6. The state of Sleswick-Holsten from 1945 until 2013

On 8th May 1945 the Nazi-German government surrendered to the allied forces, ironically from the Flensborg navy school to where the remnants of the Nazi-government fled after Berlin was overrun by Soviet forces. However, General von Dönitz, who was decreed by Hitler as his successor after he committed suicide on 30th April 1945, was allowed to remain as an administrative head of state until 23rd May 1945 when he and his cabinet was arrested by the British occupying forces. The Allied command assumed de jure supreme authority with respect to Germany on 5th June 1945 and Sleswick-Holsten became part of the British occupational zone.

The first step the British authorities undertook in summer 1945 was to allow the establishment of political parties and they also appointed the Christian-Democrat and dissident of the Nazi-regime Theodor Steltzer as the new “Oberpräsident” for Sleswick-Holsten in November 1945. Next, they appointed an assembly for Sleswick-Holsten in February 1946, then dissolved the state of Prussia by decree in August 1946 and promoted the former Prussian provinces such as Sleswick-Holsten to the status of “state” (Land) (Gesellschaft für Schleswig-Holsteinische Geschichte (GSHG): „Geburt“ des Landes Schleswig-Holstein, http://www.geschichte-s-h.de/zeitreiseindex.htm ). The title for Theodor Steltzer was changed to “Prime Minister” (Ministerpräsident) and the assembly became a state parliament (Landtag). This state parliament also created and confirmed the preliminary state statute (Vorläufige Landessatzung). Kiel was selected as the seat of government in favour to the much smaller historical capital, the city of Sleswick. In October 1946 the composition of state parliament was changed in accordance to the results of the first post-war local elections and eventually the first general state elections were held in April 1947 which resulted in a majority for the Social Democrats. The Social Democrat Herrmann Lüdemann became the first democratically elected Prime Minister of Sleswick-Holsten.

Finally, 116 years after Lornsen’s “Über das Verfassungwerk in Schleswigholstein” Sleswick-Holsten gained the autonomy Lornsen was suggesting, nevertheless under completely different circumstances. First of all, it gained the status of “state” independent from Denmark or the German Empire by decree of the British occupational authorities and joined the Federal Republic of Germany in 1949 as a Federal State. It was not established through a popular uprising or call but simply as a de-facto British decree resulting of the collapse of one of the worst dictatorial regimes in history. German authorities no longer existed and Denmark by then had long abandoned the idea of regaining the duchies of Sleswick and Holsten as a whole. Something new had to be created out of the ruins of the Nazi dictatorship and the nationalist excesses of the previous decades. The progress towards it was slow, often the British authorities had to take the initiative to democratisation, liberalism and state autonomy, the shadow of decades of authoritarian rule had left its mark. This shows how far the attitude and understanding of the Sleswick-Holsten population had departed from Lornsen’s proposals and it was only through external pressure that they were eventually more or less revived and established.
First attempts to establish a new consciousness of Sleswick-Holsten as a “state” had to be formulated when the anniversary of the 1848 uprising approached in 1948. The Sleswick born historian Hermann Hagenah published two articles about the legacy of the 1848 uprising and the 1864 Prussia-Austrian-Danish war. While he identified 1848 as an “expression of German mindedness in tradition of the Ribe-declaration from 1460” he saw the Prussian intervention from 1864 as justified but also as the beginning of the Prussian annexation process which eventually lead to disaster. While previously Prussia was seen as ‘liberator” from the “Danish suppression” it now was identified as a stronghold of reactionism and the root of National socialism. Now the old view that the Prussian annexation in 1867 was unlawful was revived and he claimed that this kept the Sleswick-Holsteners suspicious about the Prussian ambitions.

Keeping in mind that shortly after the World War II the Danish movement gathered an enormous momentum (see also chapter 5.1.5) this can also to be viewed as an attempt to re-establish a pro-German position in Sleswick to lay blame on Prussia rather than Germany (Knud Andersen: Schleswig-Holsteins Identitäten - Die Geschichtspolitik des Schleswig-Holsteinischen Heimatbundes (1947-2005), Wachholtz Verlag GmbH, 2010, ISBN 3529022152, page 77). But it ignores the fact that the national excesses and chauvinism only gathered momentum after the German Empire was established in 1871. The laws curbing the rights of minorities were introduced in 1888 which prohibited the use of Danish in Sleswick effectively (T.P, Petersen, Preussens Sprachpolitik in Nordschleswig, 1995, see also chapter 5.1.2) and oversees colonies were acquired to demonstrate the powerfulness of the new German Empire. Finally, Hagenah’s essays also ignored the fact that Sleswick-Holsten was a stronghold of the Nazi-party from early on, the NSdAP performed disproportionally in Sleswick-Holsten, already for the German general election in summer 1930 they achieved 27% of the vote and in 1932 they achieved 51% (http://www.gonschior.de/weimar/Preussen/Schleswig-Holstein/Uebersicht_RTW.html), thus an absolute majority, while it was 18% in 1930 and 37% in 1932 in Germany as a whole. In contrast to this, in the catholic dominated Prussian Rhineprovince the NSdAP only achieved 16% (1930) and 26% (1932) of the vote for the same elections (http://www.gonschior.de/weimar/Preussen/Rheinprovinz/Uebersicht_RTW.html).

Another element of new identity for the state of Sleswick-Holsten was introduced by the new Social Democratic government after 1947 who wanted to place Sleswick-Holsten as a bridge between Germany and Scandinavia and thus, saw the Danish movement as an integral part of the new Sleswick-Holsten (Knud Andersen: Schleswig-Holsteins Identitäten - Die Geschichtspolitik des Schleswig-Holsteinischen Heimatbundes (1947-2005), Wachholtz Verlag GmbH, 2010, ISBN 3529022152, page84). This was confirmed by the declaration which guaranteed the rights of the minorities in Sleswick-Holsten from 1949. But many saw in the state of Sleswick-Holsten only a temporary construction until a new German state and constitution will re-organize Northern Germany which was also reflected by calling the state constitution a preliminary state statute (Vorläufige Landessatzung). It was expected that Sleswick-Holsten’s sovereignty will either be curbed by a new German national state or by merging Sleswick-Holsten into a larger Northern German state. This view was also shared by Prime Minister Lüdemann but he was opposed by a majority in his own cabinet and subsequently resigned, Bruno Diekmann became his successor. Under his leadership Sleswick-Holsten ratified the preliminary state statute as a permanent one in January 1950 which gave the state finally a constitutional basis. In the meanwhile, on the 20-May 1949 the state parliament ratified the Basic Law of the new Federal

The Social Democrats lost the next state elections in 1950 and a new conservative-rightwing coalition government was formed consisting of the Christian Democrats (CDU), the Liberal Democrats (FDP), the German Conservative Party (DP) and the new refugee based party BHE. This new government consisted of only 1 minister without any previous association to the Nazi-party or its organizations and many critical voices, including the minister of interior Peter Pagel, called this cabinet a “re-nazification” (Geschichte fuer Schleswig-Holsteinische Geschichte, “Renazifizierung”, http://www.geschichte-s-h.de/zeitreiseindex.htm). Some of the members of this government had apparent links to Nazi crimes during WW II which were never properly investigated, instead they introduced a very controversial law in 1950 which effectively discharged all of those who were convicted of Nazi crimes backdated and enabled those persons to be placed in high government and administrative functions again. Even the previous “Gauleiter”, highranking Nazi and Oberpraesident of Sleswick-Holsten from 1933 until 1945 Hinrich Lohse, who participated in organizing the holocaust in occupied Latvia, Lithuania and Belarus, was discharged as having “distanced himself subjectively and objectively from the measures of an exaggerated tyranny” (Uwe Danker: Die drei Leben des Hinrich Lohse, 1998, page 111, http://www.beirat-fuer-geschichte.de/fileadmin/pdf/band_11/Demokratische_Geschichte_Band_11_Essay08.pdf ).

Gerhard Stoltenberg, prime minister of Sleswick-Holsten in office from 1971 until 1982, described those post-war members of this government as terrible “brown” figures shortly before his death in 2001, thereby brown referring to the party-colour of the NSdAP. The result was that no proper attempts were made to discuss or analyze the Nazi past of Sleswick-Holsten until the mid 1980s. (Robert Bohn: „Schleswig-Holstein stellt fest, dass es in Deutschland nie einen Nationalsozialismus gegeben hat.“, page 173, Beirat für Geschichte , 2006, http://www.beirat-fuer-geschichte.de/fileadmin/pdf/band_17/Demokratische_Geschichte_Band_17_Essay_6.pdf ).

The CDU remained in power for the next 38 years, partly governing with an absolute majority. During this era the Copenhagen-Bonn (Bonn as the new capital of the West German Federal Republic) declarations from 1955 were passed although the CDU lead state government remained sceptical towards this negotiations. One of the demands was that, in equivalence to the representation of the German minority in the Danish parliament, the Danish representation (SSW) should be exempt from the 5% minimum threshold and thus receive seats in the Sleswick-Holsten state parliament if enough votes are gained for at least one seat, which the CDU initially opposed. The declaration also included a passage that the association towards the minorities is free (any citizen can join the minorities) and also regulated state support for the minority schools (Martin Klatt: Genforening eller mindretal 1945-1955, Sydslesvigs Danske Historie, Flensborg, 2009, ISBN 978-87-89178-2, page 233).

During this period Sleswick-Holsten saw investment into infrastructure such as new motorways or the Fehmarn Sund bridge and it also benefited from the general West German economic upswing during the 1950s and 60s. The state slowly settled and became established while suggestions to merge with other Northern German states such as Hamburg and/or Lower Saxony and Bremen remained.
In 1987 the CDU prime minister Uwe Barschel had to resign due to accusations of having ordered or at least known about espionage activities of his media advisor Reiner Pfeiffer. This activities on Barschel’s political opponents aimed at helping to start a smear campaign in the heated contested state election campaign from autumn 1987. The CDU lost its absolute majority and a stalemate was the result. When Pfeiffer admitted to his deeds, the SSW member of parliament (representing the Danish minority) Karl Otto Meyer decided to break with SSW tradition and instead of sustaining he voted against Uwe Barschel which lead to the fall of his government and a new election in 1988. While being faced with increased pressure to admit to his participation in the affair, Barschel was found dead in a hotel in Geneva on the 11th October 1987 and the exact circumstances of his dead are still not clear, although it has been generally accepted that he committed suicide. This lead to renewed state elections in 1988 where the Social democrats under Björn Engholm won a majority and formed a new government.

In autumn 1989 the East German socialistic government under Erich Honecker collapsed which lead to German re-unification in the form of the re-established East German states joining the Federal Republic a year later. This event arose fears for renewed German nationalism but soon it became clear that the Federal Republic and the government of Sleswick-Holsten will not change its policies towards the minorities, moreover, as a consequence of the Barschel-affaire constitutional changes were suggested which lead to Sleswick-Holsten officially adopting a constitution in 1990. This proper constitution (Schleswig-Holsteinische Landesverfassung) also included a separate article dedicated towards the national minorities. In contrast to many expectations, the association of East Germany into the Federal Republic of Germany did not lead to the creation of a new constitution, instead the Basic Law was retained and thus the sovereignty of the individual federal states remained unaltered, including Sleswick-Holsten’s sovereignty.

As of today, the state of Sleswick-Holsten is one of the 16 federal states of the Federal Republic of Germany, which itself is a founding member of the European Union. The constitution of Sleswick-Holsten has the character of a full state constitution by defining the nature of the constitutional settlement, the rules that govern the political system and the rights of citizens and governments in a codified form. The relationship between the federal states and central government is regulated by Basic Law article 30, and, in general, declares that the federal states are partly sovereign constituent states of the Federal Republic of Germany and, among others, that “regulations not dealt with in the Basic Law of the Federal Republic are federal state authorities”. As such culture has remained state authority which also includes education and the recognition of official languages. But through ratification of the Basic Law in 1949 this sovereignty is limited as is stated in Basic Law Article 31 [Supremacy of federal law] that “Federal law shall take precedence over (federal) state law.”

But despite the sovereignty of the state of Sleswick-Holsten it appears difficult to claim that the Sleswick-Holsten autonomy movement eventually succeeded because the initial ideas of Lornsen became almost forgotten in the years of the German Empire rule and were not revived after 1945 by popular demand but much rather by external forces, in particular the British authorities who were possibly not even aware of Lornsen’s 1830 proposals. It is therefore almost a historical accident that much of Lornsen’s ideas have become a reality when the Sleswick-Holsten
parliament confirmed the new constitution in 1990, although this was realized inside a German federation rather than under the Danish Crown as initially suggested by Lornsen.

6.1. The Danish movement from 1945 until 2013

The Danish minority in Southern Sleswick greeted the end of WWII and the Nazi dictatorship in May 1945 with great relieve. Not only was suppression and hardship ended, it also brought an end to the increasing amount of casualties among those Sleswickers fighting in the German forces or caused by air raids. The dreadful results and consequences of 12 years Nazi rule caused many Sleswickers to re-consider their point of view on what the future for Southern Sleswick should look like and it resulted in a Danish revival. This caused a sudden and unprecedented increase in membership requests for the Danish South Sleswick association (SSF). But as soon as this became apparent there were doubts about how genuine this sentiments were. The prospect of a quicker economic recovery in Denmark and subsequent support from there may have helped “becoming Danish” a popular option. Another reason for the sudden increase was obviously provoked by the arrival of great numbers of refugees from the (former) Eastern German regions such as East Prussia and Pomerania by the end of the war and a feeling that South Sleswick (but also Holsten) was flooded un-proportionally by refugees and the local identity was under threat.

With the growing numbers applying for membership in SSF there was pressure from the British authorities to clearly define who is a Danish South Sleswicker and what are they representing. This demand and the fear of being overwhelmed by refugees lead to changes of the regulations for membership in SSF: In October 1945 new regulations declared that “new members had to be born north of the Eider or at least be able to prove that they are of Danish or Nordic origin, spouses who do not full-fil these criteria may become members if they show Danish sentiment”. In February 1948 a new paragraph declared: “Persons who are going to marry a refugee after March 1948 generally cannot become members of Sydslesvig Forening. A member who is going to marry a refugee generally cannot remain a member in SSF. Refugees are according to the paragraph all persons who came to Southern Sleswick after 1st Sept. 1939 and who are not of Sleswick or Nordic origin” (Martin Klatt: Genforening eller mindretal 1945-1955, Sydslesvigs Danske Historie, Flensborg, 2009, ISBN 978-87-89178-2, page 198). This paragraph appears in retrospect racist and xenophobic and was also reminiscent to legislation introduced by the Nazi dictatorship towards non-Arians in 1935 and appears somewhat ironic since quite a few among the Danish minority suffered themselves under the Nazi dictatorship. It maybe comprehensible that particularity those who were oppressed by the Nazi-Dictatorship felt they were punished twice by also being forced to accommodate the enormous amount of refugees after the war as a result of Nazi-rule, but particularity for those refugees coming from East Prussia and Pomerania who belonged to minorities themselves (Lithuanian in Northern East Prussia, Polish in the south East Masur-Region and Kashubians in Pomerania) and who struggled to keep their identity and languages just like the Danes and collaborated with the Danish minority in the German Empire, this attitude was certainly offending. This controversial paragraph § 1a was eventually quietly

However, there certainly was an equally genuine sentiment of regret for excessive German nationalism by many South Sleswickers and for repentance. In particular among social democratic and liberal minded Sleswickers (and also Holsteners) who retained their views despite the excessive Nazi propaganda and oppression the times of Danish rule were never completely forgotten and many came to the conclusion that Sleswick and Holsten had fared better in a Danish state then in an overambitious and extremist German Empire causing two World Wars and many casualties also in their own families. “Wärt wi man bi Dänmark bleven” (We should have stayed with Denmark) was a popular expression by those who suffered and the British Army was greeted as their “liberators and protectors” (Jakob Lohse, Nienborstel-Barlohe, Holsten, Diary entry from 27th May 1945).

As soon as the British authorities took control they immediately started to search for persons who were not involved with the Nazi party and and its organizations in order to set up a new civilian administration. They quickly allowed liberal-democratic minded organizations and political parties again, among them was Sydslesvigsk Foreningen and it quickly became a prominent force in politics in Southern Sleswick. Membership in Sydslevigsk Foreningen exploded from 2800 in the beginning of 1945 to 75000 in 1948, the number of students at the Danish schools increased from 450 to 13000. Soon demands were heard for a new referendum about Southern Sleswick joining Denmark like Northern Sleswick did in 1920. This brought a dilemma to the British authorities and the new Danish government because they were rather reluctant to re-draw the national borders again. The British authorities offered the Danish government to organize a referendum about the future of Sydslesvig in September 1946 which the Danish government rejected, the same arguments as already during the 1920 referendum concerning Sydslesvig prevailed and they were fearing Danish sentiment was not a lasting phenomenon and would eventually result in a large ethnic German minority residing inside Denmark.

Through pressure of the British authorities a separate political organization representing the Danish movement was establish under the name SSW (Southern Sleswick Voter’s Committee) to separate the cultural ambitions from political ones and the political wing of the Danish movement also had to renounce any claims for a border change in future to bring about a more constructive attitude for the proposed new state of Sleswick-Holsten. The new party focussed now on separating South Sleswick administratively from Holsten and to also have the great numbers of refugees removed. Once this would be achieved the following step could bring about unification with Denmark (Martin Klatt: Genforening eller mindretal 1945-1955, Sydslevigs Danske Historie, Flensborg, 2009, ISBN 978-87-89178-2, page 202, 203).

The “Danish” popularity was subsequently reflected in the election results when Sydslesvigsk Foreningen (SSF) received 9.3% of votes in the first general state election for Sleswick-Holsten
in 1947. For the first municipal elections of Flensborg in 1946 SSF received 44% of the votes, the Danish minded Social democratic party of Flensborg received 22% which together brought a clear “Danish” minded majority.

But this elections also represented the peak of popularity for the Danish movement and it slowly began to decline again. The rapid improvement of the economic conditions in Sleswick-Holsten after the currency reform in the three West German allied occupational zones in 1948 eliminated the economic argument. In addition, the rejection of the Danish government for a renewed referendum on Sydslesvig manifested that South Sleswick will remain part of a German state. Finally, the spread of the refugees throughout West Germany in the years following the establishment of the Federal Republic of Germany reduced the numbers in Southern Sleswick considerably and growing integration of the remaining ones in South Sleswick muted the discontent (Martin Klatt: Genforening eller mindretal 1945-1955, Sydslesvigs Danske Historie, Flensborg, 2009, ISBN 978-87-89178-2, page 213-218)

But support was still numerous enough to have Hermann Clausen elected as member of parliament in the first election for the new parliament of the Federal Republic of Germany in August 1949. 77000 votes were sufficient to have one representative elected into the federal parliament. His political main aim was the establishment of a separate federal state Southern Sleswick (in accordance to an article of the federal general law which had a degree demanding a re-organization of the federal states), the removal of the still large amount of refugees and the right of self-determination of Southern Sleswick. As a single representative his influence was limited and in 1952 he joined a parliamentary group called the “Federalist Union” consisting of the mainly Rhineland based Centre-party and the regionalist Bavarian party. By being regional parties and thus harbouring regionalist ideas, if not even separatist ideas, this appeared a logical choice but since both also had rather conservative-catholic origins this often lead to conflicts since Clausen himself came from a Lutheran and rather social-democratic background. However, this association gave him access to commissions such as the border-commission although his status nevertheless remained rather symbolic. But the one seat in the parliament was lost again at the next federal election when SSW failed to gather enough votes for one seat. After 1961 SSW even refrained from running for federal parliament altogether since by then the chances of receiving enough votes were definitely unrealistic (Martin Klatt: Genforening eller mindretal 1945-1955, Sydslesvigs Danske Historie, Flensborg, 2009, ISBN 978-87-89178-2, page 219,220).

However, some success could eventually be booked for the Danish minority on state level. Under pressure from the British authorities the social-democratic state government of Sleswick-Holsten elected in 1947 eventually began to negotiate with SSW in the beginning of 1949 and the result was a government declaration which guaranteed the rights of the minorities in Sleswick-Holsten. But it also became clear that an administrative distinction between Holsten and Southern Sleswick was not in the interest of the British authorities. The social democratic party itself rejected the separatist voices uttered by their own Flensborg-party branch which was documented in a speech of the charismatic post war social democratic leader Kurt Schumacher in July 1946 which lead to a break-away social-democratic party in Flensborg (SPF). Schumacher himself suffered badly from many years in concentration camp captivity but he clearly aimed at
keeping Germany together as much as possible in the post war period and giving a new Germany a definite social democratic structure. In contrast to the upcoming Christian-Democratic Union lead by the Rhenanian Konrad Adenauer who promoted a clear federal post-war German structure with substantial sovereignty of the Federal states, the social democrats aimed at a more uniform and centralized German Republic with a strong welfare element. When the cold war dawned and a united Germany proved to be unrealistic also Schumacher subsequently promoted a western orientation of the new West German Federal Republic and a clear distinction from the communist tendencies in Soviet occupied Eastern Germany. He also uttered regret in 1951 at dismissing the Danish minded social democrats so strongly in the immediate post war period (Martin Klatt: Genforening eller mindretal 1945-1955, Sydslesvigs Danske Historie, Flensborg, 2009, ISBN 978-87-89178-2, page 227).

With the claim for a separate administration for Southern Sleswick becoming unrealistic, SSW lost even further momentum which became obvious in the declining membership numbers of the Southern Sleswick organizations and the number of votes in subsequent elections. Membership in SSSF declined from 75000 in 1948 to 25000 by the end of the 1950s and in the subsequent Sleswick-Holsten state elections the votes declined from 5.5 % in 1950 to 3.5 in 1954 and 2.8 in 1958. The electoral anticlimax was reached in 1983 with only 1.3 % of the votes.

In Northern Sleswick the German minority also received recognition once the Kiel-declarations from 1950 were accepted and was able to establish German schools and the political presentation succeeded in gaining a seat in the Danish parliament in 1954. This however, contrasted with the loss of parliamentary representation of SSW in the Sleswick-Holsten parliament in 1954 due to the introduction of the 5.0% electoral minimum threshold limit which SSW failed to reach with only 3.6% of the votes.

While the support in the population in Sleswick declined success could be booked on the bilateral Danish-West German level. When the new West German Federal republic was applying to NATO-membership in 1954, the West German government felt it necessary to establish a good relation to their future NATO-partners including Denmark and this process began bearing fruit and finally lead to the Copenhagen-Bonn declarations from 1955 (Bonn as the new capital of the West German Federal Republic). However, the CDU lead Sleswick-Holsten state government remained sceptical towards this negotiations since one of the demands was that, in equivalence to the representation of the German minority in the Danish parliament, the Danish representation (SSW) should be exempt from the 5% minimum threshold and thus receive seats in the state parliament if enough votes were gained for at least one seat. The declaration would also include that the association towards the minorities is free (any citizen can join the minorities) and also regulated state support for the minority schools (Martin Klatt: Genforening eller mindretal 1945-1955, Sydslesvigs Danske Historie, Flensborg, 2009, ISBN 978-87-89178-2, page 233).

The scepticism of the Sleswick-Holsten state government was mainly due to the new conservative-rightwing coalition government formed by the Christian Democrats (CDU), the liberal democrats (FDP), the German Conservative Party (DP) and the new refugee based party BHE which governed Sleswick-Holsten since 1950. Although this cabinet underwent a lot of
disputes and changes, it united in the aim to reduce the influence of the Danish minority in Southern Sleswick and thus remained reluctant towards any concessions such as exemption of SSW from the 5% minimum threshold (Martin Klatt: Genforening eller mindretal 1945-1955, Sydslesvigs Danske Historie, Flensborg, 2009, ISBN 978-87-89178-2, pages 233-235). Only slowly the attitude changed, mainly due to external pressure as e.g. through the Copenhagen-Bonn declarations and a new generation coming forward not influenced by strong German nationalistic ideas.

In contrast to the attitude in Kiel, the Copenhagen-Bonn declarations from 1955 were generally greeted with relieve by all sides and viewed as the final German recognition of the border line drawn in 1920 between North and South Sleswick as the definite German-Danish border. (Mogens Rostgaard Nissen: Genforeningen. Chronicle in Flensborg Avis from 31-Dec 2012). The declaration guaranteed both the Danish and German minorities the same civil rights as the majority, it decreed that, in accordance to practise in Denmark, the political organization of the Danish Minority SSW should also be exempt from the 5% minimum threshold on all levels of parliament (incl. The state parliament of Sleswick-Holsten) and both minorities receive substantial financial support of their respective authorities to build up a fully fledged education system. The demand from the Sleswick-Holsten state government to also declare a separate minority contract with Denmark was denounced since this would allow the Sleswick-Holsten government intermingling with Danish internal affairs. The Bonn-Copenhagen declarations however were designed to only advise the respective national authorities and administration, they have the character of two unilateral declarations which were not exchanged in its original.

But in contrast to the declaration, the Danish minority representation SSW did not immediately receive two fully fledged members of parliament (which it would have been entitled to in accordance to the latest state election), it was decided that a special committee was created consisting of 13 members of parliament and two representatives of the Danish and national Frisian minorities, both of whom where the two SSW members Münchow and Bahnsen. However, the representatives had only a consultative role. Moreover, the Kiel declarations from 1949 were declared redundant due to the Bonn-Copenhagen declaration but since the Bonn-Copenhagen declarations made no mention of the national Frisian minority and church regulations it lead to protests from the representatives of the minorities. The committee proved to be ineffective and SSW concentrated to win enough votes to gain full representation in the parliament again for the next election in 1958. This was achieved although SSW again lost votes in compare to 1954 with a margin of 2.8% of the vote. However, this was enough to send two fully fledged members of parliament to Kiel who then had the right to participate in committees although influence was limited due to the low number of seats. At the next election only 2.3% of the votes was achieved and the second member of parliament was lost and until 1996 only 1 member of parliament was returned and even this one member was in danger during the electoral low point for SSW in 1983 (Jørgen Kühl: Tilbagegang, stabiliseri og fremgang 1955-1989, Sydslesvigs Danske Historie, Flensborg, 2009, ISBN 978-87-89178-2, pages 239-246).
Since the representation of SSW in the Federal parliament in Bonn was lost in 1957 it became increasingly desirable for the minority to be represented in Bonn as well in some form and the federal government also agreed to this but due to the Bonn-Copenhagen declarations a similar step was then required from the Danish government towards the German minority which the Danish government was somewhat reluctant to do. When the German minority party lost their representation in the Danish parliament in 1964 the Danish government appeared more cooperative to install such a committee for the German minority as well and finally a committee called “Beratener Auschuß für Fragen der dänischen Minderheit” (Advisory Committee for questions regarding the Danish minority) was established in Bonn in 1965 (Jørgen Kühl: Tilbagegang, stabilisering og fremgang 1955-1989, Sydslesvigs Danske Historie, Flensborg, 2009, ISBN 978-87-89178-2, page 240).

In 1960 the cultural orientated Danish SSF chose Karl-Otto Meyer as new chairman and in contrast to the Frisian SSW-chairman and member of parliament Berthold Bahnsen, Meyer was rather left leaning and came from a clear Danish background which also lead to changes in the policies of SSW. A new party-program was agreed upon in 1966 when it became obvious that old aims such as the creation of a separate South Sleswick federal state were unrealistic and the focus was laid upon promoting the Nordic ideas about a tightly knit welfare state. Meyer was also in favour of taking position in certain West German domestic affairs in order to be more attractive towards voters not explicitly belonging to the minority which Bahnsen so far avoided of doing. When Bahnsen suddenly died in October 1971 Meyer took over his seat in parliament and being now in a more powerful position he changed the orientation of SSW into the direction he preferred. This was not done as an abrupt departure from Bahnsen's policies but much rather as a slow re-orientation since he had to take in account that the members of SSW consisted of a wide range of political orientation (Jørgen Kühl: Tilbagegang, stabilisering og fremgang 1955-1989, Sydslesvigs Danske Historie, Flensborg, 2009, ISBN 978-87-89178-2, pages 242, 243).

The new program, however, did not immediately lead to an increase of votes, but a further decrease was avoided and the share of the vote remained at a level around 1.4 % until 1987 and Meyer was able to retain the one seat in parliament. He took position in general political issues by e.g. supporting the West German “Ostpolitik” (Policies towards Eastern Europe) initiated by social democratic chancellor Willy Brandt and campaigning against nuclear power by the end of the 1970 which also became a general party position. This eventually began to bear fruit by the end of the 1980 and his role during the Barschel-affaire in 1987 gained recognition among many outside the minority.

In 1971 Gerhard Stoltenberg took over from Helmut Lemke as prime minister in Sleswick-Holsten. The more left-wing attitude of Meyer collided often with Stoltenberg and his government’s conservatives views, but, in turn, this gave SSW the chance to establish a position of a small protest party campaigning for equal rights for minorities, alternative energy and environment policy and social reforms, as also confirmed by SSW’s new party program in 1981. When Stoltenberg joined the new CDU-FDP lead federal government under Helmut Kohl in 1982, Uwe Barschel became his successor and finally he began to establish a more open and less sceptical attitude towards the minorities and Denmark. Under his leadership the Kiel-government increased its financial support for each student at the Minority schools from previously 80% (in

In 1987 Uwe Barschel had to resign due to accusations of having ordered or at least known about espionage activities of the secretary of state Pfeiffer on his political opponents to help start a smear campaign in the heated contested state election campaign from autumn 1987. The CDU lost its absolute majority and a stalemate was the result and when Pfeiffer admitted to his deeds, Karl Otto Meyer decided to break with SSW tradition and instead sustaining he voted against Uwe Barschel which lead to the fall of his government and a new election in 1988. Despite harsh criticism from the CDU about Meyer’s vote against Barschel and using his seat to bring down the hole government, Meyer’s role was generally hailed and in the renewed state election in 1988 the Social democrats under Björn Engholm won a majority. The share of the SSW vote also increased slightly to 1.7% and this formed the begin of a revival of electoral success for SSW and marked a new era in the relationship between the state of Sleswick-Holsten and the minorities which already had begun under Uwe Barschel.

The new social democratic prime minister Björn Engholm was invited to the annual Danish festival in Southern Sleswick (Årsmøde) and held a speech there for the first time as a German politician on June, 5th 1989, a practise which has been retained ever since (Jørgen Kühl: Tilbagegang, stabilisering og fremgang 1955-1989, Sydslesvigs Danske Historie, Flensborg, 2009, ISBN 978-87-89178-2, pages 246, 247). A few months later the East German socialistic government under Erich Honecker collapsed which lead to a German re-unification (in the form of the re-established East German states joining the Federal Republic) a year later. This event aroused fears for renewed German nationalism again but soon it became clear that the Federal Republic will not change its policies towards the minorities, moreover, as a consequence of the Barschel-affaire constitutional changes were suggested which lead to Sleswick-Holsten officially adopting a constitution in 1990 which also included a separate article dedicated towards the national minorities:

Article 5

National Minorities and Ethnic Groups

(1) The commitment to a national minority is free; however, it does not exempt from the general civic duties.

(2) The cultural independence and political participation of national minorities and ethnic groups are under the protection of the federal state, the municipalities and municipal communities. The national Danish minority and the Frisian ethnic group are entitled to protection and promotion.

The second article was altered in November 2012 to include the Sinti and Roma, this constitutional change was supported by all parties in parliament.
Other important documents which affected and promoted the rights of the Danish minority followed with the successful application for part III of the ECRML (European Charter for Regional or Minority Languages, 1992) and the European Framework Convention for the Protection of National Minorities (1995). Other important factors for improved cross-border relations affecting both the Danish and German minorities was the increasing European integration which lead to the establishment of the Schengen agreement in 1995 which effectively abolished border controls and enabled free movement between Sleswick-Holsten and Sønderjylland and the creation of the Region Sønderjylland-Schleswig in 1997 (Europa: EUROPA > Summaries of EU legislation > Justice, freedom and security > Free movement of persons, asylum and immigration: The Schengen area and cooperation, http://europa.eu/legislation_summaries/justice_freedom_security/free_movement_of_persons_asylum_immigration/l33020_en.htm).

SSW could establish itself as an important regional player and after a change in the voting system in 2000 SSW was electable in the whole state of Sleswick-Holsten, not only in the constituencies where SSW was standing with a direct candidate of its own, thus in Southern Sleswick. This lead to an increase in votes which culminated in 4.6% in 2012 (SSW: Kort om SSW, http://www.ssw.de/da/om-ssw/kort-om-ssw.html).

A dispute arose with the CDU-FDP lead government of H.P. Carstensen after 2009 when the state contribution for students at the Danish schools was reduced from 100% (introduced by the CDU-lead government of U. Barschel in the 1980s) to 85% for budget reasons (Sydslesvigsk Forening: 2010 - et år med mindretalspolitiske op- og nedture for det danske mindretal, http://syfo.de/om-ssf/historie/efter-2010/).

However, a new election necessary in 2012 because of an unconstitutional system to allocate seats in the state parliament brought a majority for the Social-Democrats, the Greens and SSW which resulted in a coalition in which SSW for the first time in Sleswick-Holsten participated actively and SSW’s parliamentary leader, Anke Spoorendonk, was appointed Minister for Culture, Justice and European Affairs. One of the first changes in law the new government agreed upon was restoring the 100% state contribution for students at the Danish schools (SSW: Kort om SSW, http://www.ssw.de/da/om-ssw/kort-om-ssw.html).

Currently there are 46 Danish schools in Southern Sleswick of which two offer higher education and 55 kindergartens. The Danish minority further maintains its own library, health service, daily newspaper (Flensborg Avis) and its own youth organization which includes a variety of sport clubs as well who are participating in the German sports organization system. Taking in account the number of votes for SSW it can be estimated that about 50000 persons can be considered part of the Danish and national Frisian minority (Sydslesvigsk Forening: Kultur-, sprog- og landegrenser flytter sig, http://syfo.de/om-ssf/historie/) but that does not necessarily mean that these 50000 speak Southern Jutish or Frisian as the first and main language, in fact, only in a few villages between Flensborg and Leck close to the modern Danish border, Southern Jutish is maintained by a few elderly people. Neither does it mean that all are fluent Danish speakers.
Recently there has been a discussion about the role and importance of the Danish language inside the minority and its organizations and there is certainly a tendency that e.g. in Danish sports clubs the language among the members is nevertheless standard German these days. In many other occasions that is the case as well. The Danish author Egon Clausen wrote an essay in May 2012 about his experience among members belonging to the minority and his observations concluded that in many instances members of the minority feel more comfortable in standard German than in Danish or any other language. Whether this manifests the further “germanization” of the Danish and Frisian minority in South Sleswick is part of an on-going debate (Egon Clausen: Kampen om sproget i Sydslesvig. Article in Grænsen.dk. from 16-05-2012, http://www.grænsen.dk/content/egon-clausen-%E2%80%93-kampen-om-sproget-i-sydslesvig ).

6.2. Conclusion

In a matter of 200 years Sleswick has seen many different rulers, shifting borders, division, language shifts, language discrimination, totalitarian rule and liberal democracy. Finally, after 1945 a lasting pacification set in which also lead to increasing recognition of its transitional character although the three original tongues spoken: Southern Jutish, Frisian and Low Saxon are on the retreat in the Southern part and this trend may be irreversible. This makes the Southern part, which is now part of the state of Sleswick-Holsten, predominantly standard German speaking while the Northern part, now fully integrated into Denmark, retains much of the Southern Jutish tongue but has lost all Low Saxon and Frisian, instead standard German has become the language of the German minority remaining in Northern Sleswick. With such a colourful and often violent history little events could have made a huge difference in today’s status of Sleswick. Many historians see the “Sleswick-Holsten War” of 1864 as an important first stepping stone for achieving German unity in the form of the German Empire of 1871. They maintain that without the Sleswick-Holsten war the Austro-Prussian war of 1866 (the second stepping stone) would not have come about but Golo Mann in “Deutsche Geschichte des 19. und 20. Jahrhundert” concludes that “it (the war Austro-Prussian war from 1866) was a war for the domination of Germany which was rather postponed through the fellow undertaking against Denmark (>in the Sleswick-Holsten war of 1864) than caused by it”. Thus, had the Danish king in 1863 postponed signing to extend the new Danish constitution to Sleswick for another 3 years the German Federation had been declared defunct by then anyway which had given him a free hand in Sleswick and Holsten as well. The result could have been a situation similar to Luxembourg and Limburg, both part of the German federation until 1866 while being ruled by the King of the Netherlands who, once the German federation was declared defunct kept the duchies out of any new German state or federation and they became respectively integrated into the Netherlandic Kingdom (Limburg) or completely independent (Luxembourg). Such a Sleswick and Holsten would probably look very different from what it looks today, Sleswick may have become fully integrated into Denmark as was the case with Netherlandic Limburg respectively to the Netherlands while Holsten had become sovereign like the Grand-Duchy of Luxembourg but both duchies may also have developed together into a sovereign state, at least with a degree of autonomy similar to the Faroes and Greenland today. Standard German may not have the role it has today, at least not as a spoken medium, a situation similar to the one in
Switzerland and Luxembourg would have been likely in both Sleswick and Holsten with Southern Jutish, Frisian and Low Saxon having the roles of what Luxembourgish, Ratho-Romanic and Swiss German have respectively in Luxembourg and Switzerland today. Many other scenarios are possible but history went its way and at least through minority rights declarations, liberal democracy in both the Federal Republic of Germany and the Kingdom of Denmark and finally the increasing European integration there is a chance that the national border drawn through the middle of the old Duchy of Sleswick will become ever more insignificant and people will see each other as one again.