

Foreword

Volume 34, Issue 2 (2022)

The Bond Law Review has a proud tradition of publishing high quality corporate law articles. This Special Issue on Corporate Purpose continues that tradition.

This Special Issue offers selected papers from among those presented at the first Conference on Corporate Purpose in Theory, Law and Practice convened by the Daughters of Themis: International Network of Female Business Scholars on 16 April 2021. These papers were chosen after a double-blind peer-reviewed call for papers issued after the conference.

As the Daughters of Themis homepage, hosted by the University of Oslo, describes it, the Daughter of Themis network exists

to bring together and foster a community of scholars who identify as female business scholars. Members are drawn from all areas of scholarship pertaining to business, including law, economics, management and administration, political science, sociology and natural sciences. Daughters of Themis offers a forum for open and inspiring discussions about female business scholars' common area[s] of interest...

The full-day conference was held entirely over Zoom in light of ongoing travel restrictions caused by the Covid-19 pandemic. This was the first Daughters of Themis academic event where participation was by an open call to the public, not limited to Themis members. The very strong response to the call for papers meant that participation was very competitive indeed.

A fortunate consequence of the wholly virtual nature of the conference was that it enabled participants to attend from almost every continent. Presenters and session chairs alone hailed from Australia, the United States, Canada, numerous European jurisdictions, and several countries in each of Africa, South Asia, and Southeast Asia.

Papers included in this Special Issue will include the following:

- Dr Jonathan Hardman, Senior Lecturer in Company and Commercial Law at Edinburgh Law School, offers a new critique of the contractarian view of the theory of the firm in “The Nexus of Contracts Revisited: Delineating the Business, the Firm, and the Legal Entity”. Hardman argues that distinguishing “the firm” from “the business” enables us to see more clearly the interests of a firm’s constituencies beyond its shareholders and directors.

- Professor Blanaid Clarke, McCann FitzGerald Chair of Corporate Law at Trinity College Dublin examines the role and impact of five “Big Tech” (BT) companies (Facebook/Meta, Apple, Alphabet Inc, Amazon, and Microsoft) on the public and what that might tell us about their corporate purpose in “Purpose, Values and Governance in Big Tech Companies”. Clarke closes by offering policy proposals as to how a revised understanding of BT corporate purpose could be operationalised.
- In “Corporate Purpose and the Misleading Shareholder vs Stakeholder Dichotomy”, Professors Beate Sjøfjell and Jukka Mähönen of the University of Oslo take a European company law and corporate governance perspective to argue against the Anglo-American framing of corporate purpose as a dichotomy between shareholder and stakeholder interests. They instead argue for – and offer suggestions how to implement – a sustainable value creation model.
- Cooperatives are offered as an example of how corporate purpose could be reimagined to facilitate corporate sustainability in “From Corporation to Cooperation: A Meaningful Model for Corporate Purpose” by QUT Business School academics, Professors Larelle (Ellie) Chapple and Kerrie Sadiq and PhD candidate, Linda Bennison. The piece examines the principles at the heart of the cooperative business model to illustrate how a profit-driven business model can co-exist with more sustainable business practices.

As co-organiser of the Conference, along with Professor Beate Sjøfjell of the University of Oslo, Professor Dr. Anne-Christin Mittwoch of Martin-Luther Universität Halle-Wittenberg, and Dr Kinanya Pijl, Assistant Professor in Law at the University of Amsterdam, I thank the Bond Law Review for agreeing to host this Special Issue celebrating the Conference and allowing me to serve as its Editor. I particularly acknowledge the invaluable support provided by Rochelle Vincent, Bond Law Faculty’s Publications Officer, and the team of student editors who assisted with editorial work on this issue.

Dr Victoria Schnure Baumfield
Co-General Editor