

BOOKS RECEIVED / LIVRES REÇUS

G. BHATIA, *Horizontal Rights: An Institutional Approach*, Hart Publishing, Bloomsbury Publishing Plc, 2023, 262 pp., ISBN: 978-1-50996-761-2

This book explores constitutional law and rights jurisprudence, examining rights enforceable between private individuals or entities in a horizontal dimension and rights enforceable between states and citizens in a vertical dimension.

The author, Gautam Bhatia, employs various theoretical frameworks to analyze the potential impact of his arguments on legal and institutional structures and how constitutional rights interact in non-state contexts when private entities violate fundamental rights.

The book focuses on jurisprudential debates, historical legal precedents, and comparative constitutional frameworks from jurisdictions such as South Africa, Germany, and India. Bhatia argues that civil rights cases of 1883 marked one of the first significant judicial articulations of the default vertical approach.

In discussing the application of constitutional rights to non-state actors, he provides a theoretical framework for understanding how constitutional bills of rights can and should regulate private power in contemporary societies. He notes that private actors and institutions can violate the rights of others and that the government has the responsibility to either regulate these violations or establish distinct bodies to protect human rights.

Bhatia examines two forms of horizontality: indirect horizontality, where courts impose obligations on private actors through ordinary legislation, and direct horizontality, where constitutional rights are applied directly to private entities.

Overall, the book emphasizes the development of tailored mechanisms to mediate horizontal rights disputes through various institutional actors, including the courts, and discusses how this institutional model could be applied to real-world situations.

Z. Khaleqi

CH. BEZEMEK, *Constitutionalism 2030*, Bloomsbury Publishing, Kemp House, Chawley Park, Cumnor Hill, Oxford, OX2 9PH, UK, 2022, 240 pp., ISBN: 978-1-50994-270-1

Christoph Bezemek's anthology, *Constitutionalism 2030*, provides a deep exploration of the future of constitutional law in an era of global uncertainty. Bezemek details how constitutionalism is in severe decline and how its principles must evolve to address technological advancements, globalization, and governance. Drawing from a wide range of sources, such as comparative law, global trends, and political theory, he proposes revising constitutional frameworks to make them more progressive and adaptable. His analysis is scholarly yet easily comprehensible, making it an essential read for all stakeholders involved and anyone interested in the future of constitutionalism. Bezemek's work highlights the need for flexibility in constitutionalism, acknowledging the rapid pace at which society is continuously changing. *Constitutionalism 2030* leans extensively on various theoretical frameworks and is a thought-provoking contribution to the subject of the evolution of constitutional law.

K. Kumar

L. CASINI, *Advanced Introduction to Cultural Heritage Law*, Edward Elgar Publishing Limited, 2024, 145 pp., ISBN: 978-1-78990-008-8

In this work, Lorenzo Casini delves into how law has shaped the recognition and value of cultural heritage within communities. With an in-depth exploration, the author emphasizes the law's vital role in defining, protecting, and enhancing cultural assets. The book highlights the intricate relationship between private and public law, where these areas often overlap, creating both challenges and possibilities. Casini explores six fundamental dilemmas in cultural heritage regulation: the dynamics between public and private ownership, the balance between preservation and promotion, and the debate between retaining heritage locally or circulating it globally. He also addresses the distinction between tangible and intangible heritage, and the complex connection between culture and nature. Lastly, Casini reflects

on the global dimension of heritage, balancing national interests with the need for international cooperation in its protection.

T. Lusuardi

C. ECKES / P. LEINO-SANDBERG / A.W. GHAVANINI, *The Dynamics of Powers in the European Union*, Modern Studies in European Law, Bloomsbury Publishing, 2024, 352 pp., ISBN: 9781509971596

The European Union embodies a unique governance model, where separation of powers diverges from the traditional tripartite framework usually found at the nation-state level. Framed within the project “Separation of Powers for 21st Century Europe”, this book organically combines diverse contributions. The result is a clear picture of how powers are distributed at the EU level and how they interact with each other.

By employing a relational understanding of the separation of powers and case studies from the policy areas of migration, trade and monetary policy, the research points to an increasing dominance of the Union’s executive powers.

Notably, an executive composed of different actors is empowered based on the availability and deployment of technocratic expertise. It additionally benefits from weak parliamentary and judicial scrutiny, due to both structural limitations and voluntary alignment with integrationist goals.

Balancing concrete case law with broader reflections on democracy and governance, the final image delivered is that of a functionality-driven EU, struggling to balance an efficiency imperative with democratic values and the rule of law.

A. Picone