

## BOOKS RECEIVED / LIVRES REÇUS

M. BELOV, *The IT Revolution and its Impact on State, Constitutionalism and Public Law*, Hart Publishing, Great Britain, 2021, 313 pp., ISBN (hardback): 978-1-5099-4087-5

This book combines the realm of public law and the constitutional sphere with a detailed critical analysis on the context of the information and technology revolution taking into consideration the multiple dimensions and aspects of that and the way in which they are revolutionizing all sectors of our societies, such as economy and finance, but also sovereignty, democracy and rule of law. Moreover, a deep focus on taxation, data protection, privacy and human rights allows a further investigation on the impact that IT could have on the community.

The technological revolution is described as a tsunami or as an earthquake that is able to endanger the equilibrium and challenge the roots of the world with the final effect to trigger multiple opportunities. In other words, the destruction of the traditional patterns is followed by new forms of social benefits. Consequently, in order to unfold the technological revolution, public law needs to offer a feasible, comprehensive and coherent, efficient and legitimate legal framework. Especially, new levels of technology should be included in new forms of constitutionalism.

*F. Brunelli*

R. DEVLIN / S. WILDEMAN, *Disciplining Judges*, Edward Elgar Publishing, UK, 2021, 384 pp., ISBN: 978-1-78990-236-5

In this book, the authors analyze thirteen different nations giving space to judicial complaints and discipline systems and show that public principles and values of which judicial system must always be inspired are independence, accountability, impartiality, fairness, reasoned justification, transparency, representation and efficiency. These numerous values, however, must always be balanced and

placed in a holistic view of society, in which they must measure themselves with the historical, political, cultural values on the basis of which the local legal systems have developed.

This comparative handbook highlights the different systems of Australia, Canada, China, Croatia, England and Wales, India, Italy, Japan, the Netherlands, Nigeria, Poland, South Africa, and the United States. These countries are not only different systems with different history, but they manifest some criticalities which prevent them from creating solid structure and producing public confidence. A possible solution is to underline that studying and making comparison where relevant of other jurisdictions can be the answer to judicial misbehaviors.

Therefore, *Disciplining Judges* represents an important contribution to the public law showing the limits and the interaction of the judicial power.

C. Franzone

M. GNES, *Al servizio della nazione. L'accesso degli stranieri agli impieghi pubblici*, Franco Angeli s.r.l., Milan, Italy, 2019, 138 pp., ISBN: 978-88-917-9088-0

In an increasingly globalized world, musicians, footballers, and scientists freely move from one country to another and museums are recruiting the best directors from all around the globe. In the public sector, however, citizenship requirement is still a limit especially at managerial levels. To what extent is it necessary to require the citizenship for managerial positions? Given the world we live in, the recruitment of civil servants and managers in public administrations restricted to citizens can still be accepted? Why can't a foreigner possessing the necessary requirements and qualifications be hired? How is the European Union legal framework contributing to surpassing the limits surrounding the citizenship?

Through this research, Professor Gnes outlines recent developments of the citizenship requirement in the Italian legal framework, both regarding European Union citizens and third-country nationals, to demonstrate the reason why it is necessary to open the public sector from a social, political and legal point of view. Moreover,

France, the United Kingdom, and the United States are examined and compared to give a broader perspective on the subject.

*E. Michelotti*

J. LAWS, *The Constitutional Balance*, Hart Publishing, Oxford, UK; New York, NY, 2021, 168 pp., ISBN (hardback): 978-1-50993-545-1

Within all democracies there must be a continuous balancing act between the content of the constitution, the fairness and reason of common law, the dynamic motivations and needs of the executive, and the checks of the judiciary. This book argues that each of these forces is necessary not only for its own virtues, but also for the challenges they pose to one another. Combining discussions of legal philosophy with descriptions and interpretations of specific laws and court decisions, Laws explores how these institutional forces can collectively achieve the book's eponymous "constitutional balance." Early chapters introduce the concepts of Rule of Law and democracy then contrast their respective Kantian and utilitarian moralities. The book then explains some fundamental constitutional and judicial attributes and discredits some common fallacies. In the final chapters, Laws demonstrates how an understanding of the constitutional balance informs perspective on governance: the courts and democratically elected governments are not positioned to counter one another, but to contribute through their own means to the shared aspiration of democracy versed and moderated by constitutional principle.

*E. Moore*