

*Piotr Burgoński*

*Institute of Political Science, Cardinal Stefan Wyszyński University in Warsaw*

**Book review: Terri E. Givens, Rhonda Evans Case (2014), *Legislating Equality. The Politics of Antidiscrimination Policy in Europe*, Oxford, 159 pages**

Terri E. Givens, co-author of the book, is an associate professor in the Department of Government at the University of Texas in Austin. As part of her research she engages mostly in European immigration policy, studying its various aspects. The other co-author, Rhonda Evans Case, PhD, is the director of the Edward A. Clark Center for Australian and New Zealand Studies at the University of Texas in Austin and senior lecturer in the Department of Government. Her research interests focus primarily on the issue of human rights. Although there are only these two names on the book cover, the part called Acknowledgements states that Pete Mohanty, graduate research assistant to Terri E. Givens, is the co-author of chapter 2, whereas a note to chapter 7 says that it was written with research support from Natalia Banulescu of the Migration Policy Institute (Washington, DC).

The research presented in the book constitutes a typical policy analysis that distinguishes and analyses subsequent stages of the policy cycle: agenda setting, policy formulation, decision making, policy implementation and policy evaluation. The subject of authors' research is the anti-discrimination policy of the European Union from the perspective of racial discrimination. The authors have analysed the process of building this policy in the period of 35 years. They have used a chronological approach by successively examining subsequent stages of developing the anti-discrimination policy. Firstly, the authors have traced changes in the EU's discourse in the years 1986–2000 which consisted in a shift from the anti-racism idea to the concept of discrimination irrespective of race. Then the authors analysed anti-discrimination policy at the national level (UK, France, Germany) starting from the mid-1970s to 2006, treating it as a con-

text for emergence of the EU anti-discrimination policy. After that the study focuses on examining the process that led to adding article 13 to the Treaty Establishing the European Community in 1997 and ended in adopting the Racial Equality Directive (RED) in 1999. Moreover, the research involves the process of implementing RED in the UK, France and Germany in the years 2000–2010.

The perspective shown in the book is of analytic nature. In addition to the necessary descriptive part the study provides an analysis in the form of distinguishing individual elements of the examined issue (e.g. discourse, actions of players), noticing relations between them (e.g. between ideas and decisions of political forces), explaining reasons (e.g. of the actions taken), comparing some elements to others (e.g. motives for current actions to the previous ones).

The research problem taken by the authors was precisely defined. It is a problem narrowed to one issue, which does not downgrade the value of the conducted research. The research problem focuses on factors which play a key role in the development of the EU anti-discrimination policy, related to racial discrimination. The dependent variable adopted for the research is an institutional answer to various forms of racism and discrimination. It involves both in-depth reports and declarations as well as anti-discrimination legislation and developing equality bodies. The independent variables, on the other hand, adopted for the conducted analyses, include: presence of left-wing political parties or entities in the national governments and institutions, occurring of violence from extreme right-wing organisations or success of extreme right-wing parties, the process of deepening European integration and change in the discourse related to racism and discrimination.

The major conclusion of the book is that there are two factors which played a key role in the development of the EU anti-discrimination policy. The first was racial prejudice towards immigrants, the other – confrontation of left-wing and right-wing policy. The authors demonstrate that the anti-immigration policy of extreme right-wing parties resulted in introducing an immigration control policy by the mainstream right-wing parties. This resulted in an opposition by left-wing parties, which – according to their views – stood for the rights of minorities and were able to make use of the EU institutions to support the development of the racial anti-discrimination policy.

The merits of the book undoubtedly include the broadening of knowledge related to reasons and circumstances of developing one of the EU policies, that is, anti-discrimination policy related to racial discrimination. This knowledge comprises the roles of individual players, their motivations, measures and strategies used by them as

well as the role of ideological and political context in the development of the EU anti-discrimination policy. This is the first vast study of this issue. Moreover, it should be emphasised that most works on the EU anti-discrimination policy takes a legal perspective in studying it. The reviewed book is one of the few works demonstrating the EU anti-discrimination policy from a political perspective.

As it appears, results of the research presented in the book make a modest contribution to the development of the policy process theory at EU level. Most of the findings made by the authors at the theoretical level can be found in existing theories. At the theoretical level, the research shows primarily the role of the various factors that had an impact on the making of the EU anti-discrimination policy. You can learn from the book that in the development of EU anti-discrimination policy an important part has been played by the EU institutions (Parliament and Commission), which wanted to expand the scope of their powers at the expense of the member states. A loose network of transnational human rights activists and legal experts known as the Starting Line Group also played a significant role. Studies show that in the case of the discussed policy it was the so-called path dependency, i.e. the impact of previously made decisions on the decisions made in the future (consensus of the member states on article 13 resulted in the unexpected adoption of RED), the Europeanisation of both the bottom-up type (the impact of the British approach to “race relations” on the EU policy) and the top-down type (Europeanisation of anti-discrimination policies in member states) as well as the window of opportunity phenomenon, i.e. the occurrence of many favourable circumstances with which it was possible to make a decision (this way RED was adopted).

The biggest contribution of the book on the theory of political process is, as it seems, showing the influence of ideas on the EU policy. Even though there are publications dealing with ideological dimension of EU policies, only a few show how the change of the idea changes the shape of the policy. The authors showed that the change that occurred in the discourse at EU level had an impact on the shape of EU anti-discrimination policy. Initially the discourse raising the problem of racism concentrated on anti-racism, but the actions of the main European actors changed its focus to the idea of discrimination and in such form the discourse influenced EU legislation.

In support of their arguments, the authors present analyses of the content of EU documents, including statistical analyses, which they present in the form of graphs and tables. Besides, they document their arguments with facts, such as the decisions made and the actions of individual players. The basic research method adopted in this book is process tracing. The authors made the right choice in this respect. Based on this method

they convincingly demonstrate the existence of causal mechanism that links the causes with the effects. In the research a combination of three types of institutionalism was adopted as a theoretical perspective: historical, rational choice and discursive. The first one explains and analyses institutional preferences, the second allows to focus on the individual actors and their use of institutions for the purposes defined by them, the third provides a frame for analysing how a change in the discourse shapes the preferences of actors. The use of discursive institutionalism is especially valuable because it is relatively rarely used in the study of EU policies, and has a strong research capability.

The balance of the strengths and weaknesses of the reviewed book reveals the qualities that allow to recommend it to readers. I can recommend the book to political scientists and researchers of European issues. Thanks to it, readers will be able not only to learn about the formation of the EU anti-discrimination policy and explanation of the factors influencing its development, but also, based on the analyses presented in the book, they will be able to learn how to conduct accurate as well as theoretically and methodologically correct research of public policies.