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## **Book Review: Extending Protection to Migrant Populations in Europe: Old and New Minorities**

**Edited by Roberta Medda-Windischer, Caitlin Boulter and Tove H. Malloy**

Katharina Crepaz\*

*University of Munich*

*In their edited volume, **Roberta Medda-Windischer, Caitlin Boulter and Tove H. Malloy** analyse the usefulness and possibilities for extending minority protection provisions already in place for national minorities ('old minorities') to migrant populations ('new minorities') in Europe. **Katharina Crepaz** argues that this book therefore tackles a very relevant and so-far under-researched topic in assessing whether an extension of minority rights and policies to migrant groups is possible, and in which areas it might even be beneficial.*

**Extending Protection to Migrant Populations in Europe: Old and New Minorities, by Roberta Medda-Windischer, Caitlin Boulter and Tove H. Malloy (eds), London & New York: Routledge, 2020.**

This volume consists of eight contributions by different authors, providing perspectives from political science, law, sociology and anthropology. Some papers look at theoretical issues such

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\* Postdoc Researcher, Max Planck Institute for Social Law and Social Policy and Technical University of Munich. Email: [crepaz@mpisoc.mpg.de](mailto:crepaz@mpisoc.mpg.de)

as minority identification, while others provide a comparative picture through case studies from Europe and North America. The articles have been collected and curated by Roberta Medda-Windischer (Senior Researcher and Research Group Leader for National Minorities, Migration and Cultural Diversity at the Eurac Research Institute for Minority Rights, Bozen/Bolzano, Italy), Caitlin Boulter (Junior Research Associate at the European Centre for Minority Issues (ECMI) in Flensburg, Germany) and Tove H. Malloy (Director at ECMI and Adjunct Professor at the Europa-Universität Flensburg).

In their introduction, the editors describe the ongoing societal discussion about whether and how migrants' rights should be protected, which has intensified due to the rise of right-wing populist parties in many European countries during the 2010s. They note that migration and minority research have developed largely independently from one another, and thus take different approaches to core concepts such as identity and culture. This creates barriers to productive scholarly exchange between the two disciplines. This volume therefore aims to reconcile the two disciplines and their ideas on protection policies.

The editors note that while 'old' or national minorities refer to minority populations that have traditionally been present in a territory for a long time, often as a result of border shifts during wars on the European continent, the term 'new' minorities refers to groups that have formed within a state due to migration from the mid-20<sup>th</sup> century onwards. The structures for minority protection and recognition in Europe were designed for 'old' minorities, but scholars and policy makers are increasingly considering possible similarities and shared approaches to 'old' and 'new' minority groups. The editors also note that approaching this as a dichotomy might not always be straightforward or even beneficial, as there are minorities (such as the Roma) who might fall into both groups. Searching for commonalities and shared approaches, rather than underlining differences, could therefore prove to be a more fruitful way forward.

In chapter two, Francesco Palermo provides a legal analysis of the discussion; he outlines the legal framework, and then assesses whether different political choices are compatible with it or not. He argues that the international instruments for the protection of minority rights do not exclude the possibility of also being applied to immigrants; such an application would not entail a blurring of the distinction between 'old' and 'new' minorities, as applying instruments designed for national minorities to other groups does not grant them minority status. Non-discrimination provisions apply to all citizens, not just to those belonging to national minorities, while other minority rights provisions are flexible and can be extended to a wider range of minorities on an article-by-article basis. However, some provisions have a limited scope, such

as the right to use minority languages in local administration or to minority language topography, which cannot be applied to further groups. He therefore concludes ‘[...] that the inclusion of additional beneficiaries in the scope of some minority rights provisions should be determined on a case-by-case basis, following a participatory process and against the background of its potential contribution to the overall cohesion of society’ (Palermo, 2020: 27).

In chapter three, Johanne Poirier discusses francophone minorities in Canada as being trapped between the ‘old’ and ‘new’ minority categories, where ‘old’ national minorities are granted self-government or autonomy within a nation-state, while ‘new’ minorities are not entitled to these types of rights. She argues that this classification fails to address the complexity of the situation regarding Canadian francophone groups outside Quebec: as French Canadians, they belong to a minority group, but their territorial dispersion leaves them without the instruments of self-government present in Quebec. She proposes new types of political autonomy for francophone minorities outside Quebec, including non-territorial instruments, and hopes that these communities may gain more visibility in their ambiguous minority status.

In chapter four, Reetta Toivanen discusses another case of falling in-between, characterising the Roma as being beyond the traditional legal categories of indigeneity, national minority-ness and ‘new’ migrant minority. These groups are not only treated differently in legal terms, but also by academic scholars, who tend to study them in complete isolation. The Roma are internally diverse, and do not have a common territory as national minorities do; many have moved outside their country of citizenship, also making them migrants, and, unlike the case many of indigenous peoples, past injustices against them have not been recognised. Toivanen proposes moving beyond the nation state as a frame of reference, looking instead at the potential of broadening the scope of existing instruments in order to cater to different minority contexts.

Chapter five looks at the situation of immigrants and ethnic and religious minorities in Denmark prior to World War I. Garbi Schmidt notes that while some populations settled in Denmark without much scrutiny from the majority populations, others were subject to ‘moral panic’, seen as dangerous, deviant or immoral. The treatment of migrants depended largely on the position of the Danish king on the respective migrant group, as well as on their perceived ‘usefulness’ regarding trade or other matters – an analogue to skilled workers being welcome nowadays. While Dutch and German migrants were relatively well-off, Roma and ‘nightmen’ (those involved in the executioner’s work and other professions seen as unclean or immoral) were framed as deceitful and shameless. Swedes and Russian Jews, emigrating to flee poverty and persecution, were seen as morally inferior and as a security threat – similar to Muslim migrants

nowadays. Schmidt concludes that, then and now, social class, poverty and unclear categories of belonging created the foundation for a negative framing of certain migrant groups.

In chapter six, Kristin Henrard analyses the half-hearted protection of new religious minorities' fundamental rights in Europe. Through an analysis of European Court of Human Rights (ECHR) case law, Henrard describes the Court's overall reluctance to criticise national choices regarding state-church relations, especially where sensitive or controversial religious matters at the national level are concerned; integration interests are allowed to trump the interests of religious minorities with migration backgrounds. While the advisory bodies overlooking the implementation of minority rights have been moving toward including migrant religious minorities on a case-by-case basis, there is no political consensus to foster such developments.

In chapter seven, Andreea Racleş presents the perspective of Romanian Roma in Spain, regarding their integratedness and deservingness. Racleş's contribution looks at individuals' experiences of being ascribed certain categories, what meanings they attach to these categories and what they identify with. It draws on an ethnographic study with Romanian Roma, some of whom moved to Spain shortly before Romania's access to the EU. 'Old minority' Roma (Spanish *Gitanos*) do not show solidarity towards migrant Roma from Eastern Europe, but in fact aim to avoid stigma by distancing themselves from the poorly regarded new arrivals. Some of the interviewees recalled experiences with discrimination in Romania, especially in school and hospital contexts, while others emphasised their own agency of being an integrated, 'good' migrant, who behaved well and was therefore not subjected to discriminatory practices. Regarding deservingness, they also underlined how they 'earned' the benefits provided to them in Spain through integrating into society. Racleş concludes that feeling integrated correlates with the sensation of having succeeded in the new country, and of being 'deserving' of becoming a fully respected member of the community through the integration process.

Chapter 8 assesses the connection between minority issues and security considerations, and looks at how the discourse on 'old' and 'new' minorities can be de-securitized. Andrea Carlà proposes that adopting the concept of human security, instead of military security, could help to de-securitize the discourse on diversity. Immigrants are framed as a threat to European cultural identity as well as to the political, economic and welfare systems through securitisation in speech acts, political and legal actions, historical narratives and media. Majority and minority populations of a nation-state are regarded as homogeneous entities with opposing interests; cultural diversity thus becomes a threat to the survival of the state. De-securitising efforts therefore aim to eliminate the negative connotations of cultural diversity. Carlà posits that the

concept of human security, presented by the 1994 UN Development Programme, shifts the focus from military threats to different threats endangering a person's life such as hunger, disease, unemployment, crime, social conflict, political repression and environmental dangers. It also includes threats to culture, identity and language, and thus addresses both 'old' and 'new' minority groups in the full context of their daily lives. In conclusion, Carlà argues for an approach bridging the fields of minority and migration studies in order to broaden the understanding of minority issues and to identify policy solutions and best practices.

The edited volume presents two novel approaches: First, it dares to propose the extension of protection mechanisms for 'old' minorities to also include 'new' minorities, valuing the cultural diversity they bring. This does not imply that migrants would have the same rights or legal status, but that some provisions already outlined by international instruments could also be applicable and beneficial to their integration and participation in society. Second, it opens up a dialogue between migration and minority studies, two fields that could greatly benefit from engaging more with each other, but that have so far remained very siloed in their own topics and agendas. Dealing with cultural, linguistic and religious diversity in increasingly heterogeneous societies is one of the biggest challenges that contemporary European societies face; a shared approach between minority and migration scholars could play an important role in establishing best practices and policy recommendations for different types of diverse groups. Through its variety of contributions featuring comparative and single case studies, theoretical approaches and empirical data, the edited volume fulfils its aim of providing a starting point for future dialogue, and food for thought on why current categorisations of minorities and migrants and their respective rights may need to be given a second thought.