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IVR Newsletter

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SECTION ONE: IVR NEWS

IVR EXECUTIVE COMMITTEE MEETING IN PARIS, JUNE 30th 2002

The IVR Executive Committee met in Paris, on June 30th, 2002, with the presence of Eugenio Bulygin (President), Carl Wellman and Enrico Pattaro (Honorary Presidents), Manuel Atienza, Rex Martin, Aleksander Peczenik and Arend Soeteman (Vice-Presidents) and Brenda Baker (Canada), Alexander Brösl (Slovakia), Tom Campbell (Australia), Paolo Comanducci (Italy), Tcholsu Kim (Korea), Burton Leiser (U.S.A.), Yasutomo Morigiwa (Japan), Rolando Tamayo (Mexico), Michel Troper (France), Kaarlo Tuori (Finland) and Marek Zirk-Sadowski

(Poland), members. Ricardo A. Guibourg, editor-in-chief of IVR Newsletter, and Annette Brockmüller, managing editor of ARSP, were also present.

XXII World Congress

Prof. López Calera, organizer of the XXII World Congress in Granada (2005), handed out a brochure concerning his task. It was agreed that a selection of papers will be published by Doxa and ARSP. The EC agreed, too, that the 22nd Congress will be held in May 2005.

Deputy Treasurer

In view of the Argentine financial situation, it was agreed that a deputy Treasurer, Mr. Cristoffer Wong, will be appointed in order to collect the dues of National Sections by means of a banking account in Sweden.

IVR Newsletter

As a measure of reducing the cost of printing and distribution of IVR Newsletter, it was agreed that a master copy will be published in the webside and sent to all national sections. The editor-in-chief will write to all them, asking to indicate who will be the person responsible for the printing and distribution to their members. In special cases the EC will consider the possibility of subsidizing the printing.

Future Congresses

Prof. Zirk-Sadowski made a formal proposal on behalf of the Polish national section to organize the XXIII World Congress in Krakov. He stressed the importance of the analytic tradition in Poland and suggested that Prof. Tomas Gizbert-Studnicki be in charge of the organization. The members of EC agreed to accept this proposal. It was proposed, to organize the XXIV World Congress in 2009 in Berlin, as the IVR was founded in that city in 1909. The question remained open. The EC decided to ask all national sections to make similar proposals concerning future congresses.

New National Sections: Brazil and Ukraine

The President informed about the organization of a new Brazilian national section (ABRAFI), with the written approval of Honorary President Miguel Reale, who is the president of the former section, which in practice ceased to exist. The President proposed to recognize ABRAFI ad referendum of its assumig the responsibility for past debts of the old Brazilian national section. This proposal was approved.

The President informed that on June 27, 2002, the Ukrainian Association of Philosophy of Law and Social Philosophy has been founded in Kiev. In a letter sent by Fax, signed by Prof. Boris Chmil, it applied for membership of IVR as National Section. The President stressed the active role played by Nadiya Semenova in the organization of the national section in Ukraine and proposed to approve this application ad referendum of the arrival of the official documents. The EC agreed.

Procedural rules concerning the reelection of EC members.

The President put to the consideration of the EC his proposal concerning the reelection of EC members, that was already communicated in his letter of April 15, 2002. Prof. Wellman suggested to add to Procedural rules of IVR the following amendment:

Art. 15.1. "A member who did not attend two or more meetings of the Executive Committee without a valid excuse or without sending a representative should not be renominated. In principle, no one should be nominated who has not consented to perform the duties of the office." This amendment must be inserted after "... bound to this proposal." and before "Objections and suggestions...".

The EC accepted this proposal and agreed that it should be a permanent decision of the IVR-EC.

Composition of the new EC

On proposal of C. Wellman, the EC accepted the following amendment to IVR Constitution: "Section 8.1.f. The immediate past president, if that person has not been elected a voting member." It was agreed that it should be a permanent decision of EC.

The EC decided that the following 9 members will not be nominated: Rex Martin, Arend Soeteman, Elspeth Attwooll, Attracta Ingram, Tscholsu Kim, Werner Krawietz, François Ost, Michel Troper and Kaarlo Tuori, and the following 11 members will stand for reelection: Eugenio Bulygin, Manuel Atienza, Aleksander Peczenik, Brenda Baker, Alexander Brörtl, Tom Campbell, Paolo Comanducci, Burton Leiser, Yasutomo Morigiwa, Rolando Tamayo and Marek Zirk-Sadowski.

It was agreed that the following persons will be proposed as candidates for the EC to the Nominating Committee that will meet in Lund: Pauline Westerman (Netherlands), Sandra Marshall (Great Britain), Chongko Choi (Korea), Robert Alexy (Germany), Fernando Atria (Chile), Zhang Wenxian (China), Yan Thomas (France) and Prof. Laghmani (Tunisia). There was no agreement about the election of a representative of Scandinavia, the two candidates being Sven Eng (Norway) and Prof. Nousianen (Finland). The EC decided to postpone the decision till the next meeting.

The EC decided to nominate Prof. Peczenik as the new President, M. Atienza, P. Comanducci, Y. Morigiwa and M. Zirk-Sadowski as vice-presidents and Aulis Aarnio as Honorary President.

Other matters

Having in mind the critical financial situation of Argentina, and on proposal of Carl Wellman, the debt of Argentine National Section (AAFD) was regarded as fully cancelled. Besides, for the two next years, the fee was reduced to 1 u\$ for each member per year.

Next meeting of the EC

It was agreed that the next meeting in 2003 will be held in Lund. The meeting in 2004 will take place in Alicante, Spain. The E.C. decided to delegate to Manuel Atienza not only the organization of this meeting, but also the proposal of the speakers. The President suggested to choose rather young scholars. Rolando Tamayo proposed to organize in Mexico the mid-term meeting in 2006. The EC accepted this proposal..

IVR INTERNATIONAL CONFERENCE ON “VALIDITY AND APPLICABILITY” (PARIS, JULY 1st , 2002)

On July 1st 2002, an international mid-term conference was held by IVR in Paris, organized by the S.F.P.J. and the University of Paris X Nanterre. Its general theme was “Validity and applicability” and the following papers were exposed and discussed:

Paolo Comanducci (University of Genoa, Italy): *Some Conceptual Problems about the Application of Law.*

Christophe Agostini (University of Cergy-Pontoise, France): *La validité peut-elle se réduire à l'applicabilité?*

Ricardo A. Guibourg (University of Buenos Aires, Argentina): *Théorie, pratique et construction de la validité.*

Marek Zirk-Sadowski (University of Lodz, Poland): *Validity and Judicial Discretion.*

Manuel Atienza (University of Alicante, Spain): *Validity and Argumentation.*

Tom Campbell (Charles Stuart University, Canberra, Australia): *Legal Validity and the Morality of Law.*

Yasutomo Morigiwa (University of Nagoya, Japan): *Practicing Validity.*

SECTION TWO: IVR ANNOUNCEMENTS

VIII ITALIAN-SPANISH SYMPOSIUM ON LEGAL THEORY (SIENA, ITALY, OCTOBER 18-19, 2002)

On October 18-19, 2002, the VIII Italian-Spanish Symposium on Legal Theory will take place at the Faculty of Law of the University of Siena (via Mattioli, 10, 53100 Siena), under the patronage of IVR. Lectures will be given by: Isabel Turégano (University of Castilla - La Mancha), "Constitución y democracia"; Josep María Vilajosana (University Pompeu Fabra, Barcelona), "Hechos sociales y derecho"; Evaristo Prieto Navarro (Autonomous University, Madrid), "Funciones del derecho"; Patrizia Borsellino (University of Insubria, Varese - Como), "Diritti fondamentali oltre lo stato"; Elena Pariotti (University of Padua), "Diritti umani e giustizia internazionale"; Adalgiso Amendola (University of Salerno), "I diritti umani tra crisi della sovranità e imperialismo della morale". The Symposium will be concluded by a round table discussion on "Universality of Human Rights" by Ernesto Garzón Valdés (University of Mainz), Javier de Lucas (University of Valencia), Danilo Zolo (University of Florence), Massimo La Torre (University of Catanzaro), Luigi Ferrajoli (University of Camerino). For more information, please contact Enrico Diciotti (diciotti@unisi.it) or Vito Velluzzi (velluzzi@unisi.it).

21st IVR WORLD CONGRESS – LAW AND POLITICS – IN SEARCH OF BALANCE (LUND, SWEDEN, AUGUST 12-18, 2003)

The Faculty of Law at the University of Lund will be the host of the 21st World Congress of the IVR. The theme for the 2003 Congress is *Law and Politics – In Search of Balance*. Apart from plenary lectures, the Congress will consist of working groups and special workshops.

Call for papers

Working groups will provide opportunity to discuss all the papers submitted to the congress. *Abstracts* will be published in paper form if they have been submitted before *31 March 2003*. Abstracts submitted after this date will only be available on the Internet.

There is no open call for papers for the *special workshops*. However, most working groups will have common meetings with the respective *special workshops*.

Registration fees

Registration will begin in September 2002.

Normal registration fee is SEK 3,300 for registration after 31 March 2003. An early registration fee of SEK 2,800 is applicable for registrations received no later than 31 March 2003.

The amount of the (normal or late) student fees will be announced at a later stage at the Congress website.

Registration, submission of papers and further information about the Congress will be handled through the Congress website, so please visit the website regularly for the latest news on the Congress: <http://www.ivr2003.net>

Young researchers

in Member States and Associated States of the European Union are invited to participate, at subsidized costs, in the XXI IVR World Congress.

The EC has granted means to enable 25 young researchers from the Member States of the European Union or from Associated States to participate in the Congress.

The grant is open for persons born in 1968 or later, pursuing research in legal philosophy, theory of law, moral theory, political theory and related disciplines.

Application should be directed to Professor Aleksander Peczenik, electronically to the E-mail address ap@ivr2003.net not later than 31 March 2003.

On request, each applicant should be prepared to send relevant written documents. Each applicant will be exempted from registration fee (2,300 SEK) and reimbursed for travel and accommodation expenses up to 1,200 SEK.

Plenary session speakers

Robert Alexy, Roger Cotterell, John Gardner, Jaap Hage, Virginia Held, Tatsuo Inoue, Cristina Lafont, Eerik Lagerspets, Lars Lindahl, Chibli Mallat, Beverley McLachlin, Michael Moore, Lech Morawski, Jare Oladosu, Enrico Pattaro, Philip Pettit, Richard Posner, Gerald Postema, Włodek Rabinowicz, Cristina Redondo, Giovanni Sartor, Stig Strömholm, Robert S. Summers.

Preliminary Topics for Working Groups

- *Reality, Truth and Knowledge in the Normative Sphere*
Examples of specific problems within this area:
Logical reconstruction of normative systems
The role of decision theory for reconstruction of conflicts of goals or values.
Artificial intelligence in legal research;
Political vs. legal reasoning
Kinds and levels of legal research
Foundations and coherence in legal argumentation
Objectivity claim of legal research vs. political legitimacy
Validity and reality
- *Different Societies: Diversity and Common Ground*
Examples of specific problems:
Cultural, historical and religious differences between societies
Universal values
Conflicts of value systems
Law, morality, justice, religion and politics in different legal cultures.
Polycentricity of the law
Internationalization and globalization of the law
The problem of the European Union
- *Political Legitimacy and the Just Society*
Specific problems:
Human rights and principles of justice
Democracy and political ideologies
Liberal democracy
Viability of democracy, especially after the cold war
Value pluralism and common good
Division of powers, checks and balances.
Judicial review and judicial activism – good or bad?
Compromise and conflict resolution in the political process
Legal limitations of political power
Theory and history of the welfare state

- *Political Power. Legal Authority and Morality. Law and Economics*
 Specific problems:
 Legisprudence and techniques of legislation
 State, sovereignty, rule of law
 Theory and history of the *Rechtsstaat*
 Political philosophy behind decision-making – formalism, decisionism, moralism, constitutionalism
Rechtsstaat and *Wohlfahrtsstaat*
 The role of law according to law and economics
 The role of legal research, especially legal dogmatics
 Legal positivism and natural law

- *Injustice, Power and the Law*
 Specific problems:
 Clashes between enacted legal rules and principles of justice
 Oppression of minorities
 Discrimination on the grounds of ethnicity and gender
 Political disregard for traditional legal principles of justice
 Marxism. Critical legal studies.
 Feminism.
 Obstacles to transition in new democracies
 Civil disobedience

- *Organized Political Violence*
 Specific problems:
 Logical reconstruction of normative value basis of organized political violence (e.g. religious fanaticism, collapse of Western “civilized” values, post-colonial frustrations)
 Necessary protection against violence and the constraints of the rule of law (problems concerning open society in general, protection of integrity, criminal procedure)
 Consequences of modern technology, globalization and mobility
 Between the rule of law and permanent state of war?
 How to change the value basis?
 The need of a stable theory of moral values

- *Consequences of New Technologies for Law and Politics*
 Possibilities for and risks of biotechnological intervention in life
 The Bioethics and Biolaw Movement
 Consequences of modern technology for environment.
 Philosophical basis for environmental law
 Possibilities for and risks of computer technology
 Legal Implications of the Internet
 The rise of the network society. Social, economic, cultural and psychological transformations generated by new technology

- *Legal Theory and Philosophy; Identity and Co-operation*
 - Utility of legal theory in legal research and legal practice
 - Legal theory and legal philosophy
 - Crisis of legal theory?
 - Legal theory as a discipline or jurisprudential problems in many particular legal disciplines?

- *Artificial Intelligence in the Law; E - governance*
 - The use of modern tools (artificial intelligence, internet etc.) in legislation and legal practice
 - Legal consequences of the electronic revolution

- *Human Rights and Minorities*
 - Individual rights and collective rights
 - What kinds of minorities matter?

Working language is English but working groups in French, German and Spanish can be organized on request.

A more detailed description of possible topics can be found on the Congress website.

Preliminary List of Special Workshops

- Legal Practitioners' Need of Reflective Application of Legal Philosophy
- Democracy and Rule of Law
 - Indigenous and Transplanted Legal Values in the Post-colonial World
- East Asian Jurisprudence on Rights and Duties
 - Practical and Theoretical Problems in Legislation. Research in Legisprudence.
- Division of Powers, including Independence of Courts.
- Stressing Legal Decisions
- Law Scholarship and Law. Teaching - Technical or Theoretical?
- Law and Economics and Legal Scholarship
- Law, Morality, Politics, Defeasibility
- Artificial Intelligence in the Law. Efficient Tools for Politicians and Lawyers.
- Scandinavian Legal Realism in Theory and Practice
- Legal Reasoning
- Legal Positivism after Hart and Dworkin.
- Coherence Theory of Law and Analogy in Legal Reasoning
- Politics of Human Rights
- The Actuality of Conceptual Jurisprudence
- Criminal Responsibility

The above list is subject to changes

Travel Arrangements and Accommodation

Lund is a university town in the south of Sweden: Copenhagen, the Danish capital, can be reached in less than one hour by train. Also, Lund is connected to the Copenhagen international airport by direct train service.

Participants should make their own travel arrangements to Lund. Participants requiring visas to enter Sweden or the Schengen area should be registered at least six months before the Congress, requests for proof of registration for visa purposes should be made together with the registration.

Beginning in autumn 2002, detailed information on the booking of hotel rooms (at different standards) will be forthcoming on the IVR website.

More information on the World Congress: <http://www.ivr2003.net>

SECTION THREE: NATIONAL SECTIONS NEWS, ANNOUNCEMENTS AND RECORDS

ARGENTINA

(Asociación Argentina de Filosofía del Derecho)

NEWS

On May 24th, 2002, a public debate was held in Buenos Aires about “El concepto de emergencia desde la filosofía del derecho”. The subject was introduced, from diverse viewpoints, by Profs. Eduardo S. Barcesat, Juan Cianciardo, Martín D. Farell and Horacio Spector.

The AAFD published in 2002 the first issue of its *Annuario*, named *Ideas y derecho*, directed by AAFD President, prof. R.A. Guibourg, with Profs. Eugenio Bulygin, Carlos M. Cárcova, Miguel Á. Ciuro Caldani and Rodolfo L. Vigo as members of the publishing board and coordinated by Liliana Rodríguez Fernández in her capacity of Secretary of Redaction. This issue of *Ideas y Derecho* contains the following papers: Ricardo A. Guibourg, *Presentación en sociedad*; Roberto J. Vernengo, *Hacer derecho, conocer derecho*; Paula Viturro, *Por un derecho torcido*; Pablo Martín Perot, *Tipos de reglas y el concepto de obligación jurídica*; María Cristina Redondo, *El carácter práctico de los deberes jurídicos*; Ricardo V. Guarinoni, *Validez y justificación – Las justificaciones últimas*; Eduardo Barbarosch, *Contractualismo y relativismo moral*; Ariel Álvarez Gardiol, *Justicia plena: titularidad y merecimiento*; Juan Cianciardo, *Cognitivismo débil, pretensión de corrección, injusticia y principios en el razonamiento judicial – Una visión crítica*; Ulises Schmill O., *Una fundamentación de la democracia*; Eduardo Barcesat, *Sobre el porvenir de los derechos humanos*; Julio Raúl Méndez, *Los derechos humanos y el pluralismo jurídico*; Paolo Comanducci, *Sobre el problema de la tolerancia*; Rolando Chirico, *La libertad*.

ANNOUNCEMENTS

In October 24-26, 2001, the XVI Argentine Conference on Legal and Social Philosophy will take place in Azul, province of Buenos Aires. Speakers will be Fernando Atria (Chile), Luiz Fernando Coelho (Brazil), Jorge Malem, José Juan Moreso and Andrés Ollero Tassara (Spain) and Julio César Cueto Rúa, Diego Duquelsky, Santiago Legarre and Mario A. Portela (Argentina). As in previous occasions, a Young Scholar Award will be granted as a result of a contest.

RECORDS

Since June 1998, the Board of Directors of the AAFD is composed by:
President: Ricardo A. Guibourg; Vice president: Rodolfo L. Vigo; Secretary: Pablo López Ruf; Treasurer: Eduardo Barbarosch; Other members: Ariel Álvarez Gardiol, Abel J. Aristegui, Eugenio Bulygin, Carlos M. Cárcova, Julio C. Cueto Rúa, José R. Chirico, Miguel A. Ciuro Caldani, Carlos I. Massini Correas, Ricardo V. Guarinoni, Julio R. Méndez and Mario Portela. Board surrogates: Eduardo Barcesat, Ana Castro de Cabanillas, Luis López Taiana and Renato Rabbi Baldi. Account reviewers: Carlos M. Fernández and Eloy E. Suárez.

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BRAZIL

(ABRAFI)

NEWS

In November, 2001, the Associacao Brasileira de Filosofia do Direito e Sociologia do Direito (ABRAFI) was created in Belo Horizonte, Brazil. On June 30, 2002, the IVR Executive Committee recognized ABRAFI as the current Brazilian National Section, as a successor of the representation previously acknowledged to Prof. Miguel Reale, IVR Honorary President. ABRAFI held its first Brazilian Meeting on Philosophy of Law in Belo Horizonte, in May 2002.

ANNOUNCEMENTS

In October 2002, the first Brazilian Meeting on Sociology of Law will be held. For May, 2003, a Preparatory Congress for the IVR . World Congress is announced.

RECORDS

The current board of ABRAFI is:
President: Luiz Fernando Coelho
1st Vice-President: Joao Mauricio Adeodato
2nd Vice-President: Vicente Barreto

Tax Counselor: Eurico De Santi
Executive Secretary: Denilson Feitosa
Events Director: Marcelo Galuppo.

CONTACT

Prof. Luiz Fernando Coelho (President)
pfmprcoelho@fazenda.gov.br

CANADA

NEWS

The Canadian Section -IVR meeting was held over a full day in May at the University of Toronto, Canada, during the Humanities and Social Sciences Congress. Nine principal papers, together with seven written commentaries supplemented by many intelligent oral comments, made for a day of vigorous and stimulating exchange among the 20 persons present. Papers were on excuses, punishment, the place of desert in contemporary theories of justice, privacy, patenting living things, legal positivism, business ethics, and Rousseau on social cooperation. Brenda Baker criticized Schopp on duress, receiving comments by Dennis Klimchuk, Mark Thornton, and Alistair Macleod. Joseph Ellin offered a libertarian defence of punishment as restitution, while Bill Hughes (unable to attend) defended a pluralist theory of retributive punishment, with commentary by Michael Guidice. Alistair Macleod examined radical and moderate theses about the role of desert in theories of justice. Eldon Soifer and David Elliott looked at Nagel's arguments limiting the free expression of information in order to protect privacy. Nathan Brett examined the issue of patenting living things and some implications for the private-public boundary, with commentary by Chris Gray. Michael Guidice defended a Razian approach to the separation thesis over that given by inclusive legal positivism, with comments by Nathan Brett. Wesley Cragg defended stakeholder theory over shareholder theory as a theory in business ethics, receiving comments from Nathan Brett. And Sheldon Wein discussed Rousseau's contribution to coordination problems as matters of social cooperation.

RECORDS

Nathan Brett (Nbrett@is.dal.ca) was elected as the new Executive Director of the CS IVR, replacing Michael Milde (mmilde@uwo.ca). Brett will oversee membership of the Canadian Section, general correspondence, and matters of liaison with the IVR. Other members of the executive are:

President: Bob Bright (bright@cc.umanitoba.ca)
Vice-President: Susan Dimock (dimock@yorku.ca)
Past President: Eldon Soifer (Eldon.Soifer@uregina.ca)
Member of IVR EC: Brenda Baker (bmbaker@ucalgary.ca)

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Brenda M. Baker (bmbaker@ucalgary.ca)

CHILE

(Sociedad Chilena de Filosofía Jurídica y Social)

NEWS

In July, 2002, the 19th issue of *Anuario de Filosofía Jurídica y Social* was published. This volume reproduces several texts presented at the celebration of 20th anniversary of Chilean IVR National Section (December, 2001), among them papers by Eugenio Bulygin and Fernando Atria about creation and application of law.

ANNOUNCEMENTS

In October 2002, the V Chilean Meeting on Philosophy of Law will be held. Its general subject is “The Chilean legal culture”.

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CHINA

(Jurisprudence Institute of Chinese Law Society –JICLS / IVR China)

NEWS

On January 17-19, 2002, the Fourth Conference on Asian Jurisprudence was held in Hong Kong, co-organized by Faculty of Law, University of Hong Kong and School of Law, City University of Hong Kong, in conjunction with IVR China, IVR Korea and IVR Japan. The theme of the conference was “The Rule of Law in East Asia: Formation and Development”. Professor Albert Chen, Dean of Faculty of Law, University of Hong Kong and Professor LIU Han, Chair of IVR China, delivered the opening speeches, followed by two plenary sessions and eight parallel sessions. The speakers and the subjects of their presentations for each in the plenary sessions were:

Professor ONUMA Yasuaki (Tokyo Univ.), “An Intercivilizational Perspective of Law in the 21st Century Global Society”; Prof. XU Xianming (Deputy Chair of IVR China, China Univ. of Politics and Law), “Five Major Themes of Human Rights Construction in China”; Prof. LIN Duan (National Taiwan Univ.), “The contrast of the Legal Cultures in China and West: Max Weber (1864-1920) and Shuzo Shiga (1921-)”; Prof. LIU Han, “Analysis of the Formation of the Rule of Law in China”; Prof. ZHU Jingwen (Deputy Chair of IVR China, Renmin Univ.), “The rule of law and Relationship: Exclusive or Inclusive – Thinking from Max Weber’s Law and Economy”; Prof. MORIGIWA, Yasutomo (Nagoya Univ.), “Legal reform and the future of legal philosophy in Japan”; Prof. GUO Daohui (Deputy Chair, IVR China), “The Power of Society and the Rule of Law”; Prof. YASUDA Nobuyuki (Nagoya University), “How can Law interact with

the Society?—A note on recent Law Reform Movement in Asia”; Prof. IMAI Hiromichi (Hokkaido Univ.), “Self-consciousness in East Asia and Civil Political Culture”; Prof. YU Xingzhong (Chinese Univ. of Hong Kong), “Chinese Legal Tradition: A Pathfinder and a New Interpretation”; Prof. Burton LEISER (Pace Univ.), “Human Rights and the Legacy of Colonialism in Asia”; Prof. YEN Chueh-an, (National Taiwan Univ.), “Rule and Rule of Law: An Investigation into some Aspects of Constitutional Jurisprudence Based on the Analysis of Grand Justice Interpretation No. 242 of Taiwan”; Prof. GE Hongyi (Deputy Chair of IVR China), “How can the rule of law be realized”; Prof. SUZUKI Keifu (Sapporo College Univ.), “Human Rights in Transition: From Legal System to Rule of Law”; Prof. LI Xiaoping (Univ. of Macao), “Rule of law and The Governance of the Principles of Civilization”; Prof. OH Byun-un (Sogang Univ.), “The Rule of Law and Legal Interpretation: An Institutional Natural Law Approach to Legal Interpretation”; Prof. Suzuki Ken (Hokkaido Univ.), “Rule of Law in East Asia: Formation and Development”.

The Fifth Conference on Asian Jurisprudence will be held in Sapporo, Japan, organized by School of Law, Hokkaido University.

RECORDS

President: Prof. LIU Han, Institute of Law, CASS;

Secretary General: Prof. LI Lin, CASS.

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COLOMBIA

(Asociación Colombiana de Filosofía Jurídica y Social)

NEWS

Recent Publications: Antonio-Enrique Pérez Luño, La universalidad de los derechos humanos y el Estado constitucional, Universidad Externado de Colombia, Serie de Teoría Jurídica y Filosofía del derecho No. 23, mayo 2002; Hasso Hoffman, Filosofía del derecho y filosofía del Estado, trad. de Luis Villar Borda, Universidad Externado de Colombia, 2002; J.E. Penner, El análisis de los derechos, trad. Everaldo Lamprea Montealegre, Universidad Externado de Colombia, Estudios de Filosofía y Derecho No. 1, 2001; Amartya K. Sen, Economía del bienestar y dos aproximaciones a los derechos, trad. Everaldo Lamprea Montealegre, Universidad Externado de Colombia, Estudios de Filosofía y Derecho No. 2, 2002; Amartya K. Sen, El derecho a no tener hambre, trad. Everaldo Lamprea Montealegre, Universidad Externado de Colombia, Estudios de Filosofía y Derecho No. 3, 2002.

ANNOUNCEMENTS

The second congress of the Colombian Section will take place in November 2002, at the Universidad de Antioquia in Medellín. Prof. Paolo Comanducci (Univerity of Genova) was

invited as a speaker. The chief organiser of the congress is Prof. Vicente Jaime Ramírez, Facultad de Derecho y Ciencias Políticas, Bloque 14 of. 405, Universidad de Antioquia, Ciudad Universitaria, Medellín.

RECORDS

Executives of the Colombian section of the IVR are: Luis Villar Borda (Honorary President), Numas Armando Gil (President), Rodolfo Arango (Vice-president), Miguel Rujana (Treasurer).

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FINLAND

(Suomen oikeusfilosofinen yhdistys SOFY – Finnish National Section of the International Association for Philosophy of Law and Social Philosophy (IVR))

NEWS

An event on the publishing of the book: *The gentle civilizer of nations: the rise and fall of international law, 1870–1960* (Cambridge University Press, 2002) by Martti Koskenniemi has been held in Helsinki on April, 3, 2002.

A seminar on "Nordic Legal Positivism" in Lammi on April, 19, 2002.

A seminar on "The Global Law" in Turku on May, 17, 2002.

Recent publications: Petter Kavonius, *Oikeusperiaatekin velvoittaa!* [The Legal Principle does bind as well!], Helsinki, Finnish Lawyers' Association, Series E No 1, 2001; Jarkko Tontti, Kaisa Mäkelä & Heta Gylling (Eds.), *Filosofien oikeus* 1–2 [The Philosophers'law], Helsinki, Finnish Lawyers' Association, Series E Nos 2 and 3, 2001; Jarkko Tontti, *Right and Prejudice – Prolegomena to a Hermeneutical Philosophy of Law* [Diss.], Helsinki, 2002; Mikko Wennberg, *Oikeusfilosofia – johdatus oikeusteoriaan ja oikeusteoreettiseen ajatteluun*, Helsinki, UniPress, 2001; Mikko Wennberg, *Beyond Offer and Acceptance. Contract Law as a Response to Contract Failures*. [Diss.], Reports from the Department of Philosophy, Vol. 8, University of Turku, 2001.

RECORDS

President: Kimmo Nuotio, e-mail: kimmo.nuotio@helsinki.fi
Vice-President: Juha Räikkä, e-mail: juha.raikka@utu.fi
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PUBLICATIONS

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FRANCE

(Société Française pour la Philosophie et la Théorie Juridiques et Politiques – SFPJ)

NEWS

The SFPJ organized, together with the University of Paris X (Nanterre), the international conference on “Validity and applicability” held in Paris on July 1st 2002 (see Section One of this Newsletter).

CONTACT

Secretary General: Prof. Olivier Cayla, 30, rue Anatole France, 94300 Vincennes – France,
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JAPAN

NEWS

The 2001 annual conference of the Japan Association of Philosophy of Law (JALP) took place on 9-10 November 2001, at Tohoku Gakuin University in Sendai. The main theme of the conference was "The Problem of Order in the Information Society". The conference began with a keynote speech by Prof. SAKO Ichiro (Kyushu U.), followed by five sessions. Topics and speakers for each session were;

- 1 Law, Information, and Technology: Prof. SAKO Ichiro (Kyushu U.)
 - 2 Some Philosophical Aspects of the Privacy Issues in the Age of the Internet: Prof. MIZUTANI Masahiko (Kyoto U.)
 - 3 Efficiency, Diversity, Freedom: Prof. TAMURA Yoshiyuki (Hokkaido U.)
 - 4 Information Society and Transformation of Politics and the Public: Prof. HATTORI Takahiro (Okayama U.)
 - 5 The Internet and Overlapping Communities: Prof. OHYA Takehiro (Nagoya U.)
- Profs. MATSUURA Yoshiharu (Nagoya U.), SERIZAWA Hideaki (Tohoku U.), MATSUI Shigenori (Osaka U.) and AONO Toru (Kanazawa U.) were the commentators.

Apart from these sessions, there were also eight presentations which were not directly related to the conference topic by the following scholars: Prof. ASANO Yuki (Kanazawa U.), Prof. HAMA Shinichiro (Doshisha U.), Ms. ISHIMURA Kumiko (Osaka Prefecture U.), Mr. KANAI Mitsuo (Tokyo Metropolitan U.), Prof. OHE Hiroshi (Hokkaido U. of Education), Prof. TSUNEKI Jun (Osaka U.), Prof. YAMADA Yachiko (Toyo U.), and YAMAMOTO Yoichi (Kagawa U.).

The proceedings will be published in *the Annals of the Japan Association of Legal Philosophy 2001*.

The 7th Kobe Lecture. In June 2002, IVR Japan co-sponsored the 7th Kobe Lecture with JALP. The invited lecturer was Prof. Emiliios A. Christodoulidis of the University of Edinburgh, United Kingdom. The program consisted of a lecture in Kyoto and a seminar in Tokyo. The Lecture, entitled "Republican Constitutionalism and Reflexive Politics," was held at Doshisha University, Kyoto, on June the 22nd. The Seminar, "Republicanism and What the Law Excludes: the case of Ronald Dworkin," was held in Aoyama Gakuin University, Tokyo on June the 29th. There were also four seminars before and after the main program for in-depth discussion in Kyoto, Nagoya, Tokyo, and Sendai. Topics of these seminars were legal interpretation and "Institutional Imagination", legal and ethical implications of the Truth and Reconciliation Committee in South Africa, the citizenship in European Union, and Niklas Luhmann's system theory.

ANNOUNCEMENTS

The 2002 annual conference of the Japan Association of Legal Philosophy (JALP) will take place on 2-3 November 2002, at Ritsumeikan University in Kyoto. The main theme of the conference is "Law and Religion". Prof. TSUNODA Takeshi (Osaka Prefecture U.) will give the keynote speech, which will be followed by four sessions. Provisional titles and speakers of each session are:

Session 1: Natural Law and Positive Law in the Western Society

1. From the Christian Perspective: Prof. Emeritus Jose LIOMPART (Sophia U.)
2. From the Canon Law Perspective: Prof. ICHIHARA Yasuhisa (Kansai U.)

Session 2: Indigenous Law and State Law in the Non-Western Society:

3. From the Legal Pluralistic Perspective: Prof. Emeritus CHIBA Masaji (Tokyo Metropolitan U.)
4. From the Islamic Perspective: Prof. ODA Yoshiko (Kansai U.)

Session 3: Comparison between the Western and Non-Western Legal Culture concerning the "Law and Religion"

5. From the Comparative Theory of Legal Culture Perspective: Prof. TSUNODA Takeshi (Osaka Prefecture U.)

Session 4: Liberalism and "Law and Religion"

6. From the Constitutional Law's Perspective: Prof. HIRANO Takeshi (Ryukoku U.)
7. Comment to Prof. Hirano's Presentation from the German Constitutional Law's Perspective: Prof. SHIAKE Masanori (Kyoto U.)
8. From the Multi-Culturalistic Perspective: Prof. ISHIYAMA Fumihiko (Daito Bunka U.)
9. Comment from the Liberal Perspective: Prof. MORIMURA Susumu (Hitotsubashi U.)

Session 5: Discussion

There will also be six paper presentations which are not directly related to the main theme of the conference. Young scholars are especially encouraged to make presentations for this session. The proceedings will be published in *the Annals of the Japan Association of Legal Philosophy 2002*.

RECORDS

The executive committee of the Japan section has been reorganized, with a new Treasurer and a new Secretary General. The list of the present Executive Committee members is as follows.

President: KATSURAGI Takao, professor at Seikei University, Tokyo. Email: katuragi@law.seikei.ac.jp, Tkaturagi@aol.com

Secretary General: NAKAYAMA Ryuichi, professor at Osaka University, Osaka.

Treasurer: Professor TAKAHASHI Fumihiko, professor at Kanto Gakuin University, Tokyo. Email: NBF01243@nifty.ne.jp

TSUNODA Takeshi, professor at Osaka Prefecture University, Osaka

SAKURAI Tetsu, professor at Kobe University, Kobe

SUMIYOSHI Masami, professor at Aoyama Gakuin University, Tokyo

WAKAMATSU Yoshiki, professor at Seijo University, Tokyo

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(The names are in the surname-given name order, in accordance with normal usage in Japan.)

NORWAY

(Norsk Forening for Rettsfilosofi)

NEWS

The Norwegian Association for Legal Philosophy has now its website at www.geocities.com/rettsfilosofi.

RECORDS

Since February 2001, the members of IVR Norwegian section board are:

Alf Petter Hogberg (Chairman), Knut Bergo, Sverre Blandhol, Anne Christophersen, Morten Kinnander, Inger Johanne Sand and Cecilie Elisabeth Schjatvedt.

CONTACT

Alf Peter Hogberg

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POLAND

NEWS

The Polish IVR Section was established in 1993 in the Republic of Poland as The Legal and Social Philosophy Association and has been registered as a legal person under the Polish law.

The Association was founded by Polish law professors, who were represented by the members of the Foundation Committee – Prof. Malgorzata Krol and Prof. Marek Zirk-Sadowski (University of Lodz).

According to the statute, the purpose of the Association is to support the development of the legal and social philosophy both in Poland and abroad, while being open to all kinds of new scientific trends.

During the first period after its establishment, the Association was headed by Prof. Marek Zirk-Sadowski and represented on international arena by Prof. Tomasz Gizbert-Studnicki.

In 1998 the seat of the Association was moved from Lodz to Lublin, and since then its authorities have been located at the Faculty of Law and Administration of UMCS in the Chair of Theory of Law. Currently the board consists of Prof. Leszek Leszczynski (President), Prof. Andrzej Korybski (Vice-president), Bartosz Lizewski (Treasurer) and Janusz Polanowski (Secretary). The Board of Control includes the following law professors of the Jagiellonian University in Krakow: Krzysztof Palecki, Tomasz Gizbert-Studnicki and Krzysztof Pleszka. The international representative is Professor Marek Zirk-Sadowski from University of Lodz.

The members of Polish IVR Section actively participate in international IVR Section conferences. The report from Amsterdam 2001 by Professor Leszczynski was published in "Panstwo i Prawo" N° 2/2002.

The national meetings of the Association are organized every two years by turns. The last 4 of them took place in Szczecin (1994), Lodz (1996), Lublin (1998), Katowice (2000). The presented papers are next collected in special publications.

The thirteenth official meeting in 1998 was held in Lublin by the UMCS Chair of Theory of Law. The literature from the meeting published under the title "*The Changes in Society and the Changes in Law. Values, Constitution and the European Integration*", [ed: Leszek Leszczynski, Lublin 1999], includes the following:

K. Palecki (The Jagiellonian University, Krakow) - *The Axiological Changes in Law*; P. Winczorek (University of Warsaw) – *Some reflections on the Constitutionalization of Sources of Law in an Act of 2.IV.1997*; M. Zirk-Sadowski (University of Lodz) – *The Institutional and Cultural Aspects of the Legal Integration*; W. Lang (The Nicolas Copernicus University, Torun) – *The Axiology of Polish Legal System in the Transformation Period*; J. Kowalski (University of Warsaw) – *Ideas of Equality and Freedom and Law*; T. Kozlowski (University of Warsaw) – *The Axiology of Polish Transformation and the Global Revolution*; A. Redelbach (The Adam Mickiewicz University, Poznan) – *Freedom and Obligation in the Protection of Human Rights*;

A. Bator (University of Wrocław) – *Instrumentalization as an Aspect of Law*; R. Tokarczyk (The Maria Curie-Skłodowska University, Lublin) – *Thesis and Hypothesis about Biojurisprudence and Biolaw*; W. Gromski (University of Wrocław) – *Axiological Foundations of Constitutional Doctrine of Sources of Law*; B. Lizewski (The Maria Curie-Skłodowska University, Lublin) – *Constitutional Formulation of International Law within the System of Sources of Law in the Republic of Poland*; S. Pilipec (The Maria Curie-Skłodowska University, Lublin) – *The Problems of the Status and Competence of the Constitutional Tribunal*; Z. Tobor, T. Pietrzykowski (University of Silesia, Katowice) – *The Conception of Law in the Adjudication of the Polish Constitutional Tribunal*; M. Kordela (The Adam Mickiewicz University, Poznań) – *The Rule of Law in Legal Axiology*; S. Tkacz (University of Silesia, Katowice) – *Social Justice Principles – Changes of Perception in the Jurisdiction of the Constitutional Tribunal*; J. Niesiolowski, P. Sut (University of Gdańsk) – *Public Law and the Principle of Freedom to Conclude Contracts*; K. Kukuryk (The Maria Curie-Skłodowska University, Lublin) – *The Temporal Range of the Validity of Legal Norms*; J. Mikołajewicz (The Adam Mickiewicz University, Poznań) – *Intertemporal Law in the Transformation Period*; S. Wojtczak (University of Łódź) – *Some Reflections about Axiological Aspects of the Rule Lex Retro Non Agit*; B. Kanarek (University of Wrocław) – *Theoretical Analysis of the Notion of “Derogation”*; H. Jakimko (University of Wrocław) – *The Evolution of Jurisdiction on the Background of the Changes in Legal System*; A. Kozak (University of Wrocław) – *On the Concept of Judicial Discretion*; R. Piszko (University of Szczecin) – *Customary Law and Practice in Application of Law*; I. Golowska (The Jagiellonian University, Kraków) – *Some of the Axiological Aspects of the Lawyers’ Professional Associations Transition*; A. Kosc (The Catholic University of Lublin) – *The Problem of Binding Force in the Light of Modern German Philosophy of Law*; P. Labieniec (University of Łódź) – *The Joseph Raz’s and John Finnis’ Views on the Essence of Rights*; B. Wojciechowski (University of Łódź) – *Deconstruction Between Law and Justice*; J. Janowski (The Maria Curie-Skłodowska University, Lublin) – *The Philosophical Contest of the Auxiliary Rule*.

The fourteenth official meeting in 2000 was organized in Katowice under auspices of The Chair of Theory and Philosophy of Law at University of Silesia. The papers presented are the following: A. Bator, W. Gromski, J. Kaczor, S. Kazmierczyk, A. Kozak (University of Wrocław) – *The Relations Between Legal Theory and Legal Dogmatics*; W. Dzięziak, J. Polanowski (The Maria Curie-Skłodowska University, Lublin) – *The Computers Technics and the Legal Sciences*; T. Galkowski (Cardinal Stefan Wyszyński University in Warsaw) – *The Ethical and Theological Aspects of the Theory of Law and Legal Practice*; A. Grabowski (The Jagiellonian University, Kraków) – *The Joergensen’s Dilemma from the Pragmatic Perspective*; A. Jamroz (University of Białystok) – *Direct Application of the Constitution in the Context of its Legal Characteristics*; B. Kanarek (University of Szczecin) – *The Binding Force and the Legal Validity and the Essence of Derogation*; A. Kość (The Catholic University of Lublin) – *Traditional Chinese Law and Confucian Ethics*; L. Leszczynski (The Maria Curie-Skłodowska University, Lublin) – *Theory of Law and Comparative Law*; K. Lokucijewski (University of Gdańsk) – *Theoretical and Systematical Conditions of Regional Administration*; J. Łukasiewicz, K. Niemczyk (The University of Rzeszów) – *Praxeological Aspects of the Theory of Law and State*; J. Mikołajewicz (The Adam Mickiewicz University, Poznań) – *Principles of the Constitutional Tribunal’s*

Jurisdiction; L. Morawski (The Nicolas Copernicus University, Torun) – *Postmodernism and the Doctrine of the Rational Legislator*; J. Oniszczyk (Constitutional Tribunal, Warsaw) – *Sources of Law in the Jurisdiction of Constitutional Tribunal*; R. Piszko (University of Szczecin) – *The Aspects of Law Interpretation. The Role of Customary Law and Practice*; M. Smolak (The Adam Mickiewicz University, Poznan) – *Instrumentalization of the Legal Interpretation*; P. Sut (University of Gdansk) – *Dignity, Human Rights and Personal Rights (the Reflections on the Ground of the Personal Data)*; S. Tkacz (University of Silesia, Katowice) – *Justice and the Rule of Law in the Jurisdiction of the Constitutional Tribunal*; J. Wieczorkiewicz – Kita (University of Szczecin) – *Theoretical Problems of Being a Carrier of Rights, Legal Personality and Legal Capacity in Civil Law*; B. Wojciechowski (University of Lodz) – *The Role of Legal Anthropology in Comparative Research*.

ANNOUNCEMENTS

The next - XV official meeting will be held in September 2002 in Krakow, at the Jagiellonian University. The theme of the conference is various aspects of the globalization process.

RECORDS

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SPAIN

(Sociedad Española de Filosofía Jurídica y Política, SEFJP)

NEWS

Number 18 of *Anuario de Filosofía del Derecho* will be published by July 2002 with these papers: José Calvo González: Hechos difíciles y razonamiento probatorio (Sobre la prueba de los hechos disipados); Rafael de Asís Roig: Sobre la motivación de los hechos; Laura Miraut Martín: La sentencia judicial entre la recreación y la sustitución de los hechos; José Manuel Paredes Castañón: Problemas metodológicos en la prueba del dolo; Lorenzo Peña Gonzalo / Francisco J. Ausín Díez: La inferencia de hechos presuntos en la argumentación probatoria; Juan Jesús Aguirre de la Hoz: Hombres y ciudadanos; Carlos Alarcón Cabrera: Valores y sentimientos: un enfoque freudoemotivista; Mara Albert Márquez: La mujer en la "etapa de la nivelación" – El feminismo en el pensamiento de Max Scheler; María del Carmen Barranco Avilés: El concepto republicano de libertad y el modelo constitucional de derechos fundamentales; Xacobe Bastida Freixedo: Brevísimas relaciones de los males de la filosofía del derecho o las formas entre las que un filósofo del derecho puede elegir para no serlo; María José González Ordovás: La ciudad desmerecida (Notas sobre el orden y el desorden social); José López Hernández: El formalismo en la teoría jurídica estadounidense; Alberto Montoro Ballesteros: La seguridad jurídica en la configuración del Derecho como ordenamiento; Antonio Enrique Pérez Luño: Sobre el arte legislativo de birlibirloque – La LOPRODA y la tutela de la libertad informática en España; Manuel Jesús Rodríguez Puerto: Tópica y humanismo jurídico; Georg H. Von Wright: Valorar (o cómo hablar de lo que se debe callar) – Nuevas bases para el emotivismo.

Some recent publications: Manuel Atienza, *El sentido del derecho*, 2001; Manuel Calvo García (ed.), *Inmigración y derechos*, 2001; Juan Ramón Capella, *El aprendizaje del aprendizaje: una introducción al estudio del derecho* (3ª ed.), 2001; Javier de Lucas (ed.), *El vínculo social: ciudadanía y cosmopolitismo*, 2002; Daniel González Lagier, *Las paradojas de la acción* (Acción humana, filosofía y derecho), 2001; Juan Mora Molina, *Holanda: entre la vida y la muerte*, 2001; Antonio E. Pérez Luño, *Derechos Humanos, Estado de Derecho y Constitución* (7ª ed.), 2001;

Francisco Puy Muñoz / Ángeles López Moreno (ed.), *Manual de Filosofía del Derecho*, 2001. Miguel Ángel Ramiro, *Utopía y derecho*, 2002; María Eugenia Rodríguez Palop, *La nueva generación de derechos humanos*, 2002; Álvaro Sánchez Bravo, *Internet y la sociedad europea de la información: implicaciones para los ciudadanos*, 2001; Fernando Santamaría Lambás, *El proceso de secularización en la protección penal de la libertad de conciencia*, 2001; José María Saucá Cano, *Cuestiones lógicas en la derogación de las normas*, 2001.

RECORDS:

Executives of the Spanish section of the IVR are: B. De Castro (President), E. Gayo (Treasurer), J. Ansuátegui (Secretary), F. Puigpelat, J. García Amado, M. Gascón, M. J. Añón, M. Calvo and C. Alarcón.

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SWITZERLAND (SVRSP)

ANNOUNCEMENTS

The Swiss Section is organizing a scientific conference to be held near Basel on June 25 to 28, 2003. Its theme will be human dignity as a legal notion (die Menschenwürde als Rechtsbegriff). The conference will take the shape of a colloquium with about 12 speakers and 30 listeners. The speakers will deal with the notion of human dignity historically and systematically as well as in an application-oriented way (questions of Bio ethics, Ethno ethics and international relations). The discussion will mainly refer to philosophical issues and their translations into legal language. For further information, please contact the organizer:

Prof. Dr. K. Seelmann, Ordinariat für Strafrecht und Rechtsphilosophie, Juristische Fakultät, Maiengasse 51, CH-4056 Basel, Tel ++ 41 61 / 267 25 42, Fax ++ 41 81 / 267 25 47, E-mail kurt.seelmann@unibas.ch .

RECORDS

Current Officials:

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Quaestor: Prof. Dr. iur. Marcel Senn, Lehrstuhl für FCr Rechtsgeschichte, Juristische Zeitgeschichte und Rechtsphilosophie, Universität Zürich, Cäcilienstrasse 5, CH - 8032 Zürich

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UNITED STATES OF AMERICA
(AMINTAPHIL)

ANNOUNCEMENTS

The next meeting of AMINTAPHIL will be held in Washington, D.C. on the topic of "Human Rights." The dates are November 21 to 24, 2002, and the venue is the Governor's House Hotel on Rhode Island Avenue. Email AMINTAPHIL's Executive Director, Ken Kipnis, for conference information: kkipnis@hawaii.edu.

RECORDS

The Executive Director of AMINTAPHIL is pleased to report the election of Bob Moffat as Vice President and Richard Nunan and Joan Callahan as members of the Board. Leslie Francis currently serves as President.

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Internationale Vereinigung für Rechts – und Sozialphilosophie (IVR), gegründet 1909
International Association for Philosophy of Law and Social Philosophy, founded in 1909
Association Internationale de Philosophie du Droit et de Philosophie Sociale, fondée en 1909

Honorary Presidents: Junichi Aomi (Japan), Norberto Bobbio (Italy), Hermann Klenner (Germany), Enrico Pattaro (Italy), Miguel Reale (Brazil), Carl Wellman (USA), Arthur F. Utz (Switzerland)

President: Eugenio Bulygin (Argentina).

Vice-Presidents: Manuel Atienza (Spain); Rex Martin (USA); Aleksander Peczenik (Sweden); Arend Soeteman (Netherlands).

Other Members: Elspeth Attwool (UK); Brenda Baker (Canada); Alexander Brösl (Slovakia); Tom Campbell (Australia); Paolo Comanducci (Italy); Attracta Ingram (Ireland); Tscholsu Kim (Korea); Werner Krawietz (Germany); Burton Leiser (USA); Yasutomo Morigiwa (Japan); François Ost (Belgium); Rolando Tamayo (Mexico); Michel Troper (France); Kaarlo Tuori (Finland); Marek Zirk-Sadowski (Poland).

Secretary General: Pablo López Ruf (Argentina). Treasurer: Carlos E. Pettoruti (Argentina).

Archiv für Rechts- und Sozialphilosophie Editors: Werner Maihofer, Gerhard Sprenger (Germany) and Annette Brockmöller. IVR Newsletter Editor: Ricardo A. Guibourg (Argentina). IVR Webmaster: Giovanni Ziccardi (Italy).