

BOOKS RECEIVED / LIVRES REÇUS

H.PH. AUST / E. DEMIR-GÜRSEL, *The European Court of Human Rights: Current Challenges in Historical Perspective*, Edward Elgar Publishing Limited, Cheltenham, UK · Northampton, MA, USA, 2021, 296 pp., ISBN: 978 1 83910 833 4

Throughout its existence, the European Court of Human Rights (ECHR) has faced criticism of various aspects of its activities. This is due to the large number of challenges facing the Court at different times. The range of reasons for such challenges is quite wide: from a huge number of goals, set for the activities of the ECHR, to geopolitical shifts in the European political landscape. Particular challenges have emerged in recent years as the number of interstate cases in the Court has increased. The book offers an analysis of the Court's problems through the prism of its history, the views of various legal scholars on the Court's challenges and the ECHR's ability (and ways) to meet these challenges.

The above issues are addressed in three parts of the book: the first is devoted to the current challenges facing the Court, the main points for which the Court is criticized at the present stage; the second – to the historical origins of current problems (since the creation of the European Convention on Human Rights); and the third – to the Court's historical influence on the formation of such a concept as "European public order" and the limits of the Court's activities, which have naturally crystallized during its operation.

D. Kibets

S. BARTOLE, *The Internationalisation of Constitutional Law. A View from the Venice Commission*, Hart Publishing, Oxford, 2020, 140 pp., ISBN: 978-15-09-94147-6

The Venice Commission is the main democratic institution in Central and Eastern Europe. The main and one of the most important

tasks of the Venice Commission is to provide constitutional assistance to the bodies of the Council of Europe and the Member States of the European Union. According to some scholars and critics, the activities of the Venice Commission often show an alarming degree of militancy. In view of this, the book shows the objection of this position and determines that the conclusions of the Commission are the result of a process of legal justification.

According to the author, in recent years a significant part of the contributions to the field of public law by constitutional practitioners is devoted to the internationalization of constitutional law. An example is that many constitutional judges seek solutions in the constitutional precedents of other countries. Based on this, we can say that now the world is facing the formation of so-called international constitutionalism.

This book also provides a basis for a full understanding of the latest European rule of law policy in relation to the Commission's conclusions on the judiciary and constitutional justice in Europe. The Commission's view on this issue is that democratic European states must adhere to the rule of law and the right of a person to judicial protection.

M. Holovatenko

U. KARPEN / H. XANTHAKI, *Legislation in Europe – A Country by Country Guide*, Hart Publishing, 2020, 588 pp., ISBN: 978-1-50992-471-4

Legislation is the most popular tool of governance in European democratic countries that uphold the rule of law. The authors of this book use the term “legisprudence”, which means a branch of legal research based on the theory and practice of legislation in different countries. The pages of the book examine the legal systems of the European countries, and the authors of each chapter, in turn, are experts in legislation in their specific jurisdiction of respective countries.

In terms of overall format, a separate chapter of the book focuses on the legislation of a specific country, with the topics within most chapters following broadly the same path. This book sets out to

achieve the ambitious task of providing an outline sketch of no fewer than 30 legislative systems in Europe in a mere 550 pages: a task that is extraordinarily impressive. In each section described by the national legislative body, the following points are critically assessed:

- National environment and its connection with EU law;
- Essence and types of legislation;
- Legislative process;
- Assembly process;
- Conventions on jurisprudence;
- Preparation of drawings.

In summary, this book is a model of brevity and clarity for practical need or simply out of academic interest, if one wants to acquire high-level knowledge of the legislative systems in different European countries.

Y. Fanta

N. E. NEDZEL, *The Rule of Law, Economic Development, and Corporate Governance*, Edward Elgar Publishing, Northampton, MA, USA, 2020, 253 pp., ISBN: 978-1-78990-072-9

The author explores the institutional connection between the main juridical systems in the West and the development of different varieties of capitalism and corporate governance.

The first of three parts of the book is a perfect summary for anyone who wishes to have an introductory, yet deep and precise, historical overview of the development of the rule of law in Britain, the rule *through* law in continental Europe and the particular American model. The author cautiously shows how the different socio-political history of Britain, continental Europe and the United States has led to different conceptions of how law ought to govern the way in which social and public life is organized.

She then links such different conceptions to the economic history of each polity and, more importantly, the different corporate governance systems that exist today in the United States, Europe and Britain -mainly, the shareholder conception of business versus the European stakeholder conception- and how that affects economic life in each place. The main novelty of this book in comparison to other existing

works within the fields of varieties of capitalism and political economy is that it effectively draws a direct and historical connection between the ideal of law as a means to organize society and the way in which businesses are administered, relate with the rest of society and conduct their daily activities.

L. Díez-Picazo