

Overall, I'm not sure where to place this book and how to recommend it. It is advertised as a casebook, and it primarily is one, which places it squarely within the academic law librarian wheelhouse. Further placing it within the curriculum of a law school is more difficult. It seems too high-level for either a constitutional law or federalism class—perhaps a class focused solely on the Supreme Court, its decisions, and its workings? Indeed, other than certain academic law libraries or the U.S. Supreme Court library itself, few libraries would likely find a place for this book in their collections. Those who do add it will find it a concise and efficient way to view cases in which the Supreme Court has overturned itself on constitutional grounds and a way to start a conversation on Supreme Court precedent.

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***Media Freedom in the Age of Citizen Journalism.*** Peter Coe. Cheltenham, UK; Northampton, MA. Edward Elgar Publishing, 2021. ISBN 978-1-80037-125-5. Pp. X, 308. US\$145.00.

The media landscape has shifted in the past ten, if not twenty, years with the closure of more traditional media outlets and a shift to news generated from and by the people. *Media Freedom in the Age of Citizen Journalism* by Peter Coe traces this shift and the philosophical and legal issues associated with an overhaul of the media landscape. Coe is a law professor at the University of Reading, specializing in media law and issues of free speech and journalism regulation. Coe also works with regulator IMPRESS in the United Kingdom to create regulatory schemes for journalists and publishers.<sup>1</sup>

*Media Freedom in the Age of Citizen Journalism* argues that the shift in journalism from traditional media companies to citizen-driven news creation requires expansion of the idea of media freedom and protections extended to citizen journalists in free speech and free press regulatory schema. To achieve these results, Coe divides the book into three parts. Part I describes the current image of the media and provides explanatory background information for the reader. In the second part, Coe dives into the theory and philosophy of the media. Part 3 is a deeper dive into specific legal issues and potential resolutions in the context of his overall argument that the media needs to be protected and defined as an abstract concept rather than a specific institution or set of people. The work features a comparative focus on the United Kingdom and the European Union, with additional cases and examples from the United States, Canada, and Australia featured throughout.

Part 1 is titled “The Modern Media Landscape” and provides the reader with background information on how the media has transformed over the past ten years. Chapter 2 discusses a concept called the critique of the political economy of the press (CPEP) and the idea that a free press does not actually exist.<sup>2</sup> Chapter 3 builds on those ideas and arguments and investigates whether the expansion of the press into a more citizen-driven idea helps to avoid some of the issues of the CPEP analysis.<sup>3</sup> Both chapters discuss some legal aspects, but Part 1 principally is intended to provide the reader with additional background information. Readers familiar with this area of law or current events in the media and journalism will likely be familiar with much of what is covered in this part.

Part 2 is titled “Theoretical Considerations” and focuses on the philosophical arguments behind the book’s central thesis—that is, that media freedom is a distinct legal concept separate from freedom of speech and treating it as such would offer more protection to less traditional media sources. Coe argues that distinguishing what is media versus what is not should be done via a functional definition rather than an institutional one that does not allow for growth in the media. This then creates the idea of the media as a constitutional concept. This portion of the book focuses on philosophy. Coe cites many philosophers from U.K. and EU literature, including John Stuart Mill, Ronald Dworkin, Thomas Scanlon, John Charney, and others. He uses these philosophers to highlight the issues with libertarianism and its influence on thinking about the media and a marketplace of ideas.<sup>4</sup> Part 2 is where the

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<sup>1</sup> Dr. Peter Coe, University of Reading School of Law, accessed December 26, 2022, <https://www.reading.ac.uk/law/our-stories/peter-coe>.

<sup>2</sup> Peter Coe, *Media Freedom in the Age of Citizen Journalism* 17 (2021).

<sup>3</sup> *Ibid.*, 51.

<sup>4</sup> *Ibid.*, 138–139.

bulk of Coe's argument is centered — that is, his analysis of the problem and his solution rest on his discussion of the media as a constitutional component. This allows for individual actors to serve as media, like citizen journalists, or for large corporations and a more formal fifth estate to also serve as media.<sup>5</sup>

Part 3 is titled “Legal Challenges.” There, Coe walks through some specific legal issues surrounding the media and points out how each of those legal challenges could be overcome, mitigated through his “media-as-a-constitutional-concept” approach. Each chapter of Part 3 focuses on a different legal problem and highlights important cases in the jurisprudence dealing with that issue. Chapter 7 is built around anonymous and pseudonymous speech. This chapter highlights the polarized approaches to free speech across jurisdictions and how considering the media as a constitutional component can harmonize approaches.<sup>6</sup> Chapter 8 investigates contempt of court and defamation—an issue that historically causes problems in U.S. jurisprudence in particular—and how treating the media as a constitutional component would alleviate issues caused by overregulation.<sup>7</sup> Chapter 9 concludes the book by discussing regulation as a whole, and pointing out what kinds of regulations could be instituted or changed in order to promote the media as a constitutional concept rather than a formal institution. This chapter is very thorough and highlights some action items in addition to discussing what has already been done.

Coe approaches the topic thoroughly and provides multiple examples of his topic on every page. Coe's expertise is apparent through the numerous citations and examples for every point in his book, often from different jurisdictions. As such, there are multiple sources and footnotes on each page, and often the footnotes have information that the reader needs for context. Especially in the earlier chapters, more than half of a page will contain footnotes, which can create some reader fatigue while trying to understand the detailed and nuanced arguments.

This book is best suited for attorneys familiar with media law and the various cases and regulations already in place. Much of the background information of the cases is featured in footnotes if they are in the book at all. Readers familiar with the basic tenets of media law and constitutional law have an advantage. While there are numerous examples from the United States, and Coe often acknowledges the importance of U.S. jurisprudence in an overall discussion of freedom of the press and freedom of speech, ultimately this book really is meant to examine things from a U.K. or EU perspective, even if the ideas can be applied universally. This is a very specific treatise that highlights Coe's expertise and the years of thought he has dedicated to a problem that needs to be solved and is best suited for people with the background and interest in this area of law to further learn and enact change if they choose.

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***Climate Change Law: An Introduction.*** Karl S. Coplan, Shelby D. Green, Katrina Fischer Kuh, Smita Narula, Karl R. Rábago, and Radina Valova eds., Cheltenham, UK; Northampton, MA: Edward Elgar Publishing, 2021. Pp. xvii, 208. ISBN: 978-183910-129-8. US\$125.00.

*Climate Change Law: An Introduction* offers a wide-ranging survey of the present status of international and domestic climate agreements, laws, policies, and realities. The authors, who are all currently or formerly affiliated with Pace University's Elizabeth Haub School of Law, take a pragmatic approach as they enumerate and examine the multifaceted aspects of legal responses to climate change mitigation and adaptation obligations and needs.

The book departs from the notion of top-down national climate change strategies as singular pathways to realizing meaningful carbon emissions reductions and adaptation measures. Although the authors acknowledge that this sort of paradigm would be ideal, they explicitly recognize that many nations, including major carbon emitters, simply lack the ability or political will to implement such a comprehensive approach. They instead demonstrate, using concrete examples, that even in such a country, legal actions and policies at the state or provincial, local, or even individual levels can and do have positive effects.

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<sup>5</sup> *Ibid.*, 171.

<sup>6</sup> *Ibid.*, 204.

<sup>7</sup> *Ibid.*, 258.