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**Law - Hart**

**New Books**

**July-September 2024**



## Contents

ADR and Arbitration Law . . . . .	1
Banking and Financial Law . . . . .	1
Company, Corporate & Commercial Law . . . . .	1
Competition Law . . . . .	2
Constitutional & Administrative Law . . . . .	3
Contract, Tort & Restitution Law . . . . .	5
Criminal Law . . . . .	5
Environmental Law . . . . .	6
European Law . . . . .	6
Family Law . . . . .	10
Human Rights Law . . . . .	10
International Law . . . . .	11
IT & Technology Law . . . . .	13
Labour Law . . . . .	14
Law & Humanities . . . . .	14
Law & Religion . . . . .	14
Legal History . . . . .	14
Legal Philosophy . . . . .	15
Media Law . . . . .	15
Medical Law . . . . .	15
Private Law . . . . .	16
Tax Law . . . . .	16
Socio-Legal Studies . . . . .	16
Representatives, Agents and Distributors . . . . .	17

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Cover image is from the *T&T Clark Handbook of Modern Theology* (T&T Clark, 2024).

John Linarelli, University of Pittsburgh, USA & Teresa Rodríguez de las Heras Ballell, University Carlos III of Madrid, Spain



**Venture Capital Investment and Government Incentives**

Law, Regulation, and Policy Design

*Tamara Wilkinson, Monash University, Australia*

This book explores the best ways for governments to design venture capital investment incentives. It uses an analytical framework to evaluate the design, implementation, and success of incentives, and looks at over 60 examples from 25 countries around the world. The book is aimed at researchers and policy makers in law, finance and economics, as well as practitioners and investors in the venture capital space. It introduces the legal aspects of venture capital investment and presents a list of leading practice guidelines and recommendations to help policy makers design effective, efficient, and appropriate venture capital incentives.

UK September 2024 • US September 2024 • 320 pages  
 HB 9781509976393 • £85.00 / \$115.00  
 ePub 9781509976386 • £76.50 / \$103.94  
 ePdf 9781509976379 • £76.50 / \$76.50  
 Series: Hart Studies in Commercial and Financial Law • Hart Publishing



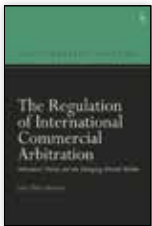
**Creditor Priority in European Bank Insolvency Law**

Financial Stability and the Hierarchy of Claims

*Sjur Swensen Ellingsæter, BI Norwegian Business School, Norway*

This book provides a 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. Moreover, the book places the evolution of the framework and its justifications within the broader post-crisis shifts in bank regulation, and critically examines the assumptions that underlie these developments. Finally, the book discusses how this area of law could evolve in the future.

UK August 2024 • US August 2024 • 336 pages  
 PB 9781509953691 • £42.99 / \$58.95  
 Previously published in HB 9781509953653  
 ePub 9781509953660 • £76.50 / \$103.94  
 ePdf 9781509953677 • £76.50 / \$76.50  
 Series: Hart Studies in Commercial and Financial Law • Hart Publishing



**The Regulation of International Commercial Arbitration**

Arbitrators' Duties and the Emerging Arbitral Market

*João Ilhão Moreira, University of Macau, China*

This book addresses how the regulation of international commercial arbitrators takes place. International commercial arbitrators are a unique category of service providers because they are not organised as other professionals such as accountants, lawyers, and doctors. The book provides an overview of how and why the regulation of international commercial arbitrators diverged from that of other professions. It also argues that, despite these differences, there is an effective regulatory environment overseeing the behaviour of international commercial arbitrators.

UK July 2024 • US July 2024 • 256 pages  
 PB 9781509962730 • £42.99 / \$58.95 • HB 9781509962693 • £85.00 / \$115.00  
 ePub 9781509962709 • £76.50 / \$103.94  
 ePdf 9781509962716 • £76.50 / \$76.50  
 Series: Civil Justice Systems • Hart Publishing



**The Action to Set Aside under Stock Corporation Law in the Context of Structural Measures**

Reform Needed?

*Tino Sekera-Terplan, Kemptner, Gierlinger und Partner*

The action to set aside is considered a protective instrument for shareholders in case of structural measures carried out by German stock corporations. This shareholder right has fallen into disrepute since 2005. At that time, shareholders started to exercise this right excessively because of the introduction of the squeeze-out. In 2009, the legislator therefore limited the action's control function substantially. The question arises whether the right to file actions to set structural measures aside must undergo reform. This book studies legal problems connected with the right to challenge such measures.

UK July 2024 • US September 2024 • 304 pages  
 HB 9781509935239 • £120.00 / \$160.00  
 Nomos/Hart  
 World English (excluding Austria/Czech Republic/Germany/Japan/Poland/Switzerland)



COLLECTIONS



## Fraud and Risk in Commercial Law

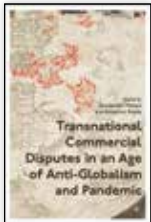
Edited by Paul S Davies, University College London, UK & Hans Tjio, National University of Singapore

This book provides an analysis of key contemporary issues on the theme of fraud and risk in commercial law, including: technology and fraud, secondary liability and 'failure to prevent' economic crime, abuse of business entities, insolvency and creditor protection, injunctions and other orders, cross-border issues, the relationship between regulation and private law, and the solutions policy makers can use—for instance, mandatory as opposed to disclosure rules, or rules as opposed to standards. With contributions by leading experts, this book is essential reading for both academics and practitioners across the common law world.

UK August 2024 • US August 2024 • 480 pages  
HB 9781509970759 • £110.00 / \$150.00  
ePub 9781509970766 • £99.00 / \$134.99  
ePdf 9781509970773 • £99.00 / \$99.00  
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## Transnational Commercial Disputes in an Age of Anti-Globalism and Pandemic

Edited by Sundaresh Menon, Supreme Court of Singapore & Anselmo Reyes, Doshisha University, Japan

In this book, senior judges and academics reflect on the implications of anti-globalism and the COVID-19 pandemic on international commercial dispute resolution (ICDR). The chapters consider: (1) What types of cross-border commercial disputes will arise and what resources are needed to respond to them in a cost-effective, time-efficient, and equitable manner? (2) Is there still merit in a multilateral approach to transnational commercial law and ICDR? (3) What reforms and innovations should courts, arbitrators, and mediators contemplate when navigating the post-pandemic landscape? (4) Can the accelerated use of remote technology in ICDR be leveraged to enhance access to justice?

UK July 2024 • US July 2024 • 416 pages  
PB 9781509955015 • £49.99 / \$67.95  
Previously published in HB 9781509954971  
ePub 9781509954988 • £85.50 / \$116.09  
ePdf 9781509954995 • £85.50 / \$85.50  
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INSPECTION

8<sup>TH</sup> EDITION

## EU Competition Law

An Analytical Guide to the Leading Cases  
Ariel Ezrachi, University of Oxford, UK

This unique book is designed as a working tool for the study and practice of European competition law, focused on case law analysis. Each chapter begins with an introduction outlining the relevant laws, regulations and guidelines. Cases are reviewed in summary form, accompanied by useful analysis and commentary.

The 8th edition includes recent judgments from the European Court of Justice and decisions from the European Commission on the scope of object and effects-based analysis, abuse of dominance, and merger control. It examines developments in regulation and the interface between new instruments and competition law enforcement.

UK June 2024 • US August 2024 • 912 pages  
PB 9781509973378 • £49.99 / \$67.95 • HB 9781509973385 • £160.00 / \$220.00  
ePub 9781509973392 • £44.99 / \$60.74  
ePdf 9781509973408 • £44.99 / \$44.99  
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## Contemporary Studies in Corporate Law

Marc Moore, University College London, UK & Christopher Bruner

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## Activist Shareholders in Corporate Governance

The Australian Experience and its Comparative Implications

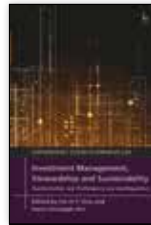
Tim Bowley, Monash University, Australia

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.

UK July 2024 • US July 2024 • 272 pages  
PB 9781509952267 • £42.99 / \$58.95  
Previously published in HB 9781509952229  
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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, investment management practitioners and their legal advisers, and policy-makers in the EU, UK and beyond.

UK August 2024 • US August 2024 • 480 pages  
PB 9781509953790 • £54.99 / \$74.95  
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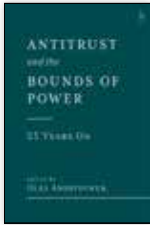
## The Digital Markets Act

A Guide to the Regulation of Big Tech in the EU

Edited by Konstantina Bania, Geradin Partners and University of Sheffield, UK & Damien Geradin, Geradin Partners, Belgium, and Tilburg University, the Netherlands

This book provides an in-depth exploration of the Digital Markets Act (DMA). It explains the rationale for the DMA, introduces the reader to the digital services falling within its scope, and provides insights into the interpretation issues and enforcement challenges that arise from the obligations it establishes. Analysing the DMA in the broader legal and market context, the chapters examine tensions between the DMA and other (EU and national) rules governing the conduct of online platforms, compare the DMA to similar initiatives undertaken in other jurisdictions, and bring perspectives from other disciplines, such as data protection regulation.

UK September 2024 • US November 2024 • 432 pages  
HB 9781509970018 • £180.00 / \$245.00  
ePub 9781509970025 • £162.00 / \$220.00  
ePdf 9781509970032 • £162.00 / \$162.00  
Beck/Hart/Nomos



## Antitrust and the Bounds of Power – 25 Years On

Edited by Oles Andriychuk, Newcastle University, UK

In this collection of essays, leading competition law thinkers explore the state of affairs in the field, connecting it with and advancing their analyses through the ideas developed by Giuliano Amato in his ground-breaking book, *Antitrust and the Bounds of Power: The Dilemma of Liberal Democracy in the History of the Market* – published by Hart in 1997. With an afterword by Giuliano Amato and a foreword by Frédéric Jenny, this book is essential reading for anyone interested in the evolution of competition law.

UK July 2024 • US July 2024 • 304 pages  
 PB 9781509962174 • £44.99 / \$60.95  
 Previously published in HB 9781509962136  
 ePub 9781509962143 • £81.00 / \$110.69  
 ePdf 9781509962150 • £81.00 / \$81.00  
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## Administrative Tribunals in the Common Law World

Edited by Stephen Thomson, Australian National University, Australia, Matthew Groves, Deakin University, Australia & Greg Weeks, Australian National University, Australia

Tribunals are a vital part of the public law frameworks of most countries. This is the first edited book collection to examine administrative tribunals across the common law world. It brings together key international scholars to discuss current and future challenges. The book draws in leading scholars from all major common law jurisdictions – the UK, the USA, Canada, Australia, New Zealand, Ireland, Israel, Hong Kong, Singapore, India, and South Africa. This global analysis is both deep and expansive in its coverage of the operation of administrative tribunals across common law legal systems.

UK September 2024 • US September 2024 • 432 pages  
 HB 9781509966905 • £100.00 / \$135.00  
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 ePdf 9781509966929 • £90.00 / \$90.00  
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## Constitutional Systems of the World

Heinz Klug, University of Wisconsin, USA & Peter Leyland, SOAS, University of London, UK & Andrew Harding, National University of Singapore, Singapore & Benjamin L Berger & Rosalind Dixon, University of New South Wales, Australia



### The Constitution of Bangladesh A Contextual Analysis

Cynthia Farid, University of Wisconsin Law School, US & Shahdeen Malik, BRAC University, Bangladesh

Following the successful formula of the series, this book offers an introductory but authoritative overview to the Constitution of Bangladesh. It looks at the shape and working of the Constitution, while introducing the reader to its key stakeholders. It sets out the features unique to the Bangladeshi situation and the specific challenges that rise. With the opening key words and end of chapter further reading recommendations, this is the ideal starting point for students of this fascinating state and its governing framework.

UK August 2024 • US August 2024 • 320 pages  
 PB 9781509953974 • £36.99 / \$49.95 • HB 9781509953936 • £75.00 / \$100.00  
 ePub 9781509953943 • £67.50 / \$91.79  
 ePdf 9781509953950 • £67.50 / \$67.50  
 Series: Constitutional Systems of the World • Hart Publishing



### The Constitution of Chile A Contextual Analysis

Javier Couso, Universidad Diego Portales, Chile

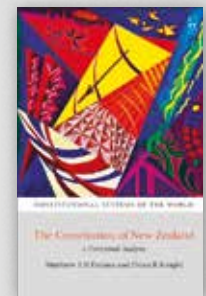
This book provides a critical introduction to Chile's constitutional system, covering its key elements.

These include an account of its historical origins; the structure of the different branches of government; the way the fundamental rights are recognized and guaranteed; and the recent judicialization of politics experienced by the country. Furthermore, it addresses three crucial themes of Chile's constitutionalism: the early development of a constitutional state toward the mid-19th century, the irruption of a military dictatorship from 1973–1990, and the persistent lack of legitimacy of the Constitution of 1980.

UK August 2025 • US August 2025 • 204 pages  
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## Contagion, Technology, and Law at the Limits

Edited by Lynette J Chua, National University of Singapore, Singapore & Jack Jin Gary Lee, The New School for Social Research, New York, USA

This open access book explores law, politics, and inequality in fights against infectious diseases. Guided by a theoretical framework called

“governing through contagion”, the studies in this book analyse how past and present governments have tried to combat contagious diseases, such as the bubonic plague, cholera, HIV/AIDS, and COVID-19. They examine how these governments used law and other technologies, including waste management, mask-wearing, quarantine stations, house inspections, and the burning of entire neighbourhoods, to achieve their aims of protecting populations and ensuring productivity.

The ebook editions of this book are available open access under a CC BY-NC-ND 4.0 licence on [bloomsburycollections.com](https://bloomsburycollections.com).

UK July 2024 • US July 2024 • 272 pages  
HB 9781509970704 • £90.00 / \$120.00  
ePub 9781509970728 • £0.00 / \$0.00  
ePdf 9781509970711 • £0.00 / \$0.00  
Hart Publishing

COLLECTIONS



## Parliamentary Sovereignty

A Sceptical Restatement

Adam Tucker, University of Liverpool, UK

This book articulates and defends a sceptical general account of parliamentary sovereignty and combines theoretical and doctrinal analysis. It challenges the orthodox approach to this

fundamental doctrine by making three key heretical claims. First, there are some laws that Parliament cannot make. Second, there are several ways in which primary legislation can be overridden or set aside by institutions other than Parliament. And third, Parliament has the power to bind itself as to the substance of future legislation. Finally, the book examines the challenges posed to parliamentary sovereignty by both its internal procedures and the devolved legislatures.

UK February 2025 • US February 2025 • 288 pages  
HB 9781509968954 • £85.00 / \$115.00  
ePub 9781509968978 • £76.50 / \$103.94  
ePdf 9781509968961 • £76.50 / \$76.50  
Series: Hart Studies in Constitutional Law • Hart Publishing

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## Judicial Individuality on the UK Supreme Court

Lewis Graham, University of Oxford, UK

This book presents an empirical analysis of the UK Supreme Court's output over its first ten years, with a specific focus on each individual judge's contribution to each case. It discerns trends and tendencies across each judge's voting patterns and the reasoning they adopt when disposing of cases.

UK July 2024 • US July 2024 • 336 pages  
HB 9781509971107 • £85.00 / \$115.00  
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## Constitutionalism in Latin America and the Caribbean

Richard Albert, University of Texas at Austin, USA & Carlos Bernal, University of Dayton, USA & Catarina Santos Botelho, Catholic University of Portugal

COLLECTIONS



## Constitutional Reasoning in Latin America and the Caribbean

Edited by Johanna Fröhlich, Pontifical Catholic University of Chile

This book examines the jurisprudence of 15 constitutional courts and supreme courts, including the Caribbean Commonwealth and the Inter-American Court of Human Rights. By looking at

the reason-giving practice by courts, the volume considers how Latin American courts justify their decisions, which is the precondition for constructive criticism and improvement. Based on original data and a region-specific methodology, the book provides a systematic analysis utilising more than 600 leading cases. It shows which interpretive methods and concepts are most favoured by Latin American courts, and which courts were the most and the least prolific in their reasoning activities.

UK September 2024 • US September 2024 • 592 pages  
HB 9781509960170 • £120.00 / \$160.00  
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ePdf 9781509960194 • £108.00 / \$108.00  
Series: Constitutionalism in Latin America and the Caribbean • Hart Publishing  
World All Languages (except Spanish)

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## Puerto Rico's Constitutional Paradox

Colonial Subordination, Democratic Tension, and Promise of Progressive Transformation

Jorge M Farinacci-Fernós, Inter American University of Puerto Rico

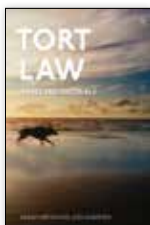
This book examines the 1952 Puerto Rico Constitution and looks at the history, framing process, substantive content, political structure, amendment mechanisms, and recent developments through 3 contradictory lenses: colonial subordination, democratic tensions, and progressive content. It explains how the People of Puerto Rico managed to adopt a constitution whose content and process were both original and colonialist, participatory and undemocratic, as well as progressive and anticlimactic. The result is a fascinating and rewarding constitutional journey.

UK August 2024 • US August 2024 • 240 pages  
PB 9781509953509 • £42.99 / \$58.95  
Previously published in HB 9781509953462  
ePub 9781509953479 • £76.50 / \$103.94  
ePdf 9781509953486 • £76.50 / \$76.50  
Series: Constitutionalism in Latin America and the Caribbean • Hart Publishing



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## Tort Law: Cases and Materials

*Sarah Green, University of Bristol School of Law, Bristol, UK & Jodi Gardner, University of Auckland, New Zealand*

Provides extracts of the key cases, articles, statutes and other materials in tort law. It is the perfect companion to Green and Gardner's *Tort Law* textbook. It provides helpful summary and reading

guidance – providing clear explanations for some of the more difficult to read materials. It gives students an enhanced understanding of the material, providing students with the ability to respond with more depth and analysis in their essay questions. It has been designed specifically around decolonising the curriculum, ensuring that there are alternative voices, including feminist approaches, socio-legal perspectives and comparative material from multiple international jurisdictions.

UK June 2024 • US August 2024 • 528 pages  
PB 9781509971893 • £42.99 / \$58.95 • HB 9781509980116 • £140.00 / \$190.00  
ePub 9781509971909 • £38.69 / \$52.64  
ePdf 9781509971916 • £38.69 / \$38.69  
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2<sup>ND</sup> EDITION

## Tort Law

*Sarah Green, University of Bristol School of Law, Bristol, UK & Jodi Gardner, University of Auckland, New Zealand*

The second edition of Green and Gardner's *Tort Law* textbook provides students with a clear overview of all areas of tort law with clarity and precision.

Practical and student-friendly with engaging visual features, *Tort Law* is an essential companion for all undergraduate tort law modules, for students of all abilities.

Accompanying online resources for this title can be found at [bloomsburyonlineresources.com/tort-law](https://bloomsburyonlineresources.com/tort-law). These resources are designed to support teaching and learning when using this textbook and are available at no extra cost.

UK March 2024 • US March 2024 • 608 pages  
PB 9781509971855 • £39.99 / \$54.95 • HB 9781509971985 • £130.00 / \$175.00  
ePub 9781509971862 • £35.99 / \$48.59  
ePdf 9781509971879 • £35.99 / \$35.99  
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COLLECTIONS



## The Right to be Oneself

*Guido Alpa, University of Rome "La Sapienza", Italy*

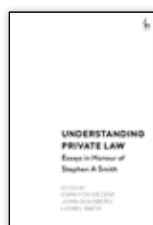
What does the right to be oneself entail? And how is it manifest in our understanding of the law?

The leading commentator on this subject explores these questions, taking an ambitious and multi-faceted approach. To answer them, he draws on

private law, jurisprudence, constitutional law, as well as history, art and literature. This treatise, translated from the Italian original and expanded to give a more international perspective, is the seminal work on the development of identity-protection through law.

UK June 2024 • US June 2024 • 384 pages  
HB 9781509972449 • £90.00 / \$120.00  
ePub 9781509972456 • £81.00 / \$110.69  
ePdf 9781509972463 • £81.00 / \$81.00  
Series: The Future of Private Law • Hart Publishing

COLLECTIONS



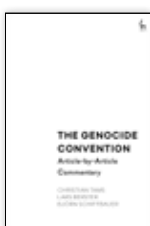
## Understanding Private Law

*Essays in Honour of Stephen A Smith*  
*Edited by Evan Fox-Decent, McGill University, Canada, John Goldberg, Harvard Law School, USA & Lionel Smith, Cambridge University, UK*

This book engages with some of Stephen A Smith's most significant arguments, illustrating that he was

a towering figure in the field of private law, with little of the field not impacted by his scholarship. The contributors explore Professor Smith's most controversial thinking on private law. Interrogating questions of contract law, remedies, unjust enrichment, comparative law, and the legal theory underlying these fields, this is an important publication in the field.

UK August 2024 • US August 2024 • 352 pages  
HB 9781509971152 • £100.00 / \$135.00  
ePub 9781509971169 • £90.00 / \$122.84  
ePdf 9781509971176 • £90.00 / \$90.00  
Hart Publishing

2<sup>ND</sup> EDITION

## The Genocide Convention

*Article-by-Article Commentary*

*Christian J Tams, University of Glasgow, UK, Lars Berster, Leuphana University Lüneburg, Germany & Björn Schiffbauer, University of Rostock, Germany*

This book provides an in-depth analysis of the Convention's nineteen provisions. It gives authoritative guidance on the definition of genocide, the duties of states to prevent and punish it, and on the Convention's implementation regime. It takes into account new developments, including:

- the rise of genocide-related proceedings before the International Court of Justice, including in high-profile cases between The Gambia and Myanmar and Ukraine and Russia;
- new decisions, by national and international courts, specifying the scope of the prohibition against genocide;
- recent case-law of the European Court of Human Rights bearing on genocide.

UK November 2023 • US January 2024 • 544 pages  
HB 9781509976683 • £225.00 / \$305.00  
Beck/Hart  
World English (excluding Austria/Czech Republic/Germany/Japan/Poland/Switzerland)

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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 August 2024 • US August 2024 • 336 pages  
PB 9781509950966 • £54.99 / \$74.95  
Previously published in HB 9781509950928  
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Series: Studies in International and Comparative Criminal Law • Hart Publishing



## Indirect Criminalisation

The True Limits of Criminal Punishment

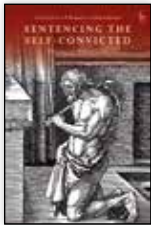
*Stavros Demetriou, University of Sussex, UK*

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 August 2024 • US August 2024 • 192 pages  
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## Sentencing the Self-Convicted

The Ethics of Pleading Guilty

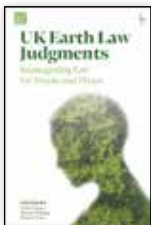
*Edited by Julian V Roberts, University of Oxford, UK & Jesper Ryberg, Roskilde University, Denmark*

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 August 2024 • US August 2024 • 320 pages  
PB 9781509957477 • £44.99 / \$60.95  
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## UK Earth Law Judgments

Reimagining Law for People and Planet

*Edited by Helen Dancer, University of Sussex, UK, Bonnie Holligan, University of Sussex, UK & Helena Howe, University of Sussex, UK*

This open access book collects 12 reimagined judgments from the UK and challenges anthropocentrism in legal decision-making across a range of legal areas, drawing from a range of Earth law approaches including earth jurisprudence, rights of nature, ecocide, animal rights, environmental human rights, green criminology, and critical environmental law. Beyond the judgments, the book critically reflects on the developing field of Earth law and its potential for reshaping legal reasoning in the UK and beyond.

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## Hart Studies in European Criminal Law

*Valsamis Mitsilegas, University of Liverpool, UK & Katalin Ligeti, University of Luxembourg & Anne Weyembergh, Université Libre de Bruxelles, Belgium*



## The European Arrest Warrant at Twenty

Coming of Age?

*Edited by Adam Lazowski, University of Westminster, UK & Valsamis Mitsilegas, University of Liverpool, UK*

The European Arrest Warrant (EAW), the cornerstone of European criminal law, is twenty years old. This collection brings together the leading commentators in the field to assess its merits and successes, and to suggest improvements. Taking a holistic approach, it looks at the EAW from all the different perspectives of its operation. Discussions range from fundamental rights, to constitutional issues and questions of national diversity, and to the external dimension of the EAW. This is an important assessment of the EAW, destined to become the point of reference in the field.

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## Corporations and the Privilege against Self-Incrimination

*Stijn Lamberigts, Lydian, Belgium*

This book asks whether the well-established privilege against self-incrimination applies to corporations, whether it should, and if so, to what extent. Those questions have an increasingly important EU criminal law dimension. To answer

them, this study draws on comparative insights from Belgium, England and Wales, and the US; as well as case law of the ECtHR and EU Law. It covers the established CJEU case law in competition cases, the recent CJEU ruling in *DB v Consob* and addresses Directive (EU) 2016/343. It will appeal to scholars of EU criminal law, but also to white-collar and competition practitioners.

UK July 2024 • US July 2024 • 304 pages  
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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. This book will appeal to practitioners and scholars, in fields from criminal law to competition and banking law.

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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. 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. 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.

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## Investment Migration in Europe and the World

Current Issues

*Edited by Dimitry Kochenov, University of Groningen, the Netherlands, Madeleine Sumption, University of Oxford, UK & Martijn van den Brink, University of Oxford, UK*

This open access book takes a multi-disciplinary approach to investment migration. It documents recent trends in investment migration and their implications for citizenship. It then provides a legal and normative assessment of investment migration, from the perspective of both EU and international law. Finally, it presents case studies on investment migration practices from around the world.

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## Good Judgment

The European Court of Justice as a Context-Conscious Lawmaker

*Urška Šadl, European University Institute, Italy*

Courts are context-conscious. They solve legal disputes with societal impact in mind, using interpretive tools and procedural means. This book develops concepts and methods for a systematic and legally informative analysis of this complex process. The evidence delivered prompts a conversation about the authority courts have to change the law. The analysis focuses on the European Court of Justice and its free movement case law. The framework and theory, however, are relevant to courts and case law everywhere. This is a compelling and intriguing examination of the ECJ and its shaping of a key tenet of EU law.

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## Reforming the EU Treaties

Proposals for Amendments to the TEU, TFEU and the Charter by Young Scholars of European Law

*Edited by Darren Harvey, King's College London, UK, Madlen Karg, University of Munich, Germany, Janine Prantl, University of Fribourg, Switzerland, Clara Rauchegger, University of Innsbruck, Austria & Bernadette Zelger, University of Innsbruck, Austria*

Over the past fifteen years there have been various gaps and a need for change in EU primary law. The withdrawal of the United Kingdom from the EU and the multiple crises that have hit the EU exemplify the urgent need to consider amending and updating the key treaties of the European integration project. This anthology puts forward a series of practical suggestions for reforming the EU treaties.

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## EU Law in the Member States

*Jeremias Adams-Prassl, University of Oxford, UK & Michal Bobek, Court of Justice of the European Union*



## The Italian Influence on European Law

Judges and Advocates General (1952-2000)

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This collection examines the judicial biographies of Italian judges and advocates general during almost five decades of the European Union. It explores the national ties of judges and AGs to their Member States, to better understand the continuous relationship between judges and their Member States' governments and how they practice the principle of judicial independence, a central pillar of the ECJ's rule of law jurisprudence.

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## Free Movement of Persons in the Nordic States

EU Law, EEA Law, and Regional Cooperation

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

Lawyers from all five Nordic States 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?

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How Europe Rules Global Sport

*Edited by Antoine Duval, TMC Asser Instituut, the Netherlands, Alexander Krüger & Johan Lindholm, both of Umeå University, Sweden*

This open access book explores the complexity of the *lex sportiva*, the transnational legal regime governing international sports. Contributors trace the embeddedness of the *lex sportiva* within national law, European Union law and the European Convention on Human Rights, pointing out the fact that European legal processes are central when challenging the status quo as illustrated recently in the *Semenya* and *Superleague* cases.

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**Nordic Cooperation and the European Union**

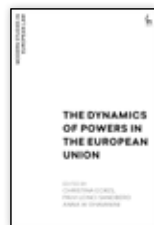
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This collection explores the cooperation between the European Union and the Nordic states.

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## The Normative Foundations for EU Criminal Justice

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It develops an integrated standard based on the perspectives of the effective allocation of regulatory authority between the EU and the Member States, representation-based political theories, and harm-based theories of criminal law. This is a work that will be welcomed not only by EU criminal law scholars, but also by practitioners, judges and policymakers.

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Wider Europe and the Extended EU's Legal Space

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similarities and differences between EU internal and external integration, looking at both EU membership and neighbourhood law. Secondly, it looks at the legal techniques relied upon to extend the EU's legal space. And thirdly, it sheds light on the different political covenants underlying legal relations in the wider European legal space. It concludes that the political covenants at play require a reconfiguration in the exercise of EU sovereignty.

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## The Evolving Governance of EU Competition Law in a Time of Disruptions

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**This book analyses the complex trends and transformations emerging in EU competition law in the current turbulent times.**

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on EU non-discrimination law and governance. It brings together the practices of the European Court of Justice (CJEU) with regard to disability discrimination to assess the effectiveness of the Convention to protect the rights of people with disabilities. It investigates whether the governance mechanisms underlying the EU Framework for promoting, protecting and monitoring the CRPD are effective.

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## Human Rights Law in Perspective

*Colin Harvey, Queen's University Belfast, UK*

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Critical Insights from Palestinian Youth

*Erika Jiménez, Queen's University Belfast, UK*

Drawing on research in the occupied West Bank, this book explores the three layers of marginalisation faced by Palestinian young people—the occupation; the Palestinian pseudo-state; and patriarchal structures—to show how

these barriers influence their understanding of, and scepticism towards, human rights. Influenced by decolonialist theories, this book illuminates how space needs to be created for the counter-narratives of the oppressed in human rights discourse which may not align with more orthodox representations of human rights. It contends that human rights in the Palestinian context (and beyond) needs to be critiqued, decolonised and ultimately transformed.

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**Family Law Reform Now**

Proposals and Critique

*Edited by Charlotte Bendall, University of Birmingham, UK & Rehana Parveen, University of Birmingham, UK*

This book asks: If you could change one part of family law, what would it be? This deceptively simple question is answered by 10 family law experts (academics and practitioners) and debated within the volume by expert respondents. Globalisation, cultural and religious diversity, use of technology and changes in societal attitudes towards marriage and parenthood have all had an impact on the continuing evolution of families. As a consequence, the law has some very complex challenges to address in its attempt to regulate the diversity of family life.

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**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.

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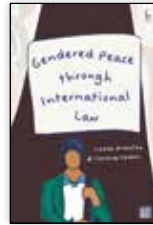


## Suicide and the Law

Elizabeth Wicks, University of Leicester, UK

This book investigates the law's approach to suicide in England and Wales. It explores the seismic shift in perceptions of the law's role in respect of suicide from imprisonment as a punishment for attempting suicide, to courts hearing arguments about whether there is not only a right to suicide but also a right to assistance in suicide. This development stands alongside a global recognition of suicide prevention as a public health priority.

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## Gendered Peace through International Law

Christine Chinkin, London School of Economics and Political Science, UK & Louise Arimatsu

This open access book sets out what gendered peace can look like and how it might impact on international law, drawing on personal reflections, expert essays and empirical research.

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## Studies in International Trade and Investment Law

Gabrielle Marceau, Legal Affairs Division, WTO Secretariat & Gregory Shaffer, University of California, USA & Federico Ortino, King's College London, UK & Krista Nadakavukaren Schefer, Swiss Institute of Comparative Law, Switzerland



## The Standard of Review before the International Court of Justice

Between Principle and Pragmatism

Felix Fouchard, University of Münster, Germany

This book examines how the International Court of Justice (ICJ) reviews State behaviour through the prism of the standard of review. It develops a rationale to support the ICJ's application of deferential standards of review as a judicial avoidance technique, based on strategic considerations. It then empirically assesses all 31 decisions of the Court in which the standard of review was at issue, showing how the Court determines that standard, and answering the question of whether it varies its review intensity strategically. The book will be beneficial to all scholars of the Court and those interested in judicial strategy.

UK May 2024 • US May 2024 • 336 pages  
HB 9781509971305 • £85.00 / \$115.00  
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## The European Union and International Investment Law

The Two Dimensions of an Uneasy Relationship

Francesco Montanaro, Office of the President of the Italian Republic

This book explores the interaction between the EU and international investment law, both within the EU internal market and externally. The book shows that the EU has assumed an ostensibly ambivalent attitude towards international investment law and finds that beneath this ambivalence ultimately lies the EU's attempt to impose its own original model of regulation. It then argues that the EU adopted this approach to support its internal market, enhance its external influence, and, ultimately, pursue long-term 'federal aspirations'. Finally, the book identifies the obstacles that have curtailed the EU's efforts at both the internal and external level.

UK September 2024 • US September 2024 • 216 pages  
PB 9781509963843 • £42.99 / \$58.95  
Previously published in HB 9781509963805  
ePub 9781509963812 • £76.50 / \$103.94  
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## Hong Kong as an Actor in International Economic Law

Multilateralism, Bilateralism, and Unilateralism

Julien Chaisse, City University of Hong Kong, Hong Kong

This open access book explains why Hong Kong adopts a triangular approach (combining unilateralism, bilateralism, and multilateralism) in its external trade and investment relations, describing how it applies the methods necessary to manage the triple-track strategy, and identifying the legal, political, and economic implications of this approach. The book explores the evolving role of Hong Kong in contemporary regional and global affairs and makes recommendations on how Hong Kong can improve its effectiveness in securing its regional policy goals.

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UK August 2024 • US August 2024 • 368 pages  
HB 9781509968169 • £85.00 / \$115.00  
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## 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. 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 July 2024 • US July 2024 • 416 pages  
PB 9781509963010 • £44.99 / \$60.95  
Previously published in HB 9781509962976  
ePub 9781509962983 • £81.00 / \$110.69  
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## Studies in Private International Law

Paul Beaumont, University of Stirling, UK



### Private International Law in BRICS

Convergence, Divergence and Reciprocal Lessons

*Edited by Stellina Jolly, South Asian University, India & Saloni Khanderia, Jindal Global University, India*

This book provides a thematic understanding of the cornerstones of private international law in each of the BRICS countries: namely, (1) the procedure to initiate claims in civil and commercial matters, (2) the law that would govern such matters in litigation and arbitration, and (3) the mechanism to recognise and enforce foreign judgments and arbitral awards. The book is a useful comparative resource for the governments of the BRICS countries, legislators, traders, academics, researchers, and students looking for an in-depth discussion of the reciprocal lessons that these countries may have to offer one another on these issues.

UK June 2024 • US June 2024 • 784 pages  
HB 9781509966141 • £120.00 / \$160.00  
ePub 9781509966158 • £108.00 / \$147.14  
ePdf 9781509966165 • £108.00 / \$108.00

Series: Studies in Private International Law • Hart Publishing



### Private International Law in Russia

*Edited by Anton Asoskov, Lomonosov Moscow State University, Russia, Daria Levina, European University Institute, Italy & Milana Karayanidi, Dentons US LLP, USA*

**This book provides a comprehensive overview of private international law (PIL) in Russia.**

It examines the conflict of law and jurisdictional rules set out in statutory provisions, case law, and doctrinal writings. Topics covered include sources of PIL (international conventions and treaties); party autonomy and the choice of law by the parties; determination of applicable law in the absence of choice by the parties; public policy exceptions and overriding mandatory provisions; and many more.

UK June 2024 • US June 2024 • 272 pages  
HB 9781509964314 • £85.00 / \$115.00  
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## Studies in Private International Law - Asia

Anselmo Reyes, Doshisha University, Japan & Paul Beaumont, University of Stirling, UK



### Overriding Mandatory Rules in International Commercial Disputes

Korean and Comparative Law

*Min Kyung Kim, Daejeon District Court, Republic of Korea*

This open access book analyses how to identify and treat overriding mandatory rules in international commercial dispute resolution from a Korean and comparative law perspective. The book establishes tests to identify the overriding mandatory character and empirically applies them to assess provisions in 10 different Acts in Korea.

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UK November 2024 • US November 2024 • 240 pages  
HB 9781509969777 • £85.00 / \$115.00  
ePub 9781509969784 • £0.00 / \$0.00  
ePdf 9781509969791 • £0.00 / \$0.00  
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### Hong Kong Private International Law

*Wilson Lui, University of Hong Kong & Anselmo Reyes, Doshisha University, Japan*

This book is a one-stop reference guide to Hong Kong private international law. It focuses on practical issues with an emphasis on the choice of law, arbitration, and rapidly developing local jurisprudence.

It systematically analyses the private international law issues arising out of inter-regional cases between Hong Kong and Mainland China, Taiwan, and Macao SAR.

The book will be indispensable to judges, practitioners and scholars in Hong Kong and worldwide.

UK September 2024 • US September 2024 • 480 pages  
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Series: Studies in Private International Law - Asia • Hart Publishing  
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### The Subjects and Subjectivities of International Criminal Law

A Critical Introduction

*Emily Haslam, Kent Law School, UK*

This book provides a critical introduction to the core elements of international criminal law. It does so by provoking thought on what international criminal law is by contrasting the practice of state-based actors and institutions such as the International Criminal Court with practices associated with non-state actors.

International criminal law is now established as an essential legal and institutional response to atrocity. This book encourages reflection on its multiple meanings and usages.

UK February 2024 • US February 2024 • 200 pages  
PB 9781849467292 • £27.99 / \$37.95 • HB 9781509973750 • £85.00 / \$115.00  
ePub 9781509973736 • £25.19 / \$35.09  
ePdf 9781509973743 • £25.19 / \$25.19  
Series: Kent Critical Law Series • Hart Publishing



### 15 Years of the UNESCO Diversity of Cultural Expressions Convention

Actors, Processes and Impact

*Edited by Beatriz Barreiro Carril, Andrzej Jakubowski, University of Opole, Poland & Lucas Lixinski*

This book queries, through the prism of the Convention for the Protection and the Promotion of the Diversity of Cultural Expressions (the Convention), the ways in which international law-making has shifted in response to new technologies and new actors.

UK August 2024 • US August 2024 • 296 pages  
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## Self-Determination in the International Legal System

Whose Claim, to What Right?

Tom Sparks, Max Planck Institute for Comparative Public Law and International Law, Germany

This open access book brings clarity to the study of self-determination. It argues that the accepted categorisation of international and external self-determination is not helpful, and suggests a new typology. It has 4 categories: polity-based, identitarian, colonial, and remedial forms, each distinguished by the grounds on which they are based. This book is a significant contribution to our understanding of this keystone of international law.

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ePdf 9781509945085 • £0.00 / \$0.00  
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## Data Protection and Privacy, Volume 16

Ideas That Drive Our Digital World

Edited by Hideyuki Matsumi, Vrije Universiteit Brussel, Belgium, Dara Hallinan, FIZ Karlsruhe – Leibniz Institute for Information Infrastructure, Germany, Diana Dimitrova, FIZ Karlsruhe – Leibniz Institute for Information Infrastructure, Germany, Eleni Kosta, Tilburg University, the Netherlands & Paul De Hert, Vrije Universiteit Brussel, Belgium

This book explores the complexity and depths of our digital world by providing a selection of analyses and discussions from the 16th annual international conference on *Computers, Privacy and Data Protection (CPDP): Ideas that Drive Our Digital World*. The first half of the book focuses on issues related to the GDPR and data, whereas the second half of the book shifts focus to novel issues and ideas that drive our digital world. This interdisciplinary book invites readers to an intellectual journey into a wide range of issues and cutting-edge ideas to tackle our ever-evolving digital landscape.

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UK May 2024 • US June 2024 • 336 pages  
HB 9781509976003 • £55.00 / \$75.00  
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Series: Computers, Privacy and Data Protection • Hart Publishing



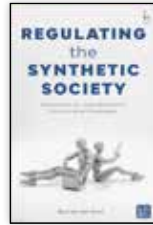
## Global Data Strategies

Edited by Moritz Hennemann, University of Passau, Germany

This book gathers contributions engaging with different data strategies along with their interdisciplinary (legal, economic, and ethical) implications. It aims to contribute to a well-founded discourse about current (and future) data strategies.

It does this by using a multi-dimensional approach, combining insights from academia and governmental practice as well as legal and economic viewpoints. Data strategies from both the 'Global North' and the 'Global South' are covered. The international and comparative focus allows for a discussion of regulatory convergence and dissonance.

UK December 2023 • US January 2024 • 224 pages  
HB 9781509973675 • £110.00 / \$150.00  
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## Regulating the Synthetic Society

Generative AI, Legal Questions, and Societal Challenges

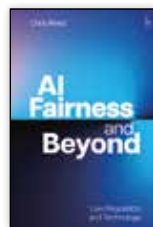
Bart van der Sloot, Tilburg University, the Netherlands

This open access book offers an introduction to 4 cutting-edge technologies (humanoid robots, deepfakes, augmented reality, and virtual reality), their main use cases, and their positive and negative effects.

The book evaluates how the current European legal paradigm applies to these technologies, focussing on the right to privacy and data protection, freedom of expression, procedural law, tort law, and the regulation of AI. It discusses regulatory alternatives to solve existing regulatory gaps and shows that there are no easy answers.

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UK February 2024 • US February 2024 • 304 pages  
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## AI Fairness and Beyond

Law, Regulation, and Technology

Chris Reed, Queen Mary University of London, UK

This book proposes a regulatory system for ensuring that AI makes fair decisions. It proposes a holistic understanding of fairness and argues that the AI community should have the responsibility to explain and justify their efforts to achieve fairness, basing regulatory and legal responses on how well that explanation deals with the risks that particular AI presents, and whether it operates in accordance with the explanation in use. An original and significant contribution to the literature on AI regulation, this book is a must-read for those working in the areas of law, regulation, and technology.

UK August 2024 • US August 2024 • 304 pages  
HB 9781509976805 • £85.00 / \$115.00  
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## Cybersecurity, Privacy and Data Protection in EU Law

A Law, Policy and Technology Analysis

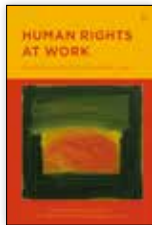
Maria Grazia Porcedda, Trinity College Dublin, Ireland

Is it possible to achieve cybersecurity while safeguarding the fundamental rights to privacy and data protection? This timely book answers the question with a comprehensive approach that combines legal, policy and technological perspectives to capture the essence of the relationship between cybersecurity, privacy and data protection in EU law. An essential read for scholars, legal practitioners and policymakers alike, the book demonstrates that reconciliation between cybersecurity, privacy and data protection relies on explicit and brave political choices that require an active engagement with technology, so as to preserve human flourishing, autonomy and democracy.

UK September 2024 • US September 2024 • 352 pages  
PB 9781509966080 • £44.99 / \$60.95  
Previously published in HB 9781509939398  
ePub 9781509939411 • £81.00 / \$110.69  
ePdf 9781509939404 • £81.00 / \$81.00  
Series: Hart Studies in Information Law and Regulation • Hart Publishing

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## Human Rights at Work

Reimagining Employment Law

*Alan Bogg, University of Bristol, UK,  
Hugh Collins, University of Oxford, ACL  
Davies, University of Oxford, UK & Virginia  
Mantouvalou, University College London, UK*

This textbook provides a detailed examination of the application of human rights law to employment and industrial relations. Should female employees be entitled to wear a headscarf in the workplace for religious reasons? Can it ever be right for an employer to dismiss someone for personal Facebook posts written in their leisure time? What restrictions, if any, should be placed on the right to strike? This innovative textbook provides an entry point for exploring these and other topical issues, enabling students to analyse the applicability of human rights to disputes between employers and workers in the UK.

UK September 2024 • US September 2024 • 272 pages  
PB 9781509938742 • £34.99 / \$47.95 • HB 9781509976409 • £110.00 / \$150.00  
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## Shakespeare's Strangers and English Law

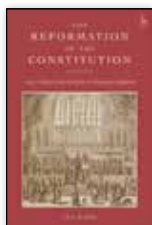
*Paul Raffield, University of Warwick, UK*

Through analysis of 5 plays by Shakespeare, Paul Raffield examines what it meant to be a 'stranger' to English law in the late Elizabethan and early Jacobean period. The numbers of strangers

increased dramatically in the late 16th century, as refugees fled religious persecution in continental Europe and sought sanctuary in Protestant England.

UK July 2024 • US July 2024 • 400 pages  
PB 9781509965465 • £42.99 / \$58.95  
Previously published in HB 9781509929849  
ePub 9781509929856 • £76.50 / \$103.94  
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## The Reformation of the Constitution

Law, Culture and Conflict in Jacobean England

*Ian Ward, Newcastle University, UK*

**This book provides a fresh account of one of the defining judicial engagements in English legal history.**

It provides a fresh account of the years 1606 to 1616 which witnessed a series of increasingly volatile confrontations between, on the one side, King James I and his Attorney-General, Sir Francis Bacon, and on the other, Sir Edward Coke, successively Chief Justice of Common Pleas and Lord Chief Justice.

UK May 2024 • US May 2024 • 288 pages  
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## Social Justice and the World of Work

Possible Global Futures

*Edited by Brian Langille, University of Toronto, Canada & Anne Trebilcock, University of Göttingen, 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 – at a time when global forces are tearing the familiar fabric of our working lives and the laws regulating them. 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. They deliver critical re-assessments of our goals, explore new challenges, and creatively re-imagine trajectories for progress.

UK August 2024 • US August 2024 • 480 pages  
PB 9781509961290 • £54.99 / \$74.95  
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## A Principled Framework for the Autonomy of Religious Communities

Reconciling Freedom and Discrimination

*Alex Deagon, Queensland University of Technology, Australia*

The book examines the US, UK and Australia, analysing their legal frameworks and theoretical approaches to religious freedom and discrimination. It develops a new principled framework for the autonomy of religious communities which reconciles religious freedom and discrimination. Rather than starting from a point of conflict, the book applies the idea of peaceful coexistence of difference by assuming the dignity and goodwill of different people and perspectives, and proceeds upon shared virtues such as love which are affirmed by all.

UK August 2024 • US August 2024 • 280 pages  
PB 9781509950676 • £37.99 / \$51.95  
Previously published in HB 9781509950638  
ePub 9781509950645 • £76.50 / \$103.94  
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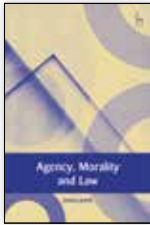
## Women's Legal Landmarks in the Interwar Years

Not for the Want of Trying

*Edited by Rosemary Auchmuty, University of Reading, UK, Erika Rackley, University of Kent, UK & Mari Takayanagi, The Parliamentary Archives, UK*

This book focuses on the often forgotten legal landmark that benefited, or aimed to benefit, women in England and Wales between 1918 and 1938. The book follows campaigns by key women's organisations, including the Six-Point Group and the Married Women's Association, while assessing the impact of early women lawyers and politicians. Bringing together 30 academics and scholars, the book uncovers an era marked by feminist activists to provoke legal reforms and advances impacting every area of life – including property, family relationships, access to health care, criminal law, employment opportunities, pay, pensions and political representation.

UK August 2024 • US August 2024 • 448 pages  
HB 9781509969722 • £85.00 / \$115.00  
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ePdf 9781509969746 • £76.50 / \$76.50  
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## Agency, Morality and Law

Joshua Jowitt, Newcastle University, UK

This book demonstrates that the normative force of law has a necessary connection to morality in 2 ways. Firstly, a commitment to the concept of moral truths is required; secondly, these moral truths must be identifiable through human reason. The book argues that these conditions are met by

Alan Gewirth's Principle of Generic Consistency, which locates the existence of universally applicable moral norms through a dialectically necessary argument grounded in the truism of noumenal agency. It demonstrates that a universalised instrumental reason serves as an imperative to bind agents to its absolute and exclusionary requirements against potentially non-compliant behaviour.

UK April 2024 • US April 2024 • 184 pages  
PB 9781509947720 • £42.99 / \$58.95  
Previously published in HB 9781509947683  
ePub 9781509947690 • £76.50 / \$103.94  
ePdf 9781509947706 • £76.50 / \$76.50  
Series: European Academy of Legal Theory Series • Hart Publishing



## Hart, Fuller, and Everything After

The Politics of Legal Theory

Allan C Hutchinson, Osgoode Hall Law School, Canada

More than enough has been said about the Hart-Fuller debate than can be considered healthy or productive, even within the precious world of jurisprudential scholarship – too much philosophising about how law has revelled in its own abstractness and narrowness. But the mission of this book is distinctly and determinedly different – it is not to rework these already-rehashed ideas, but to reject them entirely. Rather than add to the massive jurisprudential literature that has been generated by all and sundry, the book criticises and abandons the project that Hart and Fuller set in motion.

UK August 2024 • US August 2024 • 320 pages  
PB 9781509965243 • £42.99 / \$58.95  
Previously published in HB 9781509965205  
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ePdf 9781509965229 • £76.50 / \$76.50  
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## Media Law

Jacob Rowbottom, University of Oxford, UK

The 2nd edition of this groundbreaking book examines the protection of personal rights to reputation and privacy, the administration of justice, the role of government censorship, the protection of the newsgathering process, the regulation of the media and the impact of digital communications.

The analysis is grounded in an account of media freedom that looks at the important democratic functions performed by the media and journalism. Examining various key themes, the book shows how those functions continue to evolve in a changing political culture.

Authoritative and accessible, the book is essential reading for students and scholars of media law.

UK March 2024 • US April 2024 • 496 pages  
PB 9781509970353 • £36.99 / \$49.95 • HB 9781509970360 • £120.00 / \$160.00  
ePub 9781509970377 • £33.29 / \$45.89  
ePdf 9781509970384 • £33.29 / \$33.29  
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## Landmark Cases in Privacy Law

Edited by Paul Wragg, University of Leeds, UK & Peter Coe, University of Birmingham, 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 August 2024 • US August 2024 • 376 pages  
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Previously published in HB 9781509940769  
ePub 9781509940776 • £67.50 / \$91.79  
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Series: Landmark Cases • Hart Publishing



## The Protection of Traditional Knowledge at the Frontiers of Drug Discovery

Peter S Harrison, University of York, UK

This book concerns the often fractious interface between drug discovery and commercialisation, environmental degradation, the biodiversity crisis, the exploitation of indigenous peoples and

the destruction of their culture, the right to health, inequalities of power, and the ability of the law to protect knowledge. This book is aimed at all those with an interest in the control of indigenous genetic knowledge and the protection of indigenous culture, whether academics, anthropologists or pharmaceutical researchers, and those seeking to make indigenous rights work, as activists, legislators or practising lawyers.

UK September 2024 • US September 2024 • 208 pages  
HB 9781509937530 • £85.00 / \$115.00  
ePub 9781509937554 • £76.50 / \$103.94  
ePdf 9781509937547 • £76.50 / \$76.50  
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## Healthcare, Quality Concerns and Competition Law

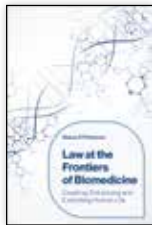
A Systematic Approach

Theodosia Stavroulaki, Gonzaga University, USA

Opponents of market driven healthcare argue that a competition approach to medical treatment negatively impacts quality, while advocates point to increased efficiencies. This book casts a critical eye over both positions, unveiling areas where healthcare provision and the pursuit of quality clash. It shows how competition authorities can only assess competition concerns when asking the question of how healthcare quality should be defined and factored into their decisions. Drawing on UK, US and EU examples, it explores antitrust and merger cases in hospital, medical, and health insurance markets to depict the reality and challenges of regulating competition in healthcare provision.

UK July 2024 • US July 2024 • 296 pages  
PB 9781509943388 • £41.99 / \$57.95  
Previously published in HB 9781509943340  
ePub 9781509943357 • £76.50 / \$103.94  
ePdf 9781509943364 • £76.50 / \$76.50  
Series: Hart Studies in Law and Health • Hart Publishing





## Law at the Frontiers of Biomedicine

Creating, Enhancing and Extending Human Life

*Shaun D Pattinson, Durham University, UK*

How should judges and legislators address challenges arising at the frontiers of biomedicine? This book presents an innovative legal theory and applies it to future developments in biomedicine.

It is applied by asking how a political leader or appeal court judge could address technological developments for which the current law of England and Wales would be ill-equipped to respond.

UK August 2024 • US August 2024 • 288 pages  
PB 9781509966745 • £42.99 / \$58.95  
Previously published in HB 9781509941070  
ePub 9781509941094 • £76.50 / \$103.94  
ePdf 9781509941087 • £76.50 / \$76.50  
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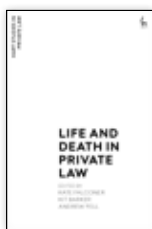
## Key Ideas in Tax Law

*Julian Ghosh KC, University of Cambridge, UK*

This book provides a short and clear guide to key ideas which underpin the UK tax code and illustrates the wider political and economic issues students need to know about when studying tax law. Some of these key ideas are controversial and the subject of much discussion and debate. Readers will come away with a clear understanding of the architecture of the UK tax code, despite its (very real) complexity.

UK April 2024 • US May 2024 • 208 pages  
PB 9781509950737 • £12.99 / \$17.95  
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## Hart Studies in Private Law

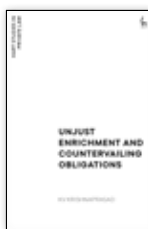


### Life and Death in Private Law

*Edited by Kate Falconer, University of Queensland, Australia, Kit Barker, University of Queensland, Australia & Andrew Fell, University of Queensland, Australia*

This edited collection explores the concepts of life and death in private law. Life and death are the beginning and end of the legal person: the instigator and terminator of rights, interests, and obligations. They are also the nominal separator of particular fields of law (medical law from succession law, for example). As such they act as fault lines that can test the limit of private law principles and norms. This book explores what life and death tells us about private law and what private law can tell us about the meaning and value of life and death.

UK September 2024 • US September 2024 • 352 pages  
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### Unjust Enrichment and Countervailing Obligations

*KV Krishnaprasad, One Essex Court, UK*

**This book explores the relationship between the English law of unjust enrichment and legal obligations arising from other branches of the law.**

It examines the question, primarily, by considering how English courts resolve conflicts between restitution claims and countervailing legal entitlements. This is much needed given cases such as *IEG v Zurich Insurance and Avonwick Holdings Ltd v Azitio Holdings Ltd* showing the differing positions taken by English courts. By applying insights from the theory of unjust enrichment to Anglo-Australian case law, this study gives a welcome cogent explanation of a complex question.

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### Fairness in International Taxation

*Edited by Ira K Lindsay, University of Surrey, UK & Benita Mathew, University of Surrey, UK*

This book explores the thorny normative issues raised by the changing landscape of international tax policy. The book features perspectives from legal scholars, political theorists, and political philosophers on the design of a fair international tax system, considering both corporate and individual taxation. The book provides critical perspectives on leading international tax policy debates, analyses the intersection between international distributive justice and contemporary public policy, and proposes new ways to meet the demands of tax justice in a global context.

UK November 2024 • US November 2024 • 304 pages  
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### Combining the Legal and the Social in Sociology of Law

*An Homage to Reza Banakar*

*Edited by Håkan Hydén, Lund University, Sweden, Roger Cotterrell, Queen Mary University of London, UK, David Nelken, King's College London, UK & Ulrike Schultz, Formerly of FernUniversität in Hagen, Germany*

This open access book pays homage to Reza Banakar, who died in August 2020, exploring the many different areas of socio-legal research that he worked on and influenced. The book is split into 5 sections: theory; methods and interdisciplinarity; legal culture; law and science; and applied sociology of law. The book aims to advance the sociology of law by demonstrating the interconnectedness of the legal and the social from a broad range of perspectives.

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