

Foreword

The process of assembling a new issue of the UCL Journal of Law and Jurisprudence is always a compelling journey through the varied landscapes of contemporary legal thought. Each volume reflects not only the pressing concerns of our time, but also the intellectual curiosity and normative ambition of scholars at different stages of their academic journeys. Once again, this latest volume delivers a careful selection of articles that traverse disciplinary boundaries and offer fresh perspectives on established emerging legal problems.

Volume 14 offers a particularly rich journey, advancing from the foundational theories of Bentham and the architecture of surveillance, through urgent questions of democratic stability, digital vulnerability, and environmental justice, to the perennial challenges of legislative integrity.

The opening piece, by Jeevan Shemar, ‘Examining the Panopticon as an icon of Jeremy Bentham’s Philosophical Ideas,’ offers a comprehensive analysis of Jeremy Bentham’s panopticon, arguing that it serves as an enduring emblem of his philosophical ideas. Beyond symbolising surveillance and control, the panopticon reflects Bentham’s broader commitments to utility, transparency, economic efficiency, and societal innovation. Jeevan shows the panopticon’s architectural design embodies principles of governance, incentivisation, and public accountability—seeking to maximise community happiness even as it risks oppressive and dehumanising consequences. The article also discusses Bentham’s proposals for penal reform, democratic engagement, and economic liberalism, contextualising his ambitions and naiveté within their historical moment. Ultimately, the panopticon is presented as a complex symbol uniting Bentham’s theories of ethics, governance, and reform—illuminating both the promise and peril of his utilitarian vision.

Following this, Jana Ruwayha’s ‘Resilience or Regression? Navigating Legal Transformation in the Era of Permacrisis’ maps the evolving terrain of legal systems grappling with continuous crisis. Jana argues that emergency powers, once reserved for extraordinary circumstances, are increasingly normalised and embedded within everyday legal frameworks, posing threats to democratic principles. Drawing on Complex Adaptive Systems theory, the paper analyses the evolution and entrenchment of legal responses, highlighting risks of democratic backsliding. It reconceptualises resilience, suggesting that adaptability must always be paired with strong protections for fundamental rights, and contends that true resilience in law requires commitment to democratic safeguards in a world marked by sustained global uncertainty.

In ‘Authorised Push Payment Fraud: Theorising a Loss Allocation Model,’ Nat Shum analyses the growing problem of Authorised Push Payment (APP) fraud, where customers are tricked by fraudsters into willingly authorising payments to fraudulent accounts. Nat examines and critiques differing loss allocation regimes in the UK and EU, focusing on whether liability should fall to the customer or the bank. He concludes that neither existing framework fully addresses the complexity of APP fraud, and proposes a model based on shared liability—usually a 50/50 split—adjusted for customer fault, bank breaches of duty, and removal of special rules for vulnerable customers. Nat’s approach advocates incentivising both customers and banks to prevent fraud, factoring in moral hazard and alignments with broader regulatory goals. This approach could serve as a foundation for future legal and policy developments in combatting APP fraud.

The fourth contribution, ‘Articulating the Theory of Right-Holding and the Rights of Nature under Earth Jurisprudence’ by Kaden Pradhan, critiques existing accounts of the ‘rights of nature’ within Earth Jurisprudence and proposes an analytically rigorous framework for establishing legal rights for natural entities. Kaden examines philosophical theories of right-holding—including will and interest theories—and argues that both are limited by anthropocentric assumptions. Adopting an Earth-centred perspective, the article contends that ecosystems and other large-scale “holons” should be considered the paradigmatic right-holders, with rights extended to sentient animals and humans only where necessary for broader political morality. Kaden develops an ideal model of rights for nature—existence, subsistence, and persistence—designed to protect the integrity of Earth’s communities, outlines how these rights can be balanced against human interests, and stresses that effective recognition of nature’s rights must include state duties to codify, enforce, and restore them when violated.

Closing the issue, Luís Otávio Barroso da Graça’s ‘Complying with Legislative Procedural Rules: Why Legislatures Should Foster This Goal and How It Can Be Done’ examines why legislatures should comply with procedural rules and how such compliance can be fostered. Luís analyses mechanisms for ensuring compliance, including internal enforcement by lawmakers and the use of impartial staff, and recommends protections to ensure their independence from political pressure. The article also considers the role of judicial review, suggesting that courts should defer to legislatures but be open to reviewing procedural breaches under narrowly defined circumstances. Overall, this piece highlights how procedural integrity is not a mere technicality but a cornerstone of legitimacy and representative government, outlining concrete proposals for internal and external enforcement mechanisms capable of strengthening democratic representation and legitimacy.

Collectively, the contributions in this Volume offer a vivid cross-section of current legal scholarship, balancing conceptual inquiry with practical analysis. They are united by a commitment to address not only what the law is, but also what it might become in the face of the challenges and transformations of our time. They also reflect UCL Faculty of Laws' commitment to fostering interdisciplinary dialogue and nurturing normative projects that respond to the challenges of our era.

Writing, reading, reviewing, and the publication process remain indispensable for nurturing creativity, rigorous inquiry, and meaningful scholarly dialogue—especially in an era when artificial intelligence, despite its transformative promise, poses significant challenges to academic integrity. Without these human-centred practices, the nuanced judgment, intellectual integrity, and originality that are essential to vibrant academic communities, risk being diminished. In this spirit, I extend my heartfelt thanks to our authors, the Editors-in-Chief Fidelice Opany and Kevin James, and the entire Editorial Board, for their dedication and scholarly vision. May this Volume catalyse renewed reflection and dialogue, strengthening our shared commitment to a more just and resilient legal order.

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