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Carole Fink. *Defending the Rights of Others: The Great Powers, the Jews, and International Minority Protection.* New York: Cambridge University Press, 2004. xxvii + 420 pp. $80.00 (cloth), ISBN 978-0-521-83837-5.

Reviewed by Aimee Genell (Department of History, the Graduate Center, City University of New York)

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"Were the Minority Treaties a Failure?"

The breakup of the Soviet Empire in 1989-91 unavoidably invites historical comparison to the period of 1918 when the new Versailles states, wrought out of the former eastern empires, emerged between Germany and Russia. In particular, the demise of the Soviet Union, and later the Bosnian War, generated renewed academic and legal interest in the question of national and religious minority rights and protection in Europe. This issue had largely faded from scholarly, diplomatic and legal debate since the mid-1950s.[1] While the general narrative of the creation of the minority treaties at the Paris Peace Conference and their guarantee by the League of Nations may be somewhat familiar, Carole Fink's book expands our understanding of the creation of the treaties and the era of their partial enforcement. In particular, Fink's work places the treaties in the broad context of the history of minority rights protection in Europe that coincided with the rise of expansionist nationalism.[2] *Defending the Rights of Others* traces the history of international minority protection in Eastern Europe from the 1878 Congress of Berlin through the creation of the minority rights protection system devised at the Paris Peace Conference, to its complete demise with the transfer of the Sudetenland to Germany in 1938. As the subtitle suggests, the book examines the interrelationships among the diplomacy of the Great Powers, the Jewish minority populations of Eastern Europe and their advocates throughout these years–predominantly Jewish organizations from Western Europe and the United States. While broader issues related to minority rights protection are addressed, Fink concentrates primarily on the minorities question as it relates to the "inassimilable" *Ostjuden* faced with the rise of expansionist nationalism in Southern and Eastern Europe. In a broader historical context, Fink's book demonstrates the primary importance of the question of national and religious minorities to the social and political instability of the interwar years.

The volume concentrates on three periods of diplomatic and international history, each representing a shift or innovation in the practice of modern European diplomacy: the period of the 1878 Congress of Berlin, the Paris Peace Conference and the era of the League of Nations. The first section examines the period between 1878 and 1918, focusing attention on the religious minority protections endorsed at the Congress of Berlin, the Balkan Wars

and subsequent treaties, the reemergence of Poland during World War I, and finally concludes with an analysis of the pogrom in Lemberg (LwÃ³w/Lviv) which occurred between the Armistice and the Paris Peace Conference.

The 1878 Treaty of Berlin contained a diplomatic innovation that reappeared in modified form at the Paris Peace Conference. The treaty made Great Power recognition of the newly independent and, in the case of Bulgaria, autonomous Balkan states contingent upon guarantees of religious and civic freedoms for the new states' religious minorities. Additionally, the Great Powers linked the guarantee of minority rights to territorial gain. As Fink notes "the imposed clauses on minority rights became requirements not only for recognition but were also, as in the cases of Serbia, Montenegro, and Romania, conditions for receiving specific grants of territory" (p. 37). Fink argues that the minority rights provisions of the Berlin Treaty were ultimately unenforceable–both in terms of a mechanism for enforcement as well as lack of will on the part of the signatories. Fink notes that the United States, which was not party to the convention, was the only country that ever issued a complaint for noncompliance. For Fink, the Congress of Berlin functioned as a precedent for the minority treaties implemented during the interwar years in two important ways. The results of the Berlin Congress presaged problems which would eventually undermine the potential success of the minority treaties during the period of League of Nations enforcement. In particular, the tension created by Great Power intervention in the domestic affairs of new states and the limited extension of such minority protections to the Ottoman successor states versus universal implementation. Here, as throughout the book, Fink examines in great detail the substantial role of Western European and American Jewish diplomatists in their attempt to secure religious and civic rights for Jews in the successor states. Fink notes that the emergence of growing political divisions between Zionist and anti-nationalist Jewish advocates for the *Ostjuden* created insurmountable divisions in Jewish diplomacy, where the Zionists and anti-nationalists increasing had different plans for aiding their co-religionists in the East. Such a division would ultimately come to a head at the Paris Peace Conference over the question of Palestine.

The core of the book concentrates on diplomacy at the Paris Peace Conference and the future shape of Eastern Europe as the Allies attempted to deal with the fundamental clash between Wilsonian self-determination and its necessary limitation. The twin impossibilities of creating viable nation-states for all of Europe's minorities and at the same time forming ethnically homogenous nation-states in the lands of former multiethnic empires forced the Allies to address the minorities question. Fink interjects into the story of Versailles and the creation of the minorities treaties the complexity, political divisiveness, personalities and contingency involved. Fink argues that rising violence in Eastern Europe in conjunction with popular outrage and the Allies' inconsistency towards expansionist Poland finally forced the peacemakers to address the minorities question directly. After much diplomatic wrangling and near misses, the Polish Minority Treaty, which later became a template for the subsequent treaties imposed upon the new and expanded states of Eastern Europe, was signed on June 28, 1919. In distinction to the "Berlin precedent," the minority treaties created by the peacemakers attempted to embrace a mechanism and procedure for enforced compliance. However, rather like the "Berlin precedent," the treaties imposed minority rights protection on weak but expansionist and irredentist states, rather than implementing such protection universally. That is to say, the Great Powers were not bound by similar treaties. International recognition of the boarders of the new states in Eastern Europe was once again contingent upon successor states agreeing to a limitation of their newly awarded sovereignty. Whereas the Berlin Treaty was applied to the religious minorities of the Ottoman successor states, the minority treaties of Versailles were to protect national minorities created by the new map of Eastern Europe. The limited extension of such treaties to defeated Central Power countries (excluding Germany) and the new and territorially expanded states had fateful consequences for Europe's minority populations. For Fink, the minority treaties that came out of the Paris Peace Conference were an expression of the limitations of self-determination for the new Versailles states: "In a broader sense, the Polish Minority Treaty represented the culmination of almost six months of equivocation over the widespread nonfulfillment of self-determination in Eastern Europe and the political dangers resulting therefrom" (p. 261).

Throughout the text, Fink never fails to remind her readers of the limited options for Eastern European Jews during the interwar years as immigration policies in the United States and Britain became increasingly restrictive. Fink links the minorities question in Eastern Europe to the fate of the former Ottoman lands in the Middle East. She notes that "the question of Palestine loomed large behind the issue of minority rights in Eastern Europe" (p. 161). This point indexed the growing division between Zionism's "nationalist ideology" which pushed for

the "voluntary immigration" of the beleaguered Eastern Jews to Palestine, and the anti-nationalists, such as Lucian Wolf, who espoused minority rights as a form of protection and equality for Jews in Eastern Europe.

Fink's text is among the first post-Soviet scholarly reevaluations of the drafting of the minority treaties to move beyond an examination of secondary sources and into the archives. Such a return to archival material has the effect of challenging some long-held ideas about how the Minority Treaties came into being. As Fink writes, "[c]ontrary to the assertions of several historians, the little Versailles [the Polish Minority Treaty] represented neither a Jewish victory nor a Polish defeat, neither a triumph for self-determination nor a totally realist solution, but a hybrid experiment, balancing the Anglo-American vision of protection against Jewish demands and Franco-Polish opposition. The Great Powers, in their attempt to remove minorities as pawns in world politics, tried to have it both ways, both by internationalizing the problem and also containing it as best they could, leaving the unborn League the thankless task of turning confusing words into purposeful action" (p. 264).

Fink's arguments are distinctive in a number of other ways: by placing the minority rights protection promulgated at Versailles in a broader historical context and examining the Berlin Treaty and the minority treaties together, her work links Great Power-imposed minority protection in Europe to the concurrent rise of expansionist and irredentist nationalism. For Fink, the "quest for international minority protection in Europe involved the fusing of two powerful opposites: the attainment and maintenance of full national independence versus the expansion of outside control" (p. 360). Though the treaties ultimately failed to protect national and religious minorities in Europe, they represented an unprecedented moment in international law. As Fink notes "the peacemakers devised an international system that included history's first collective human-rights treaties under the guarantee of the League of Nations, an endeavor that set a model, both negative and positive, for future international efforts" (p. xvii). This legacy is of particular interest when we contrast the minority treaties of the interwar period to the system favored after World War II, which embraced international guarantees of individual rights over group rights.[3] As Fink and other historians and legal analysts have pointed out, such an approach was ultimately problematic as minority groups continued to be targeted in Europe as well as much of the world. In short, *Defending the Rights of Others* contributes substantially to our understanding of the practice of official and non-official diplomacy at the Paris Peace Conference and the drafting and implementation of the minority treaties, but also reminds us that internationally sanctioned minority protection emerged in the context of expansionist nationalism. This book will be of particular interest for scholars of diplomatic and modern Jewish history, but is an important read for anyone concerned with theorizing the link between ethnic violence and state formation.

Notes

[1]. A number of books on the subject were produced between the interwar years and the years following World War II. See C. A. Macartney, *National States and National Minorities* (London: Royal Institute of International Affairs, 1934); Pablo de AzcÃ¡rate, *League of Nations and National Minorities: an Experiment* (Washington, D.C.: Carnegie Endowment for International Peace, 1945); and Innis L. Claude, *National Minorities: An International Problem* (Cambridge: Harvard University Press, 1955). For a recent overview see Mark Mazower, "Minorities and the League of Nations in interwar Europe," *Daedalus* 126, no. 2 (Spring 1997): pp. 47-64, as well as chapter 2 of his *Dark Continent: Europe's Twentieth Century* (New York: Alfred A. Knopf, 1999).

[2]. For Fink's earlier work on the minorities treaties see "Defender of Minorities: Germany and the League of Nations, 1926-1933," *Central European History* 5, no. 4 (1972): pp.330-357; and "The Minorities Question" in *The Treaty of Versailles: A Reassessment After 75 Years*, ed. Manfred F. Boemke (Washington, D.C.: The German Historical Institute, 1998.

[3]. For a brief analysis of this particular problem see Mark Mazower, "The Strange Triumph of Human Rights, 1933-1950," *The Historical Journal* 47, 2 (2004): pp. 379-398.

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