Book Notes “Law” 3/2021

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Gonçalo de Almeida Ribeiro: The decline of private law: A philosophical history of liberal legalism. Hart Publishing, 2019. ISBN 9781509907922. 320 pp., GBP 26.63

This book is a large-scale historical reconstruction of liberal legalism, from its inception in the mid-nineteenth century, the moment in which the jurists forged the alliance between political liberalism and legal expertise embodied in classical private law doctrine, to the contemporary anxiety about the possibility of both a liberal solution to the problem of political justification and of law as a respectable form of expert knowledge. Each stage in the history is a moment of synthesis between a substantive and a methodological idea. The former is the liberal political theory of the period, purporting to provide a solution to the problem of political justification. The latter is a conception of legal method or science, supposedly vindicating the access of the expert to the political choices embodied in the law. Thus, each moment in the history of liberal legalism integrates a political theory with a jurisprudential conception. Although it reaches the unsettling conclusion that liberal legalism has largely failed by its own standards, the book urges us to avoid quietism, scepticism, or cynicism, in the hope that a deeper understanding of the fragility of our values and institutions inspires a more thoughtful, broadminded and nurtured citizenship.

Jaap Baaij, David Cabrelli and Laura Macgregor (Eds.): Interpretation of commercial contracts in European Private Law. Intersentia, 2020. ISBN 9781780689593. 454 pp, EUR 129.00

This book presents an extensive comparative study of commercial contract interpretation across 14 selected jurisdictions, namely Croatia, England and Wales, Finland, France, Germany, Greece, Italy, the Netherlands, Poland, Portugal, Scotland, South Africa, Spain and Sweden. Using a dynamic comparative case method, the focus is on key legal problems. In this way, the book makes important advancements in the general understanding of contract interpretation in European private law in three respects. First, it enriches the conventional conceptual framework for the methods of contract interpretation by distinguishing between interpretation aims and means. Second, it challenges the presumptive division of common law and civil law jurisdictions, for example, the assumption that civil systems follow a subjective approach and common law systems an objective approach to interpretation of contract. Third, the book provides a more subtle analysis of the role of standards of ‘good faith’ in contract interpretation. A common core of contract interpretation in European private law that is inferred from the national reports is that every legal system strives

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to reach a compromise between staying true to the intentions of the parties, assessing what a reasonable person would understand from the contract drafting, and preventing outcomes that are unfair or unjust. Conversely, the differences between the jurisdictions pertain to what constitutes a common intention between the contracting parties and reasonableness, and what the appropriate methods are by which these could best be ascertained. Here, the jurisdictions reveal a variety of conceptual, doctrinal and pragmatic similarities and distinctions.

Pablo Marcello Baquero: Networks of collaborative contracts for innovation. Hart Publishing, 2020. ISBN 9781509929962. 240 pp., GBP 76.50

With the rise of automation and artificial intelligence, the companies that will succeed in the future are those who operate under a constant state of innovation. Not just that, they will often need to ensure that they pursue “open innovation.” This book explores the contractual basis for innovation, examining the legal challenges raised by contracts to innovate. Offering a dual perspective, it takes an empirical approach to examine how agreements are structured to overcome the inherent uncertainty implicit in innovative activity. It also presents a legal framework for contracts to innovate, based on the duty of loyalty to the contractual network, which could provide guidance to navigate the uncertainty of these relationships.

Jochen von Bernstorff and Philipp Dann: The battle for international law: South-North perspectives on the decolonization era. Oxford University Press, 2019. ISBN 9780198849636. 496 pp., GBP 95.00

This volume provides a comprehensive analysis of international legal debates between 1955 and 1975 related to the formal decolonization process. It is during this era, couched between classic European imperialism and a new form of US-led Western hegemony, that fundamental legal debates took place over a new international legal order for a decolonised world. The book argues that this era presents in essence a battle, a battle that was fought out in particular over the premises and principles of international law by diplomats, lawyers, and scholars. In a moment of relative weakness of European powers, “newly independent states” and international lawyers from the South fundamentally challenged traditional Western perceptions of international legal structures engaging in fundamental controversies over a new international law. The legal outcomes of this battle have shaped the world we live in today. Contributions from a global set of authors cover contemporary debates on concepts central to the time, such as self-determination, sources and concessions, non-intervention, wars of national liberation, multinational corporations, and the law of the sea. They also discuss influential institutions, such as the United Nations, International Court of Justice, and World Bank. The volume also incorporates contemporary regional approaches to international law in the “decolonization era” and portraits of important scholars from the Global South.

Jason Blakely: We built reality: How social science infiltrated culture, politics, and power. Oxford University Press, 2020. ISBN 9780190087371. 184 pp., GBP 64.00

Over the last fifty years, pseudoscience has crept into nearly every facet of our lives. Popular sciences of everything from dating and economics, to voting and artificial intelligence, radically changed the world today. The abuse of popular scientific authority has catastrophic consequences, contributing to the 2008 financial crisis; the failure to predict the rise of Donald Trump; increased tensions between poor communities and the police; and the side-lining of non-scientific forms of knowledge and wisdom. In *We Built Reality*, Jason Blakely explains how recent social science theories have not simply described political realities but also helped create them. But he also offers a way out of the culture of scientism: hermeneutics, or the art of interpretation. Hermeneutics urges sensitivity to

the historical and cultural contexts of human behaviour. It gives ordinary people a way to appreciate the insights of the humanities in guiding decisions. As Blakely contends, we need insights from the humanities to see how social science theories never simply neutrally describe reality, they also help build it.

Olha O. Cherednychenko and Mads Andenas: Financial regulation and civil liability in European law. Edward Elgar Publishing, 2020. ISBN 9781789908107. 328 pp., GBP 105.00

The book explores the interrelationship between EU financial regulation and civil liability in order to determine whether a coordinated approach has been adopted. Examining EU law and the law of several current EU Member States, one former EU Member State, and the US, contributors consider the level of coordination between financial regulation and civil liability achieved throughout different sectors of financial services and activities, such as payments, credit, and securities, as well as among the various actors involved in public, private, and hybrid enforcement, such as courts, alternative dispute resolution bodies, and financial regulators. The contributions cover a variety of perspectives, combining top-down and bottom-up legal comparative analysis, law and economics, and experimentalist governance, in order to outline directions for cross-sector and cross-actor coordination to develop more fully at EU and national level. In doing so, they highlight the need to fundamentally rethink the role of civil liability, and private law remedies more generally, as a regulatory and compensatory tool in European financial law.

Hanoch Dagan: A liberal theory of property. Cambridge University Press, 2021. ISBN 9781108290340. 326 pp., GBP 26.99

Property enhances autonomy for most people, but not for all. Because it both empowers and disables, property requires constant vigilance. *A Liberal Theory of Property* addresses key questions: how can property be justified? What core values should property law advance, and how do those values interrelate? How is a liberal state obligated to act when shaping property law? In a liberal polity, the primary commitment to individual autonomy dominates the justification of property, founding it on three pillars: carefully delineated private authority, structural (but not value) pluralism, and relational justice. A genuinely liberal property law meets the legitimacy challenge confronting property by expanding people's opportunities for individual and collective self-determination while carefully restricting their options of interpersonal domination. The book shows how the three pillars of liberal property account for core features of existing property systems, provide a normative vocabulary for evaluating central doctrines, and offer directions for urgent reforms.

Peter Drahos: Survival governance: Energy and climate in the Chinese century. Oxford University Press, 2021. ISBN 9780197534755. 264 pp., GBP 22.99

To deal with the climate crisis we need a new paradigm of technological and social development aimed at the restoration of ecological systems—the bio-digital energy paradigm—and China is the world power best positioned to lead this change. The climate and energy crisis requires a strong state to change the direction, speed, and scale of innovation in world capitalism. There are only a few possible contenders for catalysing this governance of survival: China, the European Union, India, and the United States. While China is an improbable leader—and in fact the world's biggest emitter of greenhouse gasses—Peter Drahos explains in *Survival Governance* why this authoritarian state is actually more likely to implement systemic change swiftly and effectively than any other power. Drawing on more than 250 interviews, carried out in 17 countries—including the world's four largest carbon emitters—Drahos shows what China is doing to make its vast urban network sustainable and why all states must work toward a "bio-digital energy paradigm" based on a globalized, city-based network of innovation. As Drahos explains, America is incapable

of reducing the power of its fossil fuel industry. The European Union's approach is too incremental and slowed by complex internal negotiations to address a crisis that demands a rapid response. India's capacity to be a global leader in energy innovation is questionable. To be sure, China faces hurdles too. Its coal-based industrial system is enormous, and the USA, worried about losing technological superiority, is trying to slow China's development. Even so, China is currently urbanizing innovation on a historically unprecedented scale, building eco-cities, hydrogen cities, forest cities, and sponge cities (designed to cope with flooding). This has the potential to move cities into a new relationship with their surrounding ecosystems. China—given the size of its economy and the central government's ability to dictate thoroughgoing policy change—is, despite all of its flaws, presently the best hope for implementing the sort of policy overhaul that can begin to slow climate change.

Pavlos Eleftheriadis: *A Union of Peoples*. Oxford University Press, 2020. ISBN 9780198854173. 304 pp., GBP 80.00

Many political and legal philosophers compare the EU to a federal union and believe its basic laws should be subject to the standards of constitutional law, and thus find it lacking or incomplete. This book proposes a rival theory: that the substance of EU law is not constitutional, but international, and provides a close examination of the treaties and the precedents of the European courts to explore this concept further. Just like international law, EU law applies primarily to the relations between member states, who have democratically chosen to adapt their constitutional arrangements in order to share legislative and executive powers with their partners. The legal architecture of the European Union is thus best understood under a theory of dualism and not pluralism. According to this “internationalist” view, EU law is part of the law of nations and its distinction from domestic law is a matter of substance, not form. This arrangement is supported by a cosmopolitan theory of international justice, which we may call progressive internationalism. The EU is a union of democratic peoples, freely organizing their interdependence on the basis of principles of equality and reciprocity. Its central principles are not the principles of a constitution, but cosmopolitan principles of accountability, liberty, and fairness. Presenting an “internationalist” reading, this book proposes that the EU is a creation of the law of nations and argues for a dualist account of its legal architecture, with EU law and domestic law allocated different institutional roles.

Benjamin Geva and Sagi Peari: *International negotiable instruments*. Oxford University Press, 2020. ISBN 9780198828686. 304 pp., GBP 110.00

For centuries, bills of exchange, cheques, and promissory notes (‘negotiable instruments’) have played a vital role in the smooth operation of domestic and international commerce. The payment mechanisms have been subject to rapid technological progress and law has needed to adapt and respond to ensure that the legal framework remains relevant and effective. This book provides a comprehensive and thorough analysis of the question of applicable law to negotiable instruments. Given significant differences in the treatment of important issues under the laws governing negotiable instruments of the various jurisdictions, the question of applicable law plays a key role in contemporary commerce. Resolution of such issues frequently has cross-border dimensions, affecting residents from different countries, and meeting the needs of commerce as it rapidly moves towards an online mode of communication and documentation. To such ends, the book elaborates on the conceptual underpinnings of negotiable instruments law, provides an overview of the key differences between the systems in this area of law and contemplates the question of applicable law. The book provides a systematic inquiry into the relevant principles of law, statutes, and international conventions, and analyses the underlying rationale for both applicable

and negotiable instruments laws' rules. Specifically, the authors challenge the conventional view according to which the fundamentals of negotiable instruments law are excluded from the scope and insights of general contract and property law doctrines and as such not subject to the general conflict of laws rules governing them. The authors make concrete suggestions for reform and contemplate on the nature of the legal rules that can also be applied in the digital age of communication.

Andrew S. Gold, John C. P. Goldberg, Daniel B. Kelly, Emily Sherwin and Henry E. Smith (Eds): *The Oxford Handbook of the New Private Law*. Oxford University Press, 2020. ISBN 9780190919665. 632 pp., GBP 115.00

The Oxford Handbook of the New Private Law reflects exciting developments in scholarship dedicated to reinvigorating the study of the broad field of private law. This field embraces the traditional common law subjects (property, contracts, and torts), as well as adjacent, more statutory areas, such as intellectual property and commercial law. It also includes important areas that have been neglected in the United States but are beginning to make a comeback. These include unjust enrichment, restitution, equity, and remedies more generally. "Private law" can also mean private law as a whole, which invites consideration of issues such as the public-private distinction, the similarities and differences between the various areas of private law, and the institutional framework supporting private law—including courts, arbitrators, and even custom. The New Private Law is an approach to these subjects that aims to bring a new outlook to the study of private law by moving beyond reductively instrumentalist policy evaluation and narrow, rule-by-rule, doctrine-by-doctrine analysis, so as to consider and capture how private law's various features fit and work together, as well as the normative underpinnings of these larger structures. This movement has begun resuscitating the notion of private law itself in the USA and has brought an interdisciplinary perspective to the more traditional, doctrinal approach prevalent in Commonwealth countries. The Handbook embraces a broad range of perspectives to private law—including philosophical, economic, historical, and psychological—yet it offers a unifying theme of seriousness about the structure and content of private law.

Helmut Heiss and Leander D. Loacker (Eds): *Grundfragen des Konsumentenrechts (Fundamental questions in consumer law)*. Schulthess, 2020. ISBN 9783725580040. 618 pp., CHF 179.00

Consumer law issues increasingly run through the entire legal system like a common thread. Despite the characterization of the emerging field of law as a classic cross-sectional subject, most academic studies traditionally focus only on isolated sub-sections of the overall complex of "consumer law." This book is different: it takes into account the almost ubiquitous location of consumer law ideas across sub-areas of law such as private and procedural law, including its international dimensions, public law and criminal law, and offers a fundamentally oriented overall view of the multi-layered dimensions of a hitherto little systematized field of legislative activity. The contributions aim at providing answers to systemic questions, analyses of structural deficits and concrete proposals for future development perspectives.

Michael A. Heller and James Salzman: *Mine! How the hidden rules of ownership control our lives*. Doubleday, 2021. ISBN 9780385544726. 336 pp., USD 28.95

The book discusses ownership in a changing economy and society. The starter is the well-known six maxims that dominate our socialisation processes: First come first served, possession is nine-tenths of the law, you reap what you sow, my home is my castle, our body—ourselves, the meek shall inherit the earth. Heller and Salzman translate these maxims into many easily accessible true world examples of today and use them to highlight that these maxims are no longer compatible with the world as it is. There is a big gap

between what we believe to own and ownership. The standard example is the restriction that soft programmes put on the usage of all sorts of consumer products.

Martijn W. Hesselink: Justifying contract in Europe: Political philosophies of European contract law. Oxford University Press, 2021. ISBN 9780192843685. 496 pp., GBP 34.95

This title explores the normative foundations of European contract law. It addresses fundamental political questions on contract law in Europe from the perspective of leading contemporary political theories. Does the law of contract need a democratic basis? To what extent should it be Europeanised? What justifies the binding force of contract and the main remedies for breach? When should weaker parties be protected? Should market transactions be considered legally void when they are immoral? Which rules of contract law should the parties be free to opt out of? Adopting a critical lens, this book interrogates utilitarian, liberal-egalitarian, libertarian, communitarian, civic republican, and discourse-theoretical political philosophies and analyses the answers they provide to these questions. Thereby, it opens up democratic space for the consideration of alternative futures for contract law in the European Union, and for better justifications for those parts of the EU contract law acquis, we wish to retain.

Mireille Hildebrandt: Law for computer scientists and other folk. Oxford University Press, 2020. ISBN 9780198860877. 352pp., GBP 75.00

The textbook introduces law to computer scientists. The book covers privacy and data protection law, cybercrime, intellectual property, private law liability and legal personhood and legal agency, next to introductions to private law, public law, criminal law and international and supranational law. It provides an overview of the practical implications of law, their theoretical underpinnings and how they affect the study and construction of computational architectures. In a constitutional democracy everyone is under the Rule of Law, including those who develop code and systems, and those who put applications on the market. It is pivotal that computer scientists and developers get to know what law and the Rule of Law require. Before talking about ethics, we need to make sure that the checks and balances of law and the Rule of Law are in place and complied with. Though it is focused on European law, it also refers to US law and aims to provide insights into what makes law, law, rather than brute force or morality, demonstrating the operations of law in a way that has global relevance.

Steffen Hindelang and Markus Krajewski (Eds.): Shifting paradigms in international investment law: More balanced, less isolated, increasingly diversified. Oxford University Press, 2016. ISBN 9780198738428. 496 pp. GBP 102.00

International investment law is in transition. Whereas the prevailing mindset has always been the protection of the economic interests of individual investors, new developments in international investment law have brought about a paradigm shift. There is now more than ever before an interest in a more inclusive, transparent, and public regime. *Shifting Paradigms in International Investment Law* addresses these changes against the background of the United Nations Conferences on Trade and Development (UNCTAD) framework to reform investment treaties. The book analyses how the investment treaty regime has changed and how it ought to be changing to reconcile private property interests and the state's duty to regulate in the public interest. The individual chapters address the contents of investment agreements, the system of dispute settlement, the interrelation of investment agreements with other areas of public international law, constitutional questions, and new regional perspectives from Europe, South Africa, the Pacific Rim Region, and Latin America.

Uwe Kischel: Comparative law. Oxford University Press, 2019. ISBN 9780198791355. 960 pp., GBP 157.50

Uwe Kischel's comprehensive treatise on comparative law offers a critical introduction to the central tenets of comparative legal scholarship. The first part of the book is dedicated to general aspects of comparative law. The controversial question of methods, in particular, is addressed by explaining and discussing different approaches, and by developing a contextual approach that seeks to engage with real-world issues and takes a practical perspective on contemporary comparative legal scholarship. The second part of the book offers a detailed treatment of the major legal contexts across the globe, including common law, civil law systems (based on Germany and France, and extended to Eastern Europe, Scandinavia, and Latin America, among others), the African context (with an emphasis on customary law), different contexts in Asia, Islamic law, and law in Islamic countries (plus a brief treatment of Jewish law and canon law), and transnational contexts (public international law, European Union law, and *lex mercatoria*). The book not only offers to describe the varying norms and legal institutions but also proposes a better way of seeking to understand how the overall context of legal systems influences legal thinking and legal practice.

Adrian Kuenzler: Restoring consumer sovereignty: How markets manipulate us and what the law can do about it. Oxford University Press, 2017. ISBN 9780190698577. 360 pp., GBP 68.00

Marketplaces shape consumers' prior beliefs and attitudes and affect the weight given to new information by consumers who make purchasing decisions. Thereby, the choice between two products (for instance an iPhone or a Samsung Galaxy Note) is turned into a matter of personal identity rather than merely one of tangible product attributes. This book calls for an improved legal policy which can assist consumers and increase market efficiency. It acknowledges that once particular beliefs held by consumers have become culturally or socially entrenched, they are very difficult to change. Therefore, a novel regulatory framework is needed. Based on a detailed analysis of case law relating to consumer goods markets, this book delivers an accessible introduction to the law and economics of consumer decision-making, and a forceful critique of contemporary market regulatory policy.

Clemens Latzel: Verhaltenssteuerung, Recht und Privatautonomie (Behaviour control, the law, and private autonomy). Springer, 2020. ISBN 9783662603147. 698 pp., EUR 86.99

This book transfers psychological and behavioural economic insights into human decision-making and its controllability (especially through incentives, persuasion and external circumstances, i.e., nudging) to law and shows how law can be optimized with this knowledge. While *homo economicus* as the standard model of economics has already been replaced by an empirically based model pluralism, the civil law dogma of self-determination still awaits empirical grounding. In addition, this book explains—in this respect also interesting for the social sciences—the functioning of law and its specific instruments of control and shows their framework conditions. From a traditional civil law perspective, it is necessary to justify why law is allowed to control people's behaviour at all and why private autonomy, of all things, as the stronghold of liberalism, must endure being used for political purposes (materialization).

Vanessa Mak: Legal pluralism in European contract law. Oxford University Press, 2020. ISBN 9780198854487. 288 pp., GBP 80.00

The relevance of contracting and self-regulation in consumer markets has increased rapidly in recent years, particularly in the platform economy. Online platforms provide opportunities for businesses and consumers to connect with strangers, often across borders, trading products, and services. In this new economy, platform operators create, apply and

enforce their own rules in their contractual relationships with users. This book examines the substance of these rules and the space for private governance beyond the reach of state regulation. Vanessa Mak explores recent developments in law-making “beyond the state” with case studies focusing on companies such as Airbnb and Amazon. The book asks how common values and objectives of EU law, such as consumer protection and contractual fairness, can be safeguarded when law-making shifts to a space outside the reach of state law.

Frédéric Mégret and Immi Tallgren: The dawn of a discipline: International criminal justice and its early exponents. Cambridge University Press, 2020. ISBN 9781108488181. 420 pp., GBP 110.00

The history of international criminal justice is often recounted as a series of institutional innovations. But international criminal justice is also the product of intellectual developments made in its infancy. This book examines the contributions of a dozen key figures in the early phase of international criminal justice, focusing principally on the inter-war years up to Nuremberg. Where did these figures come from, what did they have in common, and what is left of their legacy? What did they leave out? How was international criminal justice framed by the concerns of their epoch and what intuitions have passed the test of time? What does it mean to reimagine international criminal justice as emanating from individual intellectual narratives? In interrogating this past in all its complexity, one does not only do justice to it; one can recover a sense of the manifold trajectories that international criminal justice could have taken. In light of the move in consumer law towards administrative and even criminal sanctions to improve the law enforcement, this book helps to understand that policy changes may be more often than not the result of influential key figures who need to be identified.

Etsuyo Michida and David Vogel: The diffusion of public and private sustainability regulations: The responses of follower countries, Edward Elgar Publishing, 2021. ISBN 9781800880931. 166 pp., GBP 75.00

This book focuses on the spread of public and private environmental and food safety regulations from Europe and North America to Asia and Africa. It explores the growth of policy diffusion and standard alignment on sustainability observed in non-Western follower countries in a globalizing world. The book examines the role of both developed and developing non-Western countries as followers that adopt food safety, environmental and sustainability policies under different conditions to those of the originating country. In today’s world, the EU has turned into one of the most important regulators that sets standards far beyond its own territory, applying a one-size-fits-all approach. The book demonstrates the possible tensions such a regulatory approach triggers in an economically, culturally and socially diverse world.

P. Sean Morris: The League of Nations and the development of international law: A new intellectual history of the Advisory Committee of Jurists, Routledge, 2022. ISBN 9780367897536. 280 pp. GBP 96.00

This volume examines the contributions to international law of individual members of the Advisory Committee of Jurists in the League of Nations, and the broader national and discursive legal traditions of which they were representative. It adopts a biographical approach that complements existing legal narratives. Pre-1914 visions of a liberal international order influenced the post-1919 world based on the rule of law in civilized nations. This volume focuses on leading legal personalities of this era. It discusses the scholarly work of the ACJ wise men, their biographical notes, and narrates their contribution as legal scholars and founding fathers of the sources of international law that culminated in their drafting of the statute of the Permanent Court of International Justice, the forerunner of

the International Court of Justice. The book examines visions of world law in a liberal international order through social theory and constructivism, historical examination of key developments that influenced their career and their scholarly writings and international law as a science. The book will be a valuable reference for those working in the areas of International Law, Legal History, Political History and International Relations.

Maurice Nürnberg: Die Durchsetzung von Verbraucherrechten: Eine rechtsvergleichende Analyse der Verbraucherschutzdurchsetzung in Frankreich, den Niederlanden und Deutschland (The enforcement of consumer law: A comparative legal analysis of consumer law enforcement in France, the Netherlands, and Germany). Nomos, 2020. ISBN 9783848776177. 364 pp., EUR 94.00

The enforcement of consumer rights is considered deficient. Germany, France, and the Netherlands have traditionally taken different approaches to enforce consumer rights. With increasing intensity, European measures are also having an impact on national enforcement structures. The author presents the different forms of consumer law enforcement in Germany, France, and the Netherlands. In doing so, individual, collective as well as official legal protection instruments and their status in the legal system are examined in more detail. On the basis of a comparative law analysis, an own approach for better enforcement of consumer rights is presented.

Johannes Pollak and Peter Slominski (Eds.): The role of EU agencies in the eurozone and migration crisis: Impact and future challenges. Palgrave Macmillan, 2020. ISBN 9783030513832. 233 pp., USD 72.99

This edited volume provides a wealth of empirical material to understand key aspects of EU governance including its plurality of actors and policy-making modes and its functioning during crisis management. Authored by legal scholars and political scientists, it presents new research and insights on the role of EU agencies in the context of the Euro and migration crises. The contributions assess why crises have led to the creation of new EU agencies and what roles these agencies have performed since their inception; how the crisis, notably the migration crisis, has impacted on existing EU agencies; how EU agencies have shaped the policies during and after the crises; and, how the crisis has affected the accountability of EU agencies.

Marianne Riddervold, Jarle Trondal and Akasemi Newsome (Eds.): The Palgrave Handbook of EU crises. Palgrave Macmillan, 2021. ISBN 9783030517915. 796 pp. USD 219.99

This handbook explores the European Union's institutional and policy responses to crises across policy domains and institutions—including the Euro crisis, Brexit, the Ukraine crisis, the refugee crisis, and global health crisis resulting from COVID-19. It contributes to our understanding of how crisis affects institutional change and continuity, decision-making behaviour and processes, and public policymaking. It offers a systematic discussion of how the existing repertoire of theories understand crises and how well they capture times of unrest and events of disintegration. More generally, the handbook looks at how public organizations cope with crises, and thus probes how sustainable and resilient public organizations are in times of crisis and unrest.

Pedro Gustavo Teixeira: The legal history of the European Banking Union: How European law led to the supranational integration of the single financial market. Hart Publishing, 2020. ISBN 9781509940622. 368 pp., GBP 67.50

How was the Banking Union, the most advanced legal and institutional integration in the single market, created? How does European law impact European integration? This book identifies five integration periods of the single financial market, intertwined with the development of global finance, from its origins, through its expansion and crisis, to the Banking Union. Each period is defined by innovations to deepen integration, such as the single passport

for financial services, soft governance and comitology, agencies, or a single rulebook. Providing a far-reaching explanation of the legal and institutional rationality of the European Banking Union, the author demonstrates that the Banking Union is not an accident of history or simply the product of the existential crisis of the Monetary Union. It has deep roots in the evolutionary process of European law and its drive towards supranational integration.

Antoine Vauchez and Pierre France: *The neoliberal republic: Corporate lawyers, statecraft, and the making of public-private France*. Cornell University Press, 2021. ISBN 9781501752551. 204 pp., USD 21.95

The Neoliberal Republic traces the corrosive effects of the revolving door between public service and private enrichment on the French state and its ability to govern and regulate the private sector. Casting a piercing light on this circulation of influence among corporate lawyers and others in the French power elite, Antoine Vauchez and Pierre France analyze how this dynamic, a feature of all Western democracies, has developed in concert with the rise of neoliberalism over the past three decades. Based on interviews with dozens of public officials in France and a biographical database of more than 200 civil-servants-turned-corporate-lawyers, the book explores how the always-blurred boundary between public service and private interests has been critically compromised, enabling the transformation of the regulatory state into either an ineffectual bystander or an active collaborator in the privatization of public welfare. The cumulative effect of these developments undermines democratic citizenship and the capacity to imagine the public good.

Carissa Véliz: *Privacy is power: Why and how you should take back control of your data*. Bantam Press, 2020. ISBN 9781787634046. 288 pp., GBP 14.99

Carissa Veliz exposes how our personal data is giving too much power to big tech and governments, why that matters, and what we can do about it. This is a 'po-science' book, easy to read, with lots of examples of our daily lives to raise awareness. The author does not shy away from using strong language, such as 'Digital technology is stealing our personal data and with it our power to make free choices'. The book is seeking for solutions to take back social control. Furthermore, the book calls for changes in the customers' behaviour and handling of data and for more pressure to be put on political representatives to enforce more regulation.

Jan Wouters, Frank Hoffmeister, Geert De Baere and Thomas Ramopoulos: *The law of EU external relations: Cases, materials, and commentary on the EU as an international legal actor* (3rd edition). Oxford University Press, 2021. ISBN 9780198869481. 624 pp., GBP 125.00

The third edition of this book incorporates more than ten years of fascinating dynamics since the entry into force of the Lisbon Treaty. Apart from analysing the general basis of the Union's external action and its relationship to international law, the book explores the law and practice of the EU in more specialized fields of external action, such as common commercial policy, neighbourhood policy, development cooperation, cooperation with third countries, humanitarian aid, external environmental policy, and common foreign and security policy, as well as EU sanctions. Five years after the second edition was published, this fully updated edition contains major developments within the law itself, along with changes and restructuring of the themes within the book. Carefully selected primary documents are accompanied with analytic commentary on the issues they raise and their significance for the overall structure of EU external relations law. The primary materials selected include many important legal documents that are hard to find elsewhere but give a vital insight into the operation of EU external relations law in practice.