BIBLIOGRAPHY OF RECENT BOOKS IN COMMUNICATIONS LAW

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The following is a selective bibliography of recent books in communications law and related fields. Most titles were published in 2003. Accompanying each item is an annotation describing the contents and focus of the work. Bibliographies and other useful information in appendixes are noted.

FREEDOM OF THE PRESS


While maintaining a primary focus on Canada, Brown’s book discusses the common law of defamation throughout Anglo-American jurisprudence. In his preface, he sets out his goal of examining “both the diversity and similarity” of defamation law by providing a concise summary of law in Canada, the United States, United Kingdom, Australia, New Zealand and South Africa. His treatment of the subject includes four major sections: the elements of the action, defenses, remedies, and a special section on United States constitutional issues. Though a relatively short volume, Brown’s text is heavily footnoted and includes an extensive table of cases.


While working on an exhibit on Oscar Wilde at the British Library, Holland uncovered a much more extensive manuscript of the famous 1895 libel trial involving his grandfather. The transcripts that he has reprinted are more than twice as large as any previously published. In addition to the text of these transcripts, Holland provides a substantial introduction to the famous trial, a series of endnotes and a bibliography.


The focus of Insult to Injury is the tension and conflict between the First Amendment and the laws providing recovery for the torts of defamation, invasion of privacy, and intentional infliction of mental or emotional distress. Part One provides an overview of the conflict between the First Amendment and defamation law. Parts Two and Three examine the holdings of Supreme Court decisions and how they have been implemented by lower federal and state courts. Part Four concentrates on procedural issues that the author maintains have the potential to mitigate some of the tensions created by these substantive issues. Part Five focuses particularly on privacy issues. Endnotes and a bibliography are included.


Media Libel Law 2003-04 is the latest edition of the Media Law Resource Center’s annual survey

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of the status of the component issues of libel law in the Federal Circuits, the 50 state jurisdictions, Canada and England. A contributing attorney or law firm with expertise in the subject area authors each report. Each individual survey follows the same structure and provides a summary of the substantive law, procedure, and a list of relevant source documents. In addition, many contributors provide a bibliography of web sites and secondary sources, as well as summaries of trends and developments.


Privacy Press and the Law examines whether the current privacy law in England and Wales sufficiently protects individuals from intrusion by the press. It examines existing law through examples of notable cases involving public figures, entertainers, politicians and members of the royal family. The book explores remedies, such as those available under human rights legislation, and discusses judicial and political views of privacy. Self-regulation and the role of the Press Complaints Commission are explored as avenues of protection against intrusion on privacy. New problems that have developed as a result of emerging technology, electronic communication, data protection, surveillance, crime prevention, and national security are also covered in the book. Included are tables of related cases and statutes, an abbreviations list, and a bibliography that augments the coverage of this topic. An appendix containing the text of the Press Complaints Commission’s Code of Practice and an appendix featuring the text of the Human Rights Act 1998 are also included in the book.

MASS MEDIA


Covering the Courts is a handbook designed to acquaint journalists with the legal background needed to ensure that press coverage of criminal and civil cases is performed in a responsible and accurate manner. Chapter One introduces the judicial system and discusses fair trial/free press is-

sues. Chapters 3 and 4 explain Criminal Procedure and Civil Procedure. Chapters 5 through 7 provide a detailed description of criminal trials, with separate chapters on pre-trial, trial and post-trial proceedings. Chapter 8 discusses media coverage of civil cases, and Chapter 9 focuses on cameras in the courtroom for television and web broadcast. The final chapter includes tips from journalists working in the field on how to cover court activity. The handbook contains figures that illustrate the structure of the court system, and appendixes that contain related information, including the “Society of Professional Journalists Code of Ethics” and the “ABA Standards For Criminal Justice, Fair Trial, and Free Press.” A glossary defining legal terminology is included in the book.


Copyright and Consequences explains the development of Central European and United States copyright law, discusses issues of international copyright negotiations, and examines the impact of copyright on economic and social development. Part One of the book provides an overview and discussion of the international copyright system. Part Two explains copyright theory, protection, and regulatory organizations in national contexts, especially the United States, Russia, and Bulgaria. Part Three focuses on the economic impact of copyright in such areas as national economic development, television syndication, and film production. Tables and endnotes are included in the book.


Communication Researchers and Policy-Making is a collection of essays that explore the interaction between communication research and policy-making in global information infrastructure. A key theme of the book is the problematic relationship between policy makers and academic researchers and the importance of research to the development of policies that support a socially responsible information infrastructure. The introduction
to the book explains the historical progression of communications research in terms of this theme. The essays featured in the first half of the book focuses on this historical interaction and looks at the impact of “policy as a context for research.” The essays featured in the second half of the book explore how attention to research and policy interaction is useful in a modern context for such issues as network design and access, advertising fraud, and television violence. Various essays by the editor discuss the effect of policy on communication research, the impact of academic and institutional settings on research, and ways to optimize the relationship between policy and research. The book contains a bibliography for further research.


This fourth edition of Kenneth Creech’s guide to media law reflects the changes that have occurred in the three years since the publication of the previous edition. While the structure of the book remains essentially the same, it provides increased attention to new telecommunications technologies and implications for media law of contemporary issues in copyright. The appendices provide forms, a bibliography and a glossary of terms.


The purpose of Dintrone’s *Master Index* is well defined by its subtitle: “access to critical and historical information on 1,927 shows in 925 books, dissertations, and journal articles.” The foundation of this reference guide is a 90-page bibliography of “sources used.” This bibliography is primarily books, but scholarly journal articles and dissertations are also included. The main index lists television programs alphabetically by title and identifies discussion of each program in the source material in the bibliography. The editor ranks the depth of treatment accorded each show by designating the entry as providing either “substantial” or “very substantial” information. In addition, the book provides appendices that identify relevant web sites and lists of the shows included by target audience and genre.


The title of Given’s book can be misleading. It does not address “turning off” all television, but specifically television as we have known it in its analog format. *Turning Off the Television* is an examination of the policy issues involved in the conversion to digital format, specifically in Australia. Chapters 2 and 3 trace the origins and development of radio and television broadcasting prior to the digital age. The development of digital technology is discussed in Chapters 4 and 5. The book’s remaining chapters examine digital policy making in Australia, the United States, and the United Kingdom. Endnotes and a bibliography are included.


*Digital Television Strategies* explores how digital television technology profoundly affects television viewing and the business of television. The discussion focuses primarily on technologies and business strategies used in Europe, an early leader in incorporating digital television technologies. Chapter 1 explains the development of digital television. Chapter 2 explores key characteristics of viewers of digital television. Chapters 3 through 7 explore the impact of digital television on the production, advertising, and broadcasting industries, and include a discussion of digital platforms and branding. Chapter 8 explores the effectiveness of real-world business models associated with digital television technologies. Chapter 9 covers the impact of “on demand” technology and direct-to-home technology on existing business models. Chapter 10 predicts how politics, viewers, investors, advertisers, and broadcasters will fare under the new dynamics introduced by digital television. The book includes interviews of industry professionals, an appendix, notes, and illustrations.


The seventh publication in Peter Lang’s Polit-
ics, Media and Popular Culture series, Changing Images documents the increasingly more conservative public attitudes toward crime and criminal justice as reflected in popular media. As the author characterizes his perspective, his book "looks through the camera eye at the conservative revolution in criminal justice policy" by examining the crime story content in both feature films and television dramas. The author devotes separate chapters to liberal, conservative, and "transitional" images of crime and criminal justice and discusses the impact of these issues on popular culture. A bibliography is included.


The essays reprinted in Public Broadcasting and the Public Interest were first presented a conference bearing the same title held in 2000 at the University of Maine. Published here as the newest addition to M.E. Sharpe’s series, Media, Communication and Culture in America, the collection consists of 23 essays. The articles are organized into four general areas and one of the four editors provides an introduction to each group of essays. Included among its wide-ranging topics are essays on the experience of public broadcasting in the United States, Canada and Africa, advertising and public broadcasting, cases studies of public stations and networks, and the impact of the digital revolution.


Framing Terrorism is an exploration of how news media coverage of terrorism throughout the world generates "interpretative frames" that affect the public perception of the threat of terrorism. This perception in turn fosters particular ideas about security risks in America that affect security policies and regulations. The book presents a theory of how such news "framing" occurs. Each chapter focuses on how framing occurs in particular contexts and includes discussions of paramilitaries and the press in Northern Ireland, CNN and Al Jazeera's media coverage, and the psychological reactions generated by news cover-

age of 9/11 events. The book contains a bibliography and a list of tables and figures.


The intension of the editors in Planet TV is to present a collection of essays that explore how the field of television studies “can be recast in relation to issues of globalization.” The book’s 24 articles cover a wide range of transnational and transcultural issues, including cultural imperialism, television and national identity, and local broadcasting.


Elayne Rapping, a media critic and analyst, critiques the portrayal of law and justice as seen on television. She argues that television’s focus on the “narrow terrain of criminal law” raises complex social questions and problems. Part One covers fiction and entertainment genres. Part Two focuses on a discussion of news and documentary genres. Rapping includes an in-depth analysis of the social and political forces that shape television, and the television genres that in turn shape social and cultural consciousness. Rapping discusses the media treatment of notable criminal cases such as the Menendez and O.J. Simpson trials.


Communications, Media and American Society explores the connection between communication and social structure in the West from its pre-modern origins through contemporary times. The first half of the book explains the role of communication in the pre-modern world, the rise of capitalism and the birth and dominance of corporate capitalism. The second part of the book focuses on a discussion of contemporary issues, such as the impact of computers on the growth of world market capitalism after 1940. These market issues are discussed in terms of their impact on the distribution of wealth, politics, race, and gender. A
discuss the impact of these developments on the market system and society. The author's central theme is the discussion of how the market system has failed society.


This encyclopedia attempts to document the contributions of women to radio in broadcasting's first four decades. The body of the book is a series of alphabetical entries describing female radio pioneers and the programs to which they made vital contributions. There are a number of extended entries that more fully explore broadcasting genres such as husband and wife programs, soap operas, country music, and issues such as gender discrimination. The appendix lists the women included in the Encyclopedia by the category of their contributions to radio, from "actresses" to "yodelers." An extensive bibliography is included, as well indexes of names and programs.

TELECOMMUNICATIONS


The National Strategy to Secure Cyberspace outlines a framework for safeguarding cyberspace networks and infrastructures from external threats. This document consists of an executive summary, a description of cyberspace threats and infrastructure vulnerabilities, and an explanation of related national policy. The second half of the document explains five national cyberspace security objectives and includes a discussion of the development of a security response system, a vulnerability reduction program, and security awareness program. A special focus is placed on safeguarding the government's cyberspace. An appendix contains the text of an Actions and Recommendations summary.


In this book researcher John Afele discusses the globalization of information technologies and the need for improving current methods to facilitate the transition of developing countries into "knowledge-based" communities. According to Afele, current development frameworks that focus primarily on access to information need to enhance knowledge building through increasing efforts in partnership building and theme building. Chapters 1 through 4 discuss the characteristics and standards of knowledge communities and of developing communities. Chapter 5 explains the concept of the "digital divide" and discusses the factors associated with bridging the divide and creating digital opportunities in developing countries. Chapters 6 through 7 discuss the frameworks for development, the organizations involved with development activity, and sources for funding development. The final chapter focuses on preserving cultural identities and preventing piracy of "indigenous intellectual properties." Bibliographic references are included.


Communications in EU Antitrust Law: Market Power and Public Interest explores the application of EC antitrust rules to market power in communications in Europe. Along with classic antitrust legal analysis, the book explores the impact of industrial trends, such as convergence, on telecommunications, as well as constitutional issues. A key theme integrated throughout the book is the manner in which market power has replaced the state as an entity that influences society. Chapter 1 provides a background of the policy factors that affect communications. Chapter 2 explains related EU legislation and includes a discussion of the 1987 Green Paper and 1999 Communications review. Liberalization and harmonization measures, universal service and users rights are also examined. Chapter 3 discusses the practical application of market definitions and discusses the impact of convergence. Chapter 4 covers market power and its responsibilities in a converging sector, and includes a discussion of abuses of dominance, such as predatory pricing. Chapter 5 discusses the essential facilities doctrine as it applies in EC law. Chapter 6 explores the Commission's role in shaping the communications industry and includes a discussion of the authorization of joint ventures. Chapter 7 incorporates a discussion of
related public interest issues. A bibliography and table of cases are included for further reference.


Brainard's book, the latest addition to the publisher's Explorations of Public Policy series, focuses on three specific efforts to deregulate the television industry since the 1970s. Each of these attempts occurred in different decades: the initial effort in the 1970s, the Reagan administration initiative in the 1980s, and the effort that culminated in the Telecommunications Act of 1996. The author investigates why the deregulation process in television has not been as smooth as similar deregulatory efforts in the airline, trucking, and telephony industries. Brainard examines her case studies using three different theories of regulatory change: market forces (Chapter 3), industry determinism (Chapter 4), and contingency framework (Chapter 5). The author summarizes her study's findings in Chapter 6 and uses television as a case study in the larger context of the policy debate on the role of regulation. Endnotes and a bibliography are included.


*The Second Information Revolution* is an economic history of the development of information technology. In Chapter 2, Brock pegs the beginning of the First Information Revolution at the mid-nineteenth century when the confluence of early telegraph networks and improved postal technology helped fuel the industrial expansion in the post Civil-War era. Chapters 3-7 address the beginnings of the Second Revolution in the technology that emerged during World War II, the post-War computer systems, and the regulated telephone systems. Chapters 8-12 examine the movement from main frame computers to microprocessors, the beginnings of data communications, and initial movements toward telephone deregulation. The final chapters discuss mobile technology, the Internet, and the changes brought by the 1996 Telecom Act. A bibliography is included.


*Telecommunications Regulation*, the newest entry in the IEE Telecommunications Series, examines the principles and practices of regulation, including the legal and administrative frameworks. Chapters 1 through 2 provide an overview of regulation and explain the rules and regulations that are applied in market intervention. Chapter 3 examines the legal and administrative frameworks that empower regulatory bodies, and includes a comparison of the national frameworks for the UK and Europe, the United States, and New Zealand. Chapter 4 contains a detailed discussion of regulatory strategies and price control issues. In the remaining chapters Buckley applies this information in a critical analysis of specific regulatory issues. The author seeks to present the technical material with sufficient detail to satisfy both engineers and legal professionals. Case studies, references and notes included. An appendix contains the text of the European Directives.


*Rethinking Rights and Regulations* features 14 research papers presented at the 30th Research Conference on Communication, Information and Internet Policy (TPRC 2002). Each paper explores how institutions adjust to new technologies, how societies are affected by such innovations over time, and how the "social context" of technology changes as society evolves. The essays featured in Part One of the book discuss conceptual frameworks that developed as a response to new technology and suggest new schemes for developing Internet policy. These essays include a discussion of "cyberspace as place," "name space" issues, and the importance of "definitional consistency" in applying laws and regulations to emerging technologies. The essays featured in Part Two of the book discuss the evolution of legal rights in response to new technologies and includes a discussion of peer-to peer file sharing spectrum
rights associated with wireless technology. The essays presented in Part Three of the book focus on the interaction between rights and regulation, and includes a discussion of such issues as liability regimes for telecommunications carriers, and privacy issues associated with emergency response systems. The essay contributors include legal scholars and professionals in the telecommunications industries.


*Telecommunications Law* explains the state of telecommunications law in the United Kingdom and in the European Union as of the end of 2002. The first volume of the set provides the commentary on the law. Chapter 1 details the background of telecommunications developments, including a discussion of digitization and cable developments. The second chapter outlines principles of competition law and discusses the application of Articles 81 and 82, and the relationship between European Community and domestic competition law. Chapters 3-5 explain the European and UK telecommunications schemes and discuss international and UK regulatory authorities. Chapters 6 through 8 discuss the impact of the BT license granted under the telecommunications act of 1984, the regulation of content and privacy of communications, and the broadcasting acts of 1990 and 1996. The book includes a glossary of both technical and non-technical terms, and tables of relevant statutes, cases, and legislation. The second volume of the set reproduces the text of source documents, including legislation, administrative rules, regulatory decisions, and standard agreements.


*China’s Telecommunications Reforms* explores the restructuring of telecommunications in China through the lens of the “Public Choice” and “Public Choice Plus” theories. Chapter Two of the book describes the development of competition in China and includes a discussion of institutional restructuring and of two rounds of the China Telecom break-up. Chapter 3 describes how the WTO cleared the path for foreign direct investment. Chapter 4 suggests methods for establishing an “effective pro-regulatory system,” and includes a discussion of the need for an independent regulator. Appendices included a bibliography of PRC laws and regulations, a timeline of reforms (1993-2002), a WTO regulatory framework reference paper, the structure of the Chinese government, and a chart of the restructuring of China’s telecommunications sector.


Herr’s book is a first-person account of the 1970’s case in which the National Organization for Women (“NOW”) and the Equal Employment Opportunity Commission (“EEOC”) challenged the employment practices of AT&T and fought for equal employment opportunities for women and minorities. Herr, an AT&T employee and advocate for workplace rights, describes the events leading up to the case from the perspectives of the major players within NOW, the EEOC and AT&T. As a company insider, she describes the realities of how regulatory change occurred in the telecommunications industry. The book includes references to academic, government and corporate archives, and to interviews and materials from Herr’s work files. Also included is a “Chronology of Case-Related Events” (1963-1972), tables and photographs of people involved in the case.


*Data Protection Law and Practice* is a guide to privacy and data protection law in the United Kingdom. Its focus is the 1998 Data Protection Act and the Telecommunication (Data Protection and Privacy) Regulations. This book explains issues that are important to legal professionals who handle personal information, including the grounds for processing, sensitive data controls, overseas transfers, fax and telephone marketing rules, manual files, and individual rights. Case studies and compliance checklists supplement the discussion of core concepts. Aspects of data pro-


*Disconnected: Deceit and Betrayal at WorldCom* provides a detailed description of the multi-billion dollar WorldCom accounting scandal. The book explores the factors leading up to the scandal, such as the break-up of AT&T under anti-trust laws in 1997. The impact of the WorldCom situation on investors, WorldCom employees and the telecommunications industry is covered in detail. Quotations by people affected by the event are included at the beginning of each chapter. A chronology of events and chapter notes augment the main text.


*Governing Telecommunications and the New Information Society in Europe* is a volume of 11 papers originally presented at the Conference on Telecommunications Policy and Information Society in Europe (April 2000). The conference explored changes in the telecommunications regulatory scheme in Europe since the 1980’s, and analyzed the impact of these changes on the development of a “European Information Society.” The papers featured in Part One of the book discuss important aspects of the telecommunications framework in Europe, such as obstacles to entry into the European markets, and the impact of EC policies on state-level policy choices during the 1990s. Part Two of the book explores the creation of policies for maximizing a truly European information society, including a uniquely European Internet policy. The book’s introduction provides an overview of how regulation has proceeded in Europe. A list of abbreviations and tables that illustrate core concepts, and notes and references are included in the book.


Kahn’s short work addresses the impact of deregulation in the airline and telecommunications industries. He maintains that the current financial difficulties in each economic sector is not the result of deregulation and sees no justification for reversing the deregulation effort in either the airline or telecommunications industries. He compares the financial meltdown of the airline and telecommunication sectors to the economic losses experienced in the technology sector that was largely free of governmental regulation.


*E-Business Law of the European Union*, a new addition to the Allen & Overy Legal Practice series, focuses on e-business issues important to lawyers and professionals conducting business in Europe. The book contains the regulations of the directorates-general of the European Commission in a one convenient volume. The book also includes the text of pertinent e-business laws and regulations, including the text of the EU legislation covering such issues as distance selling, electronic money, and liability of online intermediaries. Part One of the book provides an overview of e-business, and Part Two contains the text of source materials. A list of websites related to e-business is included for further research.


Lloyd and Mellor’s book seeks to provide a comprehensive one-volume guide to the telecommunications law of the United Kingdom. Chapter 1 provides a survey of the development of communications law in the UK through the Telecommunications Act of 2003. Chapter 2 focuses on the 2003 Act and provides a detailed comparison of its provisions with the European Union’s regulatory framework for the electronic communications sector. The chapters that follow address issues of universal service, access, data protection, competition, emerging technologies, and international telecommunications. The book includes ta-

Manner's book, a new addition to the Artech House Telecommunications Library series, seeks to provide an understanding of the radiocommunications spectrum and the regulatory issues that control how this scarce resource is utilized. Chapters 1 through 3 provide an overview of the technical aspects of the spectrum and identify key constituencies involved in spectrum allocation and regulations. Chapters 4 through 6 focus specifically on the regulatory apparatus, both domestic and international. Additional chapters address policy issues of spectrum conflict, secondary markets, and the impact of the current weak financial condition of the telecommunications sector. Each chapter provides endnotes and an appendix list key web sites.


Rideout's book examines the changes in Canadian telecommunications policy over the past two decades and the politics of the regulatory reform movement that has been the dominant factor in these policy changes. The author characterizes the major components of telecommunications policy changes as privatization, liberalization of market competition, and a "neo-regulation" that allows for little public oversight. The book focuses on the role of the federal government in the regulatory process that has produced, in the author's words, a "continentalization" of telecommunications. The book includes a large number of appendices and a bibliography.


*Telecommunications Law Desk Reference* is a reference book that contains a wide variety of information, including summaries of telecommunications terminology, case decisions, statutes, government reports, and organizations. This book is organized in a dictionary-style format and the entries are listed in alphabetical order. Each term entry contains a basic definition of the term, an expanded explanation of the term, and a discussion of issues that are related to the term. Each case decision entry in the book contains both a "commonly used case name abbreviation" and a full case name and citation. The definitions of terms that appear in the book have been pulled from statutes, regulations and court decisions. Cross references that guide the reader to the definitions of unfamiliar terms have been included. The book is updated annually to accommodate new terms in this rapidly changing field.


*What's Yours is Mine* is a critique of open access regulation as the "default regulatory regime for network technologies and industries." The author of the book argues that the best way to create wealth and innovation in the economy is to view networks as private property instead of public utilities. Case studies are employed to illustrate this idea and they include a discussion of electricity markets, cable networks, and the break-up of Microsoft. The book contains notes to aid further research.