

JACEK CZAPUTOWICZ
SUWERENNOŚĆ [SOVEREIGNTY]

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The issue of sovereignty as an essential attribute of every state, although it is already a topic of rich literature in the world, and also in Poland, still raises interest among researchers of almost all social sciences, and particularly lawyers, historians and political scientists. This issue has been also at the centre of scientific interests of Jacek Czaputowicz for a long time as testified by his publications related to this topic, including such articles as: „Pojęcie suwerenności” [‘The concept of sovereignty’] in *Nowa Europa* [New Europe] no. 2, (10) 2010 and „Suwerenność państwa w realistycznej i liberalnej teorii stosunków międzynarodowych” [‘The sovereignty of the state in the realistic and liberal theory of international relations’] in *Zoon politikon* no. 2.2011, the chapter entitled „Demokracja a suwerenność w Unii Europejskiej” [‘Democracy and sovereignty in the European Union’] in the collective work „Polska w procesie integracji europejskiej: dekada doświadczeń (2004–2014)” [Poland in the European integration process: a decade of experience (2004–2014)] edited by K.A. Wojtaszczyk, M. Mizerski-Wrotkowski and W. Jakubowski, Faculty of Journalism and Political Science, University of Warsaw, Warsaw 2014, pp. 147–166.

In the preface of the book under review the author admits that: ‘I have been conducting research on the issue of sovereignty for many years. It started in the summer of 2004 when I was staying as a visiting fellow at the European Union University Institute in Florence. Since then I have analyzed various aspects of sovereignty while working on other subjects, and I have published fragments of the findings in various works, among others in the monograph *Teorie stosunków międzynarodowych. Krytyka i systematyzacja*. [Theories of international relations. Criticism and systematization.]’ (PWN 2007) (p. 13).

Thus, the above-mentioned publications were a specific prelude to writing the reviewed monograph, consisting of 472 pages, in which the author proves the thesis that throughout history, as a result of competition of various centres of power, and in response to social needs, the content of sovereignty has been subject to change, and its evolution and essence have been also greatly influenced by philosophers, lawyers and politicians. It is impossible to disagree with this seemingly trivial thesis which shows that sovereignty is not only a state but also a process determined by the changing environment of individual countries and their relations with other participants in international relations. This thesis is – in my opinion – presented and demonstrated in the best way by Professor Robert Jackson in his numerous works devoted to sovereignty, and especially in the book entitled *Sovereignty. The evolution of an idea*, which was also released in Poland by Wydawnictwo Sic! in 2011.

There is no doubt, as I have mentioned, that Jacek Czaputowicz's reviewed work is a substantial scholarly work, one of the best books on sovereignty which have been published in recent years in Poland and other countries. This book has been well received by political scientists, philosophers and lawyers. It has an interdisciplinary character, because the author, writing it from the perspective of political science, also takes into account the findings and conclusions of historians, lawyers and philosophers formulated within the space of not only past years but also centuries. We are dealing here with a successful reconstruction of understanding of sovereignty and its evolution over many centuries, from ancient times in the Greek city-states (polis), through the Roman Empire and the medieval *Respublica Christiana*, until modern times, when the state evolved from the territorial formation, through the absolutist to the national one in the nineteenth and twentieth centuries. At the same time the author points to two main approaches to sovereignty and its essence, namely as an attribute of the state and an inherent characteristic of international institutions, e.g. The European Union, where the main function of sovereignty is to legitimize their actions to solve current problems in international relations. Sovereignty as an attribute of the state in the past, but also today we encounter this understanding, was regarded as the state's (and its authorities') freedom of action to implement its own interest often at the expense of another country. Such an approach to sovereignty still exists in foreign and domestic policies of many countries, among others, Russia under the reign of Vladimir Putin. In this context, we must agree with another thesis of the author that not only in the past but also today sovereignty has another character in Europe and another in Asia, and yet another in Africa and the Middle East, where it is often forgotten that sovereignty is closely linked with

the principle of non-intervention in the internal affairs of other countries. What is more, the dispute among scholars about what in general sovereignty is, where it is located, what its relationship with the law is and whether it is divisible and subject to change is still not resolved. Representatives of each of the social sciences have different approaches to these issues and explain them differently.

And, thus, for example, as far as the issue of divisibility of sovereignty is concerned, today in the era of globalization, integration and growing interdependence, political scholars argue that sovereignty is divisible, but international lawyers disagree and advocate the unity of sovereignty and treat it as an attribute belonging only to states.

In the reviewed work, Jacek Czaputowicz – as I have said – puts many original theses and hypotheses and tries to answer these questions and analyses many other issues related to sovereignty of various entities participating today in international relations. Among other things, he looks for answers to the valid question of whether and how sovereignty and its perception changes in the case of countries participating in the European integration process. There is no doubt that, in comparison with the seventeenth and eighteenth centuries when this concept came into being with the Treaty of Westphalia, such sovereignty attributes as the determination of subjects' religion, exclusiveness in lawmaking and, coinage in countries belonging to the so-called Eurozone have now vanished.

The reviewed work is composed of a synthetic introduction, six comprehensive chapters divided into many subsections, a laconic summary, a list of tables and figures, a bibliography and an index of names. It was written in a problem structure, which I think is a right solution.

And thus, in the first chapter, entitled „Pojęcie suwerenności” [‘The concept of sovereignty’], which is the introductory chapter to the total of the author's considerations, presents various definitions of sovereignty and its essence and differences in its perception in various disciplines (law, political science, international relations). The author analyzes here such attributes of sovereignty, as territoriality, recognition, the ability to legitimacy, indivisibility and describes different dimensions and types of sovereignty (material and formal, positive and negative sovereignty).

The second chapter, entitled „Suwerenność w historii” [‘Sovereignty in history’] shows the evolution of sovereignty throughout history, starting from ancient times through the Peace of Westphalia till today. In this chapter the author shows that the meaning of sovereignty has changed and its attributes have also changed.

The third chapter, entitled „Suwerenność w filozofii politycznej” [‘Sovereignty in political philosophy’], which I think is one of the most interesting in the reviewed work, is devoted to the perception of sovereignty in individual trends of philosophy, starting from antiquity to the present, that is in classical, liberal philosophy until modernism and postmodernism. The author rightly notes that the contemporary philosophical thought and its position on the issue of sovereignty, especially of countries, has been significantly affected by the idea of sovereignty as a state of exception, proposed by Carl Schmidt, and later developed by Michael Foucault and Giorgio Agamben in the form of the concepts of apparatus and biopolitics.

The fourth chapter, entitled „Suwerenność w teoriach stosunków międzynarodowych” [‘Sovereignty in the theories of international relations’], which *de facto* is the core of the reviewed treatise, concerns the understanding and treatment of sovereignty in various theories of international relations, starting from realism through the English school, liberalism, various trends of globalization (neo Marxism) to the critical theory, various trends of cosmopolitanism, constructivism and postmodernism. These approaches and views differ in terms of the location of sovereignty and the recognition of the influence of standards on international relations and attach a greater or lesser role to the practice of sovereignty, and also suggest thinking in the categories of alternative management systems which break the connection of politics with sovereignty.

In turn, the fifth chapter, entitled “Suwerenność a społeczność międzynarodowa” [‘Sovereignty and the international community’], discusses the importance of sovereignty as the basis for the creation of the international community and its institutions such as the balance of power, diplomacy, international law and international organizations. The author analyzes here also such issues as the impact of globalization on the state and the international community in the context of their sovereignty. The author’s considerations on modern, premodern and postmodern states are also interesting here.

In the last, sixth, chapter entitled „Suwerenność w Unii Europejskiej” [‘Sovereignty in the European Union’] the author shows the influence of European integration and the resulting European Union on sovereignty of the Member States. Here such issues as lawmaking in the European Union and sovereignty in the constitutional systems of the Member States are analyzed. The author puts a thesis here, with which I agree completely, that sovereignty of the EU Member States is affected by the process of Europeanization, which concerns, among others, social, monetary sovereignty

and European citizenship. Also other interesting issues are discussed here, such as the deficit of democracy and the ways of exercising sovereignty in the European Union. Jacek Czaputowicz proves an interesting theory here that states, in order to obtain new opportunities for the realisation of their interests and provide citizens with prosperity, transfer some of their sovereign powers to the supranational level or jointly carry them out.

The entire analysis in the reviewed book finishes with a synthetic summary, in which the author shows that sovereignty and its attributes since Jean Bodin have been systematically changing and constantly evolving under the influence of the changing international reality, and today especially under the influence of globalization and international integration. In connection with this many features which in the past were regarded as obvious today have ceased to be like that. On the other hand, the abstract nature of sovereignty and its different understanding still do not allow us to formulate a clear answer to the question of what in fact this sovereignty is. I agree with the author who writes here that: 'The idea is not directly reflected in reality, it is rather a scheme of interpretation of reality, which is used for organizing and structuring of our thinking about political life. Sovereignty means both absolute power and political freedom, supremacy, autonomy as well as self-sufficiency. It combines two opposing political properties: the government, and freedom from the influence of others. It creates order through submission and through autonomy' (p. 409).

The effects of scholarly research and its quality are determined by the researcher's experience and his knowledge of the topic, the adopted methodology and the source database. Therefore, I would like to devote a little more attention here to the source database of the reviewed monograph, because it shows the researcher's inquisitiveness, scrupulousness and diligence, and Jack Czaputowicz must be given credit for these attributes. He used numerous sources as evidenced by 45 pages of the bibliography, although they are primarily monographs and articles and studies, and there are few original documents. I also have reservations concerning the methodological and workshop side of the reviewed work. And thus, the introduction and conclusion, which have their own requirements as to their content, in the reviewed work were written by the author at the level of a master's thesis, in a very succinct manner, without a broader discussion of the goal of the dissertation, its hypotheses, theses and research questions, the adopted methodology, including the theory and the source database. Incidentally, the bibliographies of serious scholarly work most often use the division into following parts, such as archive documents, published documents,

monographs, articles and studies, the press and possibly Internet sources. Here, this division does not exist, which reduces the rank of this work.

In conclusion, I want to note once again that, all in all, the reviewed book enriches the literature and is a major contribution to the development of social sciences in Poland. It summarizes the discourse on sovereignty and its role in the lives of states and nations in the past and today.

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