

## **IVR CONSTITUTION from 26th August 1987.**

**Amended on 24th August 1991.**

**Amended on 15th August 2003.**

### *§ 1 Name, Seat and Location of Office*

1. This Association, which was founded on 1 October 1909, is called "Internationale Vereinigung für Rechts- und Sozialphilosophie" (English: "International Association for Philosophy of Law and Social Philosophy", French: "Association internationale de philosophie du droit et de philosophie sociale"); abbreviated in all three official languages as "IVR".
2. The IVR has its seat in Wiesbaden, Federal Republic of Germany.
3. The location of the office of the IVR will be determined by the Executive Committee and made known in the journal "Archiv für Rechts- und Sozialphilosophie".
4. The Association is registered at the Register of Association.

### *§ 2 Purpose*

1. The Purpose of the Association is the cultivation and promotion of legal and social philosophy on the national and international level. The Association is open to every scholarly direction.
2. The Association does not pursue any economic goals; it does not serve the financial advantage of its members. No one may benefit from inappropriate rewards or payments.
3. In pursuit of its purpose, the Association will use all the means of scholarly activity as well as the means of the dissemination of scientific knowledge and of its public discussion. In particular, the following modes of operation are foreseen:
  - a) The international journal Archiv für Rechts- und Sozialphilosophie (English: Archives for the Philosophy of Law and Social Philosophy, French: Archives de Philosophie du Droit et de Philosophie Sociale; abbreviated ARSP) will be published by authorization of the Association. It will appear four times a year.
  - b) From time to time the ARSP will issue Beihefte (special volumes).
  - c) The President will, as needed, publish a newspaper ("Newsletter") and send it to the national sections.
  - d) The Association as well as its national sections shall organize congresses, lectures, and other events of a similar nature. The national sections are autonomous with respect to the organization of their events and also solely responsible for their financial burdens.

### *§ 3 Members*

1. Any individual interested in legal or social philosophy can become a member of the Association. Membership arises

a) through admission into a national section according to the conditions for admission of that section, or

b) through application to the International Association for the Philosophy of Law and Social Philosophy and acceptance by the Executive Committee of the IVR.

2. Members of the IVR belonging to a national section pay their membership fees to the respective section according to its regulations. Members of the IVR not belonging to a national section pay their membership fees directly to the IVR. The amount and date of payment of these membership fees will be determined by the General Assembly.

3. Membership ends with the withdrawal or death of the member. If a member has not paid his dues for three years, he can be expelled by the body through which he was admitted.

### *§ 4 Supporting Members*

1. Associations, federations, institutions, libraries and other corporate persons can, on the basis of a written declaration that they are willing to support the goals of the IVR by an appropriate contribution, receive the status of a "supporting member". The Executive Committee of the IVR decides whether to recognize this status. In the case of applicants for this status who lie within the sphere of action of a national section, the admissions decision will be made after consultation with the national section.

A list of supporting members will be printed yearly in the journal ARSP.

2. The supporting membership ends through a declaration to this effect by the supporting member or through a resolution of the Executive Committee of the IVR.

### *§ 5 Organizational Structure*

1. The IVR is an association according to the laws of the Federal Republic of Germany. The national section of the Federal Republic of Germany is a section of the IVR; it functions and conducts its business just like any other national section. The national sections are associations in accordance with the laws of their own nations.

2. The Executive Committee decides on the acceptance of an association as a national section of the IVR.

3. The national sections may form subordinate sections according to need. These subordinate sections are connected with the IVR through their national sections.

4. The national sections may have various names; at least the subtitle should make clear their relationship to the IVR.

5. The national sections shall deliver annually to the IVR a part of the membership fee as determined by the Executive Committee.

6. The governing organs of the IVR are:

a) the General Assembly

b) the Executive Committee.

7. If need arises, the General Assembly can establish bodies for special tasks.

### *§ 6 General Assembly*

1. The General Assembly is the highest organ of the IVR. It consists of the totality of the members of the IVR (§3, Sec.I). Each member attending the meeting of the General Assembly has a vote and the right to speak. Written statements by the members not present can be read to the General Assembly.

2. The ordinary General Assembly takes place every four years, where possible in conjunction with a world congress of the IVR.

3. The General Assembly will be called by the Executive Committee by publishing the agenda in an issue of the journal Archives for the Philosophy of Law and Social Philosophy, which should appear at least three months before the date of the General Assembly.

4. The chair of the meeting of the General Assembly is assumed by the President. In case of his disability, the General Assembly will elect one of the Vice-Presidents or another member to preside over the meeting.

5. The General Assembly elects the President, the Vice-Presidents and the other voting members of the Executive Committee as well as two auditors, who present a written report to the ordinary General Assembly.

6. The General Assembly decides by a simple majority of all members present the arrangements for the work of the Association, the basic elements of the budget, the election and retirement of the Executive Committee, the election of the auditors, and the approval of the accounts as well as the Procedural Rules of the IVR.

7. The General Assembly decides by a three-quarters majority of all members present concerning changes in the Constitution and the dissolution of the Association.

8. The General Assembly deals with the items on the agenda and draws up any necessary resolutions. The delegation of decisions to the Executive Committee is permitted. An expansion of the agenda is permitted only by two-thirds majority.

9. Minutes of the meetings of the General Assembly will be kept which will state all voting results and all resolutions passed. The minutes will be prepared by the Secretary General and will be countersigned by the President or the Acting Vice-President.

10. Details concerning the conduct of the General Assembly, especially the election and the taking of the minutes, will be established by the Procedural Rules.

### *§ 7 Extraordinary General Assembly*

1. An extraordinary General Assembly shall be called by the President within one year whenever:

- a) The Executive Committee agrees on this by a two-thirds majority, or
- b) One-fourth of the national sections request this.

2. The proposal to hold an extraordinary General Assembly must be supported with reasons. The agenda for the extraordinary General Assembly will be drawn up by the Executive Committee in accordance with the proposal; the Executive Committee also determines the time and place of the extraordinary General Assembly.

3. An expansion of the agenda of an extraordinary General Assembly is not permitted.

4. An extraordinary General Assembly will be provided with an accounting report only when there are economic questions on its agenda.

### *§ 8 The Executive Committee*

1. The Executive Committee is the highest executive organ of the IVR. The Executive Committee includes as voting members:

- a) the President
- b) at most four Vice-Presidents and
- c) at most fifteen members and as nonvoting members:
- d) the Secretary General
- e) the Editor-in-Chief of the journal Archives for the Philosophy of Law and Social Philosophy, if he has not at the same time been elected a voting member
- f) the immediate past president, if that person has not been elected a voting member.

2. The Executive Committee appoints, upon the request of the President, the Secretary General and the Treasurer. The Executive Committee shall give the Secretary General authority in writing to conduct the everyday affairs of the Association as defined by the Procedural Rules and in accordance with the directions of the Executive Committee and the instructions of the President. The written authority can also include the carrying out of particular tasks that do not fall within everyday affairs. The Treasurer shall be authorized in writing to carry out the everyday business activities. He is obligated to keep regular financial accounts. More serious financial decisions are incumbent upon the President. The budget is drawn up in co-operation with the President, the Secretary General and the Treasurer.

3. The Executive Committee appoints the Editor-in-Chief and the members of the Editorial Board of the Archives for the Philosophy of Law and Social Philosophy.

4. The Executive Committee is empowered to conduct business if at least half of its voting members, including the President currently in office or a member of the Executive Committee authorized by him to chair the meeting, are present.

5. The Executive Committee makes decisions by a simple majority. In the event of a tie, the President shall decide.

6. The President can lay particular items of business before the Executive Committee for its decision by a circular letter.

7. The term of office for the Executive Committee is four years; it ends with the election of a new Executive Committee by an ordinary General Assembly (§ 6, Sec. 5 ).

8. More than one re-election of a voting member of the Executive Committee (§ 8, Sec. 1 (a) to (c)) in immediate succession is permitted only through individual vote of a two-thirds majority.

### *§ 9 The President*

1. Legal representatives of the Association are the President and the Vice-Presidents. Each of them individually has power to act for the Association. Internally, a Vice-President may use his/her power to act for the Association only if the Executive Committee has appointed him/her as an Acting President until the next General Assembly or for a specified period of time in case of the death, resignation or permanent or temporary incapacitation of the President.

2. The President shall execute the resolution of the General Assembly and of the Executive Committee.

### *§ 10 Preparation for the Election*

1. The Nomination Committee will be called by the President of the IVR before the General Assembly and sits with the presiding

President. It includes the following voting members:

a) the members present of the Executive Committee of the IVR (§ 8, Sec. 1 (a) to (e) ),

b) one representative of each national section not represented by any committee member through (a) above, c) one representative of the members of the IVR who are not members of any national section.

2. The task of the Committee is the nomination of the President, the Vice Presidents, the other members of the Executive Committee and the Auditors as well as the members of other bodies in so far as such members have been introduced and are to be elected by the General Assembly.

3. The nominations shall take into account not only the need to preserve the international character of the Executive Committee and the most balanced representation of scholarly interests and diverse doctrines in philosophy of law and social philosophy but also the need for representation of different continents and nations. The nominations shall, when possible, be put forth so that at least one third of the members of the outgoing Executive Committee are carried over into the incoming Executive Committee and at least one-third are not carried over.

4. The nominations may contain various alternatives.

5. The competence of the Nomination Committee according to these provisions does not exclude nominations by the members attending the General Assembly.
6. The Committee can also nominate candidates for Honorary President.
7. Specific details concerning the nominating procedures shall be included in the Procedural Rules.

#### *§ 11 Honorary Titles*

On the Basis of a recommendation by the Nomination Committee, the ordinary General Assembly can award the title "Honorary President of the International Association for the Philosophy of Law and Social Philosophy" under the following conditions:

- a) the candidate has achieved great distinction in the sphere of the Philosophy of Law and Social Philosophy and
- b) the candidate has provided extraordinary service to the IVR.

#### *§ 12 Amendment of the Constitution*

The ordinary General Assembly can enact an amendment to the Constitution only when the amendment was contained as an item on the agenda in the announcement of the General Assembly.

#### *§ 13 Dissolution of the Association*

In the event of the dissolution of the Association, the capital in hand shall, with the permission of the financial authorities, be handed over to a scholarly society whose work is closest to the purpose of the IVR.

#### *§ 14 Effective Date of the Constitution*

This Constitution replaces the hitherto valid Constitution of 1 September 1979. It shall become effective as of February 25, 1992. Its text shall be published within the year in the Archives for the Philosophy of Law and Social Philosophy.