

## BOOKS RECEIVED / LIVRES REÇUS\*

C. BARNARD / A. LAZOWSKI / D. SARMIENTO, *Pursuit of Legal Harmony in a Turbulent Europe: Essays in Honour of Eleanor Sharpston*, Hart Publishing, Bloomsbury Publishing, 2024, 648 pp., ISBN: 978-1-509-97700-0

This compilation of essays brings together the best academics and practitioners of EU law in the celebration and honoring of Eleanor Sharpston, KC. Sharpston was one of the foremost Advocates General serving the Court of Justice of the European Union. She was behind seminal opinions which shaped various aspects of EU procedural and substantive law. Her opinions were bold and innovative, pointing to the way in which EU law would develop in the future. Her contribution and legacy is expertly assessed over six parts of this

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\* The following EPLO collaborators have contributed to this issue's section on Books Received: O. Aguilar Martínez, Universidad Complutense de Madrid, Spain, E. Albanese, University of Bologna, Italy, R. Andrizzi, University of Bologna, Italy, V. Babaievska, University of Bologna, Italy, A. A. Bar, National University of Political Studies and Public Administration (SNSPA), Romania, L. Bretzer, Sorbonne University, France, K. Carmichael, The Fletcher School at Tufts University, USA, A.M. Crețu, National University of Political Studies and Public Administration (SNSPA), Bucharest, Romania, M. Danet, Sciences Po Rennes, France, T. Fox, Northeastern University, USA, V. Gala Cano Tena, Universidad de Zaragoza, Spain, A. Lanocha, Bocconi University, Italy, E. Mereu, University of Trento, Italy, A. McIntosh, Northeastern University, USA, A. Nakouzi, King's College, UK, C. Pike, The Fletcher School at Tufts University, USA, A. Pluzhnikov, Northeastern University, USA, T. Sandu, National University of Political Studies and Public Administration (SNSPA), Bucharest, Romania, L. Shatirishvili, The Fletcher School at Tufts University, USA, A. Stan, National University of Political Studies and Public Administration (SNSPA), Bucharest, Romania, A. Toso, Leiden University College, The Netherlands, M. Triban, University of Trento, Italy, S. Waheed, The Fletcher School at Tufts University, USA.

book. The essays that form this book are divided into six themes that were important to her and had a prominent role at different stages of her life: her career; EU constitutional law; fundamental rights and citizenship; litigation; internal market; and external relations. This book is a worthy commentary on a remarkable legal legacy.

*O. Aguilar Martínez*

V. BREDÁ, *Constitutional Crises and Regionalism*, Elgar Monographs in Constitutional and Administrative Law, Edward Elgar Publishing, 2023, 278 pp., ISBN: 978-1-83910-709-2

As constitutions are upheld and enforced differently throughout different territories, it is important to understand the forces that constitutional statutes have on each regional plight. To what degree are constitutions the impetus behind conflict and furthermore, change? In studying and reflecting on crises from Europe, North America, Oceania, and East Asia, a historical overview of the context in which issues stem from is provided. Constitutional dilemmas demonstrate the strain between regional entities and their central counterparts.

Through supporting scholarly studies that add background and substantiate said claims, Breda identifies both positive and negative drivers of change that detail each locality's specific constitutional crisis. Through analyzing a plethora of locations, identities, and conflicts, the book provides a comprehensive study on the reasoning behind the distrust of institutions and potential solutions. This book provides an overarching reflection on varying constitutional practices, how such laws are sustained in regional and central institutions and gives credence to the severity of identity-based crises which are a common theme throughout Breda's work.

*T. Fox*

W.-C. CHAD / K. LOPER / M. MALAGODI / R. RUBIO-MARÍN, *Gender, Sexuality and Constitutionalism in Asia*, Bloomsbury Publishing, 2024, 384 pp., ISBN: 978-1-5099-4191-9

While there is a tendency for Northern American and European constitutional law to dictate the agenda, which is highlighted by their

overrepresentation in the academic research, Asian cases, being rare and unsystematic, strengthen the comparative studies. A similar trend occurs in the developing field of gender constitutionalism. How do opportunity structures constrained by tradition allow for the development of gender and sexuality provisions in Asian Constitutions? The choice between constitutional litigation, legislative lobbying, and civil society advocacy is influenced by the institutional arrangement, territorial organization, ethnic fragmentation, diversity of religious denominations, and social class tensions.

This book compares the history of constitutionalism, especially regarding gender and sexuality, between diverse Asian countries – Japan, Taiwan, Hong Kong, South Korea, Malaysia, Singapore, the Philippines, Indonesia, India, Nepal, Pakistan, and Sri Lanka. It includes groundbreaking court rulings on women, gender, and sexual minority rights, highlighting the need for legal and enforcement improvements.

A. Lanocha

L. J. CHUA / J. J. G. LEE (Eds.), *Contagion, Technology, and Law at the Limits*, Hart Publishing, Bloomsbury Publishing, 2024, 232 pp., ISBN: 978-1-5099-7070-4

Through addressing multiple facets of disease on different levels and within different communities and cultures, Chua and Lee can create a holistic background of how governments implement both legal avenues and varying technologies to protect the healthy and combat spreading disease. Through developing how governments have addressed global disease in the past, the trajectory of the governing of disease in the present day, such as during the COVID-19 pandemic, is addressed more thoroughly than if it were to stand alone. Not only do Chua and Lee tackle the reasons as to why and how governments began to attempt to slow the spread of illness and disease, they also shed importance on the diverse range of social implications that derived from governments attempts to aid communities. A key theme of *Contagion, Technology, and Law at the Limits* is that Chua and Lee bring light to the disproportionate effect these government interventions had on marginalized populations. Through this publi-

cation, one can more accurately understand the implications of not only widespread disease, but also the positive and negative effects and outcomes of government measures.

*T. Fox*

I. CRAM, *Liberal Democracy, Law, and the Citizen Speaker*, Bloomsbury Publishing, United Kingdom, 2022, 221 pp., ISBN: 978-1-5099-4582-5

Ian Cram's publication *Liberal Democracy, Law, and the Citizen Speaker* offers a view into the commonly accepted right of freedom of speech and the risks associated with it. Cram outlines the various forms of democracy and their respective views on free speech absolutism. Cram makes it clear that he is a supporter of popular sovereignty and disregards any elitist notion of only the educated being granted the right of full freedom of speech. At the same time, he acknowledges that the democratization inherent to social media has produced a large number of factors which may paradoxically damage democracy; common issues such as fake news, deep fakes, and weaponized speech are all problems which are heightened when social media provides everyone with an equal voice. Cram's core thesis for why these issues are so pervasive lies in the citizens' passive consumption of political media, rather than their active participation. To avoid the common issues which hurt democratization, citizens must be active participants in political discourse, rather than consuming media which reinforces their opinion. Cram's view on regulating and promoting online speech is a vital discussion on the requirements for a pure democracy.

*A. McIntosh*

P. DALY / J. TOMLINSON, *Researching Public Law in Common Law Systems*, Edward Elgar, 2023, 298 pp., ISBN: 978-1-78990-437-6

The Authors aim to fill a gap in the legal literature about the methodologies in public law research, creating a guide for experts and neophytes to understand the different approaches to legal research in public law. The book, whose complex writing style may at times re-

quire careful reading, lets the critical points emerge, together with the strengths and the limitations of both the traditional approaches and the innovative ones. It categorizes four main methodological approaches: the traditional one, which comprehends doctrinal, historical, interpretive methods; the institutional one, which seeks to explain the institutions practical functions and their formal roles; the technical approaches, which aim to compare common law systems in order to identify divergences and convergences; and, finally, the critical methodologies - such as the Marxist, the socio-legal and the indigenous ones - which analyze issues of political power, inequality and marginalized voices.

All these issues are addressed in this volume, which, through contributions from leading scholars in the field, offers a significant insight to the study of research methods in public law within common law systems.

M. Triban

M. DANI / M. GOLDONI / A. J. MENÉNDEZ, *The Legitimacy of European Constitutional Orders*, Edward Elgar Publishing, 2023, 331 pp., ISBN: 978-1-80392-888-3

The volume *The Legitimacy of European Constitutional Orders* (Elgar, 2023), edited by Marco Dani, Marco Goldoni, and Agustín José Menéndez questions Bruce Ackerman's constitutional project, especially the idea that European constitutions were created following 3 paths: the revolutionary, the establishment, and the elite pathways. Using comparative constitutional law, the three authors succeed in re-evaluating the European constitutional order, while providing important tools to explain what Ackerman's theory lacks.

Thus, this volume proposes a fourth way, arguing that most European constitutions have resulted from hybrid processes driven by elites rather than by broad popular mobilization. Moreover, the EU chapters consider how European integration has become a protracted and continuous 'constitutional moment' that has succeeded over time in shaping national constitutions.

The book is an excellent theoretical basis for scholars in the field who want to have a modern and up-to-date starting point of how European constitutionalism has formed and evolved until now.

A. A. Bar

S. FIELD / C. TATA, *Criminal Justice and The Ideal Defendant in the Making of Remorse and Responsibility*, Hart Publishing, Great Britain, 2023, 266 pp., ISBN: 978-1-50993-991-6

It is a fact that having remorse and assuming responsibility are part of what is expected from the defendants, in order to preserve the justice in the criminal system. The label of being an “ideal defendant” depends on the characteristics that the individual possesses, therefore, the decision-making professionals focus on the appearances that the convicted or suspect shows during the process, mainly on their social interactions and relationships. In furtherance for these decisions to be fairly transparent, the practitioners have to reduce the uncertainty to maintain the legitimacy of their actions, so they must assure that these decisions are aligned with legal principles and regulations. The professionals have to adjust the punishment for the specific individual putting the center of attention on the showing of sincere acceptance and willingness for a change, for the accomplishment of one of their legal obligations, which is the justification of all their actions in their duty.

V. Gala Cano Tena

M. FLINDERS / C. MONAGHAN, *Questions of Accountability: Prerogatives, Power and Politics*, Hart Publishing, Bloomsbury Publishing, Oxford UK, 2023, 321 pp., ISBN: 978-1-5099-6422-2

While the last two decades have been associated with an accountability explosion aimed at rejuvenating trust in public powers, the same period has been inextricably linked to growing concerns about democratic decline, the rise of populism, post-truth politics, and distrust. The pursuit and appearance of accountability have entailed a sacrifice of genuine accountability to the citizens. This book aims to expand the concept of accountability by exploring it from a diverse

range of perspectives, unraveling this complex puzzle. As the authors maintain, accountability really matters; it defines and mediates the relationship between governors and the governed, and it is a vital feature of the modern system of government and its two fundamental pillars: democratic legislature and the rule of law. It is necessary to reach a proportionate accountability balance between the democratic scrutiny and the government's capacity to get things done.

This book brings together world-leading scholars and former politicians and public servants to clarify and provide the reader with answers to the most debated issues.

*O. Aguilar Martínez*

A. FORGÁCS, *Referendum Authorization Procedures in Europe: A Comparative Analysis*, Edward Elgar Publishing, Cheltenham, 2023, 233 pp., ISBN: 978-1-0353-1120-0

This well-researched study offers the first systematic comparative analysis of referendum authorization in eight European states. In an era of growing populism, Forgács examines how institutional procedures can either enable or restrict direct democracy. Her work identifies four core procedural guarantees - independence, reasoned decisions, the right to be heard, and access to remedies - as safeguards against arbitrary rejection of initiatives. Drawing on extensive data and legal analysis, the book highlights how the rules behind authorizing referendums shape democratic legitimacy. It is a valuable resource for scholars and policymakers engaged with democratic governance and public law reform.

*A. Stan*

K. FORTIN / E. HEFFES (Eds.), *Armed Groups and International Law: In the Shadowland of Legality and Illegality*, Edward Elgar Publishing Limited, 2023, 324 pp., ISBN: 978-1-80088-833-3

The book, edited by Fortin and Heffes, starts from the premise of showing us a different way of conceiving rebels and armed groups. According to the authors, and to many contributors, rebels and armed groups often resort to violence because they see their basics and fun-

damental human rights violated. In this view, actors as the Non-State Armed Groups (NSAGs), who often are simply referred to as terrorists, become new recipients of human rights.

Through different contributions, which examine the international, the national and the humanitarian law and which always provide contemporary history examples, the book offers a broad example of how the NSAGs interact with the national state and within the international institutions. Moreover, the book gives a very clear overview of the process of how NSAGs try to establish their own governance.

This book combines an illustrative set of law cases and examples related to the NSAGs. It offers an innovative view of the actors, still considered subversive and dangerous, but whose actions are motivated by the willingness to claim their rights when trampled on.

*E. Albanese*

D. FREUDENBERG / K. LEWINSKI, *Handbuch Bevölkerungsschutz*, C.H. Beck, Munich 2024, 1225 pp., ISBN: 978-3-406-80741-1

This handbook aims to provide a structured, practical overview of the legal and institutional framework for civil protection in Germany. Since emergencies, whether natural disasters or armed conflicts, often defy clear legal classification, the volume is designed to help practitioners navigate such situations with clarity and confidence.

Taking a multidisciplinary approach, the book moves from general legal foundations (ranging from international to municipal law) to a matrix-style presentation of scenarios, actors, instruments and sectors. This organizational choice reflects a genuine effort to mirror the complexity of the field while maintaining clarity. A final section broadens the scope to include cross-border coordination, offering succinct and informative coverage of Germany's neighboring countries.

The book's strength lies in its ability to organize a complex and often decentralized field into a coherent and accessible structure, while maintaining legal precision. It will be of value not only to those working directly in disaster response and civil defense, but also to



researchers interested in the legal structuring of emergency governance in a federal and European context.

*L. Bretzer*

T. GILLIE, *Organised Politics, Law and Practice*, Hart Publishing, 2024, 252 pp., ISBN: 978-1-5099-6915-9

This book offers a detailed survey of the legal and practical regulation of political parties and organized politics in the United Kingdom.

Beginning with the right to associate under Article 11 European Convention on Human Rights, it explains how parties are registered, structured, and operated, and examines restrictions on membership and participation. The analysis extends to internal elections, candidate selection, and the vital role of whips and factions in parliamentary discipline. Particularly valuable is the treatment of financial regulation under PPERA 2000, equality provisions under the Equality Act 2010, and the evolving Code of Conduct in Parliament.

The author considers more than just political parties; it is a whole guide that allowed readers to understand how all organizations that revolve around them and political functioning, such as charities, lobbies, trade unions and co-operatives are supposed to interact.

By compiling dispersed statutory rules and practice into a coherent narrative, Tom Gillie delivers a valuable reference tool for students and practitioners of public law and political science, especially centered on the United Kingdom's politics' functioning.

*M. Danet*

D. GRIMM, *Constitutional Courts and Judicial Review Between Law and Politics*, Hart Publishing, 2024, 298 pp., ISBN: 978-1509976850

This compelling collection of essays by Dieter Grimm, Germany's leading constitutional scholar, offers a deep exploration of the role and significance of constitutional courts, with a special focus on the German Constitutional Court. Since its founding in 1951, the Court has become a model for many around the world, especially for its landmark rulings on fundamental rights.

Grimm addresses the ongoing debate over the nature of constitutional courts and judicial review, examining whether they function more as legal institutions or political actors, and how their role impacts democratic governance. Drawing on decades of experience and scholarship, he offers thoughtful and clear analysis, ultimately defending the essential function of these courts in upholding democratic constitutions. The essays emphasize the crucial role of constitutional interpretation—an often-overlooked aspect in critiques of judicial review. Accessible yet rigorous, this volume is a valuable resource for anyone interested in understanding how constitutional courts operate and why they matter in times of democratic uncertainty.

*R. Andrizzi*

J. HENDERSON, *The Constitution of the Russian Federation – A Contextual Analysis*, Hart Publishing, Oxford, 2022, 252 pp., ISBN: 978-1-5099-3557-4

This volume provides insights into the Constitution of Russia, an extremely relevant country in the current global geopolitical landscape. The book explores the historical context that existed before the Constitution's adoption, its drafting process, and its content, with a focus on the roles of the president, government, courts, judges, other agencies, and legislative organs. Officially, the Russian Constitution dates to 1993, but it was largely amended in 2020 through a very swift process of reform spearheaded by President Putin's push for traditional and conservative values. These changes significantly limited citizens' rights. The implications of this reformed charter on the citizenry have worsened after Russia withdrew from the European Court of Human Rights following the invasion of Ukraine. The analysis of the historical drivers behind Putin's decisions is extremely pertinent to understand the Russian President's political behaviors in both domestic and foreign policies.

*A. Toso*

T. KHAITAN / D. SAMARARATNE, *Constitutional Resilience in South Asia*, Hart Publishing, Great Britain, 2023, 468 pp., ISBN: 978-1-5099-4885-7

For the past years, there has been a deep consternation about the recent rise of democratic instability in many countries of South Asia, from which many studies suggest that the reason behind this problem has been the increasing populism in politics. Some academics are trying to look for an explanation, and there is a consideration that the current constitutional foundation might be unbalanced because of the recent unfavorable situation in the US, which has led to hesitation about the world referee. Scholars have been making assumptions that the abstract concepts, such as democracy or constitutional system, need to be adapted to the local context, since discussing the Global North is not the same as if we were talking about the Global South. There have been several studies that show that what we refer as “constitutional democracies” are undoubtedly Western theories with imperial origins, therefore, it is reasonable that there is a need to eliminate the imperialist influence that the countries of the Global South have adopted in the establishment of their institutions. To conclude, there are no doubts that South Asia is a region that needs more investigation and exploration, which could lead to a better understanding about the ongoing crisis in the democratic constitutional systems.

V. Gala Cano Tena

D. KOSAŘ / L. VYHNÁNEK, *The Constitution of Czechia. A Contextual Analysis*, Hart Publishing, Oxford, 2021, 223 pp., ISBN: 978-1-5099-2053-2

While the Czech Republic has avoided the democratic backsliding observed in several Central European states, its constitutional system remains in a state of fragile balance. This book explores the pluralist Czech constitution through the lens of sociological constitutionalism, highlighting not just formal legal doctrines but the underlying political, cultural, and institutional currents. It examines the interaction between the branches of power, the role of local governance, and the

transformation of constitutional practice influenced by political conventions, informal norms, and social sentiments.

Looking at developments since 1993, the authors show that Czech constitutionalism has been shaped by both legal design and lived experience. Drawing on rich contextual analysis, the book maps key structural tensions – such as executive dualism, judicial assertiveness, and popular disillusionment. It also connects Czech constitutional trends with broader European patterns, including EU integration and rising political fragmentation.

This volume fills an essential gap in comparative constitutional literature and provides scholars and practitioners with a nuanced view of how constitutional democracy operates in post-communist societies. It offers valuable insights for understanding not only Czechia but the resilience and vulnerability of liberal democratic orders more broadly.

A.M. Crețu

C. LAWThER / L. MOFFETT (Eds.), *Research Handbook on Transitional Justice*, 2<sup>nd</sup> ed., Edward Elgar Publishing, 2023, 524 pp., ISBN: 978-1-80220-250-2

This second edition of the *Research Handbook on Transitional Justice* offers an overview of the field's evolution over the past three decades. Edited by Cheryl Lawther and Luke Moffett, it brings together leading scholars and practitioners to examine how societies respond to mass violence, human rights violations and systemic inequalities. The book is structured around four key themes: foundational concepts; the actors involved; the main mechanisms, such as truth commissions, reparations and judicial processes; and emerging areas of debate. What sets this edition apart is its linking of established topics, such as truth recovery and the role of the UN, with new challenges, including colonialism, counter-terrorism, and climate change. These issues raise new ethical and political questions in the context of transitional justice, thereby illustrating the field's ongoing dynamism. Overall, this handbook is a valuable resource for academ-

ics and practitioners alike, offering a balanced mix of continuity and innovation in transitional justice research.

*L. Bretzer*

T. LUTZI / E. PIOVESANI / D. ZGRABLIĆ ROTAR, *Jurisdiction over Non-EU Defendants: Should the Brussels Ia Regulation be extended?* Hart Publishing, Great Britain, 2023, 355 pp., ISBN: 978-1-50995-891-7

The book offers an inquiry on a pressing topic: if the Brussels Ia Regulation should be extended to non-EU defendants. It draws on national reports from 17 different countries, compares how EU states currently address the question of jurisdiction over third-country defendants and examines critically the possibility of harmonization. The opening chapter of the book introduces a thoughtfully built questionnaire that formats the comparative analysis, while the concluding chapters give practical reflections on the ongoing HCCH Jurisdiction Project and the challenges with the parallel proceedings. This book contributes to academic debates on judicial cooperation as well as provides pragmatic insights for either legal practitioners or lawmakers to navigate the complexness of transnational litigation. It is a valuable asset for anyone interested in the future of EU private international law.

*L. Shatirishvili*

H. MUIR WATT, *The Law's Ultimate Frontier: Towards an Ecological Jurisprudence, a Global Horizon in Private International Law*, Hart Publishing, 2023, 354 pp., ISBN: 978-1-50994-010-3

In *The Law's Ultimate Frontier*, Horatia Muir Watt delivers a rare and ambitious reimagining of private international law as a site for radically rethinking legality. Far from a doctrinal account of environmental law, this is a deeply transdisciplinary work, where "ecological jurisprudence" signals a broader ethical and ontological turn: one that reorients law toward relationality, alterity, and planetary responsibility. Drawing heavily on the thought of Bruno Latour, Emmanuel Levinas, Derrida, and Lévi-Strauss, the book stages a rich dialogue

between law and the human sciences—anthropology, sociology, history of science—to confront modern law’s complicity in alienation: from nature, from others, from the self. Through a method of intellectual bricolage, Muir Watt uncovers a “shadow jurisprudence” within private international law, one attuned to pluralism, asymmetry, and the margins. This book is an essential reading for all legal scholars navigating law’s role in an endangered world.

R. Andrizzi

O. OLAKPE, *South-South Migrations and the Law from Below*, Bloomsbury Publishing, 2023, 209 pp., ISBN: 978-1-50995-818-4

The world of international law – when considering the extensive history of human existence – is still teetering in its infancy, its creation and assertion born out of the Western lens. Author Oreva Olakpe of Toronto Metropolitan University puts pen to paper to illustrate China and Nigeria’s engagement with international law issues in a way that does not heed European or North American perspectives as the presiding point of reference.

With both states being regional hegemonies, there is tremendous value in peering into the workings of international law outside of the dominant Western narratives. Olakpe studies two migrant communities in China and Nigeria, delving into the evolving approaches within these states in response to migration-related challenges. The book details the blistering assertions that come out of The Hague, their impacts contentious to the very communities they intend to serve.

Olakpe innovatively analyzes the two case studies by drawing on intersectionality and a Third World Approaches to International Law (TWAIL) to illustrate how informal justice systems – those that move away from the classical international versus regional and domestic law approaches – not only exist but are upheld. Further, it surfaces the political and economic agency of migrant communities (Nigerians in China, and Bakassi refugees in Nigeria) and counters an often-assertive narrative aimed to delegitimize the South.

In a legal sphere where scholarship is often engrossed – obsessed – with migration trends that flow from the global north to the global

south, Olakpe's *South-South Migrations and the Law from Below* foregrounds the Global South as a site of critical legal knowledge production. The book is a fascinating and vital study that will serve as a pillar for students and scholars of international law, human rights, and development studies.

S. Waheed

A. PASCHKE / D. RÜCKER, *DGA Data Governance Act: Kommentar*, München, C.H. Beck, 2024, 460 pp., ISBN: 978-3-406-81104-3

Digitalization is changing the way we produce, consume, and live. It also generates new forms of knowledge and creates new opportunities and challenges. Therefore, a legislative framework within the European Union becomes fundamental in regulating the use of digital data to channel it towards increased productivity and efficiency, without compromising transparency, safety, and fairness. Building on these premises, this book is particularly relevant because it systematically yet synthetically addresses the content of the Data Governance Act (DGA), which entered into force in the EU Member States (MSs) in September 2023. The volume is of interest to professionals, academics, and individuals involved in the field of Information Technology (IT) and data protection laws. The text analyzes the DGA article by article. Its chapters explore concepts that range from compliance requirements for handling protected data to data altruism practices and regulations for digital innovation. These rules strengthen the exchange of data across the MSs and overcome the technical barriers that obstacle cooperation in IT, a field in continuous and very rapid development.

A. Toso

M. S. ROMANÍ / J. KORVING / M. ELIANTONIO, *Exchange of Information in the EU. Taxpayer's rights, transparency and effectiveness*, Edward Elgar Publishing Limited, 2024, 377 pp., ISBN: 978-1-0353-1455-3

As the world integrates technology into business management and personal accounting, the amount of data available has never been

larger. In the context of taxation, governments can request more information than ever before. However, the rights of the citizen could easily be infringed by such requests. Therefore, governments must decide how to restrict requests to preserve civil rights internally while achieving tax transparency goals while also deciding how to resolve cross-border exchanges. The book approaches this exchange of information question by both analyzing the current state of the issue as well as providing historical context for the EU directives that led to the status quo.

In the first section of the work, professors analyze various key issues surrounding the exchange of information, elaborating on the legal and practical context for each major concept in question as well as recent EU Court of Justice cases. The book provides a holistic analysis of the Exchange of Information quandary, both from the perspective of ensuring tax transparency and achieving public goals as well as the perspective of preserving universal human rights.

In the second section of the book, the work chronicles from the initial Directive for international cooperation to the Directive amending the original to handle cryptocurrencies and electronic money. The book elaborates on the decisions made around each Directive and the historical reasons for their introduction.

A. Pluzhnikov

U. ŠADL, *Good Judgment: The European Court of Justice as a Context-Conscious Lawmaker*, Bloomsbury Publishing, 2024, 217 pp., ISBN: 9781509968121

The European Court of Justice (ECJ) engages in “context-conscious” adjudication, blending legal interpretation with institutional prudence and sensitivity to political, economic, and social contexts. Rather than applying law mechanically, the ECJ exercises judgment that balances legal values, institutional authority, strategic power, and conflict minimization. Its approach includes three forms: applying precedent faithfully, balancing competing interests, such as market freedoms vs. social protections, and distinguishing similar cases to navigate legal complexity. This framework is evident in cases of free movement of persons and goods. In the movement of persons, the Court balances



individual rights with state autonomy, using “non-sanctioning Europeanisation” and “bounded interpretation” to foster gradual alignment. In goods, it promotes market integration while respecting national rules via proportionality and public interest exceptions. The ECJ also employs techniques like ambiguity and delayed enforcement to manage tensions, sustain legitimacy, and guide legal evolution in a pluralistic EU.

*K. Carmichael*

P. SÁRY (Ed.), *Lectures on East Central European Legal History*, Central European Academic Publishing, Miskolc, 2022, 303 pp., ISBN: 978-615-01-3616-5

*Lectures on East Central European Legal History*, edited by Pál Sáy, is a wide-ranging and rigorously composed collection of legal-historical studies that provide crucial insights into the evolution of law in the East Central European region. Its multidisciplinary and multinational perspective reflects the intricacies of a legal landscape shaped by imperial inheritances, fragmented sovereignties, and shifting political regimes. The book brings together a cohort of distinguished scholars whose research collectively spans over a millennium of legal development – from medieval canon and Roman law foundations to socialist legal systems and post-1989 restitution efforts.

The volume is thematically structured across ten chapters, each devoted to a specific aspect of legal history: the reception of Roman and Byzantine law, ecclesiastical jurisdiction, codification movements, customary law, town law, and the legal regulation of minority rights. Especially noteworthy is the treatment of the *Tripartitum*, a seminal Hungarian legal text, and the emphasis placed on *ius commune* as both a cultural and doctrinal force. The analyses are underpinned by original historical sources and contemporary scholarship, offering a nuanced account of how legal norms were transmitted, received, and transformed within and across political boundaries. Each chapter is rooted in specific legal traditions while contributing to a broader regional synthesis.

The book distinguishes itself not only as a historical survey but also as a conceptual inquiry into the nature of legal development in a pluralistic and often contested geopolitical space. Legal norms are shown to evolve through dialectics of continuity and rupture, with law serving as both an instrument of imperial cohesion and national resistance. The volume pays particular attention to the codification efforts of the 19<sup>th</sup> and 20<sup>th</sup> centuries and the ideological reshaping of legal systems under communist regimes. It also addresses the uneasy legal inheritance left to post-socialist states, where restitution, privatization, and constitutional transformation posed significant challenges to legal coherence.

Sáry's introduction and editorial direction provide a compelling argument for the continued relevance of legal history in legal education and practice. As legal education trends increasingly toward technical skill and positivist reasoning, this volume restores legal history to its rightful place as a humanistic and foundational discipline. It argues persuasively that understanding the historical underpinnings of law enables jurists to better navigate contemporary legal issues with depth and perspective. *Lectures on East Central European Legal History* should be considered essential reading not only for students and scholars of comparative and European legal history but also for practitioners seeking a richer understanding of the structural roots of modern legal systems in the region.

A. Nakouzi

B. SAUNDERS, *Responsible Government and the Australian Constitution. A government for a sovereign people*, Hart Publishing, 2023, 247 pp., ISBN: 978-1-50995-579-4

As the Australian Constitution's effectiveness is debated on, Saunders provides a holistic and comprehensive analysis on the concept of responsible government within the lens of Australia's constitution. Through not only drawing upon secondary literature that provides insight into historical, political, and constitutional contexts and history, Saunders also positions the framers' intentions behind the constitution to present a thorough review. In doing so, this publication asserts that not only is the Australian Constitution flexible and

varied, but it also gives power to the Australian people to design systems and avenues that realize their needs and goals not only individually but also as a nation. Through developing an argument that the Australian system of governance, their Constitution, allows for constitutional evolution and self-government, Saunders addresses how Australia upholds responsible government.

*T. Fox*

M. TUSHNET / D. KOCHENOV, *Research Handbook on the Politics of Constitutional Law*, CPI Group Ltd., Edward Elgar Publishing Limited, 2023, 753 pp., ISBN: 978-1-83910-163-2

The relationship between the fields of law and politics is a complex and contested subject, particularly the way in which national politics interact with constitutional law. Through comparative, philosophical, and case-study analysis, this book argues for a strong interlacement between politics and constitutional law, utilizing a collection of scholarly writings from leading experts around the globe. Organized into four parts, Foundations, Structures, Rights, and Futures, the book outlines how constitutions are created, highlighting political influences and diving into political frameworks which inform constitutional laws, spanning from sovereignty and judicial governance to how political worldview shapes the idea of what constitutes 'rights.'

This book dismantles the traditional law-politics divide, showing constitutional law as both a product and instrument of power. Praised for its intellectual breadth and methodological range, the volume stands as a definitive reference for constitutional lawyers, political scientists, and theorists. Ambitious yet accessible, it illuminates the evolving dynamics of constitutionalism in a rapidly changing political world.

*C. Pike*

F. UHLMANN (Ed.), *Codification of Administrative Law – A Comparative Study on the Sources of Administrative Law*, Hart Publishing, UK, 2023, 438 pp., ISBN: 978-1-50995-492-6

The *Codification of Administrative Law* offers far more than the title promises. To describe the effects of administrative law's codification, in common law and civil law countries (and in the EU), the work presents the main elements that compose each national administrative law. The nature of the chapters, each one with its own author and reference legal system, does not provide a linear narrative, considering the singularity of every national legal experience. The common structure of the paragraphs helps the reader to remain on track.

The value of this work is inestimable. It is already a success to have an in-depth but concise study of the general administrative law of many legal systems, but in addition, we are offered the privileged perspective of comparative law. Perhaps, the book will prompt some readers to observe their institutions more objectively and to take inspiration from the results achieved in neighboring countries.

E. Mereu

T. VAN DEN BRINK / V. PASSALACQUA, *Balancing Unity and Diversity in EU Legislation*, Edward Elgar Publishing, 288 pp., 2024, ISBN: 978-1-03530-294-9

This collection of essays sheds light on vital aspects of EU legislation as a whole, viewed through the lens of reconciling unity and diversity. It provides a systematic review of issues and questions regarding harmonization, national discretion, normative coherence, and the evolving methods of policymaking. The book illustrates these concepts through legislative failures, ambiguities, and examples of good practice. By covering a wide range of legal domains, the essays concisely and understandably expose the state of affairs and the problems at hand, making the book accessible to academics and practitioners in adjacent fields, such as public administration, economics, and political science.

It is essential for anyone interested in EU affairs to be aware of these problems, as the book lays out their causes, evolution, and po-

tential solutions. This is particularly relevant given that the topics concern the continuously evolving philosophy and procedure of the EU's lawmaking and enforcement.

*T. Sandu*

J. WEINZIERL, *Democratic Authority: On the Nature and Grounds of the EU's Right to Rule*, Oxford: Hart Publishing, 2024, 175 pp., ISBN: 978-1-50996-504-5

The book offers a fresh and thought-provoking analysis of one of the most delicate questions in contemporary debates: on what basis can the European Union legitimately claim authority? Unlike much of the existing literature that narrowly focuses on sovereignty and competence, the author shifts the discussion toward legitimacy and the moral right to rule. By critically engaging with both institutional practices and academic theories, the book uncovers the lack of coherence in how EU authority is justified and exposes the limits of consent-based and purely instrumental approaches. In response, the book develops the idea of 'demoicratic authority,' grounded in deliberation, equality, and non-domination among the peoples of Europe, illustrating how the EU can exercise legitimate authority while respecting the autonomy of its members. Although theoretically demanding, the study makes a significant contribution by raising pressing normative questions and by offering tools to think differently about the nature of EU authority. Far from being merely a legal commentary, it encourages readers to understand EU authority through critical reflection, as both a shared moral project and a commitment to Europe's common future.

*V. Babaievska*