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**Hamul'ák, O.: *National Sovereignty  
in the European Union. View from the Czech  
Perspective.* Cham: Springer, International  
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National sovereignty, independent performance of State power, the European Union or Czech position to any issue regarding the internal or international order in Europe are currently topics which are pending almost on a daily basis and through which is our complex present defined.

The dynamics of the relationships inside and outside of the united Europe, which goes through another significant, being said in a manner of an Eurocentric hyperbole, crucial phase of its future history, does not leave at peace the politicians, political scientists nor lawyers. Topic of the European Union is de facto inexhaustible in its complexity and depends only on the angle from which you consider it.

One such point of view on the complicated present of relations defined by national, international, but particularly European Union law is offered by a new expert publication with the name of "National Sovereignty in the European Union View from the Czech Perspective". Its author is Dr. Ondrej Hamul'ák, who belongs to the generation of young law experts working in Czech academia, who form their thoughts clearly, critically and refuse to accept the theory of the state sovereignty dissolved in Union organism without any reservations. Just as firmly he advocates the position, which was many times taken by the national constitutional courts, that the integration shall not mean a disintegration of statehood. His relatively extensive previous publication activity in the field of jurisprudence, constitutional law, European law as well as his language skills allow to zoom in the Czech point of view on current and also future problem of the European Union to whole professional Europe.

On a long-term basis Dr. Hamul'ák is dedicated to such topics as e. g. case-law in law phenomenon, law principles and rules, basics of the judiciary in the EU or the internal market rules. From his publications it is possible to extract gradually and systematically built construction of logical and hermeneutic arguments, by which he presents his view of the European Union structure and the irreplaceable role of the Member States during the entire existence of this unique international organization with elements of statehood.

Above mentioned publication, published in electronic version and in eBook version, which was published in publishing house Springer Briefs in Law in 2016, within the OPVK CZ.1.07/2.3.00/30.0041 project, which was financially supported by the European Social Fund and state budget of the Czech Republic, is not any exception to stated facts.

Even when briefly going through the structure of the reviewed publication “National Sovereignty in the European Union View from the Czech Perspective” it is obvious that its author has constructed its content on a combination of legal, philosophical-legal and political scientific approaches, which justify in many ways unpredictable evolution or schism of the European integration, which has been called as a constitutionalising proceeding as well as Moloch (page 55) in the reviewed text.

The author clearly puts the Member States as Master of Treaties in the centre of all existence of the EU and it is obvious that the current development including the future secession of the United Kingdom from the Union shows that his point of view has been right so far.

However, it is not evident from any of his texts, if the process of integration develops into State-building or State-replacing. Both national (Holländer, Zemánek, Bobek, Komárek and others) and foreign authors (Weathrill, Habermas, Prechal and others) offer him different opinions and approaches, which he synthetically forms into several main theses that he has emphasized as a research thesis at the very beginning of his publication (page 4):

1. Sovereignty of Member State could be preserved if we skip into the new understanding of this theoretical construct while interpreting the constitutional requirements.
2. Sovereignty as the normative superiority is underlined by the constitutional claim of inviolability of core constitutional values.
3. Member States still remain in the position of Master of Treaties which gives them strong position in the future forming of European project.
4. Member States have an explicit right to withdraw from the Union so they are free to make decisions about their future “European Destiny”.

On the other hand he does not omit the mixed character of the European integration and accepts the process of growing self-confidence of the EU including the process of gaining independence and autonomous constitutionalisation of the European Union. He sees EU as a new sovereign competing for power and creating the multi-level governance in the European region.

In his almost a hundred pages long text the author does not involve himself only in pure theory of sovereign Union relations in their ideal form, but analyses the practical, i. e. real-life sovereignty of Member States, especially the Czech

Republic. He presents the constitutional limits of robust normative creativity of Union itself (without denying the same robust Czech legislation, described as “a legislative whirlwind” nowadays) built on the recent case law of the Constitutional Court of the Czech Republic and accepts the effects of EU with reservation of non-violation of core constitutional values. In his opinion, which stems from the knowledge of the case-law of the Constitutional Court of the Czech Republic, according to which: “...indirect effect of EU law is limited by potential non-existence of national interpretation method (and on a constitutional level by the existence of the method of interpreting constitutional law) suitable for reaching the goals anticipated by EU law.” He sees the frontier against the absolute supremacy of the Union law e. g. in the fact that: “The obligation to apply EU-consistent interpretation does not mean that the reading of constitutional norms must always be in line with the EU law requirements. It is limited by the content and systemic logic of the constitutional text.”

The axis of his text is not pure bipolar – black or white, national sovereignty or united Europe, integration or statehood, but rather takes into account the necessity of a multi-level governance based on never-ending dialogue (page 87) about determining the superiority of one or of other. The mutual relationship between EU and its members is even more complicated since various norm-making centres exists, which on one hand allows shopping forum for individuals, but on the other hand makes a basic orientation in truly binding rules difficult to individuals. However, regardless this complexity, Dr. Hamulák offers and unconditional argument to the effect that the transfer of state sovereignty to the EU is conditional from the perspective of the Czech Republic and therefore the exercise of competence on the Union level cannot affect basic guarantees assigned in the Czech Republic’s constitutional law. Clearly this argument is soothing especially for individuals.

Those who are familiar with the previous work of Dr. Hamulák are no longer surprised by his unique style, which sometimes almost in a prosaic manner describes complicated legal construction of the European whole and appreciate his way of critically commented description of the European Union.

The publication is worth reading and not only because of it has an escalating nature and offers comprehensible answers to a series of existential questions of contemporary Europe, which sets the publication apart from series of autotelic discursive publications in the field of European Union law.

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