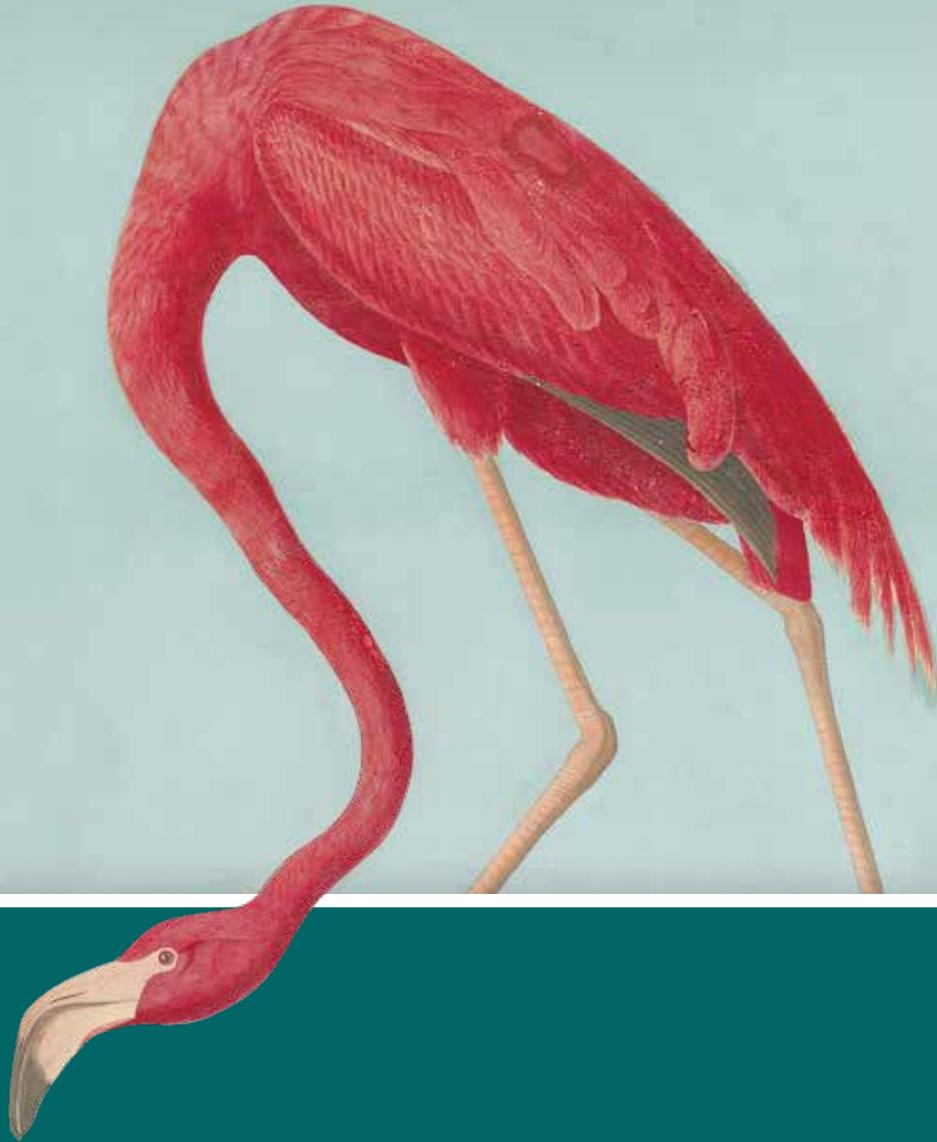


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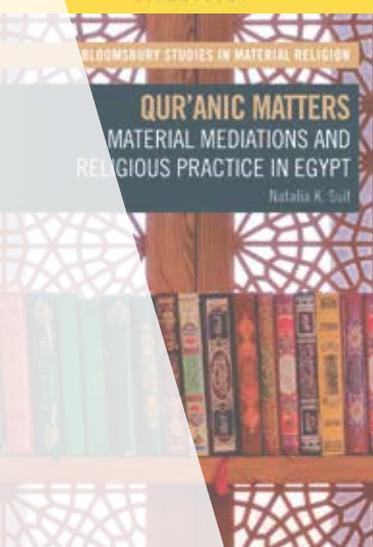
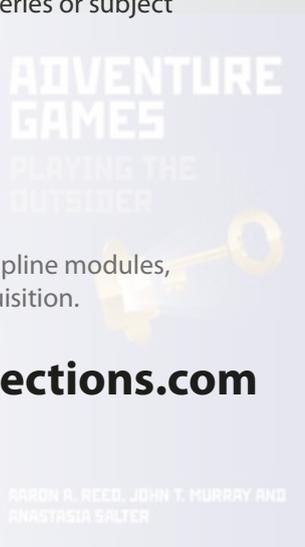
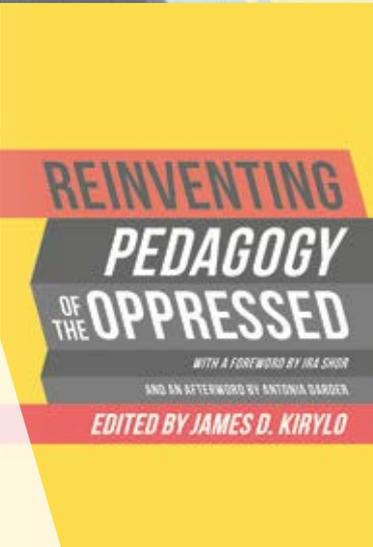
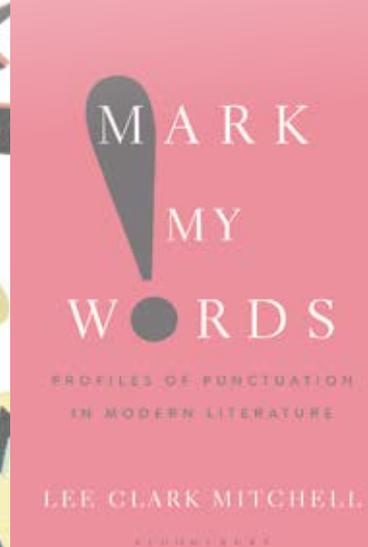
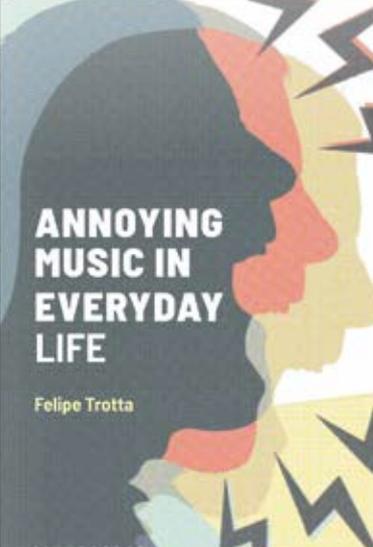
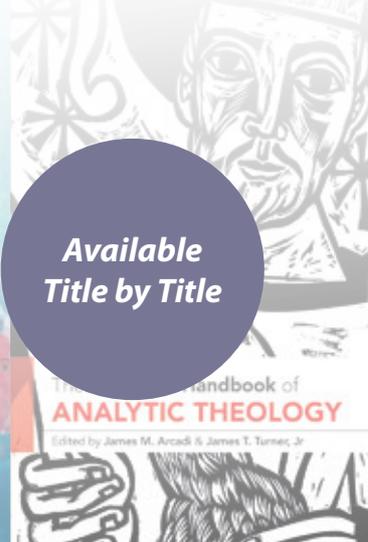
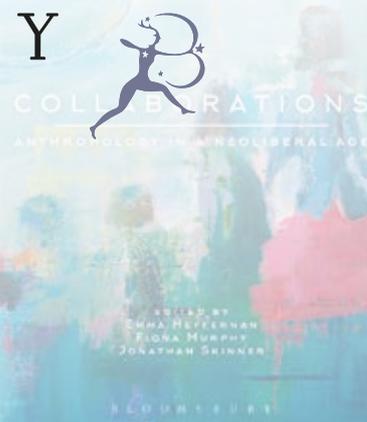
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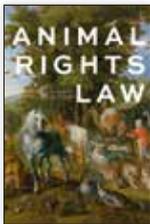
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## Animal Rights Law

Raffael N Fasel, University of Cambridge, UK & Sean C Butler, University of Cambridge, UK

This pioneering book tells readers everything they need to know about animal rights law.

Using straightforward examples from over 30 legal systems, the book takes the reader from the earliest anti-cruelty laws to recent attempts to grant basic

rights and personhood to animals. It explains the ethics, legal theory, and social issues behind animal rights and connected topics such as property, dignity, and human rights.

Rich in exercises and study aids, this easy-to-use introduction is a prime resource for students and for anyone else who wants to understand how the law protects animals.

UK March 2023 • US March 2023 • 240 pages  
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## Creditor Priority in European Bank Insolvency Law

Financial Stability and the Hierarchy of Claims

Sjur Swensen Ellingsæter, BI Norwegian Business School, Norway

This book provides a systematic and thorough account of the Bank Recovery and Resolution Directive and other EU legislation that governs creditor priority in bank resolution and liquidation proceedings, and their interaction with national law. The framework is analysed from several perspectives, including comparison with creditor priority in English, German and Norwegian general insolvency law. Moreover, the book places the evolution of the framework and its justifications within the broader post-crisis shifts in bank regulation.

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## Contemporary Studies in Corporate Law

Marc Moore, University College London, UK & Christopher Bruner, University of Georgia, US



## Corporate Opportunities

A Law and Economics Analysis

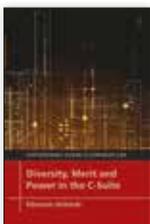
Marco Claudio Corradi, Stockholm University, Sweden

This book provides a comparative analysis of corporate opportunities doctrines. It looks at both common law and civil law rules and relies on a law and economics approach. The book broadens the

conventional view on corporate opportunities; it explores several jurisdictions and their economic and industrial environments, whilst also assessing the impact of globalisation on legal reform.

The book takes the academic debate on corporate opportunities doctrines to a whole new level and will be of interest to corporate legal scholars and research students in various jurisdictions, practitioners working in multinational contexts, and financial economics experts.

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## Diversity, Merit and Power in the C-Suite

Eleanore Hickman, University of Bristol, UK

UK boardroom diversity has increased in recent years, but behind this success is a more uncomfortable truth. The most powerful positions remain stubbornly homogeneous. This book explores this phenomenon and connects it to the

meaning and distribution of power, and the difficulties inherent in truly merit-based appointments.

By looking at the constituents of the FTSE 100 C-suite, their background and the appointment policies of their respective institutions, a theory about why the c-suite has resisted diversification is advanced. In doing so, suggestions are made about how this stagnancy might be addressed.

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## Activist Shareholders in Corporate Governance

The Australian Experience and its Comparative Implications

Tim Bowley, Monash University, Australia

This book explores the regulatory challenges of public company shareholder activism. Using

Australia as a case study, the book presents empirical evidence which reveals that Australian activism is a significant and multifaceted phenomenon, undertaken by different types of activists pursuing varying strategies and supported by a range of complementary market developments. The book uses this evidence to develop comparative insights and explore internationally topical issues, providing an important comparative perspective on the topic of shareholder activism.

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## Investment Management, Stewardship and Sustainability

Transformation and Challenges in Law and Regulation

Edited by Iris H-Y Chiu, University College London, UK & Hans-Christoph Hirt, Hermes Group Pension Scheme, UK

This book brings together the views of academia and practice on the key developments that can transform the law and practice of investment management, including the EU's new sustainable finance reform package, the UK Stewardship Code 2020, and developments in the US regarding the fit between fiduciary law for investment management and modern sustainability concerns.

The book will be of interest to researchers in law, investment management, business and management, investment management practitioners and their legal advisers, and policy-makers.

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European Courts and the decisions, legislation and guidelines of the Commission in declaring aid compatible or incompatible with the internal market.

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## Referendums as Representative Democracy

Leah Trueblood, University of Oxford, UK

In referendums on fundamental constitutional issues, do the people come together to make decisions instead of representatives? This book argues no. It offers an alternative theory of referendums whereby they are one of many

ordinary ways that voters give direction to their representatives. In this way, the book argues that referendums are better understood as exercises in representative democracy.

Challenging the current treatment of referendums in processes of constitutional change both in the United Kingdom and around the world, the book strengthens the case for referendums by showing how they can support, rather than undermine, institutions of representative democracy.

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## Codification of Administrative Law

A Comparative Study on the Legal Basis of Administrative Law

Edited by Felix Uhlmann, University of Zurich, Switzerland

This open access book considers the consequences that arise from the different degrees of codification of general administrative law. It answers important questions including:

Does codification increase predictability and legal certainty? Does codification lead to a 'petrification' of administrative law? To what degree does the constitution shape administrative law? Which areas of administrative law are suitable for codification, which are not, and why not?

The book answers these questions by presenting 13 country reports, a chapter on the EU, and a comparative analysis.

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This book investigates the global trend towards substantive constitutional adjudication of electoral legislation.

It offers a comparative reading of the issue by analysing how the circulation of models and arguments between judges has triggered the progressive overcoming of a traditionally deferent approach towards electoral norms, which still survives in a few jurisdictions.

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## The Protection of Legitimate Expectations in Administrative Law

A Comparative Study

Edited by Anneken Kari Sperr & Diana Hohenlohe-Oehringen

The protection of legitimate expectations appears to be a key concept of administrative law in Europe; it defines the legal position of the individual vis-à-vis the public authorities and is, thus, a gateway for constitutional considerations in administrative law.

This book presents the results of a comparative research project dealing with the question if, to what extent, and in which ways the legitimate expectations of private parties are considered in procedures leading to a primary administrative decision and, where available, in subsequent review procedures before administrative, judicial or quasi-judicial bodies. Furthermore, the project examines if, and to what extent, European and national legal orders, as well as international legal regimes, guarantee compensation in cases where provisions concerning the protection of legitimate expectations have been disregarded.

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## Responsible Government and the Australian Constitution

A Government for a Sovereign People

Benjamin B Saunders, Deakin University, Australia

This book looks at responsible government under the Australian Constitution. It undertakes a detailed examination of the history leading to the incorporation of responsible government into the Constitution, examining the political history and constitutional ideas which informed the framers' views. It draws on this history to develop a theory of responsible government and explore its implications for the interpretation of the Constitution and the structure of modern government in Australia.

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## Shaped by the Nuanced Constitution

A Critique of Common Law Constitutional Rights

*Christina Liene, Cornerstone Barristers, UK*

This book argues that common law constitutional rights enable a direct exploration of the nature of the UK constitution. Drawing on historical developments, the book considers the way common law constitutional rights have been negatively impacted by the theoretical ambiguities inherent in the nuanced constitution. It argues that the nuanced constitution, despite the resurgence and increased weight of common law constitutional rights, is unable to adequately protect essential constitutional values. Abandoning the concept of Parliamentary Sovereignty, it sets out a more principled framework for the protection of constitutional rights which is nonetheless distinguishable from common law constitutionalism.

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## Securing Legality

*Liora Lazarus, University of Oxford, UK*

Drawing on theoretical, legal and policy material, *Securing Legality* seeks to develop a robust normative framework in which to understand the relationship between security, the rule of law and human rights. The book challenges the entrenched dichotomy, commonly invoked by activists, analysts

and scholars, of the rule of law and human rights on the one hand and security on the other. It argues that security actors often fail adequately to grasp the role of law and legal legitimacy in their conceptions of security, while guardians of legality too easily overlook the intrinsic and explicit role that security plays in our conception of the rule of law and human rights.

At the same time the book warns against the risk of 'securitising law', a process whereby the rule of law and human rights is increasingly viewed through the narrow lens of security. The book seeks to reconceptualise the relationship between law and security, arguing that the concept of security should concern not only the safety of society, but also the value of its broader social arrangements.

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## The Constitution of the Republic of Austria

A Contextual Analysis

*Manfred Stelzer, University of Vienna, Austria*

This book shows how the Austrian Constitution has been shaped by fundamental events in Austria's modern history. It emphasises the way in which

the Constitution establishes a parliamentary system, with additional presidential features, limited, in turn, by Austria's federal structure and the parliaments of 9 states. It charts the history and character of the Constitution; the political structure; the legislative and executive branches of the federal government; public bodies; jurisdiction; and fundamental Rights. Offering the trademark combination of clarity of explanation and rigour of analysis that defines the series, this is an excellent guide to a fascinating constitutional structure.

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## Judicial Dysfunction in Indonesia

*Simon Butt, Sydney Law School, Australia*

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persistence, such as unsafe convictions. It provides a detailed analysis of a series of highly controversial decisions by Indonesian courts, many of which have had major political significance, both domestically and internationally. Using data only recently available, it puts judicial decision-making and reasoning at the centre of its analytical approach, looking at themes from across the different branches of the judiciary.

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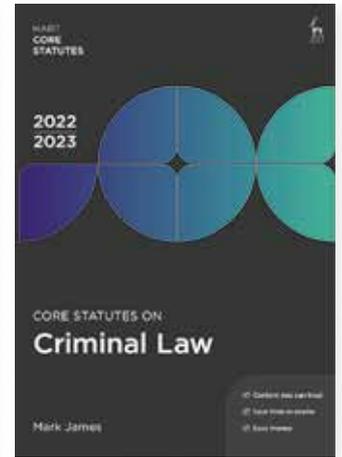
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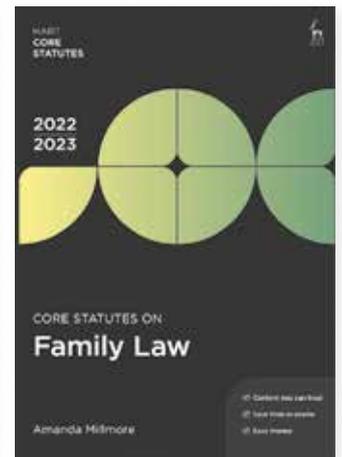
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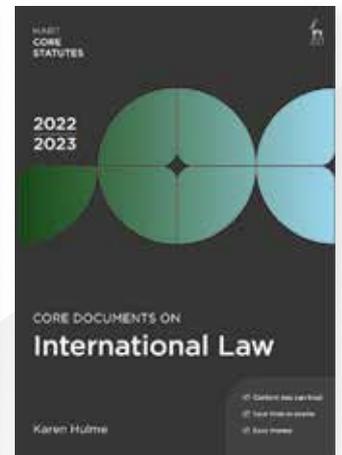
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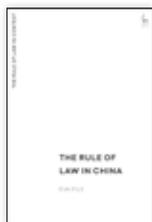
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### The Rule of Law in China

Eva Pils, King's College London, UK

This book provides the reader with a fresh perspective on the internal dynamics of the struggle for the rule of law as it plays out domestically in China and the future of the Chinese legal-political system.

Given China's rising influence in the world, it will inform the global debate about the role of law in other countries, and will help us assess the chances of survival of the institutions currently supporting the rule of law at the international level.

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### The Rule of Law in South Africa

Heinz Klug, University of Wisconsin, USA, Sanele Sibanda, University of Pretoria, South Africa & Sindiso Mnisi Weeks, University of Massachusetts Boston, USA

This book addresses the rule of law under colonialism and apartheid, during the democratic transition, and under South Africa's existing constitutional order. It also considers extra-legal influences on the rule of law, such as the political economy of the country, and delves into the lived experience of the rule of law in a society where legal pluralism shapes the lives of large portions of the population.

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### The Form of Legislation and the Rule of Law

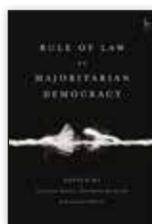
Ronan Cormacain, Bingham Centre for the Rule of Law, UK

What does the rule of law mean, in practical terms, for the way that legislation is prepared, drafted and presented?

In this book, each element of the rule of law is analysed to establish principles about the form that legislation ought to take, and how each principle can be given concrete effect.

Much has been written about the nature and content of the rule of law, but relatively little has been devoted to legisprudence, the theory and practice of legislation. This book now draws these 2 subjects together in a detailed and innovative way.

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### Rule of Law vs Majoritarian Democracy

Edited by Giuliano Amato, Italian Constitutional Court, Benedetta Barbisan, University of Macerata & Cesare Pinelli, Sapienza University

With contributions from judges and scholars from different backgrounds and nationalities, this book explores the framework in which the tension between the rule of law and majoritarian democracy currently takes place in several Western countries by focusing on four key themes: the rule of law, the people, democracy and its enemies, and elected and non-elected officials.

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 PB 9781509948376 • £49.99 / \$67.95  
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 ePub 9781509936854 • £90.00 / \$125.02  
 ePdf 9781509936861 • £90.00 / \$125.02  
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### McCawley and Trethowan - The Chaos of Politics and the Integrity of Law - Volume 1

McCawley

Ian Loveland, City, University of London, UK

This 2-volume work offers a detailed exploration and analysis of 2 Australian entrenchment cases which have long been a source of fascination and inspiration to lawyers. This 1st volume, focusing on the *McCawley* case, introduces non-Australian readers to the rich legal and political history of constitutional formation and development in New South Wales and Queensland in the 19th and early 20th centuries. It culminates with a deeply contextualised analysis of the emergence of the bizarre 'Two Act entrenchment' principle, which emerged in Queensland's constitutional law in 1908 and the subsequent *McCawley* judgments of the Australian High Court and Privy Council.

UK February 2023 • US February 2023 • 432 pages  
 PB 9781509948260 • £44.99 / \$60.95  
 Previously published in HB 9781509927111  
 ePub 9781509927128 • £81.00 / \$112.65  
 ePdf 9781509927135 • £81.00 / \$112.65  
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### McCawley and Trethowan - The Chaos of Politics and the Integrity of Law - Volume 2

Trethowan

Ian Loveland, City, University of London, UK

The 2nd part of this 2-volume study delves into the historical and political context of the *Trethowan* litigation. The book carefully examines the political and legal routes of the entrenchment device. It places the doctrinal arguments advanced in subsequent litigation in the multiple contexts of the personal and policy based disputes which pervaded both the State and national political arenas. In its final chapter, the book combines insights from the study of *McCawley* in volume 1 and *Trethowan* to re-evaluate the capacity of the UK Parliament to introduce entrenching legislation which would be upheld by the courts.

UK February 2023 • US February 2023 • 256 pages  
 PB 9781509948314 • £34.99 / \$47.95  
 Previously published in HB 9781509948277  
 ePub 9781509948284 • £63.00 / \$87.92  
 ePdf 9781509948291 • £63.00 / \$87.92  
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## The Architecture of Constitutional Amendments

History, Law, Politics

*Edited by Richard Albert, University of Texas at Austin, USA*

This book examines the 3 major models of amendment codification—the appendative, the integrative, and the invisible models—and shows how some jurisdictions have innovated alternative forms of amendment codification that combine elements of more than 1 model in a unique hybridisation driven by history, law, and politics.

Blending deep engagement with constitutional theory and close attention to real-life political practice, the book explores how the choices political actors make in codifying constitutional amendments exert consequences on the operation of the constitution in relation to democracy, the rule of law, and the separation of powers.

UK March 2023 • US March 2023 • 320 pages  
HB 9781509959082 • £90.00 / \$120.00  
ePub 9781509959099 • £81.00 / \$112.65  
ePdf 9781509959105 • £81.00 / \$112.65  
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## Access to Justice for Vulnerable and Energy-Poor Consumers

Just Energy?

*Naomi Creutzfeldt, University of Westminster, UK, Chris Gill, University of Glasgow, UK, Marine Cornelis, Next Energy Consumer & Rachel McPherson, University of Glasgow, UK*

This book assembles the findings of an interdisciplinary research project studying energy poverty, access to justice and its barriers in the UK, Italy, France, Bulgaria and Catalonia.

In-depth interviews with regulators, ombudsmen, energy companies, third-sector organisations and vulnerable people provide a rich dataset through which to understand the phenomenon.

UK February 2023 • US February 2023 • 384 pages  
PB 9781509950492 • £42.99 / \$58.95  
Previously published in HB 9781509939435  
ePub 9781509939459 • £76.50 / \$105.78  
ePdf 9781509939442 • £76.50 / \$105.78  
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## Modern Criminal Law

Essays in Honour of GR Sullivan

*Edited by A P Simester, National University of Singapore*

This book brings together leading scholars from the next generation of UK criminal lawyers to celebrate the work of G R (Bob) Sullivan, Emeritus Professor at University College London, in the

year of his retirement from writing *Simester and Sullivan's Criminal Law: Theory and Doctrine*. The contributors examine areas in which Professor Sullivan's own writing has been influential, ranging from general doctrines such as causation and culpability, across specific offences like theft and fraud, through defences including necessity and insanity; before turning, finally, to matters affecting the criminal process, notably challenges to the doctrine of precedent in criminal law.

UK February 2023 • US February 2023 • 352 pages  
HB 9781509956142 • £85.00 / \$115.00  
ePub 9781509956159 • £76.50 / \$105.78  
ePdf 9781509956166 • £76.50 / \$105.78  
Hart Publishing



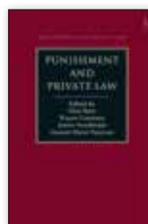
## Administrative Justice and the Control of Bureaucracy

*Chris Gill, University of Glasgow, UK*

This book presents a new theoretical model, which develops existing work on the control of bureaucracy, by emphasising three under-explored areas:

- the nature of the issues which citizens raise and the ways in which the matters are presented
- the fundamental structure of government decision-making whereby different forms of organisation produces different responses to attempts by administrative justice institutions to achieve control
- the operational practices of administrative justice institutions, where comparisons between three distinctive institutions help to identify features of institutional design that facilitate or prevent the exercise of control.

UK February 2023 • US February 2023 • 208 pages  
HB 9781509927074 • £75.00 / \$100.00  
ePub 9781509927081 • £67.50 / \$93.42  
ePdf 9781509927098 • £67.50 / \$93.42  
Hart Publishing



## Punishment and Private Law

*Edited by Elise Bant, The University of Western Australia, Wayne Courtney, University of Singapore, James Goudkamp, University of Oxford, UK & Jeannie Paterson, The University of Melbourne, Australia*

Does private law punish? This collection answers this complex but compelling question. Lawyers from across the spectrum of the law (contract, tort, restitution) explore exactly how it punishes wrong doing. These leading voices ask whether that punishment is effective and what its societal role might be. Taking the discussion out of the technical and into a broader realms of a wider purpose, it is both compelling and thought-provoking.

UK January 2023 • US January 2023 • 448 pages  
PB 9781509949465 • £49.99 / \$67.95  
Previously published in HB 9781509939152  
ePub 9781509939169 • £90.00 / \$125.02  
ePdf 9781509939176 • £90.00 / \$125.02  
Series: Hart Studies in Private Law • Hart Publishing



## Indirect Criminalisation

The True Limits of Criminal Punishment

*Stavros Demetriou, University of Sussex, UK*

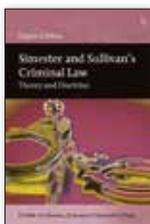
This book considers 'indirect criminalisation' (the legal treatment of antisocial behaviour through civil preventative measures such as the ASBO) in England and Wales.

Adopting an interdisciplinary approach combining criminal law theory and empirical criminology, it uses the framework on anti-social behaviour in England and Wales as a case study and engages with central questions within legal theory:

- what are the normative challenges posed by indirect criminalisation and mechanisms for distinguishing criminal from non-criminal rules?
- how can such questions be tested and applied empirically?
- has the ASBO's successor been operating as a de facto criminal measure?

UK February 2023 • US February 2023 • 192 pages  
HB 9781509941438 • £60.00 / \$80.00  
ePub 9781509941445 • £54.00 / \$75.56  
ePdf 9781509941452 • £54.00 / \$75.56  
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INSPECTION



## Simester and Sullivan's Criminal Law

### Theory and Doctrine

J J Child, *University of Birmingham, UK*,  
A P Simester, *National University of Singapore*,  
J R Spencer, *University of Cambridge, UK*,  
F Stark, *University of Cambridge, UK* &  
G J Virgo, *University of Cambridge, UK*

This account of modern English criminal law combines detailed exposition and analysis of the law with careful exploration of its theoretical underpinnings. It covers all subjects taught at undergraduate level. Updates to the 8th edition include analysis of the Assaults on Emergency Workers Act 2018 and the Domestic Abuse Act.

UK September 2022 • US September 2022 • 1120 pages  
PB 9781509964277 • £42.99 / \$58.95  
ePub 9781509964284 • £38.69 / \$53.57  
ePdf 9781509964291 • £38.69 / \$53.57  
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8<sup>TH</sup> EDITION

INSPECTION



## Key Ideas in Criminal Law

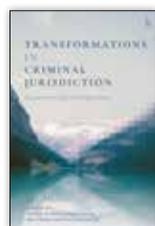
J R Edwards, *University of Oxford, UK* & A P Simester, *National University of Singapore*

This book shows how the mainstream doctrines of substantive criminal law map onto certain key underlying (and overlapping) principles. These principles are: legitimate criminalisation, accountability, culpability, moral responsibility and wrongdoing.

UK March 2023 • US May 2023 • 112 pages  
PB 9781509935192 • £9.99 / \$12.95  
ePub 9781509935208 • £8.99 / \$12.35  
ePdf 9781509935215 • £8.99 / \$12.35  
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COLLECTIONS

COLLECTIONS



## The Transformation of Criminal Jurisdiction

### Extraterritoriality and Enforcement

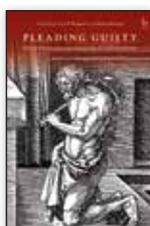
Edited by Micheál Ó Floinn, *University of Glasgow, UK*, Lindsay Farmer, *University of Glasgow, UK*, Julia Hörnle, *Queen Mary University of London, UK* & David Ormerod QC, *University College London, UK*

This book, based on a series of papers presented at the 2021 WG Hart Legal Workshop, asks how the concept of jurisdiction can meet the challenges posed by transnational dimensions of criminal offences today.

Part 1 looks at theoretical perspectives on criminal jurisdiction and how traditional jurisdictional concepts and understandings are being challenged, transformed, and reimagined in the era of the internet, cloud computing and social media. Part 2 homes in on the investigative powers of the state, to explore how these practical issues can inform the continuing transformation of current challenges.

UK February 2023 • US February 2023 • 336 pages  
HB 9781509954223 • £85.00 / \$115.00  
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COLLECTIONS



## Pleading Guilty

### Ethical Perspectives on Sentencing the Self-Convicted

Edited by Julian V Roberts, *University of Oxford, UK* & Jesper Ryberg, *Roskilde University, Denmark*

This book addresses the fundamental ethical and legal aspects, penal consequences, and social context arising from a citizen's acceptance of guilt. It focuses on sentencing people who have pleaded guilty; in short, post-adjudication, rather than issues arising from discussions in the pretrial phase of the criminal process.

The book explores questions such as:

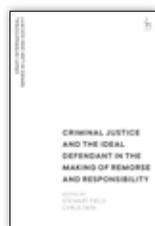
- If an individual voluntarily accepts guilt, should the State receive this plea without further investigation or any disinterested adjudication?
- Is it ethically acceptable to allow defendants to self-convict, without independent confirmation and evidence to support a conviction?

UK February 2023 • US February 2023 • 320 pages  
HB 9781509957439 • £90.00 / \$120.00  
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## Criminal Justice and the Ideal Defendant in the Making of Remorse and Responsibility

Edited by Stewart Field, *Cardiff University, UK* & Cyrus Tata, *Strathclyde University, UK*

This book examines the normative expectations that criminal justice systems have of defendants: they should admit guilt, accept individual responsibility, show particular kinds of emotions, especially remorse. It uses empirical research, including interviews with judicial officers and transcripts of in-court sentencing hearings, to explore why expressions of remorse are deemed to be important in decision-making.

With 13 contributors from the UK, Australia, Canada, France, Denmark, the Netherlands, and Slovenia, the book comprises a diverse range of studies across different procedural and jurisdictional settings, opening up new comparative possibilities along the way.

UK February 2023 • US February 2023 • 224 pages  
HB 9781509939916 • £55.00 / \$75.00  
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## Extraterritoriality and Climate Change Jurisdiction

### Exploring EU Climate Protection under International Law

Natalie L Dobson, *Utrecht University, The Netherlands*

This book builds on the scholarship of the law of state jurisdiction, engaging with fundamental questions about states' legislative competence, to respond to climate change. Considering general theory, the author advocates for a systemic analytical framework for the contested issue of 'extraterritoriality' in international law.

UK March 2023 • US March 2023 • 328 pages  
PB 9781509951086 • £41.99 / \$57.95  
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Series: Studies in International Law • Hart Publishing



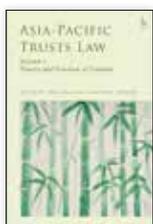
## EU Environmental Principles and Scientific Uncertainty before National Courts

The Case of the Habitats Directive

*Edited by Mariolina Eliantonio, Maastricht University, the Netherlands, Emma Lees, European University Institute, Italy & Tiina Paloniitty, University of Helsinki, Finland*

This book explores how courts across Europe and beyond understand and analyse scientific information in nature conservation. The Habitats and the Birds Directive—the core of EU nature conservation law—are usually seen as the most ‘uniform’ parts of EU environmental law. The book analyses the case law from 11 current and former EU Member States’ courts and explores the dynamics of how, and crucially why, their understandings of scientific uncertainty and EU environmental principles vary. Co-edited by experienced leaders in the field, and with outstanding contributors, this book is an essential guide to the dynamics of nature conservation law.

UK March 2023 • US March 2023 • 352 pages  
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ePub 9781509948208 • £76.50 / \$105.78  
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## Asia-Pacific Trusts Law, Volume 1

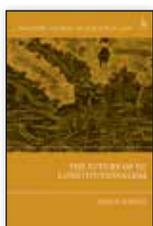
Theory and Practice in Context

*Edited by Ying Khai Liew, University of Melbourne, Australia & Matthew Harding, University of Melbourne, Australia*

Many Asia-Pacific jurisdictions have integrated and developed trusts law in their legal systems; either through colonial heritage or statutory activism.

But the diversity of legal traditions and local contexts has resulted in trusts laws having a significantly varied impact across the region. In the modern globalised world there is growing need to adopt an outward looking approach in dealing with matters of common interest. This is the first book that systematically explores trusts law across the region.

UK March 2023 • US March 2023 • 424 pages  
PB 9781509950577 • £59.99 / \$79.95  
Previously published in HB 9781509934799  
ePub 9781509934805 • £112.50 / \$155.25  
ePdf 9781509934812 • £112.50 / \$155.25  
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## The Future of EU Constitutionalism

*Edited by Matej Avbelj, New University, Slovenia*

Is there a real and meaningful future for EU constitutionalism? This collection explores this question in light of recent challenges to EU constitutional law; namely the pandemic and the political schisms emerging across the European

Union. The contributors explore the question through the prism of the five main pillars of EU constitutionalism: the constitutional values, the EU formal constitutional framework, its substance consisting of the EU political and economic constitution, and conclude by looking at the foundational concept of sovereignty (national and European) in a global realm.

UK February 2023 • US February 2023 • 256 pages  
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ePub 9781509962877 • £76.50 / \$105.78  
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Series: Modern Studies in European Law • Hart Publishing



## Land Law and the Extractive Industries

Challenges and Opportunities in Africa  
*Victoria R Nalule, University of Dundee, UK*

This book analyses the nexus between land access and the extractive industries in Africa, specifically highlighting the gaps in energy, land and mining laws and the practical solutions needed to settle the increasing number of land disputes in resource-rich areas.

Drawing from the author's fieldwork research, the book addresses the important question of whether the different land tenure systems, coupled with administration and registration procedures, are adequate to address the land disputes in African countries.

UK March 2023 • US March 2023 • 256 pages  
PB 9781509952755 • £42.99 / \$58.95  
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ePdf 9781509938438 • £76.50 / \$105.78  
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## Modern Studies in European Law



## The Principles of Corporate Sentencing in EU Law

*Vanessa Franssen, University of Liège, Belgium*

The EU is strengthening its grip on national criminal law in its fight against corporate crime, and the punishment of corporations features prominently among its concerns.

In this important book Vanessa Franssen provides a comprehensive account of the principles governing corporate sentencing in EU law, drawing on comparative scholarship of Member State legal systems as well as EU law, and makes practical suggestions for corporate sentencing goals that should be pursued by the EU. The book addresses academics, judges, practising lawyers, civil servants and anyone who wants to learn more about this topic of EU law.

UK March 2023 • US March 2023 • 480 pages  
HB 9781849466509 • £100.00 / \$135.00  
ePub 9781509902804 • £90.00 / \$125.02  
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Series: Modern Studies in European Law • Hart Publishing



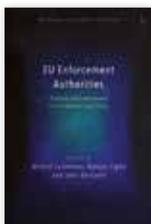
## Relative Authority of Judicial and Extra-Judicial Review

EU Courts, Boards of Appeal, Ombudsman

*Michal Krajewski, University of Copenhagen, Denmark*

This book examines the operation of EU judicial and extra-judicial review mechanisms. It covers detailed institutional arrangements, the standard of review, the types of cases and litigants, and the activity of the parties. It makes visible the diverse but complementary ways in which the mechanisms enhance the authority of EU legal acts and processes. It also reveals that scarce resources and imprecise rules restrict the scope of review and hinder independent empirical investigations. Finally, it shows how a differentiated system of judicial and extra-judicial review can accommodate various kinds of technical and political discretion exercised by EU institutions and bodies.

UK February 2023 • US February 2023 • 224 pages  
PB 9781509947331 • £39.99 / \$54.95  
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## EU Enforcement Authorities

Punitive Law Enforcement in a Composite Legal Order

*Edited by Michiel Luchtman, Utrecht University, the Netherlands, Katalin Ligeti, University of Luxembourg & John Vervaele, Utrecht Law School, the Netherlands*

EU enforcement agencies are on the rise, entrusted with investigating breaches of EU law. What are the implications for legal practice of their increasing prominence? This book explores this pertinent question from a comparative perspective. Looking at issues of accountability and legitimacy, it sets out the perimeters on the agencies. Moving beyond the constitutional realm, it examines procedural questions such as admissibility of evidence. Given the very real implications of the agencies' investigations, this book will appeal to practitioners and scholars, in fields from criminal law to competition and banking law.

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Series: Hart Studies in European Criminal Law • Hart Publishing



## Free Movement of Persons in the Nordic States

EU Law, EEA Law, and Regional Cooperation

*Edited by Katarina Hyltén-Cavallius, Linnaeus University, Sweden & Jaan Paju, Stockholm University, Sweden*

Lawyers from all five Nordic States (Denmark, Sweden, Finland, Norway, and Iceland) explore the tensions, gaps, and overlaps arising from the interplay of EU citizenship, EEA law, and the Nordic initiatives that aim to facilitate cross-border mobility of persons in the region. Firstly, it tracks the legal development of nationality law in Nordic states. Secondly, it sets out the social rights that follow from the three different regimes. In so doing, it asks whether the Nordic States, through their regional cooperation, 'going beyond' EU free movement law, are making naturalisation to a citizenship in a Nordic state particularly attractive?

UK February 2023 • US February 2023 • 352 pages  
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Series: EU Law in the Member States • Hart Publishing

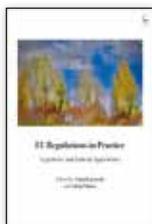


## Making Sense of European Union Law

*Edited by Monica Claes, University of Maastricht, Netherlands & Ellen Vos, Maastricht University, Netherlands*

A stellar line up reflects on the key developments in European Union law, through the prism of the scholarship of one of its leading experts, Bruno de Witte. Reflecting the breadth of his expertise and influence; the collection looks at questions as diverse as constitutional law, the place of minorities in the Union's legal framework, social Europe, and EU law and scholarship. An innovative, thoughtful collection, marking a thoughtful, innovative contribution to the field.

UK December 2022 • US December 2022 • 224 pages  
HB 978150995693 • £85.00 / \$115.00  
ePub 9781509959709 • £76.50 / \$105.78  
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## EU Regulations in Practice

Legislative and Judicial Approaches

*Edited by Adam Lazowski, University of Westminster, UK & Alicja Sikora, Jagiellonian University, Poland*

This book provides a thorough assessment of EU regulations. It also looks at their application in all twenty-seven Member States and some neighbouring countries. EU regulations are perceived as the most effective sources of EU secondary legislation, having both vertical and horizontal direct effect. Part 1 examines these points, providing the analytical backdrop to the remaining chapters. In Parts 2 and 3 the focus moves to the reception of regulations in Member States and selected neighbouring jurisdictions. Written by leading practitioners and academics, the book offers a conceptual underpinning to the European Union's regulatory law-making, as well as a practical exploration of their impact and application.

UK March 2023 • US March 2023 • 688 pages  
HB 9781509956593 • £150.00 / \$200.00  
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## Article 47 of the EU Charter and Effective Judicial Protection, Volume 2

The National Courts' Perspectives

*Edited by Matteo Bonelli, Maastricht University, the Netherlands, Mariolina Eliantonio, Maastricht University, the Netherlands & Giulia Gentile, King's College London, UK*

The principle of effective judicial protection (PEJP) is specifically provided for in the EU Charter of Fundamental Rights Article 47. But how effective is the protection it affords? This second volume of an ambitious 2 volume study explores how the national courts have interpreted the PEJP. It takes a comparative overview of the case law to assess the level of convergence/divergence of national courts' approaches. The questionnaire methodology allows for an accurate charting of the application of national courts, divergence and the ensuing problems. It will be of interest to EU constitutional scholars and comparative lawyers.

UK March 2023 • US March 2023 • 336 pages  
HB 9781509947997 • £90.00 / \$120.00  
ePub 9781509948000 • £81.00 / \$112.65  
ePdf 9781509948017 • £81.00 / \$112.65  
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## Civil Courts and the European Polity

The Constitutional Role of Private Law Adjudication in Europe

*Edited by Chantal Mak, University of Amsterdam, the Netherlands & Betül Kas, Erasmus University Rotterdam, the Netherlands*

Public law has always been seen as the vehicle for driving polity building in Europe. But what role might private law play?

This collection argues it plays a crucial one, as interactions in civil society are the bedrock of any shared identity. The book takes a 4-part approach; firstly it explores the theoretical questions at play before moving onto a discussion of judicial activity in European private law. Next it offers case studies to further support its position. In the final section practitioners articulate the role that European private law judges see for themselves in building common ground.

UK February 2023 • US February 2023 • 256 pages  
HB 9781509941674 • £85.00 / \$115.00  
ePub 9781509941681 • £76.50 / \$105.78  
ePdf 9781509941698 • £76.50 / \$105.78  
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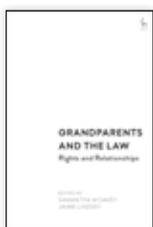
## Building Bridges in European and Human Rights Law

Essays in Honour and Memory of Paul Heim CMG

*Edited by Michael-James Clifton, EFTA Court, Luxembourg, Suzanne Rab, Serle Court Chambers, UK & David Scorey QC, Essex Court, UK*

This unique book, formed as a series of essays, focusses on the building of bridges between individuals and institutions in European and human rights law. Drawing on the contributions of international judges, leading practitioners, and officials, the collection provides personal reflections and expertise on selected aspects of European and human rights law. In so doing, it provides multi-level perspectives on the Court of Justice of the European Union, the EFTA Court, the European Court of Human Rights, and the International Criminal Court, and the interaction of their jurisprudence with domestic law.

UK January 2023 • US January 2023 • 304 pages  
HB 9781509952588 • £85.00 / \$115.00  
ePub 9781509952595 • £76.50 / \$105.78  
ePdf 9781509952601 • £76.50 / \$105.78  
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## Grandparents and the Law Rights and Relationships

*Edited by Samantha M Davey, University of Essex, UK & Jaime Lindsey, University of Essex, UK*

This book explores the theoretical and practical issues around recognising grandparents' rights in legal proceedings. It explores whether

grandparents ought to have rights in relation to their grandchildren; what the content of those rights is or ought to be; and what the appropriate role of the law is in providing solutions.

The book considers these questions from both a public and a private law perspective, and in the context of the European Convention on Human Rights and the United Nations Convention on the Rights of the Child, as well as in other jurisdictions, such as Iran, France and Nepal.

UK March 2023 • US March 2023 • 304 pages  
HB 9781509953417 • £85.00 / \$115.00  
ePub 9781509953424 • £76.50 / \$105.78  
ePdf 9781509953431 • £76.50 / \$105.78  
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## Rethinking Legal Gender Recognition

A Human Rights Analysis

*Peter Dunne, University of Bristol, UK*

This book considers how trans and non-binary persons should be formally acknowledged by the law.

The book submits 4 'conditions of recognition' to human rights review: physical medical interventions; compulsory divorce; minimum age limits; and mandatory binary gender.

Many conditions of recognition imposed around the world violate core human rights standards. The author argues that these conditions should be removed as entry requirements for legal transitions.

UK March 2023 • US March 2023 • 304 pages  
HB 9781509930616 • £70.00 / \$95.00  
ePub 9781509930623 • £63.00 / \$87.92  
ePdf 9781509930630 • £63.00 / \$87.92  
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## Muslim Marriages in Transition

England, Qatar and Australia

*Rajnaara C Akhtar, Leicester De Montfort University, UK*

This book undertakes a critical and comparative analysis of the legal and social treatment of informal 'religious-only' marriages by the state in England/ Wales, Australia and Qatar. By exploring the historic

development of marriage laws and changing relationship norms in these jurisdictions, the legal treatment of religious-only unions in light of the family law regime in each country and the impact of non-recognition, the book reveals the complexities of the law reform needed to tackle these issues.

UK March 2023 • US March 2023 • 192 pages  
HB 9781509931699 • £65.00 / \$90.00  
ePub 9781509931705 • £58.50 / \$81.05  
ePdf 9781509931712 • £58.50 / \$81.05  
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## The Legal Recognition of Same-Sex Relationships

Emerging Families in Ireland and Beyond  
*Brian Tobin, National University of Ireland, Galway*

This book analyses how the law has facilitated, or hindered, the recognition of same-sex family

formations in Ireland, and how it might be reformed to provide greater parental rights for same-sex couples. The book covers four key issues: civil partnerships, cohabitation, marriage equality and parental rights. It takes a uniquely comparative approach by drawing analogies between the situation in Ireland and developments in the UK and Australia.

The book concludes by assessing the impact, or lack thereof, of the European Convention on Human Rights, in order to determine whether it could promote increased legal recognition for same-sex families in Ireland.

UK January 2023 • US January 2023 • 224 pages  
HB 9781509952533 • £85.00 / \$115.00  
ePub 9781509952540 • £76.50 / \$105.78  
ePdf 9781509952557 • £76.50 / \$105.78  
Hart Publishing



## Suicide and the Law

*Elizabeth Wicks*

This book considers how the law should regulate suicide. Suicide represents a major problem in today's society. There are more than 4,500 self-inflicted deaths every year in England. This book uses a normative process of doctrinal analysis and historical and socio-legal perspectives to look at

the legal tolerance of suicide and attempted suicide, as well as the enduring legal issues post-legislation, such as the offence of assisted suicide, and the right to autonomy in matters of life and death.

UK March 2023 • US March 2023 • 208 pages  
HB 9781509932702 • £70.00 / \$95.00  
ePub 9781509932719 • £63.00 / \$87.92  
ePdf 9781509932726 • £63.00 / \$87.92  
Hart Publishing

Colin Harvey, Queen's University Belfast, UK



### Law and Islamic Dress

Rights and Fascism in Europe

Kimberley Brayson, University of Leicester

This book conceptualises European Court of Human Rights' judgments on Islamic dress as manifestations of the fascist impulse in modern human rights law. The author argues that human rights are thus not an antidote to fascism but are constituted

through a fascist inflection and implicated in circulating fascism in the everyday. The inability of human rights to say 'no' to laws regulating and criminalising Islamic dress in Europe engenders an institutional Islamophobia in the law and Islamic dress debate in Europe.

UK March 2023 • US March 2023 • 208 pages  
 HB 9781509910496 • £60.00 / \$80.00  
 ePub 9781509910502 • £54.00 / \$75.56  
 ePdf 9781509910519 • £54.00 / \$75.56

Series: Human Rights Law in Perspective • Hart Publishing



### Article 8 ECHR, Family Reunification and the UK's Supreme Court

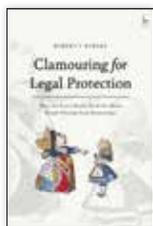
Family Matters?

Helena Wray, University of Exeter, UK

This book focuses on a series of judgments by the UK's Supreme Court on the application of the right to respect for family life, contained in Article 8 ECHR, to immigration decisions. These judgments have required the government to amend several aspects of its family migration policy and have become the centre of legal and political controversy, raising questions about the judicial function in a modern democracy, the influence on the legal system of European human rights law and the difficulties of controlling immigration in a globalised world.

UK February 2023 • US February 2023 • 320 pages  
 HB 9781509902576 • £85.00 / \$115.00  
 ePub 9781509902583 • £76.50 / \$105.78  
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Series: Human Rights Law in Perspective • Hart Publishing



### Clamouring for Legal Protection

What the Great Books Teach Us About People Fleeing from Persecution

Robert F Barsky, Vanderbilt University

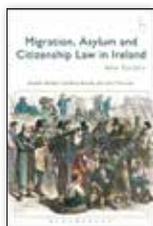
In this novel approach to law and literature, Robert Barsky delves into the canon of so-called Great Books, and discovers that many beloved characters therein encounter obstacles similar to those faced

by contemporary refugees and undocumented persons.

Rich with details of border crossings, including those undertaken to flee pandemics, civil unrest, racism, intolerance, war, forced marriage, or limited opportunities in their home countries.

The struggles of Odysseus, Moses, Aeneas, Dante, Satan, Dracula and Alice in Wonderland, among others, provide surprising insights into current discussions about those who have left untenable situations in their home countries in search of legal protection.

UK January 2023 • US January 2023 • 336 pages  
 PB 9781509943142 • £36.99 / \$49.95  
 Previously published in HB 9781509943159  
 ePub 9781509943166 • £67.50 / \$93.42  
 ePdf 9781509943173 • £67.50 / \$93.42  
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### Migration, Asylum and Citizenship Law in Ireland

New Borders

Siobhán Mullally, NUI Galway, Ireland, Clodhna Murphy & Liam Thornton

The book is targeted at academics and students working in the field of migration and asylum law. It will also be of interest to practitioners and policy makers in Europe, as the first extended scholarly analysis of this field of Irish law. Many of the significant legislative, constitutional and jurisprudential changes that have occurred, have resulted from contested claims arising under EU, ECHR and comparative constitutional law. The book will interest scholars across these fields, and will become a key reference work for the legal profession and researchers in the rapidly expanding area of migration and asylum law. The book is likely to attract significant interest in North America, where debates on citizenship law in Ireland in particular have been followed closely, given the transnational judicial dialogue in Irish courts, referencing US case-law, and the close links between academics and the superior courts in both jurisdictions.

UK March 2023 • US March 2023 • 256 pages  
 HB 9781782258995 • £50.00 / \$68.00  
 ePub 9781782259008 • £45.00 / \$63.19  
 ePdf 9781782259015 • £45.00 / \$63.19  
 Hart Publishing



### Migrant Labour and the Reshaping of Employment Law

Edited by Bernard Ryan

This book examines the implications of labour migration for employment law regimes in highly-developed countries. It adopts a comparative approach, with some chapters providing thematic overviews of the challenges posed by migration for employment law, and others addressing the main effects of migration upon employment law in particular countries.

UK March 2023 • US March 2023 • 256 pages  
 HB 9781509919147 • £70.00 / \$95.00  
 ePub 9781509919154 • £63.00 / \$87.92  
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## Lowry, Rawlings and Merkin's Insurance Law

Doctrines and Principles

Rob Merkin QC, University of Reading, UK

This leading introductory text provides a detailed examination of the developing law of insurance, combining exposition of the law with critical analysis. The book is designed primarily with the needs of undergraduate and postgraduate students in mind, but it also meets the needs of those in the insurance industry studying for professional examinations and legal practitioners who require a concise explanation of the legal principles. The text is enhanced by extensive citations to case law and academic commentaries. This edition includes new case studies, updates on new legislation and analysis of the effects of Brexit and COVID-19.

UK September 2022 • US November 2022 • 656 pages  
PB 9781509962044 • £39.99 / \$54.95 • HB 9781509962549 • £130.00 / \$175.00  
ePub 9781509962051 • £35.99 / \$49.45  
ePdf 9781509962068 • £35.99 / \$49.45  
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## The Protection of Traditional Knowledge at the Frontiers of Drug Discovery

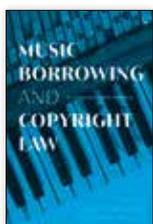
Peter S Harrison, University of York, UK

This book concerns the interface between drug discovery and commercialisation, the exploitation of indigenous peoples, and the ability of the law to protect traditional knowledge.

As a response to threats to biodiversity and indigenous culture, international mechanisms have created, or are creating, enforceable rights for indigenous peoples to control such knowledge. With a background in pharmaceutical science and intellectual property litigation, the author brings a fresh perspective to understanding the difficulties of enforcing such rights and examines whether there is a philosophically justifiable limit to the downstream scope of such rights.

UK March 2023 • US March 2023 • 208 pages  
HB 9781509937530 • £75.00 / \$100.00  
ePub 9781509937554 • £67.50 / \$93.42  
ePdf 9781509937547 • £67.50 / \$93.42  
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## Music Borrowing and Copyright Law

A Genre-by-Genre Analysis

Edited by Enrico Bonadio, City, University of London, UK & Chen Wei Zhu, University of Birmingham, UK

This ground-breaking book examines the multifaceted dynamics between copyright law and music borrowing within a rich diversity of music genres from across the world. It evaluates how copyright laws under different generic conventions influence, or are influenced by, time-honoured creative borrowing practices.

Leading experts from around the world scrutinise a carefully selected range of musical genres; and this genre-specific analysis is preceded by a theoretical section in which musicologists and lawyers offer their insights into fundamental issues concerning music genre categorisation, copyright's struggle with musical genres and the typology of music borrowing practice under different generic conventions.

UK March 2023 • US March 2023 • 704 pages  
HB 9781509949380 • £140.00 / \$190.00  
ePub 9781509949397 • £126.00 / \$174.48  
ePdf 9781509949403 • £126.00 / \$174.48  
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## Public Health Crisis Management and Criminal Liability of Governments

A Comparative Study of the COVID-19 Pandemic

Edited by Michael Bohlander, Durham Law School, UK, Gerhard Kemp, University of

Derby, UK & Mark James Webster, Organization for Security and Cooperation in Europe

This book argues that given the significance of strategic failings in responding to COVID-19, criminal liability might well come into play. It suggests potential avenues for such liability, particularly for causing bodily harm and death. Meticulously charting the responses from Europe, Africa, the Middle East, Asia, North America and Latin America, it sets out each country's response, infection rates and casualties. It then looks at the applicable criminal law and how acts or omissions might be analysed within that particular legal framework. This important book sets benchmarks for evaluating governments' response to any such future crisis.

UK January 2023 • US January 2023 • 368 pages  
HB 9781509946310 • £90.00 / \$120.00  
ePub 9781509946327 • £81.00 / \$112.65  
ePdf 9781509946334 • £81.00 / \$112.65  
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## Studies in International and Comparative Criminal Law

Michael Bohlander, *Extraordinary Chambers in the Courts of Cambodia*

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## Principles of Indonesian Criminal Law

Topo Santoso, University of Indonesia

This authoritative new work sets out the key tenets of the principles and process of criminal law in Indonesia. Focusing on substantive criminal law, starting from its definition, history, principles, and interpretation, it goes on to explore a criminal offence and its elements, criminal fault and liability, causation, and other issues. The author is a leading scholar, experienced both in practice and teaching in the field. This an important new work in the field of comparative criminal law.

UK March 2023 • US March 2023 • 400 pages  
HB 9781509950928 • £110.00 / \$150.00  
ePub 9781509950935 • £99.00 / \$137.39  
ePdf 9781509950942 • £99.00 / \$137.39  
Series: Studies in International and Comparative Criminal Law • Hart Publishing



## Principles of Polish Criminal Procedure

Jaroslaw Zagrodnik, Silesia University, Poland & Kazimierz Zgryzek, Silesia University, Poland

Little is available in English on the procedural aspects of the Polish criminal justice system and the tenets of its criminal process. This book addresses this gap, setting out an analysis of the founding principles, its main phases and of those systemic and structural components which inform it. Taking an applied, practical approach, pre-trial, trial, post-trial, questions of evidence and remedies are all addressed. The authors, experts in the field, also explore the role of more general rule of law/standards of law questions currently impacting on the law and its interpretation.

UK January 2023 • US January 2023 • 384 pages  
HB 9781509950775 • £110.00 / \$150.00  
ePub 9781509950782 • £99.00 / \$137.39  
ePdf 9781509950799 • £99.00 / \$137.39  
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Gabrielle Marceau, WTO; Krista Nadakavukaren Schefer, World Trade Institute; Federico Ortino, King's College London, UK & Gregory Shaffer, University of California, Irvine, USA



## State Capitalism and International Investment Law

*Edited by Panagiotis Delimatsis, Tilburg University, the Netherlands, Georgios Dimitropoulos, Hamad Bin Khalifa University, Qatar & Anastasios Gourgourinis, National and Kapodistrian University of Athens, Greece*

This book explores how State capitalism affects and reshapes international investment law. It sheds new light on the various ways States actively influence business and commercial activity globally by using sovereign investors such as state-owned enterprises and sovereign wealth funds or pension funds.

With a diverse group of contributors from a broad range of countries, the book offers a fresh and timely look into the fundamentals of State capitalism, focusing in particular on its actors and processes, the contextual elements that surround it, and the new political economy that comes with it.

UK January 2023 • US January 2023 • 416 pages  
HB 9781509962976 • £90.00 / \$120.00  
ePub 9781509962983 • £81.00 / \$112.65  
ePdf 9781509962990 • £81.00 / \$112.65

Series: Studies in International Trade and Investment Law • Hart Publishing



## Rethinking, Repackaging, and Rescuing World Trade Law in the Post-Pandemic Era

*Edited by Amrita Bahri, Instituto Tecnológico Autónomo de México, Weihuan Zhou, University of New South Wales, Australia & Daria Boklan, National Research University Higher School of Economics, Russia*

This book explores the ways to 'rethink', 'repackage' and 'rescue' world trade law in the post-COVID-19 era. The book asks: do these unprecedented times and challenges call for reengineering the world trading system and a further retreat from trade liberalisation? All authors answer this question with an unequivocal 'no'.

This book reinforces the importance of international cooperation and the pressing need to reinvigorate the world trading system. The pandemic has provided a unique opportunity for governments to rebuild the political will needed for such cooperation.

UK March 2023 • US March 2023 • 352 pages  
PB 9781509951734 • £42.99 / \$58.95  
Previously published in HB 9781509951697  
ePub 9781509951703 • £76.50 / \$105.78  
ePdf 9781509951710 • £76.50 / \$105.78

Series: Studies in International Trade and Investment Law • Hart Publishing



## Cybersecurity, Privacy and Data Protection in EU Law

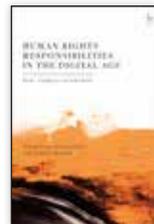
*A Law, Policy and Technology Analysis  
Maria Grazia Porcedda, Trinity College Dublin, Ireland*

This book identifies tensions inherent in the EU cybersecurity policy and its implementation, the reach of cyberspace and its security, the meaning of 'data', as well as the value of privacy and data protection.

An essential read for scholars and practitioners of IT law, the book demonstrates that reconciliation between cybersecurity, privacy and data protection relies on explicit and brave political choices, which require deciding what needs to be protected, and how.

UK February 2023 • US February 2023 • 352 pages  
HB 9781509939398 • £85.00 / \$115.00  
ePub 9781509939411 • £76.50 / \$105.78  
ePdf 9781509939404 • £76.50 / \$105.78

Series: Hart Studies in Information Law and Regulation • Hart Publishing



## Human Rights Responsibilities in the Digital Age

*States, Companies and Individuals*

*Edited by Jonathan Andrew, Geneva Academy of International Humanitarian Law and Human Rights, Switzerland & Frédéric Bernard, University of Geneva, Switzerland*

This book examines the tangled responsibilities of states, companies, and individuals surrounding human rights in the digital age. Digital technologies can clearly enhance some human rights, they also facilitate a wide range of violations.

Bringing together experts from a range of disciplines, including law, international relations, and journalism, the book provides a detailed analysis of the impact of digital technologies on human rights.

UK March 2023 • US March 2023 • 320 pages  
PB 9781509952700 • £42.99 / \$58.95  
Previously published in HB 9781509938834  
ePub 9781509938858 • £76.50 / \$105.78  
ePdf 9781509938841 • £76.50 / \$105.78

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## Decent Work in the Digital Age

*European and Comparative Perspectives  
Edited by Tamás Gyulavári, Pázmány Péter Catholic University, Hungary & Emanuele Menegatti, University of Bologna, Italy*

This book explores the legal and practical implications of the digital age for employment and industrial relations. It analyses the negative effects on working conditions in fields such as platform work, robotisation, discrimination, data protection, and freedom of speech. It also looks at how to ensure decent working conditions for workers affected by digitalisation, by investigating the minimum standards that should be secured to mitigate negative effects – and how these could be guaranteed by legislation and collective bargaining.

UK October 2022 • US October 2022 • 360 pages  
HB 9781509958238 • £90.00 / \$120.00  
ePub 9781509958245 • £81.00 / \$112.65  
ePdf 9781509958252 • £81.00 / \$112.65

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## Social Justice and the World of Work

*Possible Global Futures*

*Edited by Brian Langille, University of Toronto, Canada & Anne Trebilcock, Georg-August University, Germany*

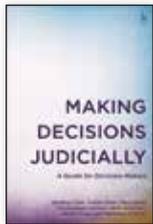
In this book in honour of Francis Maupain, leading thinkers take up the challenge to rethink our understanding of social justice at work and our means for achieving it.

The chapters examine the lessons revealed by the pandemic and other global shocks for our ideas about justice at work, and how to advance that cause in the world as we now find it.

UK March 2023 • US March 2023 • 528 pages  
HB 9781509961252 • £110.00 / \$150.00  
ePub 9781509961269 • £99.00 / \$137.39  
ePdf 9781509961276 • £99.00 / \$137.39

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## Making Decisions Judicially

A Guide for Decision-Makers

*Godfrey Cole, Judge, UK (retired), Yvette Genn, Barrister, UK, Mary Kane, Mental Health Tribunal Judge, UK, Christopher Lethem, Circuit Judge, UK, Mark Ockelton, Upper Tribunal, UK, Meleri Tudor, First-Tier Tribunal, UK & Nicholas Wikeley, Upper Tribunal, UK*

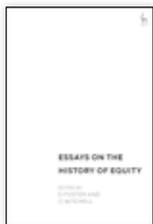
This book gives practice guidance to decision-makers in courts, tribunals, and other formal decision-making environments.

It explores the skills required at each stage of the hearing, including:

- ensuring that the hearing process is fair;
- standards and conduct of decision-makers;
- communicating successfully with all those present;
- considering the needs of vulnerable participants and litigants in person;
- case management;
- assessing evidence from the differing perspectives of courts, tribunals, and other formal decision-making environments; and
- the process of reaching and then delivering a well-structured decision.

UK December 2022 • US December 2022 • 240 pages  
PB 9781509957934 • £24.99 / \$34.95 • HB 9781509957941 • £75.00 / \$100.00  
ePub 9781509957958 • £22.49 / \$31.59  
ePdf 9781509957965 • £22.49 / \$31.59  
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## Essays on the History of Equity

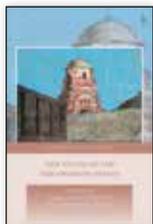
*Edited by D Foster, University College London, UK & Charles Mitchell, University College London, UK*

This volume presents a comprehensive statement of the most up-to-date research in the history of equity from its emergence in English law in the 14th century to the present day. It draws together, for the first time, the leading historians in the field working across the entirety of equity's history.

Whether by investigating the historical foundations of the modern law, the jurisprudential underpinnings of the equitable jurisdiction, or the socio-political context of discrete legal developments, this collection of essays exposes the strands of thought which 'equity' comprises and the mechanisms by which its rules evolved.

UK March 2023 • US March 2023 • 624 pages  
HB 9781509955121 • £100.00 / \$135.00  
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## New Essays on the Fish-Dworkin Debate

*Edited by Thomas Bustamante, Federal University of Minas Gerais, Brazil & Margaret Martin, Western University, Canada*

This book considers the seminal debate in contemporary jurisprudence between Ronald Dworkin and Stanley Fish. It looks at the exchange

between Dworkin and Fish, initiated in the 1980s, and analyses the role the exchange has played in the development of contemporary theories of interpretation, legal reasoning, and the nature of law.

UK February 2023 • US February 2023 • 528 pages  
HB 9781509961795 • £100.00 / \$135.00  
ePub 9781509961801 • £90.00 / \$125.02  
ePdf 9781509961818 • £90.00 / \$125.02  
Series: Law and Practical Reason • Hart Publishing

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## Lawyers, Networks and Progressive Social Change

Lawyers Changing Lives

*Jacqueline Kinghan, Newcastle University, UK*

This book locates, describes and defines a collective identity for social justice lawyering in the UK. It takes a reflexive, ethonographic approach to capture the stories of 35 lawyers working to positively transform law and policy in the UK over the last 50 years.

It explains the way in which lawyers' networks facilitate their collective positioning and influence their strategic decision making, which in turn shapes their interactions with social activists, with other lawyers and with the state itself.

UK January 2023 • US January 2023 • 256 pages  
PB 9781509950089 • £32.99 / \$44.95  
Previously published in HB 9781509938094  
ePub 9781509938100 • £58.50 / \$81.05  
ePdf 9781509938117 • £58.50 / \$81.05  
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## Instruments of Peacemaking 1870-1914

*Michael Reynolds, London School of Economics and Political Science, UK*

This book focuses on Anglo-American disputes arising out of the civil war in the United States and British interests in the American continent; the Geneva Arbitration, the Venezuela-Guiana arbitration and the Bering Sea Arbitration. It draws on those cases as model proceedings which laid the foundations and inspiration for a promotion of international law through the Hague Conferences and by the work of English and American jurists. It considers the encouragement these cases gave to the promotion of public international law and how that contributed to the resolution of inter-state disputes.

UK January 2023 • US January 2023 • 384 pages  
PB 9781509950096 • £39.99 / \$54.95  
Previously published in HB 9781509938308  
ePub 9781509938315 • £72.00 / \$100.29  
ePdf 9781509938322 • £72.00 / \$100.29  
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## Integration Requirements for Immigrants in Europe

A Legal-Philosophical Inquiry

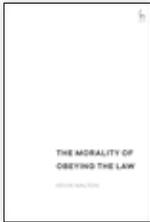
*Tamar de Waal, University of Amsterdam*

This book considers three claims about integration requirements as conditions for attaining increased rights (ie family migration, permanent residency and citizenship) in Europe:

- (1) That the recent proliferation of these integration requirements is rooted in a shift towards 'individualised' conceptions of integration.
- (2) That this shift puts up barriers to participation and inclusion of newcomers and produces status hierarchies between native-born and immigrant citizens.
- (3) That the remedy is a firewall disconnecting integration policy from access to rights.

Drawing on perspectives on immigrant integration in multiple EU Member States, the book includes legal and political reactions to the refugee/migrant crisis.

UK January 2023 • US January 2023 • 224 pages  
PB 9781509950072 • £32.99 / \$44.95  
Previously published in HB 9781509931651  
ePub 9781509931668 • £58.50 / \$81.05  
ePdf 9781509931675 • £58.50 / \$81.05  
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## The Morality of Obeying the Law

Kevin Walton, *University of Sydney, Australia*

This book suggests a new direction for the old and lately vigorous debate about whether there is a moral obligation to obey the law.

The book starts by asking what must be established by an argument for a moral obligation to obey the law. Having identified the conditions to be satisfied, the book considers three arguments. Two of these arguments – the argument from consent and the argument from the natural duty of justice – are more promising than is often thought. The third – the argument from membership – is doubted.

UK March 2023 • US March 2023 • 160 pages  
 HB 9781509935949 • £60.00 / \$80.00  
 ePub 9781509935956 • £54.00 / \$75.56  
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## Allocation of Liability for Dangerous Goods under International Trade Law

CIF and FOB Contracts

Ahmet Gelgeç, *Istanbul Medeniyet University, Turkey*

This book explores the allocation of risk and liability of dangerous goods between the seller and buyer under CIF and FOB contracts, providing an in-depth study of the issue of carriage of dangerous goods in the context of international trade law. In addition to offering specific solutions to issues arising in the context of the contract of sale, the book puts forward suggestions under non-contractual mechanisms, and incorporates case law examples from the Commonwealth and the US.

The book will be of interest to academics and practitioners in international trade law and the law of carriage of goods by sea.

UK December 2022 • US December 2022 • 400 pages  
 HB 9781509950195 • £90.00 / \$120.00  
 ePub 9781509950201 • £81.00 / \$112.65  
 ePdf 9781509950218 • £81.00 / \$112.65  
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## The Interplay of Global Standards and EU Pharmaceutical Regulation

The International Council for Harmonisation

Sabrina Röttger-Wirtz, *Maastricht University, The Netherlands*

This book analyses the implementation of global pharmaceutical impact standards in the European risk regulation framework and questions its legitimacy. Global standards increasingly shape the risk regulation law and policy in the European Union and the area of pharmaceuticals is no exception to this tendency. As this book shows, global pharmaceutical standards set by the International Council for Harmonisation of Technical Requirements for the Registration of Pharmaceuticals for Human Use (ICH), after they are adopted through the European Medicines Agency (EMA), are an important feature of the regulatory framework for pharmaceuticals in the EU.

UK March 2023 • US March 2023 • 256 pages  
 PB 9781509943081 • £41.99 / \$57.95  
 Previously published in HB 9781509942992  
 ePub 9781509943005 • £76.50 / \$105.78  
 ePdf 9781509943012 • £76.50 / \$105.78  
 Series: Hart Studies in Law and Health • Hart Publishing



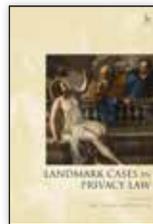
## Knowing What the Law Is

Legal Theory in a New Key

Alexander Somek, *University of Vienna, Austria*

This book provides an alternative account of prominent positions in legal theory, such as American legal realism, modern legal positivism, sociological systems theory, institutionalism and critical legal studies. It presents a relational approach to law and a new perspective on legal sources.

UK March 2023 • US March 2023 • 192 pages  
 PB 9781509951338 • £42.99 / \$58.95  
 Previously published in HB 9781509951291  
 ePub 9781509951307 • £76.50 / \$105.78  
 ePdf 9781509951314 • £76.50 / \$105.78  
 Hart Publishing



## Landmark Cases in Privacy Law

Edited by Paul Wragg, *University of Leeds, UK* & Peter Coe, *University of Reading, UK*

This diverse and engaging book brings together eminent commentators to analyse cases of enduring significance to privacy law.

The book tackles the conceptual nature of privacy in its various guises, from data protection, to misuse of private information, and intrusion into seclusion. It explores the practical issues arising from questions about the threshold of actionability, the function of remedies, and the nature of damages.

The volume provides insightful analysis of cases from England, the United States, Australia, Canada, the Court of Justice of the European Union, and the European Court of Human Rights.

UK January 2023 • US January 2023 • 320 pages  
 HB 9781509940769 • £75.00 / \$100.00  
 ePub 9781509940776 • £67.50 / \$93.42  
 ePdf 9781509940783 • £67.50 / \$93.42  
 Series: Landmark Cases • Hart Publishing



## Healthcare Law and Ethics and the Challenges of Public Policy Making

Selected Essays

Ian Kennedy, *University College London, UK (Emeritus)*

Drawing on Sir Ian Kennedy's extensive experience in healthcare law, ethics and public policy-making, this book explores vital issues in the law surrounding healthcare and regulation. The book contains published and unpublished essays and speeches with the addition of commentaries by the author that bring the pieces up to the present day.

Those who want to understand developments, from transplants to confidentiality, from COVID-19 to public inquiries to regulation will find a rich seam of rigorous, informed analysis. Those involved in or with an interest in law, moral philosophy, and public policy will find much food for thought.

UK March 2023 • US March 2023 • 464 pages  
 PB 9781509950485 • £42.99 / \$58.95  
 Previously published in HB 9781509950447  
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## Studies in Private International Law

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Nazia Yaqub, University of Liverpool, UK

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The book examines similarities and differences and puts forward suggestions for harmonising differing approaches, especially between Asian common law and civil law states.

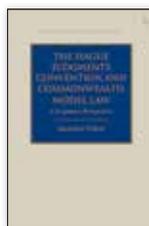
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**From Theory to Practice in Private International Law**

Gedächtnisschrift for Professor Jonathan Fitcher

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Aberdeen, UK

This book, compiled in honour of the work and life of Professor Jonathan Fitcher, brings together preeminent scholars from across the private international law world. The chapters provide discerning consideration of contemporary developments in the discipline, from conceptual analyses of the evolving nature of private international law to substantive problems across a range of issues such as migration, environmental protection, gender-based discrimination, the proper delineation of public and private intervention, cryptocurrencies, the treatment of foreign judgments in major economies such as China, and the post-Brexit evolution of private international law, as well as longstanding definitional concerns in family law.

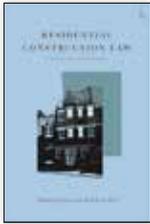
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## The Law Against War

*The Prohibition on the Use of Force in Contemporary International Law*

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This book studies the prohibition of the use of armed force in contemporary international law. Academics and commentators regularly note how

the field has changed dramatically in the last quarter century. This book argues that, while marked changes have occurred, the legal regime laid down by the Charter remains founded on a genuine *ius contra bellum*. 'The law against war', as in the title of this book, is at once a literal rendering of the Latin and way of conveying the spirit of a rule that remains one of the cornerstones of public international law.

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## Germany's Dual Constitution

*Parliamentary Democracy in the Federal Republic*

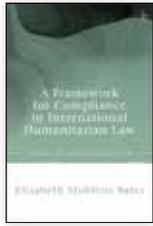
*Florian Meinel, University of Göttingen, Germany*

This book argues that the German constitutional system can only be fully understood as a dual structure combining 2 layers. The first layer is the

basic administrative institutional structure, comprised of federal institutions. The second layer is that of parliamentary democracy. It is the interplay between the 2, as mediated by the chancellery, the major political parties and the Federal Constitutional Court, which lies at the heart of the German constitutional arrangement.

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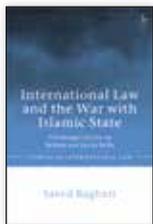


## A Framework for Compliance in International Humanitarian Law

Elizabeth Stubbins Bates, *University of Oxford, UK*

This book grapples with the long recognised challenge of international humanitarian law: namely that it is only partially implemented and under-enforced. It shows how the duty to respect and disseminate international humanitarian law in military instruction and training, command responsibility to prevent, grave breaches, and the law on superior orders are all inter-related. Interdisciplinary analysis gives insights into key actors' behaviour. All this serves to show what is required under international humanitarian law and how it can be better complied with. This innovative study will be welcomed by academics in the field, but also by military lawyers and NGOs.

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## International Law and the War with Islamic State

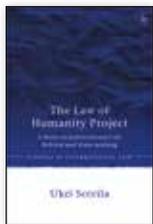
Challenges for Jus ad Bellum and Jus in Bello

Saeed Bagheri, *University of Reading, UK*

This book looks at the aim of the Islamic State to create an effective government, with an economically independent regime, which focused on key oil fields in Syria and Iraq. The question asked is whether the targeting of energy resources should be regarded as a violation of the laws of armed conflict, despite the war with Islamic State being classified as a non-international armed conflict.

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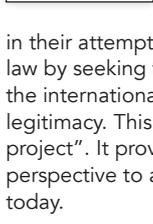
## The Law of Humanity Project

A Story of International Law Reform and State-making

Ukri Soirila, *University of Helsinki, Finland*

The 1990s and the first decade of the 21st century witnessed the sporadic emergence of a new vision of global law. Although the vision has taken many different forms, all instances of it have been uniform in their attempt to radically alter how we understand international law by seeking to posit the human as the primary subject of the international legal order and humanity as its main source of legitimacy. This book calls these instances "the law of humanity project". It provides the first comprehensive introduction and a fresh perspective to a discussion with important implications in the world today.

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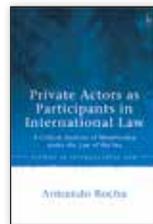


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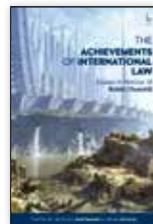
## Private Actors as Participants in International Law

A Critical Analysis of Membership under the Law of the Sea

Armando Rocha, *Lisbon School of Law, Portugal*

This book examines the status of private actors as subjects of law under the rules of the international law of the sea. Providing a methodology for the notion of a single legal personality, it provides a clear understanding of membership in international law in order to establish to what extent private actors can be rights-holders or duty-bearers. It does this by taking a theoretical perspective which allows the reader to interpret their relevance in international law. This unique and innovative work makes a significant contribution to the current scholarly debates on private actors in international law.

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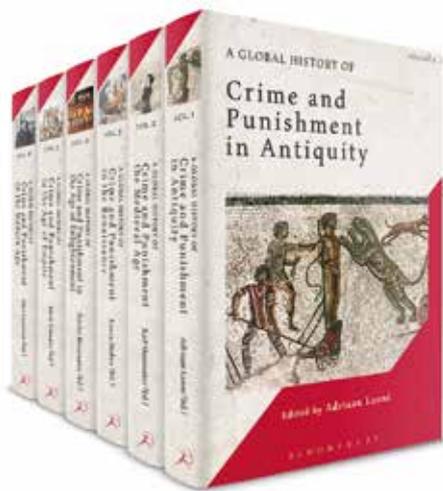


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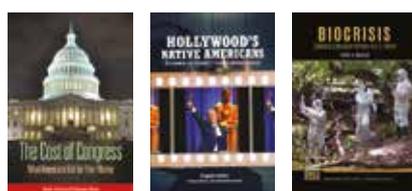
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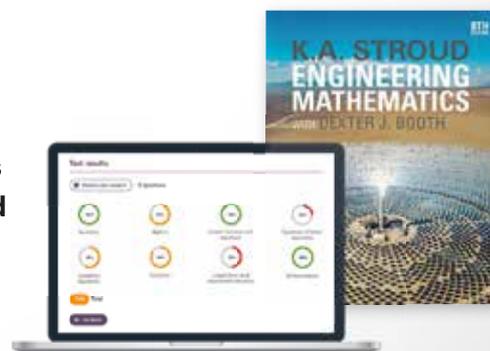
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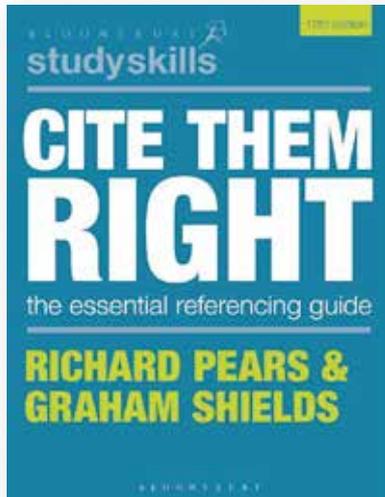
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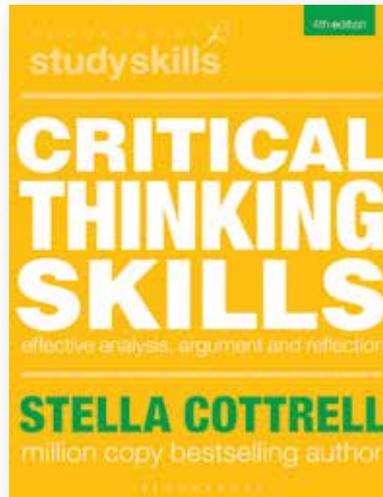
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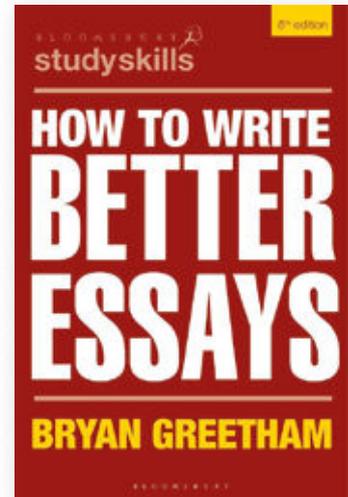
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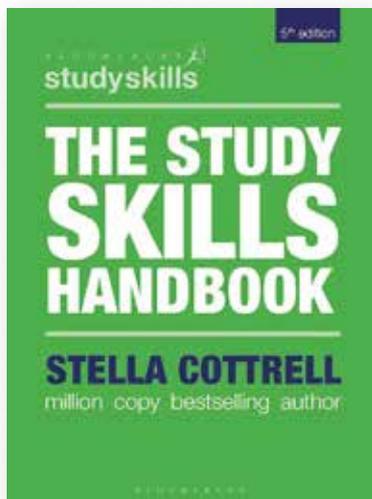


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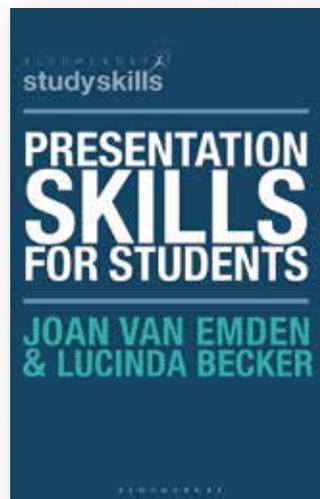


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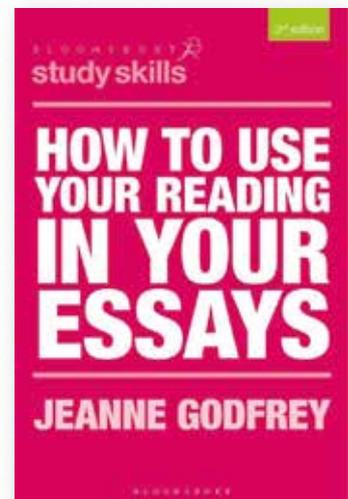
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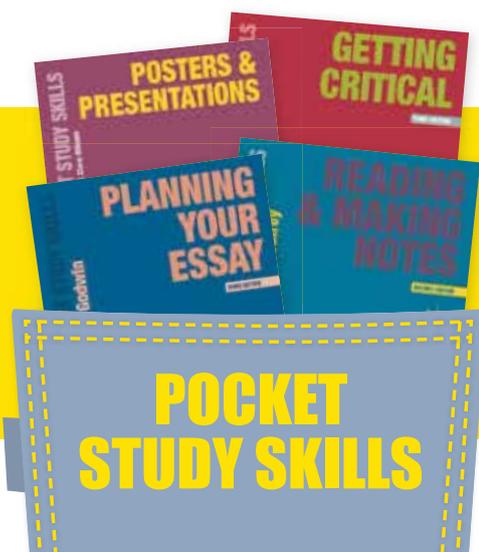
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