

REVIEWS

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**WALDEMAR ZUBRZYCKI, ALEKSANDER BABIŃSKI,
PROCEDURY BEZPIECZEŃSTWA W UNII EUROPEJSKIEJ
(SAFETY PROCEDURES WITHIN THE EUROPEAN UNION),
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The European Union is most evidently an absolutely unique construct, which is owed to the foundations prescribed in treaties constituting it, as all the detailing of these in thousands of legislative acts of derivatives law. Its institutional system, decision making mechanism, division of competence, or specific practical policies and actions – just to name a few examples of its attributes, albeit very complex and multiplanar – are extraordinarily interesting as a subject of scientific investigations. Lo and behold, we are dealing with a living, evolving entity, capable of noticing its own shortcomings and limitations, even though this process is happening quite slowly; reacting to what takes place inside it and within its direct surroundings.

Over a couple of decades, European Communities, rather inconspicuous and with limited functioning, evolved into a Union – an organization complex and complicated unlike any other in the world – having at its disposal a series of rights, also towards its own members, including applying sanctions and fines. In its beginnings it was an entity oriented towards the realm of economic aspects in their broad sense, yet in recent years the necessity of developing its foreign policy and safety procedures is discussed, including the capabilities regarding collective defence. Even though stipulations, according to which the Union would be to dispose its own, very strong army, or to operate as an entity speaking in one voice and on behalf of all members on the international relations arena, ought to be considered not more than *political fiction*, it is difficult not to notice

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that a series of legal, institutional, and organizational solutions, aiming to improve the safety of European countries, their citizens, and the organization itself, were negotiated upon, adopted, and implemented.

The publication under the title *Procedury bezpieczeństwa w Unii Europejskiej* by Waldemar Zubrzycki and Aleksander Babiński, which was issued in print by a renowned Warsaw publishing house Difin, aims at clarifying to the Reader – be it not only a specialist or a scientist, but also a student – the institutions, organs, agencies, policies, documents, and actions of the European Union influencing the safety of the Old Continent, as well as outlining the directions for cooperation with third party entities in this regard.

To begin with, both Authors are scientists and practitioners, specialists who have for many years been providing advice and serving with knowledge and experience to Polish public institutions. This aspect is of utmost importance considering such a difficult, multiplanar topic. For it induces to consider, which in fact is true, that the contents of the publication are depicted in a comprehensive manner, i.e. from a theoretical and practical point of view.

It also ought to be indicated that the topic itself is very much up to date. The events that we have been witnessing within the span of last several years, taking place on the very EU territory (terrorist attacks in France and Germany among others, mass migrant influx to Europe and civil unrest related to this phenomenon, etc.), as well as within its surroundings (the Balkans and Ukraine conflicts, aggravated EU-Russia relations, etc.), do not leave any space for doubts. Every publication allowing for better understanding of EU's capabilities in terms of acting with regard to safety, as in this case, should therefore be considered valuable.

The publication under review consists of an introduction, as many as 16 essential parts (chapters), and a bibliography. However, lack of any ending, comments summarizing the whole publication may be quite surprising... It is not a measure commonly utilized in case of monographs and it is difficult to judge why the Authors opted for such a solution. In the course of their considerations they focused in sequence on the following substantive aspects: identification of main threats within the territory of the EU (chapter 1), selected kinds of threats to EU safety (2), the European Security Strategy (4), the Common Foreign and Security Policy (5–7), the Common Security and Defence Policy (8–9), police and court cooperation with regard to criminal cases (10), crisis management and people defence in the EU (11), migrant and asylum provision policy (12), fighting organized crime and terrorism in the EU (13), EU's cooperation with other organizations in terms of safety (14); and Poland's safety, its safety procedures, and defence doctrine (3 i 15–16). Bearing in mind the above, it ought to be stated that the disquisition has been prepared in very broad terms – in case of a monograph of such construction it would be difficult to point out any additional issues which would prove worth including.

The matters presented are, as mentioned above, very important and up to date. The Authors deserve a lot of credit especially for chapters 3, 15, and 16, which concern our

own, Polish, solutions regarding safety. These are the matters for the purpose of which the knowledge of the realities (common practice) by both Authors was very useful. At this point, it needs to be indicated that the table of contents section ought not to be treated as suggestive regarding the actual contents of the publication. Having read it, yet before delving deeper into the substance of the text, one might be under the impression that the publication does not contribute any significant publishing *novum* and that it is but a collection of well known and already elaborated procedures and mechanisms of the functioning of the EU, yet in different words. That impression is false however, for, firstly, it seems that the Authors were aiming towards making their publication a complex piece of work including a study of the most important aspects of EU's safety. Secondly, while presenting well known facts (institutions, organs, laws, indications of international cooperation, etc.), the Authors complemented them with a series of supplements and explanations, sometimes even adding comments. These remarks alone allow for a statement that the publication under review is far from average and is definitely not reproductive in its nature.

Moreover, the style and language utilized by the Authors also require mentioning – these indeed are difficult, yet not to the point making the text incomprehensible to an average Reader. The manner of formulating sentences, selection of words, precision of thought and reasoning (no space for conjecture or speculation) are all on a very high level. Therefore, in this regard the Authors deserve much credit, as the task at hand was far from simple. What is more, in the opinion of the undersigned, the result of this concise and very concrete manner of leading the narrative is that the Reader is not flooded with a plethora of detailed (and quite often unnecessary) information that would make it difficult to comprehend the whole system. There is also much merit in congratulating both the Authors and the Publishing House on the detailed and very advanced redaction.

All of the aforementioned comments contribute to a very high grade for the piece of work under review. Nonetheless, certain remarks of critical or debatable nature need to be indicated that come to mind while reading, albeit they are not to be considered of fundamental significance. Firstly, the number of chapters in the publication under review may come as a surprise. Bearing in mind the total of 200 pages, the division into as many as 16 chapters may raise doubts as at least part of them might have been consolidated into broader thematic units. For instance, chapter 5 (“Wspólna Polityka Zagraniczna i Bezpieczeństwa – jej rozwiązania prawne i instytucjonalne” – “Common Foreign and Security Policy – legal and institutional solutions”) could be merged with chapters 6 (“Podstawy prawne WPZiB Unii Europejskiej” – “Legal Foundations of EU's CFSP”) and 7 (“Organy i agencje WPZiB UE” – “Organs and Agencies of EU's CFSP”); and chapter 8 (“Założenia Wspólnej Polityki Bezpieczeństwa i Obrony Unii Europejskiej” – “Foundations of the Common Security and Defence Policy of the European Union”) might be merged with chapter 9 (“Organy i zasoby WPBiO UE” – “Organs and Resources of EU's CFSP”). It seems that there was no need to break the contents into thematic units to this extent, even more so due to the fact that the Authors decided

not to divide them into subchapters¹. Perhaps it would be reasonable to also “group” all chapters concerning Poland at the end of the monograph. For placing the fragment “Bezpieczeństwo Polski w świetle zagrożeń UE” (“Poland’s Safety in the Light of Threats to the EU”) as a third chapter in sequence and other ones concerning the Polish reality as far in the book as chapters no. 15 and 16 might, in eyes of certain Readers (although not necessarily according to the author of the hereby review), might disturb the substantial order of the publication.

From a redaction or editorial point of view, it is a puzzling measure to opt against an index/list of graphic elements, as well as a list of utilized abbreviations. In the first case there are not many instances in the publication under review – only 2 graphs and 2 drawings. Apparently, their insignificant number was the reason for abandoning such a concept. In the second case however, i.e. of the abbreviations, which are utilized throughout the publication to a very significant extent, the justification of the Authors’ reasoning might be the fact that each time these appear in a chapter, they are explained in the course of the text.

And one more remark to end with. In the note on the cover the Authors state that in their piece of work they presented “a rich inventory of literature, legal acts, and Internet sources”. It would be quite difficult to absolutely agree with such a statement. For as far as the statement concerning literature is partially agreeable, it is rather doubtful in the other two aspects. The literature is indeed diverse, yet mostly of Polish origins (only 3 sources in other languages). Moreover, many of the publications indicated are older than 2009, which was the very year that the Treaty of Lisbon was introduced, which allows for a risk of the included information not being up to date. The number of legal acts as well as electronic sources utilized is, bearing in mind the number of EU’s and Poland’s safety aspects presented in the monograph, very limited, subjectively speaking.

The scale, dynamics, and changeability of challenges to safety to both the European Union and its member countries (including Poland) causes that policy makers spend more time on preparing and implementing mechanisms and procedures improving that very concept safety, or at least a proper sense of safety. Nonetheless, the specific unpredictability of threats caused that the existing solutions are becoming ineffective as time passes. Therefore, they are constantly evolving. Interesting is the fact that voices are raised in Europe that adopting new safety procedures, granting new rights to the services responsible for citizen safety, etc., is performed at the expense of civil rights and liberties, which ought to be treated with priority by the authorities. Although it is difficult to judge within a few sentences whether such a process is indeed taking place, and it is almost impossible to assess which value is more precious (safety or civil rights), yet publications such as *Procedury bezpieczeństwa w Unii Europejskiej* by Waldemar

¹ Out of the total of 16 chapters as many as half were not divided into subchapters, which may raise certain doubts.

Zubrzycki and Aleksander Babiński, explaining the grounds and motifs for the introduction of certain measures, contribute to the better comprehension of the safety system in its broad sense, thus allowing for reaching a better social consensus around the proposed changes.

Procedury bezpieczeństwa w Unii Europejskiej is a universal proposal, aimed towards a wide variety of recipients interested in law, the broad spectrum of political sciences, as well as safety sciences, and the matters it discusses are exceptionally up to date and very interesting. Ultimately, the publication is to be considered an inspiring and much needed reading matter.