

## **Book Reviews**

David J. Galbreath and Joanne McEvoy, *The European Minority Rights Regime. Towards a Theory of Regime Effectiveness*, Houndmills, Palgrave, 2012, 209 pp, ISBN 978-0-230-23646-2.

Tove H. Malloy

Director, European Centre for Minority Issues and Lecturer, University of Southern Denmark

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Minority rights and minority protection in Europe have traditionally been studied in history and law. Minority existence as we know it from the last five hundred years of European history has thus been seen through the lens of European international law and minority issues have been studied as issues between states. In the late twentieth century, when minority protection was at the top of the international agenda as a result of the conflicts in the Balkans and the forming of new states after the Cold War, the scope of minority studies expanded to include minority protection within states. This coincided with minority rights becoming subsumed by the human rights regime. However, any attempt to study human rights as an international regime did not refer to minority rights. The academic study of minority rights as an international regime only began with the publication by Jennifer Jackson Preece of *National Minorities and the European-Nation States' System* in 1998. Since then, there have been a few studies addressing minority rights as a regime from an international relations perspective. However, none have addressed the effectiveness of the regime. This next logical step in the development of a coherent understanding of minority rights and protection in Europe has been taken by Galbreath and McEvoy in *The European Minority Rights Regime*.

The methodology to study the effectiveness of international regimes does not find consensus among scholars. Galbreath and McEvoy opt for regime performance measured against the absence of a regime, i.e. the Young and Levy approach that relies on the extent to which a problem is ameliorated or eliminated (1999). The case studies chosen to support this approach are Bulgaria, Latvia and Romania, and the independent variables are (1) the impact of international norms, (2) the impact of the mechanisms of international organizations, (3) inter-organizational overlap, and (4) state preferences for policy implementation. The main argument that the authors set out to defend is that regime effectiveness depends on both endogenous inter-agency co-operation factors and domestic state preference factors.

After defining the object of the study in Chapter 4, i.e. the European minority rights regime comprising the norms adopted and promoted by the OSCE, the Council of Europe and the EU, Galbreath and McEvoy move on to discuss the independent, explanatory variables in Chapters 5-7. As to the first, the impact of norms and their mechanisms on state behaviour in the three case studies, the authors concede that assessing the impact of minority rights on the lives of individual members of minorities is not possible, and assessing the impact of mechanisms, however good they may perform, does not provide much evidence either, perhaps with the exception of the EU conditionality mechanism built into the enlargement strategy.


The second independent variable, inter-organizational overlap, is a common issue from which no regime is immune, often to some detriment of the beneficiaries of the regime. If overlap is channelled into convergence, the regime can be seen as partially successful. The case in point for Galbreath and McEvoy is the EU conditionality scheme that was supported by the OSCE and the Council of Europe and which was based on 'borrowed' norms and standards developed by the two organizations. Any overlap between all three organizations, as a negative influence on the effectiveness curve is, according to the authors, manifested in the occasional confusion about institutional boundaries and inter-agency competition – well known problems in the area of international co-operation. This aside, overlap in terms of inter-agency co-operation on monitoring and facilitating an epistemic community of experts is the clear sign that the regime evidences some effectiveness.

The final explanatory variable, state preferences for policy implementation, is assessed through the three case studies. In all three cases Galbreath and McEvoy show that domestic policies have changed as a result of the states becoming members of the organizations or, as in the case of the EU, aspiring to become members. In

the case of Bulgaria a clear shift from seeking to assimilate minorities to acknowledging the rights of some minorities took place as a result of engagement especially with the EU and to a lesser degree with the Council of Europe. With regard to Romania, EU conditionality had less significance early on due to the lack of economic progress in the country. According to the authors, the implementation of minority rights only improved when the largest minority, the Hungarian minority, entered the coalition government in 1995. The Hungarian minority pushed for reforms according to the European minority rights regime. Thus, where EU conditionality was a major factor in Bulgaria, the interventions by the Council of Europe and the OSCE were more relevant in Romania. Finally, in Latvia, the three organizations were equally active and co-operated especially on the rights of the Russian-speaking minorities. Their co-ordinated work did not, however, convince the elected representatives to adopt legislation in favour of the Russian speakers. It took a veto by the Latvian president to get adequate legislation adopted. In the final Chapter 8, Galbreath and McEvoy address the approach of the regime before and after the major EU enlargement wave of 2004. Prior to enlargement, the joint efforts and co-operation of the three organizations focused on the country level based on the norms developed in the early 1990s. After 2004, they turned towards institutionalizing inter-agency co-operation and injecting the existing norms into the EU development of the *acquis communautaire*. The authors' overall assessment of the effectiveness of the regime is, however, mixed because there has not been strong evidence that states are willing to implement minority rights, except where the promise of EU membership was at stake.

The study of the European minority rights regime as a regime in the political science sense is unique. Heretofore the regime has been evaluated only in terms of the strengths/weaknesses of norms and standards as well as of its mechanisms. This has left regime evaluation immune to the political and power relations that dictate the adoption and implementation of minority protection schemes. Galbreath and McEvoy have therefore achieved two aims in one. First, they have initiated the European minority rights regime into the political study of state preferences and thus ensured that minority studies are no longer confined to history and law. And secondly, they have succeeded in supplementing the literature on regime effectiveness with a new empirical example.

This volume is well written, based on a wealth of interviews with relevant actors and readings of first sources. The authors defend their argument clearly explaining the pitfalls and recognizing shortcomings in relation to the established theory on regime effectiveness. This is precisely the strength of the analysis because the European minority rights regime is a pioneer regime in the study of international relations. The volume is for students and academics seeking a new perspective on a matter that has been studied in a very traditional manner for more than a century. It lays a good foundation for expanding the political study of minority issues in Europe.



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Security and Human Rights (formerly Helsinki Monitor) is a journal devoted to issues inspired by the work and principles of the Organization for Security and Cooperation in Europe (OSCE). It looks at the challenge of building security through cooperation across the northern hemisphere, from Vancouver to Vladivostok, as well as how this experience can be applied to other parts of the world. It aims to stimulate thinking on the question of protecting and promoting human rights in a world faced with serious threats to security.

Netherlands Helsinki Committee  
Het Nutshuis  
Riviermarkt 4  
2513 AM The Hague  
The Netherlands

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