
*Democracy, Minorities and International Law* by Steven Wheatley, Reader in International Law at the University of Leeds, has an admirably ambitious scope. In three chapters it covers, respectively, minority rights, self-determination and democracy. Bringing the law on these three elements together creates the essential context for modern minority-state relations – and this is the book’s valuable contribution – but it is also a tight fit for its relatively short length of 198 pages.

The three chapters are based on considerable research (sadly not compiled into a bibliography), which focuses in large part on the human rights covenants and practice involving the Human Rights Committee. This, in itself, makes the book a valuable source of current practice on these instruments.

Chapter 1 runs over the history of minority rights, the covenants, definitions of minorities and then other instruments, like the United Nations (UN) Declaration, the European Framework Convention and Organization for Security and Co-operation in Europe instruments. With 54 pages, discussion of each of these elements is inevitably brief, giving an overview but leaving a lot of detail that could have still been explored. This is especially the case with the tricky question of defining a minority. The author highlights group solidarity and certain “objective criteria” such as language and religion (pp. 29–30). However, both are clearly complex issues. Group consciousness is inherently multilayered. Ethnicity may compete with other identities – religion, region, social, historical, tribal, urban-rural. Supposedly objective criteria may turn on subjective values. Language is highlighted here as a crucial marker for ethno-cultural difference (p. 13), but it is not necessarily a self-evident one. One of the problem areas in minority-state relations is drawing a line between a dialect and regional identities, and a language and national ones (e.g. Macedonian). This subjectivity is particularly important as the author himself highlights Benedict Anderson’s description of national groups as “imagined communities” (pp. 30, 61). Nonetheless, these issues are not explored in more depth.

Other areas could have also been further developed. Referring to *Ballantyne v. Canada*, the author notes that majorities in a state which become minorities in autonomous regions have not been protected by the Human Rights Committee under Article 27 of the International Covenant on Civil and Political Rights (ICCPR). He rightly criticises this as a shortcoming in the interpretation of the instrument (pp. 17, 108). One problem with autonomy in minority rights is a tendency by autonomies to take on ethnically nationalist aspects to the detriment of their own minorities. It would have been welcome if the author had developed this argument more.
The second chapter addresses self-determination. It runs through its development from the UN Charter and the decolonisation process, to its application “beyond colonialism” (p. 66) in the practice of the Human Rights Committee, African Commission on Human and Peoples Rights, remedial secession and indigenous peoples. Underpinning its post-colonial development, the author identifies self-determination’s emergence as a right to democracy (although his choice of Southern Rhodesia as an example (p. 73) is unfortunate given the Zimbabwean regime’s shallow support for the concept). Equally important for this post-colonial context is the detachment of self-determination from secession. Using the internal-external framework, the author considers external self-determination to be the exception, in contrast to its usual internal application. He even goes so far as to quote that separatism is a “reinterpretation of the principle of self-determination” (p. 66). Self-determination, however, is capable of many different interpretations, and a secessionist understanding may be just as integral to the concept as equating it with democracy. The author’s thorough examination of the recent practice in human rights bodies only seems to underline the continuing disagreement on how to interpret the right.

Chapter 3 is focussed on democracy, and reconciling its majoritarian tendencies with minority rights. Here the author promotes the idea of a consensual deliberative model of democracy. He also surveys the relevant law, including a basic coverage of the Vienna Declaration, OSCE instruments, the Universal Declaration on Human Rights and a thorough examination of Article 25 of the ICCPR. Later in the chapter the author moves to constitutional arrangements which may accommodate different ethnic groups in a democratic system, with the consociational model and cultural autonomy. The author takes an incisive look at these models, but again more detail and more examples would have been useful. Democracy, minority rights and self-determination contain inherent tensions, and it might have been useful to explore these in greater depth. For example, the author notes that consociational arrangements encourage parties to mobilise along ethnic lines and look after their own ethnic constituencies, and that this leads to “a logic of political extremism” (p. 164) and consequent political instability. This is quite central to relations between democracy, self-determination and minority rights, and could have been expanded further.

In conclusion, this book is an engaging survey of three closely connected principles: minority rights, self-determination and democracy. Bringing the three together in this format creates an effective picture of the legal position of minority-state relations. This focus is supported by a considerable amount of contemporary research into the state of the law in these areas, and, in particular, the practice of the Human Rights Committee. The work, though, is limited by its length, which means that many of the issues and perspectives it outlines could