

25 Years Old But Still Dynamic and Vibrant

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1. A unique institution

The Stockholm Centre for Commercial Law (SCCL) is a unique institution, and all of us who are active at the SCCL, whether we are academics or practitioners or both, are proud to be a part of it. It is a dynamic workplace for active academics and a vibrant forum for interaction between scholars and practicing lawyers. In an informal, unbureaucratic and collaborative environment the members are encouraged to be creative and come up with initiatives for research, publications, seminars, conferences, etc. The SCCL is celebrating its 25th anniversary in 2025 and we have therefore reasons to both look back and look forward.

This book is intended to reflect the past, present and future of the SCCL, and we have invited some members and friends of the SCCL to contribute articles, reflecting different aspects of the SCCL. We have had to make a selection, which means that there are important aspects which are not the subject of an article, and there are valued members and friends which have not been asked to contribute to this book. Hopefully our subjective selection will nevertheless provide interesting reading and give an insight into what the SCCL is about.

I have personally been involved as an “academic hang-around” at the SCCL for close to twenty years, the last six years as Chair. I was not there when the SCCL was created in 2000, but I have been told about the beginnings by those who were around then. Today, a new generation of academics

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and practitioners benefit from the legacy of the “founding fathers”, and we do our best to both preserve and develop what they created. The statutes for the SCCL were updated in 2019 and the current structure and organisation is described in an article written by the SCCL’s outgoing director, Göran Millqvist.¹ In this book we also have an article written by Sara Göthlin, who since 1 July 2025 has taken over from Göran as director of the SCCL.²

One of the main reasons why the SCCL is a unique institution is that it was created by a unique person, namely Jan Kleineman. Jan is an eminent legal scholar, but there are a lot of them around. What is truly unique with Jan is that he is Sweden’s foremost legal entrepreneur. After having created the law journal *Juridisk Tidskrift* in 1989 and made sure that it was a success, he went on to create the SCCL and made sure that it too was a success. Without his vision and determination, the SCCL would not have been what it is today. With the support from Ulf Bernitz, Peter Melz, Gunnar Nord, Hans-Gunnar Solerud, Anders Victorin and others, the SCCL was launched on 21 September 2000. Bernitz, Solerud and Victorin are unfortunately no longer with us, but you can read about the creation of the SCCL and the early days in the articles written by Jan Kleineman³ and Gunnar Nord⁴. Those who understand Swedish can read a detailed account of the creation of the SCCL in the first article in the *Festschrift* to Jan published in 2021.⁵

In this context we should also recognise that the main inspiration for the SCCL comes from the Centre for Commercial Law Studies (CCLS) at Queen Mary, University of London, created by Roy Goode already in 1980. Jan Kleineman was a Visiting Professorial Fellow at the CCLS and established from the outset a strong relation with the academics who were active there, which has greatly contributed both to the establishment and the development of the SCCL. Through this connection, originally established by Jan, I have in later years had the benefit of Roy’s friendship and support. In the article written by him you can read about the anarchic (according to Roy) beginning of the CCLS.⁶ To found and lead an institution, which aims

¹ Göran Millqvist, *A Research Environment in Time*.

² Sara Göthlin, *On Moving from Private Practice to Academia*.

³ Jan Kleineman, *The Advent of the Stockholm Centre for Commercial Law*.

⁴ Gunnar Nord, *The Centre – The Very First Steps*.

⁵ Peter Melz, Teresa Simon-Almendal and Jessika van der Sluijs in *Festschrift till Jan Kleineman*, Jure Förlag AB, 2021, *Stockholm Centre for Commercial Law – ett ledande forskningscentrum i Norden för kommersiell rätt*, pages 1–25.

⁶ Sir Roy Goode, *An Epic Journey: the Centre for Commercial Law Studies at Queen Mary*

to be a bridge between academics and practitioners, Roy has the ideal CV; he spent seventeen years in private practice as a successful solicitor before turning equally successfully to academia.

If the SCCL has benefitted by inspiration from the CCLS in London, the SCCL has in its turn been the inspiration for three similar centres in the Nordic region (so far) – the Lund University Centre for Business Law (ACLU) established in 2016, the Oslo Centre for Commercial Law (OCCL/OSKR) established in 2019 and the Gothenburg Center for Commercial and Maritime Law (GCCML) established in 2025. From the SCCL's side we are delighted about this, and we have been happy to share our experiences with these centres. The cooperation with ACLU and the OCCL is thriving, and we have over the last years organised numerous joint seminars and conferences and we are convinced that there is more to come. The GCCML has just started, but we are sure that having a centre in Gothenburg with a similar structure as the SCCL will make it easy to work together in the future. We are grateful that the directors of both ACLU and the OCCL have contributed articles to this book.⁷

2. A bridge between academia and practice

Already from the outset it was clear that the SCCL should not be an insular institution for navel-gazing academic research. On the contrary, in addition to providing an excellent research environment for academics within the field of commercial law, an equally important objective for the SCCL is to build bridges, both between different legal disciplines and between legal research and legal practice – all in order to promote the exchange of knowledge and expertise between academics and practitioners. This is achieved by involving practitioners in the research panels at the SCCL as well as by arranging workshops, seminars and conferences, where both academics and practitioners participate. In a nutshell, the SCCL should be an open discussion forum for all aspects of commercial law in the widest possible sense. The article written by Lars Heuman describes in his inimitable words the different strategies for discussions over lunch at the SCCL.⁸

University of London (CCLS) and the Stockholm Centre for Commercial Law at the University of Stockholm.

⁷ Ulf Maunsbach, *Procedural Ordre Public in Intra EU Investment Arbitration*. Birgitte Hagland, *A Nordic Frontrunner and Its Norwegian Legacy*.

⁸ Lars Heuman, *Jurisprudential Discussions Based on Insufficient Knowledge*.

The two main tasks for universities and other institutions for higher education are of course research and education, but there is also the so called “third task”, which is to share knowledge with the society at large. This can be described as “science outreach” and includes a variety of activities whereby the relevant institutions promote public awareness and understanding of their research, and make societal contributions.

For all Swedish universities this is explicitly required in the statute governing higher education⁹:

The higher-education institutions’ task shall include collaborating with the surrounding society and providing information about their activities and working to ensure that research results obtained at the institution are utilised.

The requirement for science outreach is further elaborated for Stockholm University in the strategy document for the period 2023–2026¹⁰:

Research communication is an important part of this, which clarifies the University’s contribution to society. Communication will be developed to further draw attention to and disseminate research results, and explain how the knowledge can be used today or in the future. Communication also involves conveying the importance of scientific methods and perspectives in order to increase the public’s understanding and trust in scientific practices and approaches.

Collaboration is part of the development of the organisation and involves interaction where flows of ideas, issues, knowledge and resources between the University and external actors lead to mutual development.

The University shall work for open dialogues and create conditions for knowledge exchange, innovative solutions to problems and increased understanding of how research results develop new knowledge and also benefit in other ways. In this way, society is influenced in a positive direction while education and research are driven forward.

All research centres at Stockholm University are to be evaluated on a regular basis and in the most recent evaluation of the SCCL, the interaction with practitioners and the benefits which this creates for the research conducted at the SCCL was particularly praised.

When the SCCL was created, practicing lawyers were enthusiastically involved, both in establishing the SCCL and thereafter in the operations.

⁹ Höskolelag (1992:1434) Chapter 1, 2 §, second paragraph.

¹⁰ *Strategier för Stockholms universitet 2023–2026*, which can be found on the university’s website <https://www.su.se/om-universitetet/strategier>.

The original Lawyer Friends (*Advokatvännerna*) consisted of eighteen law firms, who made financial contributions to the operations of the SCCL. This was reorganised and expanded in 2020 and today more than eighty law firms, including a number of sole practitioners, are involved at the SCCL through the Lawyer Friends. In addition to the Lawyer Friends, we have the Tax Law Friends (*Skattevännerna*), which are described in the article written by Teresa Simon-Almendal and Caroline Nordklint¹¹, and the Company Friends (*Bolagsvännerna*), which consist of legal departments at corporates and banks. Thanks to the generous contributions from these different groups of Friends, we are able at the SCCL to organise regular seminars and conferences with high-calibre speakers from Sweden and abroad, and to produce books and other publications which are distributed to the Friends, law faculties and relevant libraries free of charge. This support also enables the international cooperation described below.

The Friends are not primarily important for the SCCL because of their financial contributions, the main importance of the Friends is that through their active participation at the SCCL, we manage to create the exchange of knowledge and expertise between academia and practice which is one of our main objectives. From the beginning of the SCCL, a number of justices from the Supreme Court have been active at the SCCL, which is extremely valuable for us. In addition to this, we have in recent years made a special outreach to involve judges from lower courts as well as lawyers in public service. After all, these categories are equally important when you consider the practicing side of the legal profession, even if you focus on commercial law. This taken together means that, whenever an event is organised by the SCCL, we will have a diverse group of participants, ensuring a lively and multi-faceted discussion.

The indirect benefit the Friends derive from their involvement at the SCCL is particularly close to my own heart as a practising lawyer. My strong belief is that every practising lawyer ought to maintain an interest in, and an involvement with, academic law. This is a way to remind yourself about the academic rigour you should apply to the practice of law, to refresh your legal knowledge and to inspire you in your day-to-day life. I am well aware that this advice is not followed by more than a minority of practicing law-

¹¹ Teresa Simon-Almendal and Caroline Nordklint, *Tax Law and its Friends at the Stockholm Centre for Commercial Law*.

yers. Nevertheless, I am sure that through the Friends of the SCCL we will encourage more practicing lawyers to do so.

When you want to build a bridge between academia and practice, you need of course to involve both academics and practitioners, as described above. However, even better is to involve people who have both academic credentials and practical experience. Two of the SCCL's longstanding friends are brilliant examples of this. Roy Goode spent the first part of his career as a solicitor before he moved into academia.¹² Philip Wood managed to be involved successfully on both sides throughout his long career.¹³ Even at the SCCL we benefit from having a number of these "double-sided" lawyers involved. The incoming director for the SCCL, Sara Göthlin, is one example.¹⁴ Other examples are Carl Svernlöv and Oskar Andrews, who both have contributed articles to this book on themes relating to their dual careers.¹⁵

3. International visions and ambitions

An important and enjoyable part of the activities at the SCCL is the international dimension. When I started to study law in the late 1970s, I was told that the legal profession was an insular world confined by the national borders. How wrong this was! Sweden joining the European Union and the increased internationalisation of the Swedish industry have meant that whether you are a scholar or a practising lawyer you cannot ignore the international aspects of your particular area of law.

The creation of the SCCL was inspired by the CCLS in London and for a long period there was a regular interaction between the two centres. Unfortunately, in recent years this has been more limited. Over the years there have been many international visitors to the SCCL, not least from Italy. This resulted for instance in the conference at the Italian Supreme Court described by Jan Kleineman.¹⁶ The members of the SCCL have an impressive international network which also benefits the SCCL, not least when it comes to organising seminars and conferences. Thanks to this and to the financial

¹² Sir Roy Goode, *supra* n. 6.

¹³ Philip Wood, *Law Academics and Law Practitioners – A Comparison*.

¹⁴ Sara Göthlin, *On Moving from Private Practice to Academia*.

¹⁵ Carl Svernlöv, *Theory and Practice – Combining Private Law Practice with an Academic Career*. Oskar Andrews, *Notes on the seminar activities at the Stockholm Centre for Commercial Law*.

¹⁶ Jan Kleineman, *supra* n. 3.

resources made available by the Friends, the SCCL has during the years since COVID been able to invite more international speakers than ever before, thereby being able to add an international dimension to the topics discussed.

It is important that the members of the SCCL are able to develop and maintain their own international networks, and this is something which is supported financially. However, a cooperation based on a personal relationship may evaporate when one of the persons involved moves on or retires, so from the SCCL's perspective it is important, to the extent possible, to build also institutional relationships and invest in them long-term. The first institutional relationship was perhaps with the CCLS, but today the SCCL's most important institutional relationship is with the Institute for European and Comparative Law (IECL) at the Oxford Law Faculty.

The cooperation with the IECL started in 2011 and is today, fourteen years later, as strong and vibrant as ever. The IECL has during this period had four directors and the SCCL two, but this has not in any way affected the relationship. Through this cooperation a number of younger and older academics from Stockholm have been able to spend time in Oxford and develop friendships within the local academic community. Thanks to the Stockholm Oxford Law Symposium held every second year in Oxford, a great number of academics and practitioners have been able to visit Oxford, albeit more briefly. Although the formal relationship is between the IECL and the SCCL, there is an additional relationship which is almost equally important for the success of the cooperation and that is with my old college, Christ Church, which welcomes the Stockholm postdoc to participate in the academic community as a Postdoctoral Research Fellow. It has been my great pleasure to be responsible for this relationship, which has also given me a reason to visit Oxford on a regular basis, to keep in touch with old friends and to make new.¹⁷

The cooperation with Oxford features prominently in this book and you can read articles written by Laura Carlson and Cyril Holm, who have both spent a year in Oxford as Postdoctoral Research Fellows.¹⁸ You can also read articles written by Matthew Dyson, who is the current director of the IECL, and Ciara Kennefick, who is Official Student and Tutor in Law at Christ

¹⁷ I had the privilege of studying law in Oxford 1986–1987 at Christ Church, where the Swedish postdoc is affiliated and the Symposium is held.

¹⁸ Laura Carlson, *The Value of International Academic Exchanges and Internationalisation*. Cyril Holm, *The Song Remains the Same*.

Church.¹⁹ We owe both of them an enormous amount of gratitude for their dedication to our cooperation.

As a spin-off from the cooperation with Oxford, the SCCL established in 2023 an institutional relationship with the Institute of International and Comparative Private Law at Rheinische Friedrich-Wilhelms-Universität in Bonn. This cooperation is still at an early stage, but we have already established a scholarship programme to promote shorter exchanges, primarily for younger academics. When the former director of the IECL, Birke Häcker, moved to Bonn to head a similar institute, it was natural to continue the relation and try to establish a similar cooperation with the Institute there. After all, from a Swedish point of view, Germany is probably the most important jurisdiction for comparative analysis. However, equally important was that Birke during her tenure at the IECL had become a very dear friend to both the SCCL and to all of us who have had the privilege of getting to know her. Birke Häcker has contributed an article about the role of comparative law in domestic legal scholarship.²⁰ Thankfully, we have members of the SCCL with an academic background in Germany, which will be beneficial when we develop this relationship in the future. One of them is Johan Sandstedt, who has also contributed an article about comparative law.²¹

The Common Core of European Private Law²² is an international cooperation of a different kind. It was launched in 1993 and is the oldest ongoing collective comparative law effort in Europe. Based on a fictive case, the relevant legal rules are analysed and applied in each jurisdiction. In addition, the national reporters put the legal rules into a cultural context. So far more than twenty volumes of work of more than 300 academics have been produced. The General Meeting of the Common Core Project was held for the third time in Stockholm this year under the auspices of the SCCL. Since 2023 the administration of the Common Core Project has formed a part of the Research Panel for Comparative Commercial Law at the SCCL, and the books published by the Common Core Project will be included in the SCCL's series of publications. Needless to say, we at the SCCL are very proud of becoming a hub for European comparative law. Comparative law is an

¹⁹ Matthew Dyson, *The Almost Nearly Perfect Relationship(s)*. Ciara Kennefick, *English Law's Encounters with Sweden's Loccenius*.

²⁰ Birke Häcker, *To Compare, or Not to Compare, That is the Question*.

²¹ Johan Sandstedt, *SCCL, the International and the Comparative: Outside Influences and Two Examples of Reception*.

²² <https://common-core.org/>.

important aspect of the international ambitions at the SCCL, as reflected in several of the articles in this book.²³

The affinity among legal scholars and practitioners in the Nordic region is so strong that it is easy to forget the Nordic cooperation, when you talk about the international visions and ambitions for the SCCL. Nevertheless, the Nordic dimension has always featured strongly at the SCCL, and throughout the twenty-five years there have been innumerable contacts, visits and exchanges with fellow academics in the Nordic region. Although not as easy as in the past, most of the time we even manage to talk “Scandinavian” when we meet. Johnny Herre, who is chairing the Scientific Council (*Vetenskapliga rådet*), has taken upon him to promote Nordic interaction, the most recent example is a joint website for Nordic legal research resources, which will be hosted by the SCCL. Johnny has also taken the initiative to regular meetings among Nordic academics to facilitate cooperation in the Nordic region. The article contributed by Mads Bryde Andersen highlights the relevance of Nordic cooperation.²⁴

4. The SCCL in the future

An anniversary is also a time to think about the future and I am convinced that the SCCL has a great future and ample opportunities to develop further. Sara Göthlin has just succeeded Göran Millqvist as director. She will naturally want to lead the SCCL's future direction, and I will hopefully be able to support her in her new role in years to come. The meaning of “commercial law” develops over time and the focus areas of the SCCL may change as a consequence of this.

In recent years, administrative and criminal sanctions have become increasingly important in a commercial context, not least in the form of sanction proceedings and criminal cases that are the result of supervisory cases. In addition, more and more companies are subject to some form of government supervision, and thus the companies and their executives are also exposed to administrative and criminal sanctions. To provide a platform for research on these topics, we have established a research panel called “Public Law and Criminal Law for Commercial Actors”.

²³ Birke Häcker, *supra* n. 20. Johan Sandstedt, *supra* n. 21.

²⁴ Mads Bryde Andersen, *Section 36 of the Nordic Contract Acts and its Effects on Nordic Contract Law*.

Certain issues not directly relating to a specific field of law are today highly topical in the context of commercial law. This could be questions relating to sustainability, ethical aspects of AI, the importance of the rule of law for business, etc. To focus on these and similar questions of general relevance, we have established a research panel called “Law in Society”. The first conference arranged by this panel took place in April this year and dealt with “Democracy, Rule of Law and Business”. The topic was inspired by the research for which the most recent Nobel Prize in Economy was awarded. The article written by Mårten Schultz about climate litigation illustrates how sustainability issues may affect the interpretation of procedural law.²⁵

Although not resulting in the creation of new research panels, the SCCL has during the last year arranged seminars about Wine Law and Art Law, recognising that commercial law may include aspects that relate to the humanities and the pleasures in life.

The Swedish Corporate Governance Institute (SCGI) became a part of the SCCL in 2022 as a research panel, although to a large extent it has an independent life and its own funding. However, having the SCGI as a part of the SCCL has provided ample opportunities for cross-fertilisation, not least for research in relation to issues in the debt capital markets. There is currently even a doctoral project funded through the SCGI within this area. I am convinced that in the coming years we will see other interesting projects thanks to the contributions of the SCGI.

Another more recent “acquisition” at the SCCL is Axel Ax:son Johnson’s Institute for Maritime and Other Transport Law, which is now a research panel lead by Johan Schelin. Although the Institute is a newcomer at the SCCL, transport law has been on the SCCL’s agenda since the beginning, but with the Institute as a part of the SCCL this will be more visible in the future. In his article, Lars Gorton gives us a historic perspective on Swedish shipping and maritime law.²⁶

Arbitration is a very vibrant area of commercial law. It is also an area of great importance for the community of practicing lawyers in Sweden. As a consequence, there are many organisations and institutions that are active in organising conferences, seminars and other events. In order not to compete with them, the activities within the Research Panel for Arbitration and Other Forms of Dispute Resolution focus on the academic aspects of

²⁵ Mårten Schultz, *Climate Litigation and the Right to a Fair Trial*.

²⁶ Lars Gorton, *Swedish Shipping and Maritime Law in Retrospect 1965–1980*.

arbitration law. Every two years since 2018 a major international conference is organised in Stockholm together with the IECL, which draws senior international academics and practitioners. The Panel publishes each year the Stockholm Arbitration Yearbook with Wolters Kluwer. In 2025 the Panel organised the first Nordic Commercial Arbitration Forum together with the SCC Institute, bringing together all the Nordic arbitration institutes in order to promote Nordic arbitration generally. The ambition is that this will be a biennial event, taking place next time in Oslo. In this book we have two articles focusing on arbitration, written by James Hope and Daria Kozłowska Rautiainen respectively.²⁷

Digitalisation and open access are buzzwords in the academic world and likewise at the SCCL. We have recently, thanks to the indefatigable efforts of Emil Elgebrant, concluded the first step of a project to digitalise and make available in open access articles published in the past by the members of the SCCL in the yearbooks and other books produced by the SCCL. We will in the future continue to produce books at the SCCL, but the ambition is that everything in these books should be immediately available digitally in open access on the SCCL's website. The ambition is also to increase the publication of articles written in English by members of the SCCL. But digitalisation is not limited to making traditional articles available on a website, it may in the future potentially affect the structure of how you present legal research, as illustrated tongue-in-cheek by Christina Ramberg in her article.²⁸

The number of doctoral projects in private law seems to be dwindling and this creates a problem also for the SCCL, not least in areas such as company law. In the future, the SCCL should come up with strategies to promote doctoral studies to students interested in commercial law and show to them the interaction between academia and practice, represented by the SCCL and the “double-sided” lawyers active at the SCCL. However, except for the funding available through the SCGI, the SCCL does not have the resources available to fund a doctoral project. The SCCL should of course do its utmost to support funding applications from doctoral candidates, but in the present economic climate we must avoid creating false hopes among potential doctoral candidates. What we can do, on the other hand, is to ini-

²⁷ James Hope, *Why Choose Stockholm: Reflections of an English Lawyer After Eighteen Years Practising International Arbitration in Sweden*. Daria Kozłowska Rautiainen, *Hurry Up, Arbitration! A Historical View on Time Efficiency of Arbitration in the Nordics*.

²⁸ Christina Ramberg, *Would You Like to Update Your Swedish Contract Law App Now or Later?*.

tiate and raise funding for postdoctoral projects. A project from six months up to two years may help a budding academic at the beginning of his/her career and should be possible to fund from sources available to the SCCL. We have just finished our first project of this kind, which resulted in a book on discharge of liability in Swedish company law written by Stina Bratt.²⁹ We hope to launch several similar projects during the coming years.

There are many exciting opportunities and potential projects for the SCCL in the future, but there are of course also challenges and threatening clouds on the horizon. However, thanks to the foundation laid twenty-five years ago by a group of visionary lawyers and the dedicated work by the current members of the SCCL, I am convinced that the prospects for the SCCL are bright.

²⁹ Stina Bratt, *The Regulation of Discharge from Liability in Swedish Company Law*, published in 2025 as No 44 in the SCCL's series of publications.