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Constitutional frivolities

Lubomír Zaorálek of ČSSD will be the new culture minister, which means that ČSSD Chair Jan Hamáček will ask PM Andrej Babiš to withdraw the nomination of Michal Šmarda and to deliver a new nomination to Pres. Miloš Zeman. This complicates matters for the Senate, because its impeachment complaint now rests in part on the failure of the president to honor a nomination that will ultimately be rescinded. Is brinkmanship on the part of the president an impeachable offense? Zeman has clearly stretched, bent and subjugated the Constitution, but are his acts of defiance on the same level as high treason (as MP Marek Benda of ODS recently asked)? Constitutional law, by its very nature, is the process of defining and interpreting words whose meaning changes over time. Zeman is actively remolding the meaning without much real opposition, because his opponents are trivializing the Constitution by pretending that it can be read in only one way.

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