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The new issue of Prague Law Faculty's open source electronic periodical offers a set of working papers on various topics. The following presentation provides general outline of their content. Their full versions can be downloaded free of charge from <http://www.prf.cuni.cz>.

Pavel Svoboda, a member of the faculty but currently also the Chairman of the Committee on Legal Affairs of the European Parliament presented a paper with a question in its title: ***“Does the EU Have the Competences to Achieve the Objective of a Social Market Economy?”*** His contribution, based on a thorough analysis of the EU primary law, attempts to answer the question. The social market economy, *prima facie* one of many objectives set out in Article 3 of the TEU, is understood above all as an integrated social model, a collection of other objectives, and a concept that ranks other objects in a systematic whole. Reaching this aim therefore requires adequate competencies. The paper takes ten main parts of the social market economy content as analysed by current doctrine and compares them with the list of EU competencies as listed in the founding treaties. Through this detailed analysis the author reaches the conclusion that although EU competencies are relevant for the majority of social market economy content, the more a particular problem relating to social market economy approaches significant aspects of the functioning of the state, the smaller the impact of the EU and its competences.

Václav Šmejkal in the paper ***“The Social Market Economy Goal of Article 3(3) TEU – A Task for EU Law?”*** continues the debate on the availability of EU's means and powers that may help to carry out one of its official goals. From the entry into force of the Lisbon Treaty the EU has among its constitutional objectives the goal of achieving a highly competitive social market economy. At the same time, however, the EU has not been given any specific powers to actively develop its social policy. After six years of legal force of the Lisbon Treaty there is still no clarity on how should the EU interpret the legacy of German post-war Sozialmarktwirtschaft, whether it should strive for its own economic and social “Constitution”, whether it can try to fulfil the objective of social market economy through the instruments of EU law. The paper argues that some, rather partial, measures enacted by the EU legislator would be desirable and feasible without creating a danger of over-regulation that would threaten the freedoms of the internal market or distort the existing division of powers between the EU and the Member States in the social field. The social market economy concept, being itself a compromise between the free markets and social welfare requirements, can act as a guarantee that neither unbounded market freedoms nor socializing policies would dominate the EU. The author concludes that the inclusion of this objective in the Treaty was a wise compromise that the EU should actively use in the current fight for its survival.

Sean Davidson contributed a paper titled ***“Necessary Questions in Free Religion Cases: Application of 'General Applicability' to the French Veil Case”***. The author presented the content of his contribution as follows: The First Amendment (“FA”) of the U.S. Constitution is understood to protect the freedom of religion (“FR”). Under FA, FR includes the principle of separation of church and state (through its establishment clause provision), and to protect the rights of individuals to freely exercise religion (through its free exercise clause provision). In this article, I will first briefly introduce the “test” of the U.S. Supreme Court (“SC”) in FR cases, summarise how the test was applied in a leading case (*Church of the Lukumi Babalu Aye v. City of Hialeah*), provide a recommended interpretation or elaboration of such test, and then apply relevant aspects of the elaborated test to the case of *S.A.S. v. France* concerning France's prohibition of the veil, a case decided by ECt in 2014. The purpose of applying the elaborated test to *S.A.S. v. France* is to further elucidate the issue of FR and demonstrate what questions European and American courts should consider in determining cases concerning FR. The issues and evaluation considered in this paper in regards to *S.A.S. v. France* are based on interpretation of a specific prong of SC's test in FR cases, called the “general applicability” prong, which may be very useful in evaluating such cases. The aim of the contribution is to provide analysis of

a specific aspect of SC's doctrine in order to propose a consistent and effective approach for evaluating FR cases in both Europe and U.S. And the aim is definitively not to state that ECt decided *S.A.S. v. France* wrongly – that is beyond the scope of this article.

Petr Agha, author of a paper named *“The Empire of Principle”* explains that the aim of his contribution is to refocus our thoughts, which has recently shifted in favour of the end of politics and the consolidation of the post-political condition in the wake of the Eurozone crisis. He considers the rapidly accelerating decline of the political topography over the past few decades into a post-democratic arrangement, in which expert administration, the naturalisation of the political into the management of a presumably inescapable economic ordering by an administrative elite in tandem with an economic oligarchy, has occupied and filled out the very meaning of Europe. The paper tries to demonstrate the need for the European project and the spaces for democratic engagement, to be taken back from the post-political oligarchic constituent order, represented by the austerity measures. It revisits a handful of key components of the process of self-constitutionalization, in the light of the austerity measures imposed after the outbreak of Eurozone crisis, in order to see how and if Europeans, under these novel conditions, can still constitute their own Europe. If Europe is really going through substantive transmutation, as this paper argues, this will not be revealed by the analysis of positive laws, constitutional texts and institutional arrangements alone. There is a need to dig deeper into the “hidden abode” of European discursive practices, its ideas and ideologies. To achieve this, the author particularly focuses on the role one of the primary tools of the European project, so-called “integration through law”, plays in the consolidation of austerity measures as a part of the post-2008 constitutional landscape of Europe and the effect it has on the generative matrix of the European project.

Denys Lazariev, an Erasmus student at the Faculty of Law, published a paper on *“Current Issues of Freedom of Expression in Malta”*. He proposes a thorough analysis of peculiarities of legal regulation of enjoyment of right to freedom of expression in Malta. To achieve his objective, he reviewed the basic legal sources of Malta, pieces of scientific research, international rankings and analyses made by international organizations. In the paper the problematic issues of blasphemy as a criminal offence in the criminal law of Malta are dealt with in particular. As a general conclusion, the author argues that the current legislation (especially on mass-media) of Malta is a reflection of old traditions that exist now, therefore some old-fashioned provisions are still in force.

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