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Despoina Georgiou

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## Editor-in-Chief's Introduction to the Spring Issue of Volume IV of the De Lege Ferenda

It is with great pleasure that I introduce the first Issue of Volume IV of De Lege Ferenda. Conceived as the Cambridge Law Review's supplementary undergraduate law journal, De Lege Ferenda serves as a platform for undergraduate students to make their first entry into academia. The high quality of submissions combined with the rigorous review of the Editorial Board have made De Lege Ferenda, in a short period of time, one of the most successful undergraduate law reviews worldwide.

This year, we were fortunate to have received a record number of submissions of exceptionally high quality. In their article "Cryptocurrencies as Property: Solving the Riddle", Marco Montanaro and Chiara Sarti discuss the topical issue of the classification of cryptocurrencies as property. For the authors, the argument that cryptocurrencies do not fit any traditional category of property is false. As they argue, cryptocurrencies can be conceptualised as smart contractual rights (that is, rights under smart contracts) and therefore, should be treated as 'things in action' amenable to proprietary status.

Mathias Baudena writes in the area of legal history. In his article "Protection of Political Liberty in the British Empire: Behind the Double-Edged Sword", Baudena provides a framework to unpick the precise role played by the common law in protecting civil liberties in the British Empire in the second half of the 19th century. After analysing seminal cases from that period, Baudena concludes that the common law was instrumentalised to further conflicting political aims.

Richard Avinesh Wagenländer provides a commentary on the recent Bundesverfassungsgericht's ruling in PSPP in which the German court overruled, for the first time in its history, a judgement provided by the European Court of

Justice (CJEU) (“The Bundesverfassungsgericht in PSSP: A Legal and Practical Assessment with a View to the Future”). After highlighting contentious aspects of the Bundesverfassungsgericht’s and the CJEU’s decisions, Wagenländer considers potential reforms that would prevent or reduce the risk of judicial clashes between the CJEU and domestic courts.

Jyotsna Vilva writes in the area of discrimination law. Using the example of the legal challenges to the custom-based prohibition of entry of women between the ages of ten to fifty into the Sabarimala Temple in the state of Kerala in India, Vilva (“Cultural Relativism and the Sabarimala Judgement”) argues that Indian law’s affirmation of cultural relativist arguments through the Essential Religious Practices Test leads to a static conception of culture. For Vilva, this approach ultimately stunts the religion’s capacity for organic growth and reform. Therefore, she argues that the law needs to recognise and accommodate ‘cultural dissents’ – that is, challenges by individuals within a community to modernise or broaden the traditional terms of cultural membership – when deciding cases involving challenges to cultural and religious norms.

In his article “Bullets and Ballots in Bangladesh: Does the Bangladeshi Government’s Usage of Coercion and Co-Optation Breach Article 25 of the International Covenant on Civil and Political Rights?”, Imran Dewan uses the People’s Republic of Bangladesh as a case study to provide insight into the question how comprehensive is Article 25 of the International Covenant on Civil and Political Rights as a legal instrument to deliver electoral rights under autocratic governments? Taking an interdisciplinary approach, the article draws upon legal and political science literature as well as primary sources in the form of cases submitted to the Human Rights Committee. After applying Gerschewski’s framework to Bangladesh, Dewan concludes that, while coercive activities are extensively dealt with by Article 25, the status of some co-optative activities remains relatively ambiguous.

In the last article of this Issue (“Who Will Watch the Watchmen? Evaluating the Prosecution Review Commission in Japan”), Margarita Avramtcheva examines the role and outcomes of the Prosecution Review Commission (PRC) in Japan. Relying on statistics and case studies, Avramtcheva argues that the PRC’s activity is lacking. After highlighting the deficiencies of the current system, Avramtcheva makes suggestions for its improvement. As she argues, the PRC should include legal expertise in its Committees to strike a balance between achieving public trust and checking the power of prosecutors in Japan.

Overall, the six articles included in this Issue constitute exceptional pieces of academic work that enrich the literature in their respective fields. They provide

valuable insights into the selected areas of research, constituting interesting and enjoyable reads. Finally, I would like to express my gratitude to the Honorary Board for their invaluable guidance and to the Editorial Board for their tireless work, without which this Issue would not have been possible. I look forward to the Autumn Issue which will be published later in the year.

Despoina Georgiou  
Editor-in-Chief

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