Book Notes “Law” 1/2021

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Alberto Alemanno and Lamin Khadar (Eds.): Reinventing legal education: How clinical education is reforming the teaching and practice of law in Europe. Cambridge: Cambridge University Press, 2018. ISBN 9781316678589. 348 pp., GBP 77.65.

European legal teaching—historically formalistic, doctrinal, hierarchical, and passive—is coming under increasing pressure to reimagine itself as pragmatic, policy-aware, and action-oriented. Out of this context, a bottom-up movement of university law clinics appears to be emerging in Europe. Although intellectually indebted to the U.S. model, the European variant reflects legal education and practice in Europe, specifically the multi-layered and multi-genetic legal landscape resulting from the Europeanization and internationalization of national legal systems, the globalization of European legal markets, and the growing demand for civic engagement in view of increasingly powerful supra-national institutions. Through the prism of clinical legal education, *Reinventing Legal Education* is the first attempt to gather scholarly and systematic reflections on the developments taking place in European legal teaching and practice. This ground-breaking book should be read by anyone interested in how clinical legal education is reinventing legal education in Europe.

Rachel Alemu: The liberalisation of the telecommunications sector in sub-Saharan Africa and fostering competition in telecommunications services markets. An analysis of the regulatory framework in Uganda. Berlin: Springer, 2018. ISBN 9783662553183. 364 pp., EUR 139.99.

This study investigates whether the existing regulatory framework governing the telecommunications sector in countries of Sub-Saharan Africa effectively deals with emerging competition-related concerns in the liberalized sector. Using Uganda as a case study, it analyses the relevant provisions of the law governing competition in the telecommunications sector, and presents three key findings: Firstly, while there is comprehensive legislation on interconnection and spectrum management, inefficient enforcement of the legislation has perpetuated concerns surrounding spectrum scarcity and interconnection. Secondly, the legislative framework governing anti-competitive behaviour, though in line with the established

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principles of competition law, is not sufficient. Specifically, the framework is not equipped to govern the conduct of multinational telecommunications groups that have a strong presence in the telecommunications sector. Major factors hampering efficient competition regulation include Uganda's sole reliance on sector-specific competition rules, restricted available remedies, and a regulator with limited experience of enforcing competition legislation. The weaknesses in the framework strongly suggest the need to adopt an economy-wide competition law. Lastly, wireless technology is the main means through which the population in Uganda accesses telecommunications services. Greater emphasis should be placed on regulating conduct in the wireless communications markets.

Mor Bakhoun, Beatriz Conde Gallego, Mark-Oliver Mackenrodt and Gintarė Surblytė-Namavičienė (Eds.): Personal data in competition, consumer protection and intellectual property law: Towards a holistic approach? Berlin: Springer, 2018. ISBN 9783662576458. 577 pp., USD 179.99.

This book analyses the legal approach to personal data taken by different fields of law. An increasing number of business models in the digital economy rely on personal data as a key input. In exchange for sharing their data, online users benefit from personalized and innovative services. But companies' collection and use of personal data raise questions about privacy and fundamental rights. Moreover, given the substantial commercial and strategic value of personal data, their accumulation, control, and use may raise competition concerns and negatively affect consumers. To establish a legal framework that ensures an adequate level of protection of personal data while at the same time providing an open and level playing field for businesses to develop innovative data-based services is a challenging task. With this objective in mind and against the background of the uniform rules set by the European Union (EU) General Data Protection Regulation, the contributions to this book examine the significance and legal treatment of personal data in competition law, consumer protection law, general civil law, and intellectual property law. Instead of providing an isolated analysis of the different areas of law, the book focuses on both synergies and tensions between the different legal fields, exploring potential ways to develop an integrated legal approach to personal data.

Christian Bala, Marit Buddensiek, Petra Maier and Wolfgang Schuldzinski (Eds.): Verbraucherbildung: Ein weiter Weg zum mündigen Verbraucher (Consumer education: A long way to becoming a responsible consumer). Beiträge zur Verbraucherforschung 10 (Contributions to consumer research, Vol. 10). Dusseldorf: Verbraucherzentrale, 2019. ISBN 9783863369231. 147 pp., Available for free.

What constitutes consumer education? And what the teaching of skills to be able to buy safely in the different markets? Or the ability to question consumption and consumption habits? The authors of the 10th volume of the *Beiträge zur Verbraucherforschung* (Contributions to Consumer Research), which has just been published under the title *Consumer Education: A Long Way to Becoming a Responsible Consumer*, deal with these topics. The introduction of consumer education in schools is being strived for and in some cases already implemented in many federal states. The "responsible consumer" is named as the educational goal. If the goal of consumer education is to enable people to be responsible citizens, then it must do both: It must teach skills as well as the ability to reflect. The current anthology aims to contribute to scientifically substantiating theoretical and practical aspects of consumer education and thus to make them useful for consumer work. For example, it explores the question of

what potential basic financial education holds or how competences can be strengthened through behavioural science approaches.

Christian Bala, Dirk Hohnsträter, Peter Kenning, Stefan Krankenhagen and Wolfgang Schuldzinski (Eds.): Konsumästhetik zwischen Kunst, Kritik und Kennerschaft (Consumer's aesthetics between art, criticism and knowledge). Beiträge zur Verbraucherforschung 11 (Contributions to consumer research, Vol. 11). Dusseldorf: Verbraucherzentrale, 2020. ISBN 9783863369255. 168 pp., Available for free.

Consumption is not only an economic and social practice, but also a cultural one. Although consumer research gained public attention to date, this is less so with regard to cultural studies on consumption. The 11th volume of the *Contributions to Consumer Research* deals with approaches to cultural research, design theory, and the literary reception of consumption. When it comes to a contemporary understanding of economic and social interrelationships, the results of cultural studies research are attracting more and more attention. If consumer policy and consumer protection do not want to bypass the lifeworld reality of consumers, they must adapt to the manifold aesthetic aspects of markets.

Christian Bala and Wolfgang Schuldzinski (Eds.): Armutskonsum – Reichtumskonsum: Soziale Ungleichheit und Verbraucherpolitik (Poverty consumption – Wealth consumption: Social inequality and consumer policy). Beiträge zur Verbraucherforschung 12 (Contributions to consumer research, Vol. 12). Dusseldorf: Verbraucherzentrale, 2020. ISBN 9783863369279. 152 pp., Available for free.

The COVID-19 pandemic has once again shown us that participation in social life and access to consumer goods are directly linked. A high school student in North Rhine-Westphalia, who receives Hartz IV benefits, had to fight for 150 euros for a tablet from the Job Centre before the regional social court in order to be able to participate in digital lessons at home at all, while her classmates already had computers, a fast internet connection, and printers. The 12th volume of the series *Beiträge zur Verbraucherforschung* (Contributions to Consumer Research) aims to draw attention to the effects of social inequality on consumption and consumer policy. In six contributions, renowned academics provide impulses to bring the connection between work, poverty, wealth, and consumption more into the focus of consumer research and consumer work.

Julio Baquero Cruz: What's left of the law of integration? Decay and resistance in European Union law. Oxford: Oxford University Press, 2018. ISBN 9780198830610. 224 pp., GBP 60.00.

Born from the ashes of the Second World War as one of the most ambitious and successful parts of the plan for the reconstruction of Western Europe, European integration has been immersed in a deep economic and institutional crisis for more than a decade. This difficult situation is also threatening to erode one of its most original and valuable elements: The establishment of a supranational rule of law among the Member States of the European Union that provides a solid framework for their peaceful, ordered, and fair relations. This book, which is based on the general course given at the Academy of European Law in Florence in July 2015, puts the innovative initial choices made by the drafters of the Treaties and by the Court of Justice of the Union in their proper historical perspective, understanding Union law as a tool of civilisation. Its current decline is explained by the waning of the initial impetus behind integration, of the growing complexity and challenges of the Union system, and of the

ambivalent attitude of the Member States regarding their common creation. These themes are explored focusing on a number of fundamental structural issues: the principle of primacy, the national limits to it and the theory of constitutional pluralism; the state of health of the preliminary rulings procedure; Union citizenship, equality, and human dignity; the scope of the Charter of Fundamental Rights and the standard of protection of those rights; and the rigidity and fragmentation of the Union system in connection with the increasing use of international law as a softer alternative to Union law. In all these areas, the book presents a fascinating story of decay and resistance, a story that is unfolding at present, and whose fate is closely linked to the future political shape of Europe.

Anthi Beka: The active role of courts in consumer litigation. Cambridge: Intersentia Ltd., 2018. ISBN 9781780686172. 376 pp., EUR 89.00.

The Active Role of Courts in Consumer Litigation traces the emergence of a specific EU Law doctrine governing the role of the national courts in proceedings involving consumers. While established only recently, this doctrine has already become an important benchmark for effective consumer protection. According to the “active consumer court” doctrine, developed in the case-law of the Court of Justice of the European Union (CJEU), national courts are required to raise, of their own motion, mandatory rules of EU consumer contract law, notably those protecting consumers from the use of unfair terms. This results in the strengthening of procedural consumer protection standards in ordinary proceedings but also in payment order proceedings, consumer insolvency proceedings, or repossession proceedings directed against the primary family residence of the mortgage debtor. The considerations of contractual imbalance will now have to be considered in court proceedings leading, where necessary, to the reform of national procedural safeguards to protect the weaker contractual party.

Stephan Breidenbach and Florian Glatz (Eds.): Rechtshandbuch Legal Tech (Legal Handbook on Legal Tech). Munich: C.H. Beck, 2018. ISBN 9783406713484. 280 pp., EUR 99.00.

In this German handbook, a renowned team of authors comprising artificial intelligence (AI) developers, IT, lawyers, academics, and public officials describes the consequences of digitization for law, the legal professions, companies, and consumers. The book shows how important technologies are not only perceived, but already piloted and used, as well as how disruptive cost advantages can be achieved. It illustrates what is already possible today, what those affected must already have in mind in order not to lose touch tomorrow, and what trends are on the horizon for the next 10–15 years. The work is particularly dedicated to the three areas of industrialization (standardization), artificial intelligence (machine learning), and networking (block chain).

Wendy Brown: Undoing the demos: Neoliberalism's stealth revolution. Cambridge, MA: MIT Press, 2015. ISBN 9781935408536. 296 pp., USD 18.95.

Tracing neoliberalism's devastating erosions of democratic principles, practices, and cultures, neoliberal rationality—ubiquitous today in statecraft and the workplace, in jurisprudence, education, and culture—remakes everything and everyone in the image of homo oeconomicus. What happens when this rationality transposes the constituent elements of democracy into an economic register? In *Undoing the Demos*, Wendy Brown explains how democracy itself is imperilled. The demos disintegrate into bits of human capital; concerns with justice bow to the mandates of growth rates, credit ratings, and investment climates;

liberty submits to the imperative of human capital appreciation; equality dissolves into market competition; and popular sovereignty grows incoherent. Liberal democratic practices may not survive these transformations. Radical democratic dreams may not either. In an original and compelling argument, Brown explains how and why neoliberal reason undoes the political form and political imaginary it falsely promises to secure and reinvigorate. Through meticulous analyses of neoliberalized law, political practices, governance, and education, she charts the new common sense. *Undoing the Demos* makes clear that for democracy to have a future, it must become an object of struggle and rethinking.

Diane Bugeja: Reforming corporate retail investor protection: Regulating to avert mis-selling. Oxford: Hart Publishing, 2019. ISBN 9781509925889. 256 pp., GBP 50.40.

The spate of mis-selling episodes that have plagued the financial services industries in recent years has caused widespread detriment to investors. Notwithstanding numerous regulatory interventions, curtailing the incidence of poor investment advice remains a challenge for regulators, particularly because these measures are taken in a "fire-fighting" fashion without adequate consideration being given to the root causes of mis-selling. Against this backdrop, the book focuses on the sale of complex investment products to corporate retail investors by drawing upon the widespread mis-selling of interest rate hedging products (IRHP) in the United Kingdom and beyond. It brings to the fore the relatively understudied field concerning the different degrees of investor protection mechanisms applicable to individual retail investors—as opposed to corporate retail investors—by taking stock of past regulatory reforms and forthcoming regulatory initiatives as well as, more importantly, the conclusions reached by the judiciary in IRHP mis-selling claims. The conclusions are particularly interesting: Corporate retail investors are in a vulnerable position when compared to individual retail investors. The former are exposed to a heightened risk of mis-selling, meaning that regulatory intervention should be targeted accordingly. The recommendations made as a result of these findings are further supported by insights emerging from behavioural law and economic theories. This book is aimed at researchers, lawyers, and students with an interest in the financial regulation field who are keen to explore potential regulatory reforms to the investment services regime that address the root causes of mis-selling, and restore a level playing field among all retail investors.

Mauro Bussani and Anthony J. Sebok (Eds.): Comparative tort law: Global perspectives. Cheltenham: Edward Elgar Publishing, 2015. ISBN 9781849801416. 520 pp., GBP 166.50.

Comparative Tort Law: Global Perspectives provides a framework for analysing and understanding the current state of tort law in most of the world's legal systems. The book examines tort law theories and cultures through a comparative methodology. It looks at general issues at play throughout the globe, such as causation, economic and non-economic damages, product and professional liability, and the relationship between tort law and crime, insurance, and public welfare schemes. This collection of essays written by tort law experts from around the world also offers a comprehensive comparative assessment of tort law rules, and consideration for the cultural contexts in which tort laws live, covering many jurisdictions that are usually neglected by mainstream debates and literature. Insightful case studies analyse specific features of selected tort systems in Europe, USA, Latin America, East Asia, and sub-Saharan Africa.

Emilios Christodoulidis, Ruth Dukes and Marco Goldoni (Eds.): Research handbook on critical legal theory. Cheltenham: Edward Elgar Publishing, 2019. ISBN 9781786438881. 560 pp., GBP 200.00.

Critical theory, characteristically linked with the politics of theoretical engagement, covers the manifold of the connections between theory and praxis. This thought-provoking Research Handbook captures the broad range of those connections as far as legal thought is concerned and retains an emphasis both on the politics of theory, and on the notion of theoretical engagement. The first part examines the question of definition and tracks the origins and development of critical legal theory along its European and North American trajectories. The second part looks at the thematic connections between the development of legal theory and other currents of critical thought such as; Feminism, Marxism, Critical Race Theory, varieties of post-modernism, as well as the various “turns” (ethical, aesthetic, political) of critical legal theory. The third and final part explores particular fields of law, addressing the question how the field has been shaped by critical legal theory, or what critical approaches reveal about the field, with the clear focus on opportunities for social transformation.

Guido Comparato: The financialisation of the citizen: Social and financial inclusion through European private law. London: Hart Publishing, 2018. ISBN 9781509919222. 232 pp., GBP 70.00.

This book discusses the role of private law as an instrument to produce financial and social inclusion in a context characterized by the redefinition of the role of the State and by the financialization of society. By depicting the political and economic developments behind the popular idea of financial inclusion, the book deconstructs that notion, illustrating the existence and interaction of different discourses surrounding it. The book further traces the evolution of inclusion, specifically in the European context, and thus moves on to analyse the legal rules which are most relevant for the purposes of bringing about the financialization of the citizen. Hence, the author focuses more on four highly topical areas: access to a bank account, access to credit, over indebtedness, and financial education. Adopting a critical and inter-disciplinary approach, *The Financialisation of the Citizen* takes the reader through a top-down journey starting from the political economy of financialization, to the law and policy of the European Union, and finally to more specific private law rules.

Simon Deakin and Christopher Markou (Eds.): Is law computable? Critical perspectives on law and artificial intelligence. Oxford: Hart Publishing, 2020. ISBN: 9781509937066. 320 pp., GBP 72.00.

What does computable law mean for the autonomy, authority, and legitimacy of the legal system? Are we witnessing a shift from Rule of Law to a new Rule of Technology? Should we even build these things in the first place? The volume collects original papers by a group of leading international scholars to address some of the fascinating questions raised by the encroachment of Artificial Intelligence (AI) into more aspects of legal process, administration, and culture. Weighing near-term benefits against the longer-term, and potentially path-dependent, implications of replacing human legal authority with computational systems, this volume pushes back against the more uncritical accounts of AI in law and the eagerness of scholars, governments, and LegalTech developers, to overlook the more fundamental—and perhaps “bigger picture”—ramifications of computable law.

Maksymilian Del Mar: Artefacts of legal inquiry the value of imagination in adjudication. Oxford: Hart Publishing, 2020. ISBN: 9781849468138. 504 pp., GBP 63.00.

What is the value of fictions, metaphors, figures, and scenarios in adjudication? The book develops three models to help answer that question: inquiry, artefacts, and imagination. Legal language, it is argued, contains artefacts—forms that signal their own artifice and call upon us to do things with them. To imagine, in turn, is to enter a distinctive epistemic frame where we temporarily suspend certain epistemic norms and commitments and participate actively along a spectrum of affective, sensory, and kinesic involvement. Artefacts and related processes of imagination are said to be valuable insofar as they enable inquiry in adjudication, i.e., the social (interactive and collective) process of making insight into what values, vulnerabilities, and interests might be at stake in a case and in similar cases in the future. *Artefacts of Legal Inquiry* is structured in two parts, with the first offering an account of the three models of inquiry, artefacts, and imagination, and the second examining four case studies (fictions, metaphors, figures, and scenarios). Drawing on a broad range of theoretical traditions—including philosophy of imagination and emotion, the theory and history of rhetoric, and the cognitive humanities—this book offers an interdisciplinary defence of the importance of artefactual language and imagination in adjudication.

Marco Duranti: The conservative human rights revolution: European identity, transnational politics, and the origins of the European Convention. New York: Oxford University Press, 2017. ISBN 9780199811380. 528 pp., GBP 62.00.

This study reinterprets the origins of the European Convention on Human Rights (ECHR), arguing that conservatives conceived of the treaty not only as a means of containing communism and fascism in continental Europe, but also as a vehicle for pursuing a controversial domestic political agenda on either side of the Channel. A European Court of Human Rights was meant to constrain the ability of democratically elected governments to implement left-wing policies that British and French conservatives believed violated their basic liberties. Conservative human rights rhetoric evoked a romantic Christian vision of Europe. Rather than follow the model of the Universal Declaration of Human Rights, conservatives such as Winston Churchill grounded their appeals for new human rights safeguards in the values of a bygone European civilization. All told, these efforts served as a basis for reconciliation between Germans and the “West,” the exclusion of communists from the European project, and the denial of equal protection to colonized peoples. The book highlights the role that culture, ethics, and memory played in the genesis of international law and organization from 1899 to 1959. It elucidates Churchill’s Europeanism and his critical contribution to the genesis of the ECHR, as well as that of a number of free-market conservatives and social Catholics in the movements for European unity. Revisiting the ethical foundations of European integration, it offers a new perspective on the crisis in which the European Union finds itself today.

Martin Ebers, Christian Heinze, Tina Krügel and Björn Steinrötter (Eds.): Künstliche Intelligenz und Robotik: Rechtshandbuch (Artificial Intelligence and Robotics: Legal Handbook). Munich: C. H. Beck, 2020. ISBN 9783406748974. 1034 pp., EUR 199.00.

The right way to deal with artificial intelligence and robotics. The extensive handbook offers a practice-oriented and at the same time scientifically sound presentation of the legal issues of AI and smart robotics. It offers a comprehensive legal overview of these dynamically developing technologies, which are increasingly becoming the focus of business, science, politics, and the general public. While consumer law is not the focus the various chapters offer a much more complete picture on how AI is connected to consumer law and consumer policy.

Mariolina Eliantonio and Caroline Cauffman (Eds.): The legitimacy of standardisation as a regulatory technique: A cross-disciplinary and multi-level analysis. Cheltenham: Edward Elgar Publishing, 2020. ISBN 9781789902945. 320 pp., GBP 105.00.

The book examines the field of European and global standardisation, showing how standards give rise to a multitude of different legal questions. The emphasis is laid on the legitimacy of standardisation, connected to input, output, and throughput legitimacy. It explores diverse topics in regulation such as food safety, accounting, telecommunications, and medical devices. Each chapter offers in-depth analysis of a number of key policy areas. These multi-disciplinary contributions go beyond the field of law and provide cross-disciplinary comparisons.

Jorge Luis Fabra-Zamora: Jurisprudence in a globalized world. Cheltenham: Edward Elgar Publishing, 2020. ISBN 9781788974417. 288 pp., GBP 95.00.

Leading legal scholars and philosophers provide a breadth of perspectives and inspire stimulating debate around the transformations of jurisprudence in a globalized world, thereby breaking new ground in one of the most debated areas of transnational law and legal theory. The book considers modifications to jurisprudence's methodological approaches driven by globalization, the concepts and theoretical tools required to account for putative new forms of legal phenomena, and normative issues relating to the legitimacy and democratic character of these legal orders.

Elaine Fahey: The global reach of EU law. New York, NY: Routledge, 2017. ISBN 9781138696563. 158 pp., GBP 96.00.

The EU strives to be a leading rule-making organization with global reach in both economic and non-economic fields. But how should we understand the science behind this? This book focuses upon unpacking the uncertainty, the form, and directions of the global reach of EU law, as a distinctive form of post-national rule-making. The work examines two central themes: the conceptual development of the global reach and effects of EU law; and the methodology of EU rule-making processes. It considers what specific impact and effects the EU's rules are having, and its approach to global reach. The book studies the EU's Area of Freedom, Security and Justice (AFSJ) as a case of a non-economic field offering examples of ways and means in which the global reach of EU law can manifest itself in an evolving and sensitive field. Using this case study, the book develops a sharper focus upon the "internal" and "external" elements of EU law which make up our understanding of the global reach of EU law and develops further why global reach is important as a scientific phenomenon. The book will be a valuable resource for researchers and students in the areas of EU law, global governance, and the study of law beyond the nation state.

Karin Fløistad: The EEA agreement in a revised EU framework for welfare services. Cham: Springer, 2018. ISBN 9783319950426. 289 pp., EUR 24.99.

This book addresses some of the most debated topics preceding the UK referendum on membership of the EU, namely welfare services and free movement of citizens. The work improves understanding of the implications of the European Economic Area (EEA) Agreement, which is the most integrated form of association agreement with the EU for non-Member States. The author considers the impact of EEA law on both European Free Trade Association (EFTA) states and on EU Member States and looks at case law. A broad range of welfare services are analysed, including public healthcare and educational services, various social

services, and public utilities such as transport and public broadcasting. Free movement of students, of patients and public financing of welfare services are among the issues explored. The focus here is particularly on legal aspects and the demonstrated development of the EEA Agreement into the welfare sphere. This work enables a sophisticated analysis about the nature of the principles of homogeneity and dynamism. The book is essential reading for scholars who seek to understand the EU's legal framework, the EEA Agreement, and its implications. The topics covered are also relevant to UK and EU discussions on future relations, both for intermediate and long-term arrangements.

Michael Freytag: Betrug in der digitalisierten Welt: Erkennen. Vorbeugen. Schützen (Fraud in the digitalised World: Detect. Prevent. Protect.). Frankfurt: Frankfurter Allgemeine Buch, 2019. ISBN: 9783962510572. 256 pp., EUR 30.00.

The book deals with one of the most important property crimes of our time: It shows how fraud works in the digital world, what its consequences are for the economy and society, and how the fight against fraud adapts to constantly changing conditions. Authors from research, business, culture, and media, investigative, and security authorities are represented with articles and interviews. It is an easy read that is a good introduction to the problems behind fraud and the measures that could be taken in order to protect consumers.

Michael B. Gerrard and Tracy Hester (Eds.): Climate engineering and the law. Regulation and liability for solar radiation management and carbon dioxide removal. Cambridge: Cambridge University Press, 2018. ISBN 9781316661864. 360 pp., GBP 81.99.

Climate change is increasingly recognized as a global threat and is already contributing to record-breaking hurricanes and heatwaves. To prevent the worst impacts, attention is now turning to climate engineering—the intentional large-scale modification of the environment to reduce the impact of climate change. The two principal methods involve removing some carbon dioxide from the atmosphere (which could consume huge amounts of land and money, and take a long period of time), and reducing the amount of solar radiation reaching the earth's surface, perhaps by spraying aerosols into the upper atmosphere from airplanes (which could be done quickly but is risky and highly controversial). This is the first book to focus on the legal aspects of these technologies: what government approvals would be needed; how liability would be assessed, and compensation provided if something goes wrong; and how a governance system could be structured and agreed internationally.

Stefan Grundmann and Hans-W. Micklitz (Eds.): The European Banking Union and Constitution: Beacon for advanced integration or death-knell for democracy? London: Hart Publishing, 2019. ISBN 9781509907564. 336 pp., GBP 72.90.

In 2012, at the height of the sovereign debt crisis, European decision makers pushed for developing an "ever closer union" with the formation of a European Banking Union (BU). Although it provoked widespread debate, to date there has been no coherent discussion of the political and constitutional dimensions of the European Banking Union. This important new publication fills this gap. Drawing on the expertise of recognized experts in the field, it explores banking union from legal, economic, and political perspectives. It takes a four-part approach. Firstly, it sets the scene by examining the constitutional foundations of the banking union. Then in Parts 2 and 3, it looks at the implications of the banking union for European integration and for democracy. Finally, it asks whether the banking union might be more

usefully regarded as a trade-off between integration and democracy. This is an important, timely, and authoritative collection.

Burkhard Hess and Stephanie Law: Implementing EU consumer rights by national procedural law: Luxembourg Report on European Procedural Law, Volume II. Munich: Beck/Hart Publishing/Nomos, 2019. ISBN 9781509932399. 512 pp., GBP 180.00.

EU consumer law affords a number of substantive rights to consumers. Often however, the protection of these rights is undermined as a consequence of the complexity and lack of knowledge in the Member States of EU consumer legislation and case law. The second volume presents a comparative examination of the enforcement of these rights in the EU Member States, with an extensive empirical evaluation of national procedural rules and practices. Following a comprehensive assessment of the nature and characteristics of EU consumer law, the book identifies and evaluates key procedural themes that shape the equivalent and effective protection of EU consumer rights in light of European Court of Justice case law. Alongside *Impediments of National Procedural Law to the Free Movement of Judgments: Luxembourg Report on European Procedural Law Volume I*, this volume offers the most comprehensive, empirically driven comparative investigation of national civil procedure thus far undertaken in Europe. Using an extensive dataset comprising hundreds of interviews and responses to a multi-language online survey, it examines the rules of civil procedure in all EU Member States and identifies their impact on the protection of consumers under EU consumer law. This volume will be of interest to all practitioners, academics, and policymakers with a focus on judicial cooperation, civil justice, and consumer protection, and will facilitate a better understanding of the impact of national procedural laws on the effectiveness of EU consumer protection.

Burkhard Hess and Pietro Ortolani: Impediments of national procedural law to the free movement of judgments: Luxembourg Report on European Procedural Law, Volume I. Munich: Beck/Hart Publishing/Nomos, 2019. ISBN 9781509932375. 640 pp., GBP 180.00.

The first volume presents a comparative examination and empirical evaluation of national procedural rules and practices, and further assesses the key procedural problems that impact mutual trust and the free movement of judgments in light of national and European Court of Justice case law. It provides an exhaustive overview of the similarities and differences of civil procedure in all EU Member States, and their impact on the recognition and enforcement of judgments. Alongside *Implementing EU Consumer Rights by National Procedural Law: Luxembourg Report on European Procedural Law Volume II*, this volume offers the most comprehensive, empirically driven comparative investigation of national civil procedure thus far undertaken in Europe. Using an extensive dataset comprising hundreds of interviews and responses to a multi-language online survey, it examines the rules of civil procedure in all EU Member States and identifies their impact on mutual trust and the free movement of judgments. This volume will be of interest to all practitioners, academics, and policymakers with a focus on judicial cooperation and civil justice and will facilitate a better understanding of the impact of national procedural laws on cross-border dispute resolution in Europe.

Reto M. Hilty and Thomas Jaeger: Europäisches Immaterialgüterrecht: Funktionen und Perspektiven (European intellectual property rights law: Functions and perspectives). Berlin: Springer, 2018. ISBN 9783662526637. 703 pp., EUR 139.99.

The book follows the initial assumption that the EU still does not pursue a coherent intellectual property policy, but acts through selective, mostly occasional measures. The

intellectual property rights, therefore, often do not fulfil the functions intended for them. Above all, they do not unfold their full potential for the internal market. The study examines the extent to which the regulations of the individual intellectual property rights are functionally adequate in themselves, in relation to each other and to the competition law surrounding them, but also to national law. This broad overall view of the *Acquis Communautaire* makes it possible to show where there is a need for action, what alternative regulations could look like, and what mechanisms are available for them.

Christopher Hodges and Stefaan Voet: Delivering collective redress: New technologies. Munich: Beck/Hart Publishing, 2018. ISBN 9781509918546. 368 pp., GBP 60.00.

This book charts the transformative shifts in techniques that seek to deliver collective redress, especially for mass consumer claims in Europe. It shows how traditional approaches of class litigation (old technology) have been eclipsed by the new technology of regulatory redress techniques and consumer ombudsmen. It describes a series of these techniques, each illustrated by leading examples taken from a 2016 pan-EU research project. It then undertakes a comparative evaluation of each technique against key criteria, such as effective outcomes, speed, and cost. The book reveals major transformations in European legal systems, shows the overriding need to view legal systems from fresh viewpoints, and to devise a new integrated model.

Geraint Howells, Iain Ramsay and Thomas Wilhelmsson (Eds.): Handbook of research on international consumer law. Cheltenham: Edward Elgar Publishing, 2018. ISBN: 9781847201287. 608 pp., GBP 179.10.

Consumer law and policy in the last half-century has emerged as a major policy concern for all nations. This handbook of original contributions provides an international and comparative analysis of central issues in consumer law and policy in developed and developing economies. It encompasses questions of both social policy and effective business regulation. Many of the issues are common to all countries and are becoming increasingly globalized due to the growth in international trade and technological developments such as the Internet. The authors provide a broad coverage of both substantive topics and institutional questions concerning optimal approaches to enforcement and the role of class actions in consumer policy. It also includes comparative insights into the influential EU and U.S. models of consumer law and relates consumer law to contemporary trends in human rights law. Written by a carefully selected group of international experts, this text represents an authoritative resource for understanding contemporary and future developments in consumer law. This handbook will provide students, researchers, and policymakers with an insight to the main policy debates in each context and provide models of legal regulation to assist in the evaluation of laws and the development of consumer law and policy. It is an important read for all those interested in how the European consumer law could be develop to reintroduce the protective social dimension.

Martin Husovec: Injunctions against intermediaries in the European Union: Accountable but not liable? Cambridge: Cambridge University Press, 2017. ISBN 9781108227421. 275 pp., GBP 74.79.

In the European Union, courts have been expanding the enforcement of intellectual property rights by employing injunctions to compel intermediaries to provide assistance, despite no allegation of wrongdoing against these parties. These prospective injunctions, designed to prevent future harm, thus hold parties accountable where no liability exists. Effectively a new type of regulatory tool, these injunctions are distinct from the conventional

secondary liability in tort. At present, they can be observed in orders to compel website blocking, content filtering, or disconnection, but going forward, their use is potentially unlimited. This book outlines the paradigmatic shift this entails for the future of the Internet and analyses the associated legal and economic opportunities and problems.

Torben Iversen and David Soskice (Eds.): Democracy and prosperity reinventing capitalism through a turbulent century. Princeton, NJ: Princeton University Press, 2019. ISBN 9780691182735. 360 pp., GBP 24.00.

A historical analysis of how global capitalism and advanced democracies mutually support each other. It is a widespread view that democracy and the advanced nation-state are in crisis, weakened by globalization and undermined by global capitalism, in turn explaining rising inequality and mounting populism. This book, written by two of the world's leading political economists, argues that this view is wrong: Advanced democracies are resilient, and their enduring historical relationship with capitalism has been mutually beneficial. For all the chaos and upheaval over the past century—major wars, economic crises, massive social change, and technological revolutions—Torben Iversen and David Soskice show how democratic states continuously reinvent their economies through massive public investment in research and education, by imposing competitive product markets and cooperation in the workplace, and by securing macroeconomic discipline as the preconditions for innovation and the promotion of the advanced sectors of the economy. Critically, this investment has generated vast numbers of well-paying jobs for the middle classes and their children, focusing the aims of aspirational families, and in turn providing electoral support for parties. Gains at the top have also been shared with the middle (though not the bottom) through a large welfare state. Contrary to the prevailing wisdom on globalization, advanced capitalism is neither footloose nor unconstrained: It thrives under democracy precisely because it cannot subvert it. Populism, inequality, and poverty are indeed great scourges of our time, but these are failures of democracy and must be solved by democracy.

Lina Kestemont: Handbook on legal methodology from objective to method. Cambridge: Intersentia Ltd, 2018. ISBN 9781780686738. 98 pp., EUR 50.00.

Legal scholarship is one of the oldest academic disciplines, and the study of law has been passed on from generation to generation as an implicit “savoir faire.” It was presumed that all legal scholars understood the methodology of legal research, making its explicit clarification and justification unnecessary. Over the last decade, the lack of an explicit methodological tradition has become problematic due to the growing interdisciplinary collaboration at universities and the increased importance of external funding, often granted by mixed experts' panels. It is therefore time for legal scholarship to make its implicit methodology explicit.

Karen Lee: The legitimacy and responsiveness of industry rule-making. London: Hart Publishing, 2018. ISBN 9781509918102. 256 pp., GBP 68.04.

Rule-making is no longer an activity undertaken exclusively by public actors. Private actors are increasingly allowed by legislatures and regulatory bodies to take part in (and in some cases assume responsibility for) the formation of legally binding rules, for example in the US, UK, Australia, and the EU. Departing from traditional forms of rule-making by involving private actors may enhance the ability of regulatory systems to achieve social goals, as regulatory scholars argue. However, because private actors are permitted to act in their own best interests, their involvement also raises doubts about the legitimacy of the underlying rule-making processes and the rules that are formulated. The principal aim of this book is to

highlight that the tension between the responsiveness that leading international regulatory scholars advocate in order to improve regulatory effectiveness, and the law with its formal, substantive, procedural, and institutional values, is not as great as may first appear. Drawing on three in-depth case studies of the experience of the Australian telecommunications industry with self-regulatory rule-making—a form of rule-making that bears the hallmarks of “responsive regulation,” “democratic experimentalism,” “smart regulation,” and other strategies of proceduralization—it is argued that industry rule-making can, as a matter of practice, be responsive and legitimate at the same time. In doing so, the book formulates and applies criteria against which industry rule-making should be evaluated, and identifies a number of indicia that point to when industry rule-making is likely to be simultaneously legitimate and responsive.

Ammon Lehari: Property law in a globalizing world. Cambridge: Cambridge University Press, 2019. ISBN 9781108595391. 292 pp., GBP 69.99.

Property Law in a Globalizing World identifies the paramount challenges that contemporary processes of globalization pose for the study and practice of property law. It offers a straightforward analysis of legal scenarios implicating cross-border property rights, covering a broad range of resources, from land, goods, and intangible financial assets to intellectual property, data, and digital assets. This is the first scholarly book offering a detailed study of legal strategies that can decrease the gap between the domestic tenets of property law and the cross-border nature of markets, interpersonal networks, and technology. It shows how strategies of soft law, conflict of laws, approximation, and supranationalism rely to various degrees on cross-border property norms and institutions and studies the proprietary features of security interests and priorities to assets in insolvency in a global setting. It also shows how digital technology such as blockchain can revolutionize the system of cross-border property rights.

Alan Levinovitz: Natural: How faith in nature's goodness leads to harmful fads, unjust laws, and flawed science. Boston, MA: Beacon Press, 2020. ISBN 9780807010877. 264 pp., USD 28.95.

The book illuminates the far-reaching harms of believing that natural means “good,” from misinformation about health choices to justifications for sexism, racism, and flawed economic policies. People love what’s natural: It’s the best way to eat, the best way to parent, even the best way to act—naturally, just as nature intended. Appeals to the wisdom of nature are among the most powerful arguments in the history of human thought. Yet Nature (with a capital N) and natural goodness are not objective or scientific. In this ground-breaking book, scholar of religion Alan Levinovitz demonstrates that these beliefs are actually religious and highlights the many dangers of substituting simple myths for complicated realities. It may not seem like a problem when it comes to paying a premium for organic food. But what about condemnations of “unnatural” sexual activity? The guilt that attends not having a “natural” birth? Economic deregulation justified by the inherent goodness of “natural” markets? In *Natural*, readers embark on an epic journey, from Peruvian rainforests to the backcountry in Yellowstone Park, from a “natural” bodybuilding competition to a “natural” cancer-curing clinic. The result is an essential new perspective that shatters faith in Nature’s goodness and points to a better alternative. We can love nature without worshipping it, and we can work towards a better world with humility and dialogue rather than taboos and zealotry.

Claudia Lima Marques and Dan Wei (Eds.): Consumer law and socioeconomic development national and international dimensions. Cham: Springer, 2016. ISBN 9783319556239. 469 pp., USD 179.00.

This book reflects the research output of the Committee on the International Protection of Consumers of the International Law Association (ILA). The Committee was created in 2008, with a mandate to study the role of public and private law to protect consumers, review UN guidelines, and to model laws, international treaties, and national legislations concerning protection and consumer redress. It has been accepted to act as an observer not only when the United Nations Conference on Trade and Development (UNCTAD) was updating its guidelines, but also at the Hague Conference on Private International Law. The book includes the contributions of various Committee members in the past few years and is a result of the cooperation between the Committee members and experts from Australia, Brazil, Canada, and China. It is divided into three parts: The first part addresses trends and challenges in international protection of consumers, the second part focuses on financial crises and consumer protection, while the third part examines national and regional consumer law issues.

Hans-W. Micklitz and Geneviève Saumier (Eds.): Enforcement and effectiveness of consumer law. Cham: Springer, 2018. ISBN 9783319784304. 717 pp., USD 229.00.

This book focusses on the enforcement of consumer law in order to identify commonalities and best practices across nations. It is composed of twenty-eight contributions from national rapporteurs to the IACL Congress in Montevideo in 2016 and the introductory comparative general report. The national contributors are drawn from across the globe, with representation from Africa (1), Asia (5), Europe (15), Oceania (2), and the Americas (5). The general report introduces the question of enforcement and effectiveness of consumer law. It then proceeds to identify the variety of ways in which national legislatures approach this question and the diversity of mechanisms put in place to address it. The general report uses examples drawn from the other reports to illustrate common approaches and to identify more original or distinct unique approaches, considering the strengths and weaknesses of each. The general report consistently points readers towards national reports on specific issues, inviting readers to consult these individual contributions for more details. The national contributions deal with the following areas: the national legal framework for consumer protection, the general design of the enforcement mechanism, the number and characteristics of consumer complaints and disputes, the use of courts and specialized agencies for the enforcement of consumer law, the role of consumer organizations and of private regulation in the enforcement of consumer law, the place of collective redress mechanism and of alternative dispute resolution modes, the sanctions for breaches of consumer law and the nature of external relations or cooperation with other countries or international organizations. These enriching national and international perspectives offer a comprehensive overview of the current state of consumer law around the globe.

Makane Moïse Mbengue and Stefanie Schacherer (Eds.): Foreign investment under the Comprehensive Economic and Trade Agreement (CETA). Cham: Springer, 2019. ISBN 9783319983615. 361 pp., EUR 114.39.

This book analyses the investment chapter of a new type of trade agreement between Canada and the European Union to help readers gain a better understanding of this mega-regional deal, which includes foreign investment protection. It first provides background information on the Comprehensive Economic and Trade Agreement (CETA), particularly

focusing on the chapter on foreign investment, including the rules on the entry of investments, their protection, and the stringent dispute settlement mechanism. It goes on to explore whether these provisions are a further step towards reforming the current international investment law regime. It also examines the highly innovative part of the agreement: the inclusion of crosscutting issues, such as sustainable development. In addition, it examines the CETA investment chapter from the perspective of non-contracting parties, including Africa, Asia, and Latin America. The book is of interest to academics and students in the field of international investment law. It is also an essential resource for government legal advisers, policymakers, business practitioners, and others dealing with international investment law.

Marloes van de Moosdijk: Unjust enrichment in European Union law. Deventer: Wolters Kluwer, 2018. ISBN 9789013151497. 320 pp., EUR 100.00.

Which rights and obligations arise from the EU principle prohibiting unjust enrichment? This is the first publication to thoroughly examine the consequences this principle has—or may have—for private law relationships. It is an illuminating analysis, bearing both academic and practical importance. As the interplay between EU law and national private law intensifies, the question arises how the EU principle prohibiting unjust enrichment plays into various legal relationships involving one or more individuals. *Unjust Enrichment in European Union Law* takes a pioneering step in addressing this pressing issue. The author puts forward a compelling analysis, considering the functions of unjust enrichment in several national law systems and the functions of general principles of EU law, as well as case law of the Court of Justice of the EU. For analytic purposes, links are identified between EU causes of action based on undue payment, unjust enrichment, and unlawful act, respectively. This is followed by a discussion whether or not such actions should be founded on violation of an EU provision having direct (horizontal) effect. Insight into the possible consequences of the EU principle prohibiting unjust enrichment has both academic and practical importance. The reader gains a deeper understanding of how the Court of Justice may further develop EU law based on private-law principles. The study illuminates which rights individuals may derive from such legal principles and—if they can do so—under which circumstances.

Sebastian Nessel: Verbraucherorganisationen und Märkte: Eine wirtschaftssoziologische Untersuchung (Consumer organisations and markets: A socio-economic study). Wiesbaden: Springer VS, 2016. ISBN 9783658110338. 291 pp., EUR 42.99.

The study provides an up-to-date overview of consumer organizations in Germany. Based on five case analyses, private and institutionally sponsored consumer organizations are compared. The effects of consumer organizations on markets and on the political representation of consumers are investigated. The research will take up and expand on the work of the political and economic sciences as well as on the theory of social movements. Thus, an economic sociological framework for the investigation of markets under consideration of the demand side is elaborated, which is also applicable for other disciplines.

Mark R. Patterson: Antitrust law in the new economy: Google, Yelp, LIBOR, and the control of information. Harvard, MA: Harvard University Press, 2017. ISBN 9780674971424. 336 pp., EUR 46.50.

Markets run on information. Buyers make decisions by relying on their knowledge of the products available, and sellers decide what to produce based on their understanding of what buyers want. But the distribution of market information has changed, as consumers increasingly turn to sources that act as intermediaries for information—companies like Yelp and Google.

Antitrust Law in the New Economy considers a wide range of problems that arise around one aspect of information in the marketplace: its quality. Sellers now have the ability and motivation to distort the truth about their products when they make data available to intermediaries. And intermediaries, in turn, have their own incentives to skew the facts they provide to buyers, both to benefit advertisers and to gain advantages over their competition. Consumer protection law is poorly suited to these problems in the information economy. Antitrust law, designed to regulate powerful firms and prevent collusion among producers, is a better choice. But the current application of antitrust law pays little attention to information quality.

Tamara Perišin and Siniša Rodin (Eds.): The transformation or reconstitution of Europe: The critical legal studies perspective on the role of the courts in the European Union. Oxford/Portland, OR: Hart Publishing, 2018. ISBN 9781509907267. 256 pp., GBP 63.18.

It is generally understood that EU law as interpreted by the ECJ has not merely reconstituted the national legal matrix at the supranational level, but has also transformed Europe and shaken the well-established, often formalist, ways of thinking about law in the Member States. This innovative new study seeks to examine such a narrative through the lens of the American critical legal studies (CLS) perspective. The introduction explains how the editors understand CLS and why its methodology is relevant in the European context. Part II examines whether and how judges embed policy choices or even ideologies in their decisions, and how to detect them. Part III assesses how the ECJ acts to ensure the legitimacy of its decisions, whether it resists implementing political ideologies, what the ideology of European integration is, and how the selection of judges influences these issues. Part IV uses the critical perspective to examine some substantive parts of EU law, rules on internal and external movement, and the European arrest warrant. It seeks to determine whether the role of the ECJ has really been transformative and whether that transformation is reversible. Part V considers the role of academics in shaping the narratives of EU integration.

Thomas Piketty: Capital and ideology. (Translated by Arthur Goldhammer). Cambridge, MA: Harvard University Press, 2020. ISBN 9780674980822. 1104 pp., EUR 36.00.

The epic successor to one of the most important books of the century: at once a retelling of global history, a scathing critique of contemporary politics, and a bold proposal for a new and fairer economic system. Thomas Piketty's bestselling *Capital in the Twenty-First Century* galvanized global debate about inequality. In this audacious follow-up, Piketty challenges us to revolutionize how we think about politics, ideology, and history. He exposes the ideas that have sustained inequality for the past millennium, reveals why the shallow politics of right and left are failing us today, and outlines the structure of a fairer economic system. Our economy, Piketty observes, is not a natural fact. Markets, profits, and capital are all historical constructs that depend on choices. Piketty explores the material and ideological interactions of conflicting social groups that have given us slavery, serfdom, colonialism, communism, and hypercapitalism, shaping the lives of billions. He concludes that the great driver of human progress over the centuries has been the struggle for equality and education and not, as often argued, the assertion of property rights or the pursuit of stability. The new era of extreme inequality that has derailed that progress since the 1980s, he shows, is partly a reaction against communism, but it is also the fruit of ignorance, intellectual specialization, and our drift towards the dead-end politics of identity. Once we understand this, we can begin to envision a more balanced approach to economics and politics. Piketty argues for a new "participatory"

socialism, a system founded on an ideology of equality, social property, education, and the sharing of knowledge and power.

Iain Ramsay, Claudia Lima Marques, Diego Fernandez Arroyo and Gail Pearson (Eds.): The global financial crisis and the need for consumer regulation: New developments on international protection of consumers. Brazil: Orqestra Editora, 2012. Retrieved from: <https://kar.kent.ac.uk/id/eprint/42817>.

Bilateral and regional trade and investment treaties (FTAs and BITs), along with double-tax treaties, have proliferated world-wide, including within the Asia-Pacific region. But countries like Australia have recently become more concerned about FTAs and BITs. This chapter examines processes that states can agree to, especially through commitments made in treaties before disputes arise, that are likely to minimize the filing or escalation of claims and therefore ~~to~~ promote sustainable cross-border trade and investment in the field of financial services. It also considers adding commitments requiring or encouraging treaty partners to introduce new obligations whereby credit suppliers must notify national regulators if they detect unusually high levels of financial stress among borrowers. The regulators would then be required to use that information as an "advance warning" system for financial market stability.

Arie Reich and Hans-W. Micklitz (Eds.): The impact of the European Court of Justice on neighbouring countries. Oxford: Oxford University Press, 2020. ISBN 9780198855934. 432 pp. GBP 80.00.

There is a considerable mismatch between theories on the influence of the EU outside its borders and concrete knowledge on whether and to what extent the suggested impact is of any practical relevance. The aim of this book, therefore, is to help close that gap in the knowledge concerning the role and function of the Court of Justice of the European (CJEU) outside its own borders in selected countries. Scholars from Armenia, Azerbaijan, Georgia, Israel, Jordan, Russia, Switzerland, Tunisia, Turkey, Ukraine, and the Eurasian Economic Union have researched and explored how their respective countries have been influenced by the CJEU. This title looks at "why" along with "how" these decisions have been utilized. All of this culminates in an effort to be able to rank the degree to which the CJEU is influencing non-EU jurisdictions according to a common scale. Looking across the selected countries, this title analyses the research provided by the scholars. This includes a brief description of the relationship and agreements between the EU and the country, a concise history of the country's judiciary, a full account of the extent to which the country's courts have cited CJEU judgments, and an analysis of that extent and the impact they have had. Other factors are explored as well, such as countries who want to join the EU might aim for more legal harmonization between them and the EU. These metrics are used to compare across the neighbourhood countries and draw conclusions about CJEU influence and impact outside of the EU. This comprehensive edited collection is an in-depth look at the actual impact of the CJEU in neighbourhood countries, providing crucial information in an overlooked field of EU law.

Peter Rott (Ed.): Certification: Trust, accountability, liability. Cham: Springer. ISBN 9783030024987. 250 pp., EUR 114.39.

This book offers an in-depth analysis of the function of certification in general and of certification systems in a range of different sectors. The authors examine certification from both a theoretical and a practical standpoint and from the perspectives of different disciplines, including law, economics, management, and the social sciences. They also discuss instruments that help

ensure the quality of certification, which can range from public law measures such as accreditation, to private law incentives, to deterrents, such as liability towards victims. Further, they assess the role of competition between certification bodies. Readers will learn the commonalities as well as the necessary distinctions between certification bodies in various fields, which may stem from the different functions they serve. These similarities and differences may also be the result of different types of damage that the certified producer or service provider could potentially cause to individuals or to the public at large. Often, companies use certification bodies as an argument to assure the general public, e.g., regarding the safety of medical products. Closer inspection reveals, however, that sometimes certification bodies themselves lack credibility. The book offers essential information on the benefits and pitfalls associated with certification.

Wenhua Shan, Kimmo Nuotio and Kangle Zhang (Eds.): Normative readings of the Belt and Road Initiative: Road to new paradigms. Cham: Springer International Publishing, 2018. ISBN 9783319780177. 250 pp., EUR 124.79.

This timely book offers revealing insights into the changing role of China in world governance as exemplified by the Silk Road Initiative, the People's Republic's first published major initiative for external affairs. Focusing on various aspects of the Silk Road Initiative, particularly those that are largely neglected in current discussions, including culture and philosophy, finance and investment, environmental protection and social responsibility, judiciary, and lawyers, the authors explore a wide range of contexts in which China's role as an emerging power in international relations and international law is examined. In the current era of ever-increasing populism, protectionism, and challenges to globalization, the authors explore the Chinese philosophy underpinning Chinese norms of regional and international development. Bearing in mind the political and economic uncertainties hampering the establishment of such norms, the authors offer crucial insights into how the Silk Road Initiative could or should be developed and regulated. Given its depth of coverage, the book is an indispensable read for anyone interested in the Initiative and its social-legal implications.

Alexander Somek: The legal relation: Legal theory after legal positivism. Cambridge: Cambridge University Press, 2017. ISBN 9781108182096. 208 pp., GBP 77.99.

What is law? The usual answer is that the law is a system of norms. But at best, this answer gives us half of the story. The law is a way of relating to one another. We do not do this as lovers or friends, and not as people who are interested in obtaining guidance from moral insight. In a legal context, we are cast as "character masks" (Marx), for example, as "buyer" and "seller" or "landlord" and "tenant." We expect to have our claims respected simply because the law has given us rights. We do not want to give any reason for our behaviour other than the fact that we have a legal right. Backing rights up with coercive threats indicates that we are willing to accept legal obligations unwillingly. This book offers a conceptual reconstruction of the legal relation based on a critique of legal positivism.

Louisa Specht-Riemenschneider: Diktat der Technik: Regulierungskonzepte technischer Vertragsinhaltsgestaltung am Beispiel von bürgerlichem Recht und Urheberrecht (The dictate of technology: Regulatory concepts of technical contractual content design using the example of civil law and copyright law). Baden-Baden: Nomos, 2019. ISBN 9783848744206. 496 pp., EUR 99.00.

The German book discusses the impact of technology on the content of contracts. Today, for example, e-books can be provided with a technical protective measure that excludes the

possibility of copying. An agreement under private law according to which the book may no longer be copied is no longer necessary. However, if a contracting party can exclude actions by technical means because the architecture of digital goods permits this, this architecture replaces the legal regulation. The book therefore examines the limits of these technical design possibilities and the effects their use has on the Institute of Contractual Freedom. For if a contractual regulation is replaced by a technical-factual design, regulations such as §§ 134, 138 BGB (German Civil Code), the law on standard contract terms or also copyright restrictions are in danger of running out of steam. The work develops mechanisms to counteract such undermining of law by technology.

Cass R. Sunstein and Lucia A. Reisch: Trusting nudges: Toward a bill of rights for nudging. Boca-Raton, FL: CRC Press, 2019. 146 pp., ISBN 9781138322783. GBP 30.00.

Many "nudges" aim to make life simpler, safer, or easier for people to navigate, but what do members of the public really think about these policies? Drawing on surveys from numerous nations around the world, Sunstein and Reisch explore whether citizens approve of nudge policies. Their most important finding is simple and striking. In diverse countries, both democratic and nondemocratic, strong majorities approve of nudges designed to promote health, safety, and environmental protection—and their approval cuts across political divisions. In recent years, many governments have implemented behaviourally informed policies, focusing on nudges—understood as interventions that preserve freedom of choice, but that also steer people in certain directions. In some circles, nudges have become controversial, with questions raised about whether they amount to forms of manipulation. This fascinating book carefully considers these criticisms and answers important questions. What do citizens think about behaviourally informed policies? Do citizens have identifiable principles in mind when they approve or disapprove of the policies? Do citizens of different nations agree with each other? From the answers to these questions, the authors identify six principles of legitimacy—a "bill of rights" for nudging that build on strong public support for nudging policies around the world, while also recognizing what citizens disapprove of. Their bill of rights is designed to capture citizens' central concerns, reflecting widespread commitments to freedom and welfare that transcend national boundaries.

Jan Trzaskowski, Andrej Savin, Patrik Lindskoug and Bjoern Lundqvist: Introduction to EU internet law. Copenhagen: Ex Tuto Publishing A/S, 2018. ISBN 9788742000168. 400 pp., DKK 450.00.

Introduction to EU Internet Law provides a thorough introduction to the parts of European Union law that are particularly relevant to the Internet, including electronic commerce. In the ten chapters, legal topics are introduced, analysed, discussed, and applied to the activities on or relating to the Internet. This book may serve as a valuable tool for lawyers, legal academics, and students who wish to familiarise themselves with Internet law or update their knowledge. It is also suitable as a general introduction for readers without a legal background as it guides the reader through the legal fields in a way that can also be comprehended by people with skills that are more technological than legal.

Jan Trzaskowski and Max Gersvang Sorensen: GDPR compliance: Understanding the General Data Protection Regulation. Copenhagen: Ex Tuto Publishing A/S, 2019. ISBN 9788742000304. 448 pp., DKK 450.00.

The processing of personal data plays an increasingly important role in our modern information society. This book guides the reader through the legal framework, including case

law, concerning the processing of personal data in the European Union and provides relevant tools to ensure compliance in businesses. The book is up to date as of July 2019, and it includes the text of the General Data Protection Regulation for easy access and annotation.

Kangle Zhang: Not equal: Towards an international law of finance. (Doctoral Dissertation, University of Helsinki). Helsinki: Picaset, 2020. ISBN 9789515162113.

The workings of the financial market contribute greatly to the exacerbation of income and wealth inequality. The rate of return from capital is significantly higher compared to labour and the extreme structural biases at the global level among states and at the domestic level among different groups of people systemically benefit the haves at the cost of the have-nots. The law is central in enabling these operations. Finance as the architecture that structures economic arrangements (so as to achieve goals by stewarding the assets needed) operates through legal arrangements and, perhaps even more importantly, international legal arrangements have normalized economic disparity. The dissertation starts by describing the link between the international financial market and economic inequality. From there, it [i] examines the law of international finance and its relation to inequality, [ii] suggests an explanation for the nonchalance of the financial system and rules therein towards enlarging inequality, and [iii] proposes the inclusion of international financial market into the purview of international law research—the nexus of an international law of finance. The dissertation suggests that an international law of finance would be a field where international lawyers actively engage with the intertwined network of actors and rules in the financial market, where they master the vocabulary and grammar of finance, dissect the distributive significance of the legal design of the financial market, and make good use of their toolbox by examining the role of state in enabling financial market operations. As a performance of such engagement, the dissertation carries out a case study on credit rating agencies. The study examines the source of authority of this small but ubiquitous group of private actors, the significance of their ratings in both domestic and international financial markets, and their role as a cornerstone in the architecture of international finance—largely constructed by only a small number of states

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