Editor's Introduction

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It is a pleasure to introduce my first issue as Co-Editor of A*micus Curiae*. I would like to begin by expressing my sincere thanks to my fellow Co-Editors, Maria Moscati and Amy Kellam, and in particular to our Consultant Editor, Michael Palmer, for their invaluable advice and support in preparing volume six, issue three. This issue offers a rich and wide-ranging collection of articles and reviews that together reaffirm the journal's core commitment to critical inquiry, interdisciplinarity, and the dissemination of scholarship that bridges theory and practice. The issue spans diverse subject areas—compliance and corruption, artificial intelligence (AI) regulation, consumer redress, leasehold management, tax transparency, climate change litigation, visual jurisprudence, and book reviews that cast light on key contemporary legal texts. The breadth of these subject matters is complemented by a special section, prepared by Navajyoti Samanta, acting as the Guest Editor, which presents a valuable collection of papers on the topic of environmental, social, and governance (ESG) from an impressive geographical scope, with contributions engaging with legal developments in China, India, Ghana, Japan, Nigeria, South Africa, and the United Kingdom.

The practice section opens with three thematically and geographically distinct contributions, each engaging with pressing issues in contemporary law and governance.

Chris Thorpe's contribution on bare trusts provides a compelling doctrinal exploration of an area often overlooked in mainstream legal discourse. While bare trusts are typically treated as tax-transparent and straightforward, Thorpe reveals the underlying complexities that distinguish them from other express trusts, particularly in their treatment under anti-money laundering regulations and in their functional resemblance to custodial structures. His article challenges conventional assumptions about the simplicity and marginality of bare trusts and suggests that their

evolving legal character may serve as a useful point of departure for reforming the balance between transparency and opacity in trust law.

In an article on the McKinsey Africa Scandal, Annerize Shaw (Kolbé) presents a sobering case study of corporate complicity in state corruption and the failure of internal compliance mechanisms. Her article provides a detailed account of McKinsey's engagements with Eskom and Transnet in South Africa and the resulting lapses in oversight, diligence, and ethical governance. Importantly, Shaw's analysis transcends the particularities of the scandal and offers broader insights into systemic compliance failures in global professional service firms, highlighting the dangers of institutional complacency and the limitations of self-regulatory frameworks.

In a similar vein, Sonu Choudhary and Christi Anna George's examination of India's strategic non-regulation of AI offers a critical discussion of regulatory restraint as a deliberate policy choice rather than a legislative lacuna. The article interrogates India's framing of AI as a "kinetic enabler", positing that the decision not to rush into binding regulatory frameworks reflects a form of developmental pragmatism that can discriminate and undermine the fundamental rights of individuals. Their comparative analysis—with reference to the European Union's AI Act and the United States' executive order on AI—underscores the complex interplay between technological innovation, human rights, and regulation. India's position, as the authors note, is not one of neglect but of calibrated experimentation in a global landscape increasingly defined by algorithmic governance.

The main body of the issue includes four research articles that engage with normative, empirical, and comparative approaches to current legal debates. In the context of regulatory justice and consumer protection, the article by Chudi Ojukwu provides a welcome socio-legal analysis of consumer redress mechanisms in Nigeria's electricity market. By framing their discussion within the context of process pluralism, Ojukwu charts a path from sector-specific informal dispute resolution mechanisms (ie the company's internal complaint handling systems and the alternative dispute resolution (ADR) scheme) to the formal legal adjudication and enforcement mechanisms (ie ADR appeals and public enforcement by the regulator and the courts). The article critiques the disjuncture between legal framework and implementation, and argues in favour of a holistic approach that values the strengths of industry-specific and judicial remedies. This is an important contribution to the literature on

access to justice in privatized and monopolistic sectors.

Haward Soper's article on service charge budgets addresses the underexamined question of consultation rights in long leasehold arrangements. Drawing upon a unique empirical dataset as well as doctrinal and theoretical analysis, Soper argues persuasively for the recognition of an implied contractual duty to consult leaseholders. The article is as much a contribution to housing and property law as it is to broader debates on participatory governance and legal culture. His call for a cultural shift towards meaningful consultation resonates with contemporary demands for transparency, accountability, and fairness in landlord–tenant relations.

Chidebe Matthew Nwankwo and Akachi Nwogu-Ikojo's contribution turns to the role of courts in developing normative standards in international climate change litigation. By examining recent decisions by regional courts in Latin America, Europe, and Africa, the article explores the emergence of a transnational judicial community committed to articulating and enforcing environmental rights. Their analysis of *La Oroya v Peru*, *Verein Klimaseniorinnen Schweiz v Switzerland*, and other landmark cases suggests a move towards judicial "globalisation" in the climate domain, where courts are not only interpreters of law but active participants in shaping its direction. The article is both timely and ambitious, offering a thoughtful account of how horizontal accountability and judicial creativity are transforming environmental jurisprudence.

Arianna Careddu and Paolo Vargiu take the discussion in a different direction with their article on "visual justice". This innovative contribution interrogates how courtroom dramas, legal films, and mediated representations of trials shape public understanding of the legal process. Drawing on media studies, aesthetics, and legal theory, the authors argue that as, these visual tropes migrate into journalistic and political discourse, they risk distorting expectations of legal procedure and outcomes. Their engagement with the phenomenon of "trial by media" is especially pertinent in an age of virality and social media saturation, where the aesthetic script of justice often supersedes its procedural integrity. The article adds a cultural and epistemological dimension to our understanding of legal consciousness and is likely to provoke further scholarly debate.

The issue concludes with three discerning book reviews. Ewa Karolina Garbarz provides a critical evaluation of Galetta and Ziller's *EU Administrative Law*, a volume that promises to become essential reading in the field. Paolo Vargiu reflects on Russell Sandberg's

Rethinking Law and Religion, highlighting the text's contribution to legal academia and in particular to the socio-legal study of belief systems. Finally, Olalekan Bello's review of Azubuike's *Risk Allocation and Distributive Justice in the Energy Industry* underscores the normative dilemmas posed by energy transitions and the role of law in mediating competing claims of justice and efficiency.

Following this general issue, the second half of the volume comprises a special section on ESG regulation, guest-edited by Navajyoti Samanta. His editorial note introduces an array of jurisdictionally grounded analyses that reflect the complex character of ESG as a regulatory, ethical, and legal phenomenon. This collection—which includes the United Kingdom, Germany, Japan, India, China, Nigeria and Ghana—reveals both convergence and divergence in ESG adoption and implementation. It situates ESG not merely as a compliance requirement, but as a contested and evolving field of legal and corporate responsibility.

As always, the Editor expresses his sincere thanks to all contributors, reviewers, and editorial colleagues, and specially to Marie Selwood, who make this publication possible. We hope that the diverse and thought-provoking contributions in this issue stimulate further reflection and engagement from our readership, both within academia and beyond.