

Šišková, N. et al.: *From Eastern Partnership to the Association – The Legal and Political Analysis*. Newcastle upon Tyne: Cambridge Scholars Publishing, 2014, 305 p., ISBN 978–1-4438–5819–9

The monograph called **From Eastern Partnership to the Association – The Legal and Political Analysis** (the outcome of a Jean Monnet project titled “Eastern partnership and its prospects with a view a legal approximation, rule of law and human rights”) is an excellent in-depth study of the European Union’s policy towards its Eastern neighbours, particularly Ukraine, Belarus, Moldova, Azerbaijan, Georgia and Armenia. Both in respect of analysis and evaluation, the book breaks new ground and is a welcome addition to our existing knowledge on the European Union and Eastern partnerships. Professor Naděžda Šišková as editor of the study has been successful in creating a quality team of authors.

The book brings together contributions from a team of 17 authors with various professional backgrounds. They represent not only researchers and professors of scientific institutes for legal studies, political science studies and universities (namely, the Faculty of Law, Universität Heidelberg, Germany; the Faculty of Law and Faculty of Social Sciences, Charles University, Prague, Czech Republic; the Faculty of Law, Palacky University, Olomouc, Czech Republic; the Faculty of Law, Comenius University, Bratislava, Slovakia; Kiev Mohyla University, Ukraine; the Academy of Advocacy of Kiev, Ukraine; and the Law School, Tallinn University of Technology, Estonia), but also practicing lawyers and renowned experts in various branches of law (the Legal Secretary of the Court of Justice of the European Union, Luxembourg; the Director of the EU Law Department of the Ministry of Foreign Affairs of the Czech Republic; the Vice-Chairman of the Office for Protection of Competition of the Czech Republic; and an analyst of the Constitutional Court of the Czech Republic). The volume, though written by several authors, is very consistent both substantively and stylistically, which should be credited primarily to Naděžda Šišková in her role as editor. The book consists of a Preface written by the Commissioner for the Enlargement and European Neighbourhood Policy, Štefan Füle; an Editorial Introduction; three Parts; 15 Chapters; and a Conclusion. Given the numerous worthwhile chapters—written by different authors—on the one hand and space limitations provided for this review on the other, this text contains general remarks without broad reference to any single chapter of the study written by particular authors.

The first part deals with the Eastern Partnership and Association agreements as part of European External Relations Law, and brings together four

chapters examining the place and status of the Eastern Partnership Policy in the European External Relations (Petra Lustigová); the evolution of the Association in EU External Relations Law (Pavel Svoboda); the interpretation, implementation and enforcement of Association agreements (Emil Ruffer); and legal aspects of the European Neighbourhood Policy (Liudmyla Falalieieva).

The second part of the book, titled “General Overview of the Bilateral Agreements with Eastern Partnership Countries: A New Generation of Bilateral Agreements”, is concentrated namely on the relationship between the EU and Ukraine (Roman Petrov, Naděžda Šišková) and the relationships between the European Union and the countries of South Caucasus, such as Armenia, Azerbaijan and Georgia (Ondrej Hamulák, Achil Chochia). I particularly appreciate the definition of the new generation of bilateral agreements presented by Naděžda Šišková (pp. 105–126).

The third part, called “From Eastern Partnership to the Association in the Light of Legal Approximation, Human Rights and the Rule of Law”, is composed of seven contributions focusing particularly on the Rule of Law as the most important principle and foundation of the EU *aquis* (Peter Christian Mueller-Graff); new conceptions of the protection of fundamental rights in the EU (David Petrlík); the development of democracy (Ondřej Blažo); and the importance of a constitutional judicial review for the protection of Rule of Law, human rights and democracy (Soňa Matochová). Of particular interest is the chapter titled “Historical and Theoretical Aspects of Approximation of Law in Central Europe”, written by Vlasta Kunová.

The final part of the monograph thoughtful and logical conclusions written by Naděžda Šišková. As such, the book summarizes and explains one of the most fascinating developments of contemporary history; the extension of the democratic concept of “State” to eastern non-member states of the European Union. This process is still in full movement, so there is no escape from disturbing questions, such as: “Is this transition already achieved?”, or “Is this a long-term development oscillating between ups and downs?” A simple answer cannot be given. But this monograph offers rich material and keen observations by some of the most knowledgeable legal and political analysts. From such a treasure of information and analysis some fundamental regularities can be extracted. The study under review deals with emerging democracy in the process of modernization. Modernization is the more recent part of the historical process of civilization, and is still rapidly ongoing. Modernization means innovation, as shown by open, mobile societies and the introduction of democracy and the increase in its dynamics. Change is introduced by mostly new elites. A sequence of characteristic cleavages typifies the modernization process from national conflicts to social and economic conflicts. The dynamics

of innovation create new winners and losers; thereby, existing political cleavages are aggravated and new ones are created. Innovation and coherence are contrasting and conflicting phenomena. After periods of rapid modernization and democratization, cleavages rise to a point of “hard regulation” by conflict, breakdown, and retreat, and eventually to fundamentalism, dictatorship or anarchy. After turnaround or takeover by more successful political systems, a new push towards modernization follows. The lengths and depths of such political “waves” are difficult to forecast. This study makes a valuable contribution to such a process of democratization.

The reviewed monograph is undoubtedly an interesting analysis of the development from Eastern Partnership relations to the Association agreements. It is quite informative and fact – oriented. Almost every significant aspects of Eastern Partnership and Association has been portrayed. For researchers and teachers engaged in the study of European law, this concise study is extremely useful and interesting.

I find the book to be a great contribution, to be well structured and, in many ways, in its own manner, unique in the framework of European law, as nothing this extensive has previously been contributed in the field. Furthermore, the book is written in a way that is easy to comprehend for both lawyers and political scientists. The publication will also act as a hugely significant source for any further debate concerning the future of the process of transition from Eastern Partnership to the Association.

I strongly believe that this publication will attract the attention of the wider legal and political science public focusing not only on European law and international law, but also on comparative law in general.

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