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The Impact of Science and Technology on the Rights of the Individual. By Nicola Lucchi [Book Review]

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After reading the book, I feel much better informed about the basics of treaty adoption, interpretation, implementation, termination, and the interactions between treaties and customary norms. I advise students seeking binding customary law to look to established scholars, and for customs regarding treaties, Kolb's book is a solid source.

The only notable difficulty I had with this book is that Kolb frequently refers to principles of international law by their Latin formulations (for instance, *pacta sunt servanda*, agreements must be kept), often without an English articulation. My Latin is minimal, and while I could infer the content of most principles through context, an English version, perhaps just on first appearance, would have been very helpful.

This book will be useful for researchers seeking a succinct and authoritative discussion of the international law of treaties and for teachers introducing treaties to students in courses on international law.

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The Impact of Science and Technology on the Rights of the Individual. By Nicola Lucchi. Berlin, Germany, Springer Verlag, 2016. Pp. xxvi, 187. ISBN: 978-3-319-30439-7. €114.99; £86.00; \$129.00.

Nicola Lucchi is an associate professor at the Jönköping International Business School, in Jönköping, Sweden. His research and teaching focus on comparative information law and policy, and the interaction between law and innovation. His current book, *The Impact of Science and Technology on the Rights of the Individual*, seems to be the natural progression of an earlier book *Biotech Innovations and Fundamental Rights*, which he co-edited in 2012 while at the University of Ferrara. While the earlier work was meant to demonstrate how "the legal regulation of scientific research and scientific investigations impact more and more directly on the freedom of research and therapies as well as on the broad diffusion of knowledge," the current book amalgamates a series of case studies from a variety of jurisdictions (including the European Union, the United States as well as other legal systems) where scientific and technological issues intersect with individual legal rights, "such as freedom of expression, right to health, knowledge production, Internet content regulation, accessibility and freedom of scientific research."

This book has the disadvantage of trying to achieve too much in too little space: 187 pages, including the index. Furthermore, it is obvious that the author is more familiar with the topic developed in the second half of the book, the regulatory system of biotechnology, than the regulatory dilemma posed by the Internet, as one communication technology platform. And for the record, the first part, the one that most authors engage descriptively rather than critically or normatively, is the most interesting to this reviewer. Perhaps my bias is due to the recently elected U.S. president, a famous Twitter user. Mr. Trump's lack of understanding of how this new technology works is characteristic.

We're losing a lot of people because of the Internet, Trump said. We have to go see Bill Gates and a lot of different people that really understand what's happening. We have to talk to them about, maybe in certain areas, closing that Internet up in some way. Somebody will say, 'Oh freedom of speech, freedom of speech.' These are foolish people. We have a lot of foolish people.

(David Goldman, CNNtech, Dec. 8, 2015)

Certainly, the Internet is regulated and organized in its own way. For instance, some content can be accessed using search engines, such as Google, others using deep search strategies. Additionally, geographically, there are multiple, overlapping Internet service provider options. However, to the extent these services are offered on a subscription basis, they often come with embedded surveillance, which can further affect the freedom of expression rights of the user. But this is the surface of Internet use and regulatory issues. As a communication technology platform, its use is intuitive, and like most authors, Lucchi praises its ease of use, while he engages in advocacy to keep the Internet available for information and communication exchanges around the globe. Lucchi does justice to the point of view that too much copyright protection achieves the opposite of what it is meant to achieve; it inhibits

rather than encourages creation. But what about the impact of this new technology on the fundamental right to develop reason, and principles of conscience, so we can enjoy freedom, dignity, and all the rights mentioned in the Universal Declaration of Human Rights? How can we learn how to engage with this new and powerful platform, the Internet, in a civic manner rather than in a savvy, whether wholesale or retail, consumerist manner? The Internet is an alternative public forum to our democratic endeavors that comes tailored with insidious surveillance of our daily activities, more and more digital in nature, whether it is creation, production, exchange, or socializing. Such a destabilizing, revolutionary reality needs its own legal meta-narrative and Lucchi comes short of fulfilling it. Anyhow, his effort of sharing with us information about how various legal systems engage or more obviously shy away from such an approach is worthwhile. For that reason alone, all law libraries, academic or not, should add Lucchi's book, *The Impact of Science and Technology on the Rights of the Individual*, to their collections.

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Private International Law, Art and Cultural Heritage. By Christa Roodt. Cheltenham, UK: Edward Elgar, 2015. Pp. xxiv, 391. ISBN: 978-1-78100-215 5. US\$135.00.

In this book, Christa Roodt displays an impressive knowledge of both private international law and cultural heritage law. A professor at the University of Glasgow, Roodt has published extensively on both topics. Unfortunately, her wide and deep knowledge of the topics seems to have made it hard for her to write clearly about them.

While the book's focus is on the role private international law can play in protecting cultural objects, it also thoroughly explores controversies in art and cultural heritage law. Chapter 1 introduces the major themes of the book, and defines concepts. Chapter 2 considers the grounds, limits and international dimensions of restitution. In Chapter 3, Roodt describes some shortcomings of private international law that prevent it from responding appropriately to developments in cultural heritage law. Chapter 4 explores jurisdictional rules (which can often determine the outcome of disputes) under the UNIDROIT Convention, and under EU and US law. Chapter 5 examines the potential of private international law to prevent title-laundering. In Chapter 6, Roodt examines the recovery of Nazi-looted art, and analyzes why the rate of recovery in European courts is much higher than that in the US. Finally, in Chapter 7, she looks at sovereign claims under US, UK and German law.

The book benefits from a 25-page bibliography, and a reasonably detailed index. It also offers a lengthy table of legislation including EU instruments and national laws. It lists conventions, treaties and model provisions, as well as UN General Assembly and Security Council resolutions. The Table of Cases includes cases from more than 15 different jurisdictions. Throughout the text, the author also provides footnotes.

The footnotes would be more effective if they included explanatory material; the reader often looks in vain for an explanation of an example cited in the text. For example, while discussing alternative dispute resolution, Roodt uses the example of the Lydian Hoard. The attached footnote merely cites an article, and gives the ignorant reader no idea of the dispute, the parties, nor of the compromise the author refers to. Worse, some references, such as to the "Medici conspiracy," have no footnotes or explanation. Similarly, in describing the post-war restitution cycle for Nazi-looted art, she says "[i]t has been argued that a new openly moral and policy-based cycle of restitution was born after 1989. This understanding seems accurate." But neither the text nor the footnote says what happened in 1989. Generally, most references to court decisions lack enough description of the facts and issues to help the reader understand how they support Roodt's arguments. This deficiency is particularly frustrating because when she chooses, she can explain a complex issue beautifully; her discussion of *University of Leipzig v. Germany* is a model of clarity.

A greater weakness, though, is the confusing mixture of description and prescription (or even speculation) that permeates the book. Roodt's main thesis is that private international law may be capable of limiting abuses in