

The 21st IVR World Congress, August 2003

Special Workshop on "Legal Practitioners' Need of Reflective Application of Legal Philosophy"

The purpose of this workshop is to strengthen the endeavours to bring legal practice in closer contact with legal philosophy - and vice versa.

These purposes may be seen in various contexts. It may be seen as a way of supporting the existing teaching and research in legal philosophy which at many universities and law schools have difficult times because the more "dogmatic" and practice-oriented disciplines take all the time and money. Secondly, an improved contact may be a challenge to some of the topics legal philosophers have worked with since a better grasp of the "real" practical life may bring classical philosophical problems into a new and possibly more relevant context.

Basically legal philosophy may be considered as a reflection of legal practice, and the needs of practitioners should therefore be an important input to legal philosophy.

Many cases have been decided on the basis of reasoning which is taken from or heavily inspired of legal philosophy, and a discussion and critical analysis of such cases will be relevant not only for practice and thereby future legal development but for legal philosophy itself.

A more radical position could be the following: (Legal) philosophy should not develop in isolation but be a way of thinking in (legal) life. A sort of practical relevance is therefore the best test of relevance for legal philosophy since (legal) philosophy should not develop by itself but be a way of thinking in (legal) life.

Scientific and technical developments bring new types of legal questions to the courts (and other authorities where lawyers participate in the decision-making), and since the politicians have difficulties in coping with these developments the legal decisions are often based on very open-ended regulations which strengthen the need that legal practitioners have a broader - that is philosophically educated - approach to their professional work.

The meetings in the workshop are scheduled to take place only on two days, i.e. Wednesday 13th August and Thursday 14th August, both days between 2pm-5pm.

The 21st IVR World Congress, August 2003

Preliminary Schedule

Wednesday 13th August

02.00-05.00 pm

02.00-02.20 The Right Honorable Beverly McLachlin, P.C., Chief Justice of Canada

02.20-02.40 Justice Marek Zirk-Sadowski, Supreme Court of Poland

02.40-03.15 Discussion

03.15-03.45 Coffee Break

03.45-04.05

04.05-04.25

04.25-05.00 Discussion

Thursday 14th August

02.00-05.00 pm

02.00-02.20 Justice Richard A. Posner, Federal Court of Appeal, 7th Circuit

02.20-02.40 Justierådet Juha Häyhä, Supreme Court of Finland

02.40-03.15 Discussion

03.15-03.45 Coffee break

03.45-04.05 Professor Un-Jung-Pak, Ehwa Womens University in Seoul

04.05-04.25

04.25-05.00 Discussion