valoda un Satversme* [The Latgalian Language and the *Satversme*]. Jurista Vārds 25.10.2011. Nr. 43 (690).

*The Latvian language shall be the official language. Those having the rights of minorities shall be guaranteed free use of their language both in speech and in writing.*⁹¹

The initial author of the norm can no longer be identified; however, it is possible to trace its movement through the general meeting of the Constitutional Assembly, where it arrived already as Art. 115 with some improvements in the second sentence concerning the issue of minorities.

*115. The Latvian language shall be the official language. Those having the rights of minorities shall be guaranteed free use of their language both in speech and in writing. Which minority languages and to what extent are admissible in state, local government and judicial institutions shall be defined by a special law.*⁹²

From the perspective of science of the time and the architecture of the *Satversme*, placement of Art. 115 within the circle of recognised citizens' rights⁹³ had a certain logic. At the time, as noted above, ethnic minorities actively worked on their own special laws, focusing on the work of the Committee for Drafting the *Satversme*. Therefore, the members of the Constitutional Assembly, representing ethnic minorities, had no valid reason to discuss Art. 115. It would not have been right either from the perspective of tactical or strategic considerations because the procedure for using their language would not be set out in the constitution. Likewise, the second sentence of Art. 115, which referred to ethnic minorities, was neutral. Even Paul Schiemann, who, in the Committee for Drafting the *Satversme* had unsuccessfully tried to replace the concept of "ethnic minorities" in the second sentence of Art. 115 by enumeration of particular ethnicities (Jews, Germans and Russians), instead of a legal concept subject to abstract interpretation,⁹⁴ and did not ask for the floor.

The representatives of Latgale, however, were in an entirely different situation at the Constitutional Assembly because, in their opinion, the national minorities were considerably ahead of them. The rights of ethnic minorities are included on the constitutional level, whereas the issue of Latgalians was taken off the agenda of the *Satversme*, because the next article, Article 116, turns to the organisational status of ethnic minorities and Article 117 – to the conditions for restricting fundamental rights in a state of emergency. At the general meeting of the Constitutional Assembly on 7 February 1922, when Art. 115 is discussed, F. Kempis submits a proposal to add to the first sentence of Art. 115 "The Latvian language shall be the official language", the words:

moreover, in Latgale region, the Latgalian dialect shall be recognised as being the official language.

⁹¹ Satversmes II apakškomisijas 1921. gada 29. aprīļa sēdes protokols Nr. 60. [Minutes No.60 of the sitting of Constitutional Assembly's 2nd Sub-committee of the Committee for drafting the *Satversme* on 29.04.1921]. Unpublished.

⁹² Satversmes II daļas lasīšana pa pantiem V. sesijas 10. sēdes 1922. gada 7. februāra stenogramma [Transcript of the 10th sitting of V Session of the Latvian Constitutional Assembly, of 07.02.1922]. Latvijas Satversmes sapulces stenogrammu izvilcums 1920–1922. Latvijas Republikas Satversmes projekta apspriešana un apstiprināšana [Extract of transcripts of the meeting of the Latvian Constitution 1920–1922. Discussion and approval of the draft Constitution of the Republic of Latvia], (digital publication). Rīga: Tiesu namu aģentūra, 2006, p. 737.

⁹³ *Lēbers, A. Lekcijas par Ievadu tiesību zinātnē. II daļa* [Lectures on Introduction to Law. Part II]. Rīga: LU stud. pad. grāmatnīca, 1922, p. 12.

⁹⁴ Satversmes izstrādes komisijas 1921. gada 3. novembra sēdes protokols Nr. 58 [Minutes No. 58 of the sitting of the Committee for Drafting the *Satversme* on 03.11.1921]. Unpublished.

When the proposal by the deputies representing Latgale regarding the right of the dialect⁹⁵, the Latgalians and 'the Balts'⁹⁶ engage in intense debate. The Latgalians are, obviously, offended and, therefore, are not sparing of words and in the discussions express concern regarding the policy for assimilating Latgalians. Kemps holds that "the Latgalian dialect" is beautiful and rich⁹⁷, therefore ridiculing it is said to be chauvinism [of other Latvians]. It is alleged that it is not "patriotism and serious building of the State but it is chauvinism within the nation itself." It is clear that the Latgalians now would be in a worse situation than the national minorities, which will have a special provision in the *Satversme* and a special law will be adopted later:

*[...] Our dialect is not comprehensible and loved as we would think because we often observe that when the Latgalians come to take the floor, large part of the meeting leave the hall. [...] we hear and feel from all sides how it is ridiculed, distorted, made fun of, even denied [...] In some other matters, like those of schools and local governments, we [Latgalians] have been placed lower compared to the minorities, and we should demand the minority's rights already now. Also in this matter we do not want to be below the minorities.*⁹⁸

K. Skalbe, the Latvian poet, journalist, the classic of the Latvian literature, is not satisfied with such positioning of the matter, he is calling out already during Kemp's speech "Where are the Latgalians "minorities"?!", and, having asked for the floor, explains his opinion from the podium of the Constitutional Assembly:

*...do not trouble us with this nonsense and do not try to make us believe that there is another Latvian language apart from the one Latvian language. It is a dialect, like many other dialects that exist in our nation. We do not deprive them of this right to a dialect, and do not trouble Latgalians when they speak in their dialect in courts and other institutions, but we cannot demand civil servants of this state to respond in their dialect, because the written language rules in all institutions [...] Official language is our literary language [...]*⁹⁹

F. Trasūns said a reconciliatory speech at this meeting, stating

there is one language and it is the official language", indicating, however, that: "[...] now the question arises which dialect should be given preference. If we look

⁹⁵ Latgale (*Latgola*) is one of Latvia's historical lands, which had its own course of development prior to the establishment of the Latvian State. Since mid-16th c., Latvia was part of the State of Lithuania, then the Polish-Lithuanian State, and it becomes part of the Russian Empire at the end of 18th century. Up to 1917, Latgale was administratively separated from the rest of Latvia, being included in the Pskov and later – Vitebsk Governorate. In Latgale, serfdom in abolished fifty years later, as the serfdom in Kurzeme was abolished in 1817 and in Vidzeme – in 1819, whereas in Latgale – only in 1861, which affected considerably education and the standard of living. In difference to the rest of Latvia, which is Protestant due to the influence of Swedes and Germans, the Roman Catholic Church dominates in Latgale. The impact on the Latgalian language by Polish, Lithuanian, as well as by being in another administrative region during the period of Russian Empire, was considerable. Although many words are understandable, part are incomprehensible to an average Latvian-speaker. The dialect and the written form of Latgalian differ quite considerably from the Latvian language.

⁹⁶ At the sitting, several speakers, F. Kemps and F. Trasūns among them, called Latvian the Baltic Language.

⁹⁷ Latvijas Satversmes sapulces IV sesijas 8. sēdes 1921. gada 5. oktobra stenogramma [Transcript of the 8th sitting of IV Session of the Latvian Constitutional Assembly on 05.10.1921].

⁹⁸ Latvijas Satversmes sapulces IV sesijas 7. sēdes 1921. gada 4. oktobra stenogramma [Transcript of the 7th sitting of IV Session of the Latvian Constitutional Assembly on 04.10.1921].

⁹⁹ Ibid.

at this matter historically, then it turns out that both dialects are parallel in their standing. [...] One is richer, the other – less so, but, nevertheless, recently has started to develop fast. Collapse of the State is inconceivable only because the Latgalian dialect would be used in Latgale. [...] Our position is that each Latgalian should now the Baltic dialect, as all citizens of Latvia. [...]. The Balts should know the Latgalian dialect.

Debates ended with voting, where, again, only the Latgalians had voted for the Latgalians' proposal. There were only 18 votes in favour of it. This time, four members of the Constitutional Assembly abstained from voting.

Despite the government's attempt to reach a compromise in the Latgalian matter¹⁰⁰, there were grounds to consider that the dismissingly arrogant attitude of the Constitutional Assembly towards the Latgalians' proposals regarding Art. 99 and Art. 11 was "the last drop", making the patience of Latgalian deputies run out, which simultaneously decided the fate of the Second Part of the *Satversme*. As it is well known, at the sitting of the Constitutional Assembly on 5 April 1922, 62 members voted for the Second Part of the *Satversme*, whereas 62 abstained, thus, taking into account that the votes of those abstaining were counted as votes against passing of the motion, in the end there were 62 votes "for" and 68 votes "against" it.¹⁰¹ Even half of the Latgalians' votes had been enough to adopt the Second Part of the *Satversme*. Since in the third reading on the final wording at the sitting of the Constitutional Assembly on 5 April 1922 there were not enough votes for the Second Part of the *Satversme*, its first part, approved on 15 February 1922 became the text of the *Satversme*. Both parts were closely interconnected,¹⁰² and the failure to adopt the second part was a great loss not only for the matters pertaining to human rights,¹⁰³ but also for matters of local governments and the official language. All these matters¹⁰⁴ had to be regulated on a lower level by legal acts of lower legal force. Consequently, the Latvian language acquired the status of the official language only after ten years.

¹⁰⁰ It cannot be said that the Latgalians' demands fell on entirely deaf ears. Whether the solutions were acceptable for Latgalians is another matter. It is difficult to judge without additional information. Before the proposals made by Latgalians regarding autonomy and language that were dismissed at the general meetings of the Constitutional Assembly, several regulations, laconic as to their scope, were issued. One of the government regulations aligned the matter of the Latgalian dialect, two others adjusted the supervision of Latgale affairs. Regulations also provided that, in appointing civil servants in Latgale "preference shall be given to candidates who, with other traits being equal, know the Latgalian dialect and are familiar with the local conditions" See Noteikumi par latgaliešu izloksnes lietošanu [Regulations on Use of Latgalian Dialect]. 11.08.1921, Valdības Vēstnesis, No. 183, 17.08.1921; Noteikumi par Latgales lietu pārziņāšanu [Regulations on Overseeing of Latgale's Affairs]. 30.06.1921, Valdības Vēstnesis, No. 177, 10.08.1921; Noteikumi par ierēdņu iecelšanu Latgalē [Regulations on Appointing Officials in Latgale]. 26.07.1921, Valdības Vēstnesis, No. 174, 06.08.1921.

¹⁰¹ Latvijas Satversmes sapulces V sesijas 34. sēdes 1922. gada 5. aprīļa stenogramma [Transcript of the 34th sitting of V Session of the Latvian Constitutional Assembly on 05.04.1922].

¹⁰² Balodis, R. Ārkārtējās situācijas normatīvais regulējums: vēsture un nākotnes izaicinājumi [Normative Regulation on Emergency Situation: History and Future Challenges]. Jurista Vārds, No. 6, 09.02.2021.

¹⁰³ Balodis, R. Ievads Latvijas Republikas Satversmes VIII nodaļas komentāriem [Introduction to the Commentaries on Chapter VIII of the *Satversme* of the Republic of Latvia]. Latvijas Republikas satversmes komentāri. VIII nodaļa. Cilvēka pamattiesības [Commentaries on the *Satversme* of the Republic of Latvia. Chapter VIII. Fundamental Human Rights]. Collective of authors under scientific editorship by Prof. R. Balodis. Rīga: Latvijas Vēstnesis, 2011, pp. 8–9.

¹⁰⁴ Piezīmes par Satversmes 8. nodaļu – Cilvēka pamattiesības. Satversme un cilvēktiesības [Notes on Chapter 8 of the *Satversme* – Fundamental Human Rights. The *Satversme* and Human Rights]. Gadagrāmata, 1999. Cilvēktiesību žurnāls, No. 9–12. Rīga: Latvijas Universitāte, 1999, p. 13.

Non-Latvian lawyers (Balduin von Dusterlohe,¹⁰⁵ Max Lazerson) smirked about this failure. Lazerson even called the *Satversme* “*Rumpf-Verfassung*” or a constitution with a trunk lacking a head.¹⁰⁶

2.2. Attempt to amend the *Satversme* at the 4th Saeima (1934)

The second attempt to include into the *Satversme* the norm on the official language took place in the beginning of May 1934, a couple of weeks before Kārlis Ulmanis' coup. This initiative is shown by the Public Law Committee of the *Saeima*, which at one point (1932) had revised the Regulation on the Official Language. The Farmers' Union had submitted sizeable amendments to *Satversme*, which were predominantly related to changing the model for electing the President of the State and the scope of the President's mandate. These amendments did not include the norm on the official language. The *Saeima*, at its sittings on 3 and 4 May 1934,¹⁰⁷ examining these amendments to the *Satversme*, in the second reading approved the proposal by the Public Law Committee to grant the status of the official language to the Latvian language in Art. 4 of the *Satversme*.

Actions of the Public Law Committee are understandable, as the committee continued the set course towards enshrining the Latvian language in the legal system. During the *Saeima*'s sitting, the rapporteur of the Public Law Committee Jēkabs Alfrēds Bērziņš explained the committee's actions by the legal technique, pointing to the need to enshrine in the *Satversme* the provisions regarding the official language that had been defined in the regulation with the force of law.¹⁰⁸ The sitting of the *Saeima* was extremely emotional, and its Members, when debating the language, from the podium shared also gossip regarding the imminent *coup d'état*. They constantly digressed from the main topic. Member of the *Saeima*, the leader of “Aizsargi” [Defenders] organisation A. Bērziņš and Prime Minister K. Ulmanis, who were both present, are often mentioned. During the sitting, repeated interjections from the floor were addressed to the two main organisers of the *coup d'état*. The new wording of Art. 4 of the *Satversme* was unanimously approved in the second reading, without particular discussions,¹⁰⁹ however, also this time around the official language was not defined in the *Satversme* because, on 15 May, Ulmanis together with his allies staged a successful *coup d'état* and, on 18 May, the new government announced the change of the state order until the *Satversme* would be reformed.¹¹⁰ The status of the Latvian language, however, benefitted from it.

¹⁰⁵ *Pleps, J.* Pamattiesību katalogs starpkaru periodā [Catalogue of Fundamental Rights in the Inter-war Period]. Jurista Vārds, No. 48, 23.12.2008.

¹⁰⁶ *Lazdiņš, J.* Rechtspolitische Besonderheiten bei der Entstehung des lettischen Staates und seiner Verfassung. Juridiskā zinātne / Law, No. 7, 2014, s. 17.

¹⁰⁷ Latvijas Republikas IV Saeimas IX sesijas 5. sēdes 1934. gada 4. maijā stenogramma [Transcript of the 5th sitting of IX Session of IV Saeima of the Republic of Latvia on 04.05.1934]; Latvijas Republikas IV Saeimas IX sesijas 3. sēdes 1934. gada 3. maija stenogramma [Transcript of the 3rd sitting of IX Session of IV Saeima of the Republic of Latvia on 03.05.1934].

¹⁰⁸ Meaning Regulation on the Official Language, issued in the procedure set out in Art. 81 of the *Satversme* in 1932.

¹⁰⁹ Latvijas Republikas IV Saeimas IX sesijas 5. sēdes 1934. gada 4. maijā stenogramma [Transcript of the 5th sitting of IX Session of IV Saeima of the Republic of Latvia on 04.05.1934].

¹¹⁰ “Until reforms of the *Satversme* are implemented, the functions of the *Saeima* shall be performed by the Cabinet of Ministers, from 15 May 1934, 23:00”. The Government's Declaration on Suspending the Work of the *Saeima*, Cabinet of Ministers, 18.05.1934: Valdības Vēstnesis, No. 110, 19 May 1934.

3. The issue of Latgalians at the Constitutional Assembly: Language, autonomy and church

The literary Latvian language was basically heard at the sittings of PC, the Constitutional Assembly and, later, the first four convocations of the *Saeima*; however, now and then also Russian and German languages were heard, as was the Latgalian dialect. Latgalians resorted to the Latvian language only when wanted “to be better understood”.¹¹¹ It was not noticeable when reading the transcripts, because employees of the Transcripts Bureau transformed the Latgalian language into the literary Latvian language. As it is at present, not everyone fully understood the Latgalian dialect,¹¹² although it is worth noting here that not all members of the parliament understood the speeches that were made in German.

At the time of creating the *Satversme* (1920–1922), the Latgalians elected to the Constitutional Assembly, together with other members of Assembly, were active in the area of legislation, step by step creating the foundations for the State of Latvia, at the same time tirelessly trying to remind of the interests of their native Latgale. The most visible advocates of the Latgalian language,¹¹³ culture, autonomy and church were the priest of the Roman Catholic Church (professor of philosophy and theology), deputy from the Christian Union of Latgale Peasants Francis Trasūns and the Latgalian author, deputy of the Latgale People Party (also, Democratic Latgalian Workers’ Party; Socialist Workers’ Party of Latgale) Francis Kemps.¹¹⁴ The latter, *inter alia*, created the word “Latgale” (1900).

Their greatest opponents of Latgalians were social democrats, with whom they had already had squabbles in PC regarding faith education in schools. Both groups of deputies fought each other ardently: one fought for religious education in schools, the other – for excluding faith-related education from the curriculum entirely.¹¹⁵ At the Constitutional Assembly, when the Second Part of the *Satversme* was drafted, clashes between the Latgalians and social democrats were very obvious in the debates regarding the bizarre wording of Art. 112, initiated by the social democrats.

¹¹¹ Latvijas Satversmes sapulces IV sesijas 8.sēdes 1921. gada 5. oktobra stenogramma [Transcript of the 8th sitting of IV Session of the Latvian Constitutional Assembly on 05.10.1921].

¹¹² For example, Member of the Constitutional Assembly (Latgale People’s Party), after analysing publications, arrives at the conclusion that journalists could not understand some speeches in the Latgalian language by the Latgalian deputies (newspapers wrote about “incomprehensible Latgalian dialect”), and this is why the press did not report on these speeches. See Satversmes sapulces IV sesijas 8.sēdes sēdes 1921. gada 5. oktobrī stenogramma [Transcript of the 8th sitting of IV Session of the Latvian Constitutional Assembly on 05.10.1921].

¹¹³ The author encountered similar problems regarding the definition as the ones mentioned by scholar of law Jānis Pleps, whose disclaimer in the article “Latgalian Language and the *Satversme*” the author upholds entirely “...within his article, for simplicity’s sake, the author sues the formulation “the Latgalian language”; however, this does not mean that he has expressed an opinion on whether the Latgalian language should be regarded as being an independent language or a dialect. Occasionally, the formulation “the Latvian language of Latgale” is used in the same meaning.” In analysing the transcripts of the Latvian Constitutional Assembly the formulation of the time has been retained, i.e., “the Latgalian dialect” (see Pleps, J. Latgaliešu valoda un Satversme [The Latgalian Language and the *Satversme*]. Jurista Vārds, No. 43(690), 25.10.2011).

¹¹⁴ It is interesting that Adolfs Klīve, a Member of PC, the Constitutional Assembly and the first three convocations of the *Saeima*, one of the top leaders of the Farmers’ Union, in his memoirs describes Kemp as the lobbyist of Polish nobility in Latgale (see Klīve, Ā. Brīvā Latvija: Latvijas tapšana: atmiņas, vērojumi un atzinumi. [Free Latvia: Creation of Latvia: Recollections, Observations and Insights]. Bruklina: Grāmatu Draugs, 1969, pp. 234, 118).

¹¹⁵ Šilde, Ā. Latvijas vēsture, 1914 – 1940. Valsts tapšana un suverēna valsts [History of Latvia, 1914–1940. The Making of the State and the Sovereign State]. Stokholma: Daugava, 1976, p. 332.

The Latgalians proved the great importance of the Roman Catholic Church in the life of Latgale. More about it – at the conclusion of the current section.

In creating the *Satversme*, the matter of Latgalians was discussed most in connection with four Articles of the *Satversme*. The Latgalians tried to include the germs of the idea of Latgale's autonomy in Art. 4 and Art. 99 of the *Satversme*, but in Art. 115 – to enshrine, in addition to the Latvian language, also the rights of the Latgalian dialect within the territory of Latgale.¹¹⁶

As regards the idea of Latgale's autonomy, it must be noted that the majority of the Constitutional Assembly was against it. Trends of separatism were seen in the idea; therefore, attempts were made to dismiss it as undesirable for the unity of Latvia.¹¹⁷ Latgalians themselves did not have a united view on the practical aspects of autonomy.¹¹⁸ Whenever even the slightest chance presented itself, Francis Trasūns' nephew Jezups Trasūns (Workers' Party), tried to get involved in debate regarding the autonomy of Latgale, which was considered to be an idea of a narrow circle of politicians. Both the rightist forces (e.g., the Farmer's Union) and the leftist forces (e.g., social democrats) of the Constitutional Assembly took a united stand against the idea of Latgale's autonomy.¹¹⁹ Social democrat Fēlikss Cielēns used the Latgalians' internal contradictions, hastening to note that was not clear for the Latgalians themselves what they wanted – “These discussions, these fights among themselves, the Latgalians, are quite interesting, and interesting in the sense that we see that something is out of order in Latgale (mirth in the audience) [...]”. Due respect should be paid to Cielēns' agility in skilfully diverting the embarrassing question into talks about elections, making the Latgalians, instead of speaking about the idea of autonomy, justify themselves. All this bewildered the other members of the Constitutional Assembly who, in such circumstances, saw no grounds for supporting the autonomy of Latgale.¹²⁰

Two almost identical proposals by the Latgalians to add to the draft *Satversme* special disclaimers regarding Latgale's autonomy are found in the transcripts of the Constitutional Assembly:

¹¹⁶ More on this in Section 2.1. of this article “Article 115 of the unadopted Second Part of the draft *Satversme*”.

¹¹⁷ *Balodis, R., Lazdiņš, J.* *Satversmes vēsturiskā attīstība. Latvijas Republikas Satversmes komentāri. Ievads. I nodaļa. Vispārējie noteikumi.* [Historical Development of the *Satversme* in Latvia. Commentaries on the *Satversme* of the Republic of Latvia. Introduction. Chapter I. General Provisions.] Collective of authors under scientific editorship by Prof. R. Balodis. Rīga: Latvijas Vēstnesis, 2014, p. 61.

¹¹⁸ See Latvijas Satversmes sapulces IV sesijas 7. sēdes 1921. gada 4. oktobra stenogramma [Transcript of the 7th sitting of IV Session of the Latvian Constitutional Assembly on 04.10.1921], kā arī Latvijas Satversmes sapulces V sesijas 33. sēdes 1922. gada 4. aprīli stenogramma [Transcript of the 33rd sitting of V Session of the Latvian Constitutional Assembly on 04.04.1922].

¹¹⁹ It has to be admitted that Latvia of the time might have had concerns regarding the ambitions of Piłsudski's Poland to restore its borders of 1722, which, then, would comprise not only Latgale but also Kurzeme See Parlamentārā izmeklēšana Latvijas Republikā 2. Saeimas izmeklēšanas komisiju galaziņojumi, viedokļi, liecības. [Parliamentary Investigation in the Republic of Latvia. Final Reports, Opinions, Testimonies of the Inquiry Committees of the 2nd Saeima]. Prof. *Balodis, R.* (sc. ed.). Rīga: Latvijas Vēstnesis, 2016, pp. 158, 199; *Balodis, J.* *Atmiņu burtņicas 1918.-1939. gads* [Notebooks of Reminiscence 1918–1939]. *Caune, A.* (comp.), Rīga: Latvijas Vēstures institūta apgāds, 2015, pp. 205–208; *Cielēns, F.* *Laikmetu maiņā. Atmiņas un atziņas. Otrais sējums: Latvijas neatkarīgās demokrātiskās republikas lielais laiks* [In the Change of Eras. Recollections and Insights. Volume II. The Grand Time of the Independent Democratic Republic of Latvia]. Stokholma: Apgāds Memento, 1963, p. 159.

¹²⁰ Latvijas Satversmes sapulces V sesijas 33. sēdes 1922. gada 4. aprīli stenogramma [Transcript of the 33rd sitting of V Session of the Latvian Constitutional Assembly on 04.04.1922].

- The first proposal – to express Art. 4 of the *Satversme* in the following wording – “Latgale shall enjoy the rights of regional self-government, which shall be defined by a separate law”. The Latgalians advance this proposal on 5 October 1921, when at the general meeting of the Constitutional Assembly the First Part of the *Satversme* was reviewed in the second reading.¹²¹
- The second proposal included suggestion to express Article 99 of the *Satversme* in the following wording: – “Latgale shall enjoy broad rights of regional self-government, the limits of which shall be defined by a separate law”.¹²² The proposal was advanced on 4 April 1922, when the Second Part of the *Satversme* was reviewed in the second reading at the general meeting of the Constitutional Assembly.

Comparison of both proposals reveals that they are practically identical, except that the word “broad” appears in the second proposal. Both proposals share the fact that they had not been discussed at the Committee for Drafting the *Satversme* but were proposed at the general meeting. The first proposal was dismissed, using the pretext that it should be examined at the time of reviewing the draft of the Second Part of the *Satversme*, since local governments and also language would be discussed there.¹²³ When the second proposal was examined, the Latgalians themselves tried to prevent suspicions of separatism as much as possible, stating that these accusations were spread by those who “...would want to melt all together in one pot, not only one part of a nation. But also everyone’s personal views” and called upon the Constitutional Assembly to take into account Latgale’s particularity, asking to put an end to “assimilation of the Latgalian dialect and melting it together with the great Baltic dialect.”¹²⁴ Quite unsuccessful, seemingly, attempts at rejecting accusations of separatism are made by J. Pabērzs.¹²⁵ A fragment from his speech provides an insight:

...I do not wish to say that there are no such groups in Latgale that cultivate the ideas of separatism. Of course, there are inclinations towards separatism in Latgale, of course. [...] However, the fact that such inclination towards separatism exists in a certain group does not mean that a regional self-government should be inadmissible in Latgale. For example, here, in Latvia, horses are being stolen. However, this does not lead to the conclusion that horses could no longer be kept in Latvia. The fact that there is disposition towards separatism in a certain

¹²¹ Latvijas Satversmes sapulces IV sesijas 8. sēdes 1921. gada 5. oktobra stenogramma [Transcript of the 8th sitting of IV Session of the Latvian Constitutional Assembly on 05.10.1921].

¹²² Latvijas Satversmes sapulces V sesijas 33. sēdes 1922. gada 4. aprīļa stenogramma [Transcript of the 33rd sitting of V Session of the Latvian Constitutional Assembly on 04.04.1922].

¹²³ Mārgers Skujenieks, who was the rapporteur on the First Part of the draft *Satversme* at the Constitutional Assembly, responding to Trasūns’ statement that the First Part “does not take into consideration the issue of Latgale, Latgale’s particularities, Latgale’s autonomy of self-governance has not been defined”, states: “the issue of self-governance does not fall within the first part of the *Satversme*, it is an issue that the Second Part deals with”. See Latvijas Satversmes sapulces IV sesijas 5. sēdes 1921. gada 28. septembra stenogramma [Transcript of the 5th sitting of IV Session of the Latvian Constitutional Assembly on 28.09.1921], as well as Latvijas Satversmes sapulces IV sesijas 7. sēdes 1921. gada 4. oktobri stenogramma [Transcript of the 7th sitting of IV Session of the Latvian Constitutional Assembly on 04.10.1921].

¹²⁴ See Latvijas Satversmes sapulces IV sesijas 2. sēdes 1921. gada 21. septembra stenogramma [Transcript of the 2nd sitting of IV Session of the Latvian Constitutional Assembly on 21.09.1921] and Latvijas Satversmes sapulces V sesijas 10. sēdes 1922. gada 7. februāri stenogramma [Transcript of the 10th sitting of V Session of the Latvian Constitutional Assembly on 07.02.1922].

¹²⁵ Latvijas Satversmes sapulces V sesijas 33. sēdes 1922. gada 4. aprīli stenogramma [Transcript of the 33rd sitting of V Session of the Latvian Constitutional Assembly on 04.04.1922].

*part of Latgalian society does not mean at all that Latgale could not be granted the right of regional self-government. [...] To sum it all up, I am of the opinion that, actually, there is not a single valid reason for dismissing this submission. Therefore, I ask you to vote for it.*¹²⁶

All the efforts by the Latgalians were in vain. A dialogue with other Members of the Constitutional Assembly did not evolve. They had to put up with the retorts that making excuses regarding non-existence of separatism as such was suspicious.¹²⁷ At the Constitutional Assembly, Latgalians made up only 15.35%, they had no allies. Francis Trasūns, in desperation, at the sitting tried to achieve that the entire draft *Satversme* would be returned to the Committee for Drafting the *Satversme*, and a separate section on the self-government of Latgale region would be included in it.¹²⁸ Similarly to voting on the proposal of autonomy, this proposal also ran into the majority vote. Only eighteen votes of their own were given in favour of the proposal.

The debate on the articles of the Second Part of the *Satversme* in the second reading took place from 17 January to 7 February 1922, and that was the time when the concordat (agreement) between the Holy See, as the main spiritual centre of Catholics, and the Republic of Latvia was being prepared for signing.¹²⁹ The Latgalian deputies, as opposed to the majority of the Constitutional Assembly's members, belonged to the Roman Catholic Church. Social democrats, wishing to demonstrate their attitude towards the signing of the concordat¹³⁰ and to tease the Latgalian deputies at the same time, proposed expressing Art. 112 of the *Satversme* (according to the numbering recorded in the minutes – Art. 115⁹) in the following wording “Activities of the Jesuit Order shall be prohibited in Latvia”. The proposal was submitted to the Committee of the *Satversme* by Fēlikss Cielēns¹³¹ in person. There was no voting and no objections against it at the Committee of the *Satversme*... There is no credible information as to why social democrats wanted to include into the *Satversme* such constitutional prohibition from activities in Latvia with regard to only one institution. In view of the fact that this institution is the Jesuit Order of Roman Catholics (“Society of Jesus”, abbreviation *SJ*, from *Latin*, “*Societas Jesu*”) with the motto: “For the Greater Glory of God”, this cannot be called otherwise than an anti-Catholic prank.¹³² The bizarre article proposed by Cielēns was deleted from the draft already in the second reading, however, the debate about the article at the general meeting of

¹²⁶ At this point, it is worth reminding that the third reading of the Second Part of the *Satversme* occurred in a rather complicated political situation, in the pre-election atmosphere of the 1st *Saeima*, and this could not but influence the Constitutional Assembly's debates.

¹²⁷ Latvijas Satversmes sapulces IV sesijas 8. sēdes 1921. gada 5. oktobra stenogramma [Transcript of the 8th sitting of IV Session of the Latvian Constitutional Assembly on 05.10.1921].

¹²⁸ Latvijas Satversmes sapulces IV sesijas 2. sēdes 1921. gada 21. septembra stenogramma [Transcript of the 2nd sitting of IV Session of the Latvian Constitutional Assembly on 21.09.1921].

¹²⁹ The agreement with the Holy See was signed on 30 May 1922, but the Constitutional Assembly ratified it on 19 July. Zigfrīds Meierovics, the Prime Minister at the time, who signed the agreement on the behalf of Latvia, at the Constitutional Assembly spoke about the sacrifice that Latvia had to make. The concordat had been promised to Latgalians as a pre-condition for joining Latgale to Latvia before Latvia was established.

¹³⁰ A deputy from Latgale, J. Pabērzs, also speaks of this version at the Constitutional Assembly's sitting (see Latvijas Satversmes sapulces V sesijas 10. sēdes 1922. gada 7. februāri stenogramma [Transcript of the 10th sitting of V Session of the Latvian Constitutional Assembly on 07.02.1922]).

¹³¹ Satversmes komisijas 1922. gada 19. janvāra sēdes protokols Nr. 61 [Minutes No. 61 of the sitting of the *Satversme* Committee on 19.01.1922]. Unpublished.

¹³² The Roman Catholic Church established the Jesuit Order in 1521 and had been active in the territory of Latvia.

the Constitutional Assembly caused great merriment.¹³³ The Roman Catholic priest F. Trasūns was frequently interrupted by interjections (for example, sent that Trasūns “to pulpit!”, etc. and rather rude comments), and patiently explained the significance of the Jesuit Order, i.e., that literacy had come to Latgale only as a consequence of the Order’s efforts, etc.¹³⁴ Apart from Latgalians, the representative of the Farmers’ Union J. Goldmanis also asked for the floor and announced, on behalf of his faction, that fearing from “some kind of Jesuit Order” would be totally misplaced for the State of Latvia, as would be immortalising this fear in the constitution. He pointed out that if one would wish to list all organisations unwelcome in the State, then, of the current 117 articles of the *Satversme*, should be doubled. Finally, the Latvian constitutional legislator supported Trasūns’ proposal to delete the article on Jesuits. Nevertheless, there were forty-five votes against this proposal, and when the outcome of the vote was announced in the hall, somebody called out “Long live the Jesuits!” A norm of this content no longer appeared for the third reading.

This article setting out prohibition of the Jesuits should be considered as a cunning ideological provocation, targeting the Roman Catholic Church and F. Trasūns personally.¹³⁵

4. Normative consolidation of the status of official language

Constitutional law is most closely linked to politics¹³⁶, and the constitution, being the supreme law in the state is simultaneously a legal and a political document that reflects the political agreement of those who adopt it, which becomes binding at

¹³³ It is obvious that, from the moment when the chairman of the sitting J. Čakste puts this article for debate in the second reading, untypical mirth is seen in the hall. F. Trasūns is the first to ask for the floor, and his colleagues start cheering (*Ah, ooh*). In his speech, F. Trasūns, speaking, as usual, in the Latgalian dialect, criticises social democrats at length, and they call out interjections (for example, let Trasūns “go to pulpit”, that he is a communist, that a monument to Jesuits should be built, that Poland would bring autonomy to Latgalians, etc.). Meanwhile, Trasūns keeps explaining patiently that books had appeared among Latgalians thanks to Jesuits and that Jesuits had brought literacy to Latgale. Trasūns also says that many social democrats should be deported to Kamchatka and should not be admitted into Latvia. Mirth overtakes the hall during Trasūns’ speech, to quote the transcript – “General laughter, mirth and interjections”. Even the usually self-possessed Secretary of the Constitutional Assembly, social democrat Roberts Ivanovs joins in teasing Trasūns, by calling, during Trasūns’ speech, from his place the word “autonomy”, to which the speaker immediately responds. “Yes, autonomy, and we are going to get that autonomy. Perhaps we would not need that autonomy if we could live in Latvia like free citizens, but, gentlemen, you, social democrats, want to meet us with despotism, you want to oppress our cultural life, want to oppress [...]”. To this Ivanovs responds, enraged, by calling from his place “Stop destroying the state!”, finally, J. Čakste has to reprimand the speaker: “I, the speaker, cannot allow you to deal with such matters!” This small episode, which at the Constitutional Assembly lasted for half an hour, reveals the general position (see *Latvijas Satversmes sapulces V sesijas 10. sēdes 1922. gada 7. februāra stenogramma* [Transcript of the 10th sitting of V Session of the Latvian Constitutional Assembly on 07.02.1922]).

¹³⁴ *Latvijas Satversmes sapulces V sesijas 10. sēdes 1922. gada 7. februāra stenogramma* [Transcript of the 10th sitting of V Session of the Latvian Constitutional Assembly].

¹³⁵ The answer as to why such a peculiar proposal was initiated should be sought in Francis Trasūns’ personality and his personal attitude towards the social democrats. F. Trasūns was one of the most active spokesmen of Latgale. Most probably, Trasūns’ long, moralizing speeches, which often turned into sermons, could have irritated the social democrats (and not only them), therefore Cielēns, who had listened to them for more than a year, had intended small revenge upon his opponent by the proposal to prohibit Jesuits.

¹³⁶ Judgment of 3 February 2012 by the Constitutional Court in case No. 2011-11-01, para. 11.2; Dissenting Opinion of Justice of the Constitutional Court of the Republic of Latvia Aldis Laviņš in case No. 2019-33-01 “On Compliance of Section 155 (1) of the Labour Law with the First Sentence of Article 110 of the *Satversme* of the Republic of Latvia”, para. 3.

the moment of its adoption. Within the hierarchy of the national normative legal acts, the constitution ranks supreme. The norms of the *Satversme*, in their abstract wording, become the beacon and a definite, inviolable legal framework for the *Saeima* and the Cabinet. Establishing the status of the official language for Latvian in the *Satversme* is of great ideological and practical significance. There is no doubt that the law on the official language, as well as the law on the languages of ethnic minorities, to which the second sentence of Art. 115 of the draft *Satversme* of 1922 referred to, would have been adopted. The State cannot refuse to exercise a right if has been set out in the *Satversme*. It would no longer be a right recognised by society and some politicians, which, with great effort, was included in a regulation with the force of law (not in a law adopted by the *Saeima* or even the *Satversme*), but its protection would be a Latvian constitutional value,¹³⁷ which is superbly shown in the example of the neighbouring state – Lithuania,¹³⁸ where the constitutional legislator of Lithuania succeeded in including in its legislation the clause of the official language. Moreover, the *Satversme* is a united whole, and the legal norms included in it are closely interconnected. Each norm of the *Satversme* has its definite role within the constitutional system¹³⁹, and if the Latvian as the official language had been included in it already during the first period of independence, the foundations of the Latvian State would have been significantly reinforced.

4.1. Regulation on the Official Language with the force of law (1932)

Fundamental improvements were obviously needed in the education system because outside public administration large communities of inhabitants formed, which were internally self-sufficient and who were not interested in learning the official language. In this respect, something had to be done urgently. Procedures in the *Saeima* were long and cumbersome, therefore it was quite logical that when Mārgers Skujenieks, the chairman of the Committee for Drafting the *Satversme*, became the Prime Minister at the end of 1931, within a couple of months Regulation on the Official Language was ready, which was not an ordinary government regulation but instead had a force of law. On 18 February 1932, the Cabinet issued in the procedure set out in Art. 81 of the *Satversme* “Regulation on the Official Language”, which for the first time in the Latvian legal systems normatively regulated the issues of language. The regulation had the force of law,¹⁴⁰ consequently, within the legal system, it did not

¹³⁷ Judgment of 2 May 2012 by the Constitutional Court in case No. 2011-17-03; Judgment of 13 March 2001 by the Constitutional Court in case No. 2000-08-0109; Judgment of 31 March by the Constitutional Court in case No. 2009-76-01, para. 5.5.

¹³⁸ *Vaišniene, D.* Valodas politikas sākumi Lietuvā [Beginnings of language policy in Lithuania]. Valsts Valodas Komisija. Raksti 10. sējums. Valoda un valsts [Collected Articles of the Commission of the Official Language in 10 Volumes. Language and State]. Dr. habil. philol. *Veisbergs, A.* (ed.). Zinātne 2019, pp. 43–45.

¹³⁹ Judgment of 16 December 2005 by the Constitutional Court in case No. 2005-12-0103, para. 13.

¹⁴⁰ Formulation “with the force of law” is no longer relevant for the Latvian legal system. Since 2007, Art. 81 has been deleted from the *Satversme*. During the first period of independence, the government regulations, issued in the procedure set out in Art. 81 of the *Satversme*, entered into force at the moment of their publication and were submitted to the *Saeima* not for approval but for expressing objections. The regulation that is being examined was in force from the moment it was adopted by the government, but at the *Saeima's* sitting of 23 February 1932, the transfer of the regulation to the responsible Public Law Committee was debated. If the *Saeima's* Committee did not express any objections to the norms of the regulation, it functioned, actually, as a special law on linguistic matters. Transcript of the *Saeima's* sitting of 23 February 1932 also shows that the legislator of the time clearly understood such regulations as special laws, as P. Schiemann called this a law in the procedure of Art. 81. Likewise, the transcript of 3 May 1934 shows that the rapporteur from the Public Law Committee does not use the word “regulation”, using the term “law” instead, which characterises the genuine legal nature of the legal act.

differ from a law as to its legal force, it only pointed to the procedure of adoption and authorship. It was stated in the first article of the legal act that the official language of the state was the Latvian language, and subsequent articles provided for mandatory use of the official language in the Latvian armed forces, state and local government institutions and enterprises, as well as in “in all private institutions of public law nature”. Regulation in the private sector allowed ethnic minorities to maintain internal office work, including (“trade communication”, engaging in religious activities, in the press, “book publishing and trade”, institutions of education and training institutions) in the language of minorities, whereas communication with state institutions (accounts, etc.) was permitted only in the official language. Translation had to be mandatorily annexed to any document in non-official language that was submitted to state institutions. The new regulation stipulated that legal persons could not use the excuse of not knowing the official language and ignore “applications in the official language applicable to their activities.”¹⁴¹ Signboards, stamps and seals had to be made in the official language, the names of firms being the only exception. It should be noted that the new Regulation on the Official Language with the force of law provided that, in official communication, Latvian place names were to be designated only in the official language. Regulation allowed using Russian and German in local governments, providing in Art. 1 an algorithm that allowed using Russian and German in local governments upon the condition that they had at least ½ of inhabitants speaking in one of these languages. This serves as a good illustration of the actual scope of using German and Russian in some local governments of Latvia of that time. Regulation also revealed the quite liberal linguistic policy of the first period of independence with respect to the two foreign languages referred to above. The note included in Art. 2 is notable, as it provided that in the local governments’ sittings, until re-election of 1935, with the chairman’s permission or upon the request of at least 1/3 members of this body, German and Russian could be used. The law also provided that if a sitting of a local government was held in a foreign language and any participant of the sitting did not understand this foreign language, then the respective local government had to ensure translation into the official language.

The *Saeima* discussed the aforementioned regulation at the sitting of 23 February 1932. Politicians belonging to the ethnic minorities took a united stand against the new regulation, regarding it as being restrictive upon their rights. Concerning the reasoning, the debate reminded the one on the language law at PC’s sitting on 27 August 1919,¹⁴² however, in political terms, there was a significant difference – the faction of social democrats joined ethnic minorities in the fight against Latvian as the official language. Truth be said, social democrats, as the opposition party, it seemed, rather fought against the ruling coalition than the language, and protested against the procedure of the regulation and not the issue of language on its merits. During the debate, the social democrats concurred with P. Schiemann, who contested the constitutionality of the adoption of the regulation in the procedure set out in Art. 81 of the *Satversme*. It was validly reminded that the role of this norm of

¹⁴¹ In renewing the law, the authoritarian law did not amend this norm substantially, although a note was added that foreign languages could be spoken at closed meetings, whereas if another language was used at open meetings or public performances, such practice would require a special permit by the Minister for the Interior and, if necessary, interpretation could be demanded.

¹⁴² See Section 1.1. of the article “Draft laws on the languages of ethnic minorities of the period of the People’s Council and the Constitutional Assembly (1919, 1922)”.

the *Satversme* was “urgent need in the period between the *Saeima*’s sessions”¹⁴³, and in this case it was difficult to justify it. Social democrat Fēlikss Cielēns during the debate contested compliance of the draft law with the *Satversme* because the legal act was drafted by the Cabinet, whereas, pursuant to the *Satversme*, the right to legislate was vested in the *Saeima*. What kind of urgency could there be if on the following day after the adoption the regulation was submitted to the *Saeima*?!¹⁴⁴ Member of Cielēns’ faction Fricis Menderis, in turn, declared that minority rights were closer to social democrats than was the Latvian bourgeoisie with “its interests”.¹⁴⁵ Paul Schiemann, as usual, spoke from the *Saeima*’s podium in German, stating that he would be speaking in the name of all minority factions of the *Saeima*. He protested against “these regulations that cause ethnic hatred”. The Baltic German called for dismissal of the new regulation on language because “...in fact, by this regulation the State declares to the minorities that they are alien to the State [...]”, etc. Schiemann believed that the state should be founded on the slogan “The State above all, all for the State”, but the legal act under review was said to be “smart move by the government” intended to hush up the crisis politics in the area of customs and taxes to be introduced by the government. Schiemann, who had headed the newspaper “*Rigasche Rundschau*” for a long time, as a publicist completed his speech by brilliantly describing the “tragic” situation of non-Latvians in Riga at the beginning of the 1930s:

Contrary to the other Baltic states, Latvia has become renown abroad because anyone, who does not know the official language, is ill-treated here, and he encounters all kinds of difficulties. [...] Materials written in a foreign language must be translated first before a civil servant may use them, irrespectively of whether he knows or does not know this language. Anyone wishing to use the street railway [tram], but does not know Latvian, should take an interpreter along on the trip.

Neither the speaker himself nor his audience suspected that within seven years mighty changes regarding the language use in Latvia would occur, turning everything upside down.

Transcripts show that several other deputies from workers’ factions took the floor, they, however, spoke in Russian, and their speeches are not available for study because it was indicated that the deputies did not submit abstracts of their speeches. Member of the Workers’ and Peasants’ faction Linards Laicāns took the floor during the debate, stating, almost as a prophet, that the *Saeima* should take a look at the Soviet Union and learn to deal with the linguistic issues by using the Soviet methodology. Laicāns also turned to the topic of Latgalians, pointing out that the Latgalian language had not been mentioned in the regulation at all.

¹⁴³ The wording of Art. 81 of the *Satversme*, which was in force at the time when the regulation on the official language that is being examined was adopted, was, as follows: “In the period between the *Saeima*’s sessions, the Cabinet shall have the right, if it is urgently needed, to issue regulations with the force of law. Such regulations may not amend the *Saeima* Election Law, laws on the system of courts and procedure, the budget and the budget law, as well as laws adopted by the incumbent *Saeima*, they may not pertain to amnesty, state taxes, customs and loans, and they become invalid if they are not submitted to the *Saeima*, at the latest, within three days after the subsequent session of the *Saeima* is opened.”

¹⁴⁴ Latvijas Republikas IV Saeimas II sesijas 3. sēdes 1932. gada 1. marta stenogramma [Transcript of the 3rd sitting of II Session of IV *Saeima* of the Republic of Latvia on 01.03.1932].

¹⁴⁵ Latvijas Republikas IV Saeimas II sesijas 2. sēdes 1932. gada 23. februāra stenogramma [Transcript of the 2nd sitting of II Session of IV *Saeima* of the Republic of Latvia on 23.02.1932].

The regulation on language, which was drafted in the procedure set out in Art. 81, was such an important project for the government that Prime Minister Mārgers Skujenieks in person arrived to defend it. He categorically rejected the accusations made by some deputies that the regulation forced people in ripe old age to learn Latvian. He spoke about the new generation, which had grown up in free Latvia and could talk in no other language but Latvian. It was alleged that this new generation was expecting this regulation. The State wanted to open up the path in life to this generation, that is why the *Saeima* was asked to support the regulation. The Prime Minister mentioned particular cases when Latvian young people were discriminated against and were not employed for the sole reason that they did not know Russian or German. Poet Kārlis Skalbe threw himself emotionally into defending Latvian as the official language, pointing out

...this law should be issued due to simple respect for our State. If we respect this State, we respect the official language. Where there is a State, there is an official language. In Latvia, it can be no other language but Latvian because the Latvian nation is the majority here.

The member of the *Saeima* explained that the normative regulation in no way infringed the minorities' right to use their own language because, basically, the legal act regulated communication of individuals with state and local government institutions.

*...Latvia cannot be at the same time Russian, German or Polish, just like a man cannot have three souls in his breast, or, at one and the same time, three totally different political orientations! [...] each state has a certain backbone, and this backbone is the majority nation, its language and culture.*¹⁴⁶

Finally, as always, the debate in the *Saeima* was resolved by voting, whereby the majority supported transferring the regulation with the force of law to the Public Law Committee. In this particular case, this also meant that the validity of the act was recognised. Representatives of national minorities, collaborating with social democrats¹⁴⁷, also tried to achieve that the coming into force of the regulation would be postponed.¹⁴⁸ The debate briefly continued at the *Saeima's* sitting on

¹⁴⁶ Latvijas Republikas IV Saeimas II sesijas 2. sēdes 1932. gada 23. februāra stenogramma [Transcript of the 2nd sitting of II Session of IV *Saeima* of the Republic of Latvia on 23.02.1932].

¹⁴⁷ The matter of social democrats taking a stance against the official language is interesting because Fēlikss Cielēns does not mention in it his memoirs, writing about his activities in the last pre-war *Saeima* (see *Cielēns, F. Laikmetu maiņā. Atmiņas un atziņas. II sējums. Latvijas neatkarīgās demokrātiskās republikas lielais laiks* [In the change of eras. Memories and insights. Volume II. The grand time of the independent democratic republic of Latvia]. Stokholma: Apgāds Memento, 1963, pp. 446–448.), although he provided long and elaborate description of his contribution in writing the *Satversme* and doing great work elsewhere for the Latvian nation. Most probably, Cielēns was not proud of having taken this step either in 1932 or in exile, which is proven also by the fact that, at the *Saeima's* sitting, he got involved in legal discussion only regarding the suitability of Article 81 of the *Satversme*. Paul Schiemann and other representatives of minorities is a different story, they actually supported the possible co-existence of several official languages. Schiemann disliked the notion of a nation- state as such and held that separation of the concepts of the state and the nation would pave the way to united Europe. Of course, Schiemann's opposition to the Latvian language was caring for the cultural autonomy of Germans. Being one of the leading politicians of the German minority, he, undoubtedly, reflected the general views of the German minority (see *Hidens, Dž. Pauls Šimanis minoritāšu aizstāvis* [Paul Schiemann – defender of minorities]. Rīga: Avots, 2016, pp. 134, 136, 141, 148, 195).

¹⁴⁸ See Latvijas Republikas IV Saeimas II sesijas 3. un 4. sēdes, resp. 1932. gada 1. marta un 4. marta stenogrammas [Transcripts of the 3rd and 4th sittings of II session of IV *Saeima* of the Republic of Latvia, resp. on 01.03.1932 and 04.03.1932].

1 March, however, these efforts were futile, the regulation remained in force. After having successfully dealt with the Regulation on Language in the *Saeima*, Mārgers Skujenieks' government set about improving mastering of the official language in schools of national minorities. On 20 April 1932, amendments were adopted in the procedure set out in Art. 81 of the *Satversme* to the law of 1919 "On Latvia's Institutions of Education", providing that "in schools and classes, where instruction is not conducted in the Latvian language, this language shall be introduced and taught" already in the first grade of elementary school".

Furthermore, "Regulation on the Official Language", issued on 18 February 1932 in the procedure set out in Art. 81 of the *Satversme*, significantly improved the situation relating to the use of official language in Latvia. An example¹⁴⁹ serves as a good illustration on the impact that the regulation had on the life at the University of Latvia. In the academic year 1932/1933, at the Faculty of Law of the University of Latvia (at the time – Faculty of Economics and Legal Science), two national-level outstanding scholars of law and the founders of their areas, representatives of ethnic minorities, Professor Paul Mintz and Professor Vasilijš Sinaiskis immediately transited to Latvian as the language of instruction. Previously, they had lectured to the students in German and Russian, respectively.

4.2. The Official Language Law (1935)

The Official Language Law of 5 January 1935, which Ulmanis' authoritarian government issued a little more than six months after seizing the power in Latvia fits perfectly into the regime's ideological message of "policy of national unity". Ulmanis' "Leadership" is authoritarianism, where the father of the nation, deep in paternal concerns, who knows what should be done and how, can be considered as being the cornerstone of ideology. He is constantly thinking about the Latvian nation, its unity and Latvianness.¹⁵⁰ Kārlis Ulmanis' ideology is founded on Latvianness and flourishing of the Latvian nation is the deepest meaning for the state's existence.

Let's make Latvia Latvian again, let's make into a land of Latvians, where the Latvian qualities is expressed everywhere, impacts everything and can be felt everywhere [...] Let a Latvian, first of all, become Latvian internally, spiritually, in his consciousness, power, then Latvia will truly be for Latvians.

These were the words of the leader to his nation.¹⁵¹ The law on Latvian as the official language better than any propaganda measure demonstrates that the Latvian nation is becoming stronger "in all strata"¹⁵² and, of course, the new government's special interest in everything Latvian. The Official Language Law of 5 January 1935 was not turning against ethnic minorities. Assertions that Ulmanis had "turned against democratic minority rights", which had been one of the factors influencing the role

¹⁴⁹ See more in *Osipova*, S. Latviešu juridiskās valodas attīstība pēc Pirmā pasaules kara [Development of Legal Latvian after the First World War]. Juridiskā zinātne, No. 1, 2010, p. 84.

¹⁵⁰ *Stranga*, A. K. Ulmaņa autoritārais režīms (1934–1940): politika, ideoloģija, saimniecība [Authoritarian regime of K. Ulmanis (1934–1940): politics, ideology, economy]. Akadēmiskie raksti 4 sējumos Latvieši un Latvija, II sējums "Valstiskums Latvijā un Latvijas valsts – izcīnītā un zaudētā" [Academic Articles in 4 Volumes. Vol. II. Latvians and Latvia. "Statehood in Latvia and the State of Latvia – the Destroyed and the Lost"]. Rīga: Latvijas Zinātņu akadēmija, 2013, p. 353.

¹⁵¹ Dēgsmē. Dr. Kārļa Ulmaņa atziņas, norādījumi, aicinājumi un vēlējumi [Fervour. insights, instructions, appeals and wishes of Dr. Kārlis Ulmanis]. *Līgotnis* (ed.). 2nd release. Rīgā: A. Gulbja izdevniecība, 1938, p. 240.

¹⁵² *Ibid.*, pp. 225, 234, 268.

of Nazi ideas in the consciousness of the Baltic German community¹⁵³, were very far from the truth. Indeed, Ulmanis was preoccupied with creating the state monopoly, which could be done only by way of nationalisation. Clearly, nationalisation of major companies, agricultural land and processing companies, credit societies and banks significantly affected also ethnic minorities (Germans, Jews and Russians). Their properties and financial instruments were expropriated. Nationalisation was conducted with the intention of increasing the State's importance in economy, however, it was done by paying compensation. Nationalised companies were merged in state joint stock companies, which turned into the major market operators in industrial and financial sectors.¹⁵⁴ It was quite conditionally linked to the State's language policy, which, actually, only continued the former efforts and achievements in this area in the previous parliamentary years. The Official Language Law of 5 January 1935 is an excellent teamwork of Ulmanis' public relations specialists and lawyers, who were able to turn the work done during the parliamentary period into a success of the authoritarian power. Deeper analysis of the Official Language Law of 5 January 1935 shows that it is an altered Regulation with the force of law of 18 February 1932.¹⁵⁵

The regime was thinking about regulation on the Latvian language since the first month of its existence because, on 14 June 1934, Ulmanis' government introduced amendments to the Margers Skujenieks' regulation with the force of law of 18 February 1932. The amendments deleted from the regulation the note regarding language use in the *Saeima* (after all, the parliament was abolished), and finally envisaged sanctions for failure to comply with the language law, which were absent before. The established penalties were quite strict. For violations of the regulation on language, the Ministry of the Interior could impose monetary fines in the amount up to thousand lats,¹⁵⁶ and the possible perpetrator could be placed in custody for up to six months. Both penalties could be imposed for particularly grave violations. The Minister for the Interior was personally responsible for the functioning of the law.¹⁵⁷ In a situation when martial law had been declared in the state, a regulation like this inspired awe in everyone. A couple of weeks after adoption of these amendments, Instruction of the Ministry of Transport No. 94 was issued, which determined the use of the official language in railway structures.¹⁵⁸ The instruction was adopted on the basis of regulation on the official language of 1932. Henceforth, railway employees at the executive board, precincts, workshops, stations, etc. "shall use in speech and in writing, as well as

¹⁵³ *Grudule, M.* Vācbaltieši Latvijas un latviešu kultūras vēsture [German Latvians in the History of Latvia and Latvian Culture]. Latvieši un Latvija. Akadēmiski raksti. IV sējums. Latvijas kultūra, izglītība, zinātne [Latvians and Latvia. Academic Articles. Volume IV. Culture, Education, Science of Latvia]. *Stradiņš, J.* (ed.-in-chief). Rīga: Latvijas Zinātņu akadēmija, 2013, pp. 225–208.

¹⁵⁴ Available: <https://enciklopedija.lv/skirklis/62580> [last viewed 09.08.2021].

¹⁵⁵ It is not implied that both normative acts are identical; however, they are very similar and the improvements in the basic part of the text are not substantial. For example, in Art. 2 of the Regulation, which previously was para. 2, the list of various institutions where the official language had to be used, additionally includes a phrase "as well as in all private institutions of public law nature", etc.

¹⁵⁶ To understand the value of currency "lats" at the time, it must be noted that a qualified worker or a new farmer with a monthly income of 100 lats could provide subsistence, although very modest, for his wife and a couple of children.

¹⁵⁷ In para. 4 of the Regulation, which previously provided for "free use of any other language" in religious activities, the press, book publishing and trade, meetings and institutions of education and training, henceforth foreign languages may be used only with the permission by the Minister for the Interior.

¹⁵⁸ Instrukcija Nr. 94 par valsts valodas lietošanu dzelzceļu virsvaldē un tai padotās administratīvās vienībās. [Instruction No. 94 on the Use of the Official Language in the Executive Board of Railways and Administrative Units Subordinated to it]. 27.06.1934. *Valdības Vēstnesis*, No. 166, 28.07.1934.

in interpersonal communication and in communication with other institutions and the public only the official language” (para. 1). Applications, which were not written in the official language, had to be returned to the applicant (para. 3). The instruction also provided for compliance with the principle of good governance, because “employees, who are proficient in the respective foreign language, shall help railway clients who are not proficient in the official language (note to para 4). The penalty for violating this instruction was 1000 lats. The instruction, as well as the amendments referred to above revealed the priority of the new government – the Latvian language and everything Latvian was of the topmost priority of public good (“everything good”).¹⁵⁹

The Official Language Law, adopted on 5 January 1935, consolidated in a united text the regulation of 1932 and the amendments of 1934. The new law also included some provisions that hitherto were non-existent. Thus, for example, Art. 6 of the law provided that written agreements, deeds on gifts, bills of exchange, promissory notes and other writs of commitments, if these are concluded by citizens of Latvia after 1 February 1935, had the force of commitment and evidence only if these were drawn up in Latvian.

It must be said that, although Ulmanis’ regime was preoccupied with “the policy of Latvianisation”, it would be an exaggeration to say that the law of 5 January 1935 took a radical position towards national minorities¹⁶⁰. A more appropriate conclusion would be that the new law established “broader”¹⁶¹ and “fully” consolidated position of the Latvian language.¹⁶² Substantive innovations (if the introduction of authoritarian principles is disregarded) with respect to the official language in civil service were not introduced. The same Regulation on Testing Civil Servants’ Proficiency in the Official Language of 1921¹⁶³ was used.

Clearly, Ulmanis’ regime of 15 May had a special relationship with law and lawyers, it should be kept in mind that the coup was staged to reform the *Satversme*. Understandably, the government’s laconic declaration served perfectly as the justification for the coup; however, following a declaration on such a high level to do nothing at all would have been dangerous. Theoretical substantiations for the government’s existence,¹⁶⁴ directly commissioned by the government¹⁶⁵, were hard to understand for the people and caused perplexed smiles in the circle of experts, therefore the regime, instead of a new *Satversme*, achieves adoption of a new Civil Law in 1937.

In a parliamentary state, the work to codify the norms of the Baltic Civil Law of 1864 in a law would be very time-consuming, not to mention the need to consolidate political forces and to reach possible political compromises, whereas everything

¹⁵⁹ Grīns, A. Latvijas Vēsture [History of Latvia]. Rīga: issued by p/s “Zemnieka Doms”, 1936, p. 275.

¹⁶⁰ Bleiere, D., Butulis, I., Feldmanis, I., Stranga, A., Zunda, A. History of Latvia. The 20th Century. Jumava, Rīga: 2006, p. 213.

¹⁶¹ Vanags, P. Latviešu literārās valodas attīstība [Development of the literary Latvian language]. *Latvieši un Latvija, Akadēmiski raksti. I sējums. Latvieši* [Latvians and Latvia. Academic Articles. Vol. I. Latvians]. Stradiņš, J. (ed.-in-chief). Rīga: Latvijas Zinātņu akadēmija, 2013, p. 194.

¹⁶² Druviete, I., Kārklīņa, A., Kusiņš, G., Pastars E., Pleps, J. *Satversmes 4. panta komentārs* [Commentary on Article 4 of the *Satversme*]. Latvijas Republikas Satversmes komentāri. Ievads. Inodaļa. Vispārējie noteikumi [Commentaries on the *Satversme* of the Republic of Latvia. Introduction. Chapter I. General Provisions]. Collective of authors under scientific editorship by Prof. R. Balodis. Rīga: Latvijas Vēstnesis, 2014, p. 301.

¹⁶³ Anyone can ascertain this by looking into the edition by the Ministry of Justice in 1938, which is a collection of all most important civil laws of the time (see Valsts civildienesta likumi [Laws on State Civil Service]. Tieslietu ministrijas Kodifikācijas departaments. Rīga: Valsts tipogrāfija, 1938, pp. 7, 83).

¹⁶⁴ Kokareviča, D. Kārlis Dišlers [Kārlis Dišlers]. *Jurista Vārds*, No. 51 (802), 17.12.2013.

¹⁶⁵ Dišlers, K. *Negotorium gestio* publisko tiesību novadā [Negotorium gestio in the area of public law]. Tieslietu Ministrijas Vēstnesis, No. 1, 1935, pp. 40–41.

proceeds without a hitch in an authoritarian order: a narrow circle of persons convened together with leader Ulmanis at Krišjāņa Valdemāra iela 3 and the thick Civil Law was approved. There were no cumbersome parliamentary procedures or debates, and it is not known whether the authoritarian Cabinet engaged in any debates at the time of adopting it. Alfreds Bērziņš, the Minister for Public Affairs, even while being in exile, wrote many years later:

*The previous Civil Law was given to Latvians by non-Latvians, and it was based on a non-Latvian social order – it was, speaking in lawyers' language, a law of estates. We transferred this old law to archive, history... [...] It was a major event in the life of our law and courts. President Ulmanis said [...] that sources are found in the soul of the people [...].*¹⁶⁶

In scholarly articles, the Civil Law of 1937 was designated as Kārlis Ulmanis' Civil Law (e.g., Vasilijš Sinaiskis, etc.)¹⁶⁷, although everyone knew perfectly well that nothing new had been written (except for the sharecropping contract, which could be explained by K. Ulmanis' idea of consolidating Latvia as an agrarian state), because the new norms of the Civil Law were the same norms, "given by non-Latvians" of the Baltic Civil Law of 1864. Of course, Ulmanis might have liked Sinaiskis' designation, as it allowed him to feel like Napoleon. Truth be said, in difference to Napoleon's Civil Code, the Latvian analogue was not a revolution in law,¹⁶⁸ because it had been available in Latvian for quite some time. The work of codifiers, of course, was praiseworthy, however, substantially, nothing innovative was done. The norms of the new code were not even arranged in logical sequence, only some editorial improvements had been introduced. Likewise, no work had been done to ensure consistency in terminology. K. Čakste once noted that terminology is not consistent in the provisions of the Baltic Civil Law of 1864.¹⁶⁹ The professor noted that the cause of differences in terms was the fact that the text of the law of 1864 had been translated into Latvian from Russian, where great variety in the use of terms existed. These shortcomings were not eliminated in the Civil Law of 1937, as it would have required extensive work and time from the authoritarian regime.

Summary

1. The Latvian language is an important element constituting the state law identity and national unity of Latvia, which has been recognised in the constitutional law doctrine as the symbol of the State, like the anthem, flag and coat-of-arms of the State of Latvia. From the moment when the state was established (1918) until the Soviet occupation (1940), the Latvian performed the role of an official language

¹⁶⁶ Bērziņš, A. Labie gadi [The Good Years]. Rīga: AS "Lauku Avīze", 2014, p. 192.

¹⁶⁷ Sinaiskis, V. Saistību tiesības [Contract law]. Civiltiesību apskats [Overview of Civil Law]. LU Studentu padomes grāmatnīca, Rīga: 1940, p.3; Vinzarājs M. Sabiedrības līgums jaunajā Civillikumā. Raksti par Prezidenta K. Ulmaņa Civillikumu [Articles about President K. Ulmanis' Civil Law]. Tieslietu ministrijas Vēstneša 1939. gada 1. burtnīcas pielikums. Tieslietu ministrijas izdevums, 1939, p. 56.

¹⁶⁸ The French Civil Code of 1804 (*Code civil*) is also called Napoleon's Code because its codification had the Emperor's blessing. The codes created by Napoleon's lawyers were only outstanding work in law creation at the time, moreover, they marked a revolution in the European jurisprudence, and the codification work implemented at the time of the Emperor continues its developing to this day (see Balodis, R. Francijas Republikas savdabīgā konstitūcija [The Peculiar Constitution of the Republic of France]. Jurista Vārds, No. 42, 02.11.2004.

¹⁶⁹ Čakste, K. Nejaušība un nepārvarama vara Latvijas Civillikumos [Contingency and *force majeure* in Latvian Civil Laws]. Jurists, No. 71/72, 1937.

in full, which is further proved by the fact that records were kept in Latvian and documents in Latvian circulated in state and local government institutions. During the first period of independence, attempts to include in the *Satversme* a norm on the Latvian language as the official language failed, which later significantly diminished the possibility for adopting a special law on the Latvian language as the official language. Assessment of the linguistic situation during the first period of independence allows concluding that, on the one hand, Latvian was the official language of public administration in Latvia, and yet, on the other hand, since the moment of establishing the State, actual trilingualism existed in the parliament (Latvian, German and Russian), and it was also possible to use the Latgalian dialect in Latgale region. With respect to the use of the Latgalian dialect in Latgale, we can speak of derogation from the literary Latvian language, however, it must be admitted that the Russian and German languages had a more privileged status vis-à-vis the languages of other ethnic minorities.

2. The Latvian *Satversme* was drafted by the Constitutional Assembly (1920–1922), by a special Committee for Drafting the *Satversme*, which organised its work in two sub-committees: Sub-committee No. 1 and Sub-committee No. 2. Each of these worked on its own, special part of the *Satversme*. Sub-committee No. 1 was responsible for the basic rules for organising the state, which was called the First Part of the *Satversme* (Preamble, Article 1 – 88), whereas Sub-committee No. 2 was preparing the Second Part of the *Satversme* or the part on fundamental rights (Articles 87–117). As opposed to many other constitutions in the world, the Latvian *Satversme* was not approved as one united project but as two different draft laws. Initially, each of the parts was approved in three readings by the responsible sub-committee, afterwards it was approved by the Committee for Drafting the *Satversme*, and only then the respective part of the *Satversme* was submitted to the Constitutional Assembly, where it had to be approved in three readings by the Constitutional Assembly. The First Part of the *Satversme* was approved in the third reading by the Constitutional Assembly on 15 February 1922, but the Second Part of the *Satversme* did not gain the majority support in the third reading on 5 April 1922. Due to this, on 30 June 1922 only the First Part of the *Satversme*, adopted in three readings, could be promulgated.

2.1. Since only part of the draft *Satversme* became the *Satversme*, regulation on the Latvian language as the official language did not acquire a constitutional status. It was intended in Article 115, worded as follows:

115. The Latvian language shall be the official language. Those having the rights of minorities shall be guaranteed free use of their language both in speech and in writing. Which minority languages and to what extent are admissible in state local government and judicial institutions shall be defined by a special law.

Since the Latvian language did not gain the status of the official language, the Law on Languages of Ethnic Minorities (1922), which nearly had been approved by the Committee for Drafting the *Satversme*, and had been drafted by taking into account the second sentence of Art. 115, also failed. This was the second unsuccessful draft law on languages of ethnic minorities, which was not approved by the Latvian parliament, the first one failed approval at the People's Council (1919). The Constitutional Assembly finished its work without enshrining the status of the official language for Latvian and without adopting a separate regulation for ethnic minorities on the use of their languages.

- 2.2. When the draft of the *Satversme* was discussed at the general meetings of the Constitutional Assembly, deputies from Latgale, the country's eastern region, tried to enshrine in the *Satversme* the particularity of their regional dialect and add the following sentence to Art. 115: "Latgale shall enjoy the rights of regional self-government, which shall be defined by a separate law". When this attempt failed, the deputies from Latgale did not vote for the Second Part of the *Satversme*, explaining that this was because their proposals had been dismissed in examining the *Satversme*. It must be noted that the government, formed by the Constitutional Assembly, made great effort to issue several regulations in the area of language, *inter alia*, also on the right to use the Latgalian dialect in Latgale and paid great attention to supervision of the affairs of this region. Thus, for example, a government regulation provided that, in appointing civil servants in Latgale, "preference should be given to those candidates, with other traits being similar, who know the Latgalian dialect and known the local conditions", etc. In view of the fact that it would have sufficed with their votes to adopt the Second Part of the *Satversme* in the third reading and it would have become, together with the First Part, a modern constitution for those times, there are grounds to consider that the issue of language became *res controversa*¹⁷⁰ of the *Satversme*, the authors of which failed to reach an agreement on this.
3. Within the hierarchy of the national normative legal acts, the constitution ranks supreme. The norms of the *Satversme*, in their abstract wording, become the beacon and a definite, inviolable legal framework for the *Saeima* and the Cabinet. Establishing the status of the official language for Latvia in the *Satversme* is of great ideological and practical significance. There is no doubt that the law on the official language, as well as the law on the languages of ethnic minorities, to which the second sentence of Art.115 of the draft *Satversme* of 1922 referred to, would have been adopted. The State cannot refuse to exercise a right if has been set out in the *Satversme*. This would no longer be a right recognised only in society or among some politicians, but its protection would a constitutional value of Latvia, as the example of neighbouring state Lithuania clearly shows. In view of the fact that the status of Latvian was not defined in the *Satversme* and the special law (more precisely, Regulation with the force of law, issued by the government and supported by the parliament) was adopted only on 18 February 1932, the State's policy relating to the official language is fragmented and depends on the personal opinion of some politicians and the combination of parties in the ruling coalition of the time. Fundamental improvements were obviously needed in the education system because outside public administration large communities of inhabitants formed, which were internally self-sufficient and who were not interested in learning the official language. Regulation with the force of law of 1932 defined Latvian as the official language. The new regulation stipulated that legal persons could not use the excuse of not knowing the official language and ignore "applications in the official language applicable to their activities. It was allowed to freely use any language in assemblies, in the private sector, Regulation allowed ethnic minorities to maintain internal office work, including ("trade communication", engaging in religious activities, in the press, "book publishing and trade", institutions of education and training institutions) in the minority language, whereas communication with state institutions (accounts,

¹⁷⁰ A matter in controversy (Latin).

etc.) are permitted only in the official language. Regulation allowed using Russian and German in local governments, providing in Art. 1 an algorithm that allowed using Russian and German in local governments upon the condition that they had at least ½ of inhabitants speaking in one of these languages, etc.

4. On 15 May 1934, a *coup d'état* was staged in the state and the Latvian parliament was abolished. On 5 January 1935, the authoritarian regime adopts the Official Language Law. Deeper analysis of the Official Language Law of 5 January 1935 shows that it is an altered Regulation with the force of law of 18 February 1932. Only some new provisions were introduced to the Law, and these were not many. Thus, for example, Art. 6 of the law provided that written agreements, deeds on gifts, bills of exchange, promissory notes and other writs of commitments, if these are concluded by citizens of Latvia after 1 February 1935, have the force of commitment and evidence only if these are drawn up in Latvian. Minister for the Interior was responsible for the functioning of the law and for imposing penalties. At the same time, also after the Regulation with the force of law and, later, the law were adopted, respecting the status of the Latvian language, the procedure set out in the law on the use of German and Russian was retained.

Sources

Bibliography

1. Balodis, J. Atmiņu burtnīcas 1918.–1939. gads [Notebooks of Reminiscence 19181939]. Caune, A. (comp.). Rīga: Latvijas Vēstures institūta apgāds, 2015.
2. Balodis, R. (sc. ed.). Latvijas Republikas Satversmes komentāri. Ievads. I nodaļa. Vispārējie noteikumi [Commentaries on the *Satversme* of the Republic of Latvia. Introduction. Chapter I. General Provisions]. Collective of authors under scientific editorship by Prof. R. Balodis. Rīga: Latvijas Vēstnesis, 2014.
3. Balodis, R. (sc. ed.). Latvijas Republikas Satversmes komentāri. II nodaļa. Saeima [Commentaries on the *Satversme* of the Republic of Latvia. Chapter II. The *Saeima*]. Collective of authors under scientific editorship by Prof. R. Balodis. Rīga: Latvijas Vēstnesis, 2020.
4. Balodis, R. (sc. ed.). Latvijas Republikas Satversmes komentāri. III nodaļa. Valsts prezidents. IV nodaļa. Ministru kabinets [Commentaries on the *Satversme* of the Republic of Latvia. Chapter III. The President. Chapter IV. The Cabinet]. Collective of authors under scientific editorship by Prof. R. Balodis. Rīga: Latvijas Vēstnesis, 2017.
5. Balodis, R. (sc. ed.). Latvijas Republikas Satversmes komentāri. VI nodaļa. Tiesa. VII nodaļa. Valsts kontrole [Commentaries on the *Satversme* of the Republic of Latvia. Chapter VI. Court. Chapter VII. The State Audit Office]. Collective of authors under scientific editorship by Prof. R. Balodis. Rīga: Latvijas Vēstnesis, 2013.
6. Balodis, R. (sc. ed.). Latvijas Republikas Satversmes komentāri. VIII nodaļa. Cilvēka pamattiesības [Commentaries on the *Satversme* of the Republic of Latvia. Chapter VIII. Fundamental Human Rights]. Collective of authors under scientific editorship by Prof. R. Balodis. Rīga: Latvijas Vēstnesis, 2011.
7. Balodis, R. (sc. ed.). Parlamentārā izmeklēšana Latvijas Republikā 2. Saeimas izmeklēšanas komisiju galaziņojumi, viedokļi, liecības [Parliamentary Investigation in the Republic of Latvia. Final Reports, Opinions, Testimonies of the Inquiry Committees of the 2nd *Saeima*]. Rīga: Latvijas Vēstnesis, 2016.
8. Balodis, R. Ārkārtējās situācijas normatīvais regulējums: vēsture un nākotnes izaicinājumi [Normative Regulation on Emergency Situation: History and Future Challenges]. *Jurista Vārds*, No. 6, 09.02.2021.
9. Balodis, R. Francijas Republikas savdabīgā konstitūcija [The Peculiar Constitution of the Republic of France]. *Jurista Vārds*, No. 42, 02.11.2004.
10. Bērziņš, A. Labie gadi [The Good Years]. Rīga: AS “Lauku Avīze”, 2014.
11. Bleiere, D., Butulis, I., Feldmanis, I., Stranga, A., Zunda, A. History of Latvia the 20th Century. Rīga: Jumava, 2006.
12. Bleiere, D., Butulis, I., Feldmanis, I., Stranga, A., Zunda, A. Latvija Otrajā pasaules karā (1939–1945) [Latvia in the Second World War (1939–1945)]. Rīga: Jumava, 2008.

13. Blūzma, V., Celle, O., Jundzis, T., Lēbers, D. A., Levits, E., Zile, Ļ. Latvijas valsts atjaunošana 1986. – 1993 [Restoration of the State of Latvia 1986–1993]. Rīga: LU žurnāla “Latvijas Vēsture” fonds, 1998.
14. Buzajevs, V. Mazākumtautību tiesiskais un faktiskais stāvoklis Latvijā [The Legal and Actual State of Ethnic Minorities in Latvia]. Pēc viņu aizstāvju datiem. Demogrāfija, valoda, izglītība, vēsturiskā atmiņa, pilsonība, sociālā nevienlīdzība [According to the Data of their Advocates. Demography, Language, Education, Historical Memory, Citizenship, Social Inequality]. Collected articles. Rīga: Latvijas Cilvēktiesību komiteja, 2015.
15. Cielēns, F. Laikmetu maiņā. Atmiņas un atziņas. II Sējums. Latvijas neatkarīgās demokrātiskās republikas lielais laiks [In the Change of Eras. Recollections and Insights. Volume II. The Grand Time of the Independent Democratic Republic of Latvia]. Stokholma: Apgāds Memento, 1963.
16. Čakste, K. Nejausība un nepārvarama vara Latvijas Civillikumos [Contingency and *force majeure* in Latvian Civil Laws]. Jurists, No. 71/72, 1937.
17. Dišlers, K. *Negotorium gestio* publisko tiesību novadā [*Negotorium gestio* in the area of public law]. Tieslietu Ministrijas Vēstnesis, No. 1, 1935, pp. 40–41.
18. Grīns, A. Latvijas Vēsture [History of Latvia]. Rīga: issued by p/s “Zemnieka Domas”, 1936.
19. Hidens, Dž. Pauls Šīmanis – minoritāšu aizstāvis [Paul Schiemann – defender of minorities]. Rīga: Avots, 2016.
20. Jundzis, T. (ed.). The Baltic States at Historical Crossroads. Political, economical, and legal problems and opportunities in the context of international co-operation at the beginning of the 21st century. 2nd revised and expanded edition. Rīga: Latvian Academy of Sciences, 2001.
21. Klīve, Ā. Brīvā Latvija: Latvijas tapšana: atmiņas, vērojumi un atzinumi [Free Latvia: Creation of Latvia: Recollections, Observations and Insights]. Bruklina: Grāmatu Draugs, 1969.
22. Kokareviča, D. Kārlis Dišlers. Jurista Vārds, No. 51 (802), 17.12.2013.
23. Kusiņš, G. Latvijas parlamentārisma apskats [Overview of the Latvian Parliamentarism]. Rīga: Saeimas kancelejas izdevums, 2016.
24. Kūle, M. Jābūtības vārdi. Etīdes par zināšanām un vērtībām mūsdienu Latvijā [Words of Moral Obligation. Sketches on Knowledge and Values in Contemporary Latvia]. Rīga: Apgāds Zinātne, 2016.
25. Latvijas Civiltiesību apskats [Overview of the Latvian Civil Law]. LU Studentu padomes grāmatnīca, Rīga, 1940.
26. Levits, E. Valstsgriba. Idejas un domas Latvijai 1985–2018 [A Will for Statehood. Ideas and Thoughts for Latvia 1985–2018]. Rīga: Latvijas Vēstnesis, 2019.
27. Levits, E. Piezīmes par Satversmes 8. nodaļu – Cilvēka pamattiesības. Satversme un cilvēktiesības [Notes on Chapter 8 of the *Satversme* – Fundamental Human Rights. The *Satversme* and Human Rights]. Gadagrāmata 1999, Cilvēktiesību Žurnāls No. 9–12, Rīga: Latvijas Universitāte, 1999.
28. Lēbers, A. Lekcijas par Ievadu tiesību zinātnē. II daļa [Lectures on Introduction to Law. Part II]. Rīga: LU stud. pad. grāmatnīca, 1922.
29. Līgotnis (ed.). Degsme. Dr. Kārļa Ulmaņa atziņas, norādījumi, aicinājumi un vēlējumi [Fervour. Insights, instructions, appeals and wishes of Dr. Kārlis Ulmanis]. 2nd issue. Rīgā: A. Gulbja izdevniecība, 1938.
30. Latvijas Satversmes sapulces stenogrammu izvilks 1920–1922 [Extracts from the Transcripts of the Latvian Constitutional Assembly 1920–1922]. Latvijas Republikas Satversmes projekta apspriešana un apstiprināšana [Extract of transcripts of the meeting of the Latvian Constitution 1920–1922. Discussion and approval of the draft Constitution of the Republic of Latvia], digital publication. Rīga: Tiesu namu aģentūra, 2006.
31. Lazdiņš, J. Rechtspolitische Besonderheiten bei der Entstehung des lettischen Staates und seiner Verfassung. Juridiskā zinātne / Law, No. 7, 2014.
32. Osipova, S. Valsts valoda kā konstitucionāla vērtība [Official Language as a Constitutional Value]. Jurista Vārds, No. 42 (689), 08.10.2011.
33. Osipova, S. Latviešu juridiskās valodas attīstība pēc Pirmā pasaules kara [Development of Legal Latvian after the First World War]. Juridiskā zinātne, No. 1, 2010.
34. Pleps, J. Pamattiesību katalogs starpkaru periodā [Catalogue of Fundamental Rights in the Inter-War Period]. Jurista Vārds, No. 48, 23.12.2008.
35. Pleps, J. Latgaliešu valoda un Satversm. [The Latgalian Language and the *Satversme*]. Jurista Vārds, No. 43 (690), 25.10.2011.
36. Raksti par Prezidenta K. Ulmaņa Civillikumu. [Articles on President K. Ulmanis' Civil Law.] Tieslietu ministrijas Vēstneša 1939. gada 1. burtnīcas pielikums. Tieslietu ministrijas izdevums. 1939.

37. *Ruks, M.* Latviskās enerģijas nesējs. Kārlim Ulmanim – 135 [The Bearer of Latvian Energy. Kārlis Ulmanis Turns 135]. Latvijas Avīze, 04.09.2012.
38. Skujenieks M. Otrā tautas skaitīšana Latvijā. [The Second Population Census in Latvia.] Rīga, 1925, 52
39. *Spekke, A.* History of Latvia. Rīga: Jumava, 2006.
40. *Sosāre, M.* Valodu likumdošanas jautājumi Latvijas Republikas pastāvēšanas sākuma posmā [Legislative Issues Relating to Languages in the Initial Stage of the Republic of Latvia]. Latvijas Zinātņu Akadēmijas Vēstis A daļa, Nr. 4. (01.04.1992.).
41. *Stradiņš, J.* (ed.-in-chief). Latvieši un Latvija. Akadēmiski raksti. I sējums. Latvieši [Latvians and Latvia., Academic Articles. Vol. I. Latvians]. Rīga: Latvijas Zinātņu akadēmija, 2013.
42. *Stradiņš, J.* (ed.-in-chief). Latvieši un Latvija., Akadēmiski raksti. II sējums “Valstiskums Latvijā un Latvijas valsts – izcīnītā un zaudētā” [Statehood in Latvia and the State of Latvia – the Destroyed and the Lost]. Rīga: Latvijas Zinātņu akadēmija, 2013.
43. *Stradiņš, J.* (ed.-in-chief). Latvieši un Latvija. Akadēmiski raksti. III sējums. Atjaunotā Latvijas valsts [Latvians and Latvia., Academic Articles. Vol. III. The Restored State of Latvia]. Rīga: Latvijas Zinātņu akadēmija, 2013.
44. *Stradiņš, J.* (ed.-in-chief). Latvieši un Latvija. Akadēmiski raksti. IV sējums. Latvijas kultūra, izglītība, zinātne [Latvians and Latvia., Academic Articles. Vol. IV. Culture, Education and Science of Latvia]. Rīga: Latvijas Zinātņu akadēmija, 2013.
45. *Šilde, Ā.* Latvijas vēsture, 1914–1940 [History of Latvia, 1914–1940]. Valsts tapšana un suverēna valsts [State formation and sovereign state]. Stokholma: Daugava, 1976.
46. Valsts civildienesta likumi [Laws on the State Civil Service]. Tieslietu ministrijas Kodifikācijas departaments, Valsts tipogrāfija. Rīga, 1938.
47. *Veisbergs, A.* (ed.). Valsts Valodas Komisija. Raksti, 10. sējums. Valoda un valsts [Collected Articles of the Commission of the Official Language in 10 Volumes. Language and State]. Rīga: Zinātne, 2019.
48. *Vīķe-Freiberga, V.* V.V.-F. 4 plus 4. Runas 1999 – 2007 [V.V.-F. 4 plus 4. Speeches 1999–2007]. Rīga: Pētergailis, 2007.
49. 1918.-1920. gads Latvijas Republikas Pagaidu valdības sēžu protokolos, notikumos, atmiņās [The years of 1918–1920 in the Minutes of the Sitzings of the Provisional Government of the Republic of Latvia, Events, Recollections]. Rīga: Latvijas Vēstnesis, 2013.

Normative acts

1. Tautas padomes politiskā platforma [Political Platform of the People's Council]. Adopted at the meeting of the Latvian People's Council on 17.11.1918. *Valdības Vēstnesis*, No. 1, 14.12.1918.
2. Latvijas pilsoņiem! Tautas Padomes Latvijas Republikas proklamēšanas akts [For the citizens of Latvia! Proclamation Act of the People's Council of Latvia]. 18.11.1918. Latvijas Pagaidu Valdības Likumu un Rikojumu Krājums, No. 1, 05.07.1919.
3. Par Latvijas tiesām un tiesāšanās kārtību: Tautas padomes pagaidu nolikums [On the Courts and Procedure of Litigation in Latvia: Provisional Regulation by the People's Council]. Pagaidu Valdības Vēstnesis, 14.(01).12.1918. Latvijas Pagaidu Valdības Likumu un Rikojumu Krājums, No. 1, 15.07.1919.
4. Latvijas Tautas Padomes kārtības rullis [The Rules of Procedure of the Latvian People's Council]. Law, 23.08.1919. Likumu un Valdības Rikojumu Krājums, No. 11, 1919.
5. Lietuvas Satversme [Constitution of Lithuania]. Tautas Tiesības, No.11/12, 16.06.1927.
6. Likums “Par Latvijas izglītības iestādēm” [Law “On Latvia's Institutions of Education”]. 08.12.1919. Likumu un valdības rikojuumu krājums, No. 13, 31.12.1919.
7. Likums “Par mazākuma tautību skolu iekārtu Latvijā” [Law “On the System of Ethnic Minority Schools in Latvia”]. 08.12.1919. Likumu un valdības rikojuumu krājums No. 13, 31.12.1919.
8. Satversmes Sapulces kārtības rullis [The Rules of Procedure of the Constitutional Assembly]. Law. Valdības Vēstnesis, No. 251, 02.11.1920.
9. Deklarācija par Latvijas valsti [Declaration on the State of Latvia]. Latvijas valsts pagaidu iekārtas noteikumi [Provisions of the temporary order of the Latvian state]. Adopted at the plenary session of the Latvian Constitutional Assembly on 01.06.1920. Likumu un Valdības Rikojumu Krājums, No. 4, 31.08.1920.
10. Noteikumi par ierēdņu pārbaudīšanu valsts valodas prašanā [Regulation on Testing Civil Servants' Proficiency in the Official Language]. (22.11.1921). Valdības Vēstnesis, No. 269, 28.11.1921.

11. Ministru kabineta noteikumi par ierēdņu pārbaudīšanu valsts valodas prašanā [The Cabinet Regulation on Testing Civil Servants' Proficiency in the Official Language]. 22.11.1921. Valdības Vēstnesis, No. 269, 28.11.1921.
12. Ministru kabineta noteikumi par Latgales lietu pārzināšanu [The Cabinet Regulation on the Overseeing of Latgale's Affairs]. 30.06.1921). Valdības Vēstnesis, No. 177, 10.08.1921.
13. Ministru kabineta noteikumi par ierēdņu iecelšanu Latgalē [The Cabinet Regulation on Appointing Civil Servants in Latgale]. 26.07.1921. Valdības Vēstnesis, No. 174, 08.08.1921.
14. Ministru kabineta noteikumi par latgaliešu izloksnes lietošanu [The Cabinet Regulation on the Use of the Latgalian Dialect]. 11.08.1921. Valdības Vēstnesis, No. 183, 17.08.1921.
15. Latvijas Republikas Satversme [*Satversme* (Constitution)] of the Republic of Latvia]. 15.02.1922. Valdības Vēstnesis, No. 141, 1922.
16. Latvijas Universitātes Satversme [The Constitution of the University of Latvia]. 27.04.1923. Valdības Vēstnesis, No. 66, 28.03.1923.
17. Papildinājums noteikumos par ierēdņu pārbaudīšanu valsts valodas prašanā [Addition to the Regulation on Testing Civil Servants' Proficiency in the Official Language]. 06.02.1923. Likumu un Ministru kabineta noteikumu krājums, 19.03.1923.
18. Noteikumi par Latgales apgabaltiesas vecākā notara darbības atjaunošanu attiecībā uz aktu apstiprināšanu. (izdoti Latvijas Republikas Satversmes 81. panta kārtībā) [Regulation on Reinstating the Activities by the Senior Notary of the Latgale Regional Court with Respect to Certification of Acts issued pursuant to Art. 81 of the *Satversme* of the Republic of Latvia]. 04.10.1923. Valdības Vēstnesis, No. 222, 08.10.1923.
19. Papildinājums noteikumos par ierēdņu pārbaudīšanu valsts valodas prašanā [Addendum to Regulation on Testing Civil Servants' Proficiency in the Official Language]. 06.02.1923. Likumu un Ministru kabineta noteikumu krājums, 19.03.1923.
20. Saeimas kārtības rullis: likums [The Rules of Procedure of the *Saeima*: Law]. 26.03.1923. Valdības Vēstnesis, No. 65, 27.03.1923.
21. Likums par virsnieku un kara ierēdņu pārbaudīšanu valsts valodas prašanā [On Testing the Proficiency in the Official Language of Officers and Military Officials]. 17.11.1924. Valdības Vēstnesis, No. 262, 22.11.1924.
22. Saeimas kārtības rullis: likums [The Rules of Procedure of the *Saeima*: Law]. 20.03.1929. Valdības Vēstnesis, No. 79, 10.03.1929.
23. Noteikumi ar likuma spēku par valsts valodu (izdoti Latvijas Republikas Satversmes 81. p. kārtībā) [Regulation with the Force of Law on the Official Language issued pursuant to Art. 81 of the *Satversme*]. 18.02.1932. Valdības Vēstnesis, No. 39, 08.02.1932.
24. Pārgrozījums likumā "Par Latvijas izglītības iestādēm" [Amendments to the Law "On Latvia's Institutions of Education"]. 20.04.1932. Issued pursuant to Art. 81 of the *Satversme*. Valdības Vēstnesis, No. 89, 22.03.1932.
25. "Pārgrozījumi un papildinājumi noteikumos par valsts valodu" ["Amendments and Additions to the Regulation on the Official Language"]. Valdības Vēstnesis, No. 132, 16.06.1934.
26. Instrukcija Nr. 94 par valsts valodas lietošanu dzelzceļu virsvaldē un tai padotās administratīvās vienībās [Instruction No. 94 on the Use of the Official Language in the Executive Board of Railways and Administrative Units Subordinated to it]. 27.06.1934. Valdības Vēstnesis, No. 166., 28.07.1934.
27. Likums par valsts valodu [The Official Language Law]. Law of Republic of Latvia. 05.01.1935. Valdības Vēstnesis, No. 7, 1935.
28. Par Latvijas Republikas neatkarības atjaunošanu [On the Restoration of Independence of the Republic of Latvia]. Declaration of the Supreme Council, 04.05.1990. Latvijas Republikas Augstākās Padomes un Valdības Ziņotājs, No. 20, 17.05.1990.

Case law

1. Decision by the Department of Administrative Cases of the Supreme Court Senate on 18 August 2009 in case No. SKA596/2009.
2. Judgement by the Constitutional Court of the Republic of Latvia on 13 March 2001 in case No. 2000-08-0109.
3. Judgement by the Constitutional Court of the Republic of Latvia on 16 December 2005 in case No. 2005-12-0103.
4. Judgement by the Constitutional Court of the Republic of Latvia on 31 March 2010 in case No. 2009-76-01.

5. Judgement by the Constitutional Court of the Republic of Latvia on 3 February 2012 in case No. 2011-11-01.
6. Judgement by the Constitutional Court of the Republic of Latvia on 2 May 2012 in case No. 2011-17-03.
7. Dissenting Opinion of Justice of the Constitutional Court of the Republic of Latvia AldisLaviņš in case No. 2019-33-01 “On Compliance of Section 155 (1) of the Labour Law with the First Sentence of Article 110 of the *Satversme* of the Republic of Latvia”.

Other sources

Transcripts

1. Transcript of the 8th sitting of IV session of the People’s Council on 27 August 1919.
2. Transcript of the 2nd sitting of IV Session of the Latvian Constitutional Assembly on 21 September 1921.
3. Transcript of the 5th sitting of IV Session of the Latvian Constitutional Assembly on 28 September 1921.
4. Transcript of the 7th sitting of IV Session of the Latvian Constitutional Assembly on 4 October 1921.
5. Transcript of the 8th sitting of IV Session of the Latvian Constitutional Assembly on 5 October 1921.
6. Transcript of the 10th sitting of V Session of the Latvian Constitutional Assembly on 7 February 1922.
7. Transcript of the 33rd sitting of V Session of the Latvian Constitutional Assembly on 4 April 1922.
8. Transcript of the 34th sitting of V Session of the Latvian Constitutional Assembly on 5 April 1922.
9. Transcript of the 7th sitting of I Session of I *Saeima* of the Republic of Latvia on 13 December 1922.
10. Transcript of the 6th sitting of II Session of III *Saeima* of the Republic of Latvia on 8 February 1929.
11. Transcript of the 1st sitting of VIII Session of III *Saeima* of the Republic of Latvia on 20 January 1931.
12. Transcript of the 2nd sitting of II Session of IV *Saeima* of the Republic of Latvia on 23 February 1932.
13. Transcript of the 3rd sitting of II Session of IV *Saeima* of the Republic of Latvia on 1 March 1932.
14. Transcript of the 3rd sitting of IX Session of IV *Saeima* of the Republic of Latvia on 3 May 1934.
15. Transcript of the 5th sitting of IX Session of IV *Saeima* of the Republic of Latvia on 4 May 1934.

Minutes

1. Minutes No. 58 of the sitting of the *Satversme* Committee on 3 November 1921.
2. Minutes No. 61 of the sitting of the *Satversme* Committee on 19 January 1922.
3. Minutes No. 70 of the sitting of the *Satversme* Committee on 8 July 1922.
4. Minutes No. 77 of the sitting of the *Satversme* Committee on 14 July 1922.
5. Minutes No. 60 of the sitting of the 2nd Sub-Committee of the *Satversme* Committee on 29 April 1921.

© University of Latvia, 2022

This is an open access article licensed under the Creative Commons Attribution 4.0 International License (CC BY-NC 4.0) (<https://creativecommons.org/licenses/by-nc/4.0/>).