BOOK REVIEW

Manolis Perakis, *Exiting the European Union. Legal Procedure, Dimensions and Implications*, Cambridge Scholars Publishing (2019) 209 pages, including six Appendices with relevant official documents, Index.

The last decade has been marked by a series of severe, interrelated crises that have deeply impacted on European societies and created the picture of an unprepared and weak Union, struggling to address such problems. The economic crisis and the refugee problem, which have caused discord among member states, the rise in extremist political forces and the breaches of the rule of law by certain governments, the withdrawal of the United Kingdom from the EU, as well as the secessionist tendencies within member states have all raised unprecedented questions, the most critical being whether member states actually benefit from their status as such and whether expulsion of a member state as the ultimate form of sanction is a legal option within the EU legal order.

This book is a contribution to the study of the conditions, process and specific issues that arise not only from a member state's voluntary withdrawal from the Union, but also from related forms of full exit or of an important change in its status as a full member. The author argues that all these critical issues at a political, economic and social level are regulated within the Union by relevant legal rules and should thus be approached and discussed from a legal perspective.

The sheer complexity of the foregoing matters and the various interesting aspects raised by them have led the author to also examine the viewpoint of national and/or international law in certain sections of the book. His choice is based on the view that the topics this book seeks to grapple with cannot be examined by looking only at the EU's own 'internal' legal order. Notwithstanding this choice, throughout the book he manages to focus steadily on the fundamental principle and practical reality that the European Union is an autonomous legal order.

It is worth noting that, notwithstanding the book's highly political topic, the author has been able to strike a balance between confining its purpose strictly to the legal sphere and seeking to highlight the fundamental legal issues that arise from the examination of the relevant EU rules, on the one hand, and approaching and examining the political issues that are important for a thorough analysis of the topic, on the other hand.

The book is divided into two parts: In Chapter I of Part A the author examines the history of the academic debate on the existence of a Member State's legal right to withdraw from the EU until the Treaty of Lisbon. This section reviews the doctrinal legal regime prior to the Treaty of Lisbon, the views that have been formulated about such a right, and the provision of Article 50 TEU freshly introduced by that Treaty, along with all political positions and legal views that have led to the current wording of the relevant provision.

Delving deeper into the subject, in Chapter II the author discusses the concept of voluntary withdrawal of a member state from the Union, as specified

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in Article 50 TEU. Based on the wording and spirit of the provision, the withdrawal process is outlined, and the stipulated steps are examined one by one, with particular reference to and analysis of the most important legal questions raised in this regard, owing both to the provision's legal gaps and to the complexity of its wording. Within this context, the author analyses some noteworthy legal issues arising from the text and spirit of the said provision, the most complicated one being whether a withdrawing member state can revoke its withdrawal notification. The relevant CJEU judgment (*Wightman* case) is also presented and criticized in that regard. As one might expect, monitoring of the process commonly referred to as 'Brexit' is a key element of this chapter.

In contrast to the previous part, the following first chapter of Part B explores the possible existence of a legal basis and process for a *de jure* expulsion of a member state from the Union, whether directly by decision or indirectly by exercising pressure through the imposition of strict and insufferable sanctions. The key focus of this chapter is the control and sanctions mechanism of Article 7 TEU, which is an exceptionally relevant topic given the recent developments in Poland and Hungary, which are also examined in depth. In the final chapter, the author discusses two possible cases of de facto forced withdrawal of a member state from the European integration project, namely the possibility of an exit of a member state from the Eurozone, whether voluntary or forced, and the legal landscape and questions arising by the secession of an EU member state.

The Epilogue sets forth the concluding remarks and the author's own views on the general phenomenon of the withdrawal of a member state from the process of European integration – always from a legal viewpoint – while taking into consideration its interplay with political and economic factors. The starting point of the author's reasoning is the admission that accession to the EU requires, above all, a radical shift in how a member state views its own existence and defines itself, in other words a member state's perception of itself; and it also requires the transfer of competences from the entire sphere of state activities, *i.e.* from the legislative, executive and judicial branches, to a supranational entity. The author then concludes that keeping a member state 'trapped' within a project in which it no longer wishes to participate, and no longer believes in, would be contrary to the Union's fundamental principles and goals, such as respect for state sovereignty, democracy and the rule of law.

It is worth remarking that, in an interesting point of his conclusions, the author proposes the idea of a 'multi-speed Europe', which was once considered 'taboo' but is nowadays gaining ever increasing ground in the minds of member states and their citizens as the most efficient way to carry on with the integration project with the least possible consequences and to shield the project itself against any member state suffering inevitable fatigue or having a 'change of heart'. The Epilogue is followed by the book's appendices, which include the most important source texts relating to the current process of the United Kingdom's withdrawal from the European Union, and by a detailed index.

Overall, the book is a comprehensive, thorough and well-documented work. It is also one of few scholarly works discussing such a relevant and complicated phenomenon, *i.e.* a member state's exit from the Union, from a strictly legal

perspective and on the basis of the premise that all relevant issues and processes pertain to a 'Union of Law', while saving readers from ordinary and lengthy discussions that are detached from the political and economic reality. The author's choice to include in his work both modes of exiting the EU, *i.e.* both voluntary and imposed exit, should be praised, as it offers an ideal opportunity to deal with complex legal and political issues that have not yet fully matured in legal scholarship and case law: the secession from a member state and the imposition of unbearable sanctions on a member state.

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