

From the Editorial Board

As the pace of economic and technological change accelerates, the interaction between law and commerce has become more dynamic than at any other time in recent history. The 2025 issue of *Law and Business* reflects this transformation, bringing together a collection of scholarly articles that illuminate the evolving intersection between law, commerce, and technology. The contributors—spanning diverse jurisdictions and academic traditions—explore how classical legal doctrines are being reshaped by innovation, global interdependence, and the growing demand for transparency and predictability in commercial relations.

The guiding idea of this volume is the pursuit of legal certainty in a rapidly transforming economic environment. From the enduring interpretative puzzles of contract law to the regulatory challenges posed by artificial intelligence and fintech, the articles gathered here demonstrate that while commerce constantly reinvents itself, the law remains its indispensable framework for trust and fairness.

Our authors collectively reflect on how traditional legal concepts adapt—or sometimes struggle to adapt—to new realities. The 2025 issue thus maps a dual trajectory: it both revisits foundational doctrines of private and commercial law and investigates how digitalization and globalization demand new tools of governance, accountability, and ethical reflection.

The issue opens with a deeply analytical contribution titled “Are We Still Grappling with the Meaning of Specific Goods after 98 Years of *Re Wait*?”. The author returns to one of the most influential yet persistently debated decisions in English commercial law. Nearly a century after *Re Wait* (1927), the question of what constitutes “specific goods” under the Sale of Goods Act remains unsettled—a remarkable situation in a field that values certainty and predictability above all else.

The article argues that the ongoing ambiguity surrounding “specific goods” reveals a deeper structural tension within the law of sale: the difficulty of reconciling traditional property-based concepts with the modern realities of trade in fungible, digital, and cross-border commodities. Through a meticulous doctrinal and historical analysis, the author demonstrates how courts and commentators have oscillated between literal and purposive readings of the concept, leading to inconsistent outcomes. The proposed reform is both modest and ambitious: to redefine “specific goods” legislatively in a way that reflects the realities of contemporary commerce without abandoning the conceptual integrity of the Act. In doing so, the paper contributes to a broader movement within commercial law scholarship that seeks to align legal language with economic substance, thereby reinforcing commercial certainty.

Through an examination of case law and legislative history, the author contends that reform is overdue: clearer statutory language and harmonization with international instruments such as the CISG could prevent litigation driven by doctrinal ambiguity. The discussion resonates beyond the United Kingdom, reminding us that legal certainty is not merely a doctrinal virtue but a commercial necessity.

In striking contrast to this historical reflection, the second contribution, “Generative AI for Lawyers in Spain,” propels us into the heart of twenty-first-century technological transformation. The author surveys the growing use of generative artificial intelligence in legal research, document drafting, and client advisory work in Spain, positioning these developments within European ethical and regulatory frameworks.

The article acknowledges AI’s immense promise in improving efficiency and accessibility but warns of potential conflicts with fundamental principles of professional responsibility, data protection, and client confidentiality. It asks a timely question: *Can a lawyer remain an independent professional when assisted—or replaced—by an algorithmic tool?*

Drawing on the proposed EU Artificial Intelligence Act and the Spanish General Council of the Legal Profession’s guidelines, the author calls for a balanced approach that embraces innovation while reinforcing human oversight, ethical education, and transparency in AI-assisted legal services. In doing so, the paper situates the Spanish debate within the broader European project of developing trustworthy AI and reaffirming the centrality of law in guiding technology toward public good.

The third contribution, “Development of the International Law Concept of Commercial Usages in Latvia,” turns our attention to the enduring significance of custom and practice in international trade law. In a world dominated by written codes and model laws, the article reminds us that commercial usages remain a living source of law—especially in jurisdictions navigating between national sovereignty and transnational integration.

Tracing the Latvian experience from the early twentieth century through the post-Soviet transformation to European Union membership, the author shows how the notion of “usage” (*usus mercatorum*) continues to provide a flexible mechanism for resolving disputes and fostering predictability in cross-border commerce.

The analysis situates Latvian law within broader instruments such as the UNIDROIT Principles of International Commercial Contracts and the CISG, demonstrating convergence toward a shared understanding of fair dealing and good faith. This article thus bridges the historical and comparative dimensions of our issue: it reveals how local legal evolution contributes to global harmonization while preserving cultural and economic specificity.

The final article, “Transparency and Protection in Franchising Contracts: The Italian Experience in European and International Comparison,” brings the focus back to the human and relational side of commerce. Examining the franchising sector—one of the most dynamic forms of business cooperation—the author explores how Italian law and European soft law instruments strive to balance contractual freedom with informational fairness.

The study traces the legislative developments that introduced pre-contractual disclosure duties and standardized franchise agreements, analyzing how these norms enhance both consumer and entrepreneurial protection. By comparing Italian law with the approaches adopted in France, Germany, and the United States, the paper underscores the growing international convergence around transparency as a principle of modern private law.

Beyond its doctrinal contribution, the article invites reflection on broader policy goals: transparency as a means of strengthening market trust, fostering competition, and aligning business ethics with legal compliance. In an era of digital and global franchising, such insights are more relevant than ever.

Taken together, all the contributions illuminate the dynamic relationship between legal certainty and societal change. Whether the subject is the ownership of goods, the use of AI in legal practice, the recognition of international usages, or the transparency of franchising contracts, a common thread runs through them all: the law’s ongoing effort to create order in environments defined by innovation, speed, and complexity.

The 2025 issue of *Law and Business* thus celebrates the adaptability of legal reasoning. Each article shows that law is neither static nor obsolete in the face of technological and economic transformation. Instead, it evolves—sometimes cautiously, sometimes boldly—through dialogue between theory and practice, between the courtroom and the marketplace, between tradition and experiment.

In doing so, our authors reaffirm the mission of *Law and Business*: to provide a platform for interdisciplinary scholarship that bridges commercial pragmatism and normative reflection. The challenges of today’s global economy—digitalization, sustainability, and cross-border collaboration—demand precisely such intellectual cross-pollination.

As *Law and Business* enters another year of publication, the editorial board extends its gratitude to the contributors, reviewers, and readers who make this forum possible. The 2025 issue captures a transitional moment in legal scholarship—one that moves beyond national boundaries and disciplinary silos to confront questions of technological governance, fairness in commerce, and the human role in increasingly automated systems.

We hope that the essays collected here will inspire further debate on how law can preserve its core functions—justice, predictability, and legitimacy—while embracing the creative disruptions of our age.

In this spirit, *Law and Business* reaffirms its commitment to fostering dialogue among scholars, practitioners, and policymakers worldwide. The future of law and business lies not in resisting change, but in guiding it with clarity, integrity, and imagination.

We wish you an insightful and enjoyable read.

On behalf of the Editorial Board
Rev. Professor Włodzimierz Broński
Editor-in-Chief