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Report on the XXXI World Congress of the International Association for Philosophy of Law and Social Philosophy (IVR) "The Rule of Law, Justice and the Future of Democracy", Seoul (South Korea), 7–12 July 2024

Sprawozdanie z XXXI Światowego Kongresu Międzynarodowego Stowarzyszenia Filozofii Prawa i Filozofii Społecznej (IVR) „The Rule of Law, Justice and the Future of Democracy", Seul (Korea Południowa), 7–12 lipca 2024 r.

ABSTRACT

The XXXI World Congress of Philosophy of Law and Social Philosophy (IVR) was held in Seoul (South Korea) from 7 to 12 July 2024. It is the most important periodic global event for the study of the philosophy of law, sociology of law and legal theory. It serves as a forum for discussion and exchange of views among people representing academic centres from all over the world that deal with these issues. The theme of the 2024 Congress focused on the rule of law, justice and the future of democracy.

Keywords: IVR Congress; rule of law; justice; future of democracy

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From 7 to 12 July 2024, Seoul (South Korea) hosted the XXXI World Congress of the International Association for Philosophy of Law and Social Philosophy (IVR),[1] the chief organiser of which was the Soongsil University in Seoul with leading role of Professor Jin-Sook Yun who represented the Executive Committee. The proceedings (plenary lectures, special workshops and working groups) were held at the seat of the University, whose main campus is located in Seoul, JinRiGwan #511, 369 Sangdo-ro, Dongjak-gu, Seoul, 06978, Korea.

The welcome reception held on the first day of the Congress (7 July 2024) at The Plaza Seoul, Autograph Collection was enriched by a musical concert, which was an unforgettable musical experience introducing the guests to traditional Korean music and the country's culture.

The Congress brought together several hundred people from academic centres from all over the world. There was a group of a few dozen representatives from Poland, which was quite impressive number compared to other participants, as the Polish guests were probably one of the most numerous delegations at the Congress.

The theme of the Congress was "The Rule of Law, Justice and the Future of Democracy".

The discussion was carried out on several levels, which is in line with the existing structure of the World Congress of Philosophy of Law and Social Philosophy. It was the second time when a presidential panel was organised as part of the Congress, this time titled "Democracy in War and Peace". The presentations were delivered by: Sergiy Maximov "Is Democracy Possible in War Time? Ukrainian Experience", Amalia Amaya "Democracy and Fraternity", John Mikhail "Reflection on Democracy, War, and Human Rights", and Jin-Sook Yun "Democracy in Korea at the Edge of History". In their presentations, speakers pointed to the current problems of democracy in the context of conflicts now taking place with various backgrounds, including in particular hostilities in different regions of the world.

It is already a tradition of the Congress to hold plenary lectures with speakers who are scholars of philosophy of law, sociology of law and legal theory representing academic centres from different parts of the world. The main opening ceremony took place on 8 July 2024 at the Soongsil University, in the Main Auditorium, Han Kyungchik Memorial Hall, and the first plenary lecture "Moving the Goalposts: From the Rule of Law to Well-Tempered Power" was delivered by Martin Krygier. Apart from this presentation, the following authors presented their papers as part of plenary lectures: Claudina Orunesu "Rule of Law, Legal Adjudication, and Invisible Law", Michael J. Sandel "Democracy Today" (via Video and Zoom), Young Joon Kwon "The Dynamic Nature of Legal Interpretation and the Role of the Judiciary", Julie Saada "Three Dialectics of Human Rights", Yuko Kamishima "Gender Equality and

[1] The official webpage of the Congress: https://ivr2024.org (access: 4.8.2024).

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Rawls's Political Liberalism: Our Common Aspirations", and Maria Grahn-Farley "The Child Being Heard but Unable to Speak".

An important event during the 2024 Congress was the presentation of the first printed edition of the IVR *Encyclopedia of the Philosophy of Law and Social Philosophy*[2] published by Springer, and of a book by Gerald J. Postema from the University of North Carolina at Chapel Hill, titled *Law's Rule: The Nature, Value, and Viability of the Rule of Law* published by Oxford University Press in 2022,[3] awarded the IVR Prize.

Within smaller teams, the congress meetings were held in the form of special workshops and working group sessions. A total of 125 special workshops and 30 working groups were arranged at the jubilee congress. The topics presented and discussed included philosophy of law and social philosophy from ancient times, e.g. Workshop 2 organised by Nuno Coelho and Liesbeth Huppes-Cluysenaer under the title "Inequality against Rule of Law, Justice, and Democracy in Aristotle", to discussions on the latest legal-philosophical literature that was the subject of Workshop 96 organised by Ioanne Tourkochoriti about her book *Freedom of Expression: The Revolutionary Roots of American and French Legal Thought*.

Of particular interest among participants in the 2024 Congress were the issues of the rule of law, the problems of modern democracies and the importance of new technologies in law and the progressive digitisation, not only within the judiciary but across the whole information society.

Issues around these matters were also discussed as part of Workshop 61 "Judicial and Non-Judicial Legal Procedures in Information Society" prepared by academics from the Faculty of Law and Administration of Maria Curie-Skłodowska University (Lublin, Poland), namely Katarzyna Hanas, Paweł Kłos and Piotr Szczekocki. It was carried out along with a workshop prepared by Anne Di Giandomenico from the University of Teramo in Italy, titled "The European AI Act: A First Comment". The outcome of this scientific event was the presentation of papers on comparative legal research currently conducted by the speakers. The following speakers delivered their presentations during the workshop: Yachiko Yamada "Reshaping Legal Reasoning in Legal Practice and Legal Education: On the Rise of Generative AI", Katarzyna Hanas "The Child's Rights in the Hague Proceedings in the Light of Information Society", Piotr Szczekocki "Values of Judicial Application of Law: Theory of Civil Procedure and the Impact of New Technologies", Giovanni Pesce "Artificial Intelligence on the Test of European Law: Towards the Law of Fear?", Anna Giandomenico "The European AI Act: A First Comment", Patryk Patoleta "Perspectives of Implementation of Comprehensive Law Movement Methods in Polish Legal and Social Order", and Paweł Kłos "A Decision Approach in Law: The Context of Generative Artificial Intelligence".

[2] M. Sellers, S. Kirste (eds.), *Encyclopedia of the Philosophy of Law and Social Philosophy*, Dordrecht 2023.

[3] G. Postema, *Law's Rule: The Nature, Value, and Viability of the Rule of Law*, New York 2022.

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The workshop concluded with a comprehensive discussion on judicial and extrajudicial legal procedures in the information society, taking into account the first and so far the only normative regulation in the world, namely the AI Act adopted by the European Parliament on 13 March 2024.

The legal comparative perspective applied during the workshop was possible owing to the participation of researchers from Poland, Japan and Italy. The exchange of views and experiences of people from various research centres regarding the practice of applying law and legal procedures in the legislation of these countries provided a new perspective on the issues concerned, not only in the legal theory dimension.

The major research problems identified as a result of these discussions focused in particular on two issues: the impact and role of artificial intelligence in the judicial and extrajudicial application of law and the use of alternative dispute resolution methods in both judicial and extrajudicial application of law.

The first of the issues that emerged in the papers presented, and which found keen interest among the participants, concerned the latest research and regulation on the use of the capabilities of intelligent decision support systems in law application processes. Most notably, the discussion on the paper by Anna Giandomenico "The European AI Act: A First Comment" showed the opportunities and risks that may be associated with employing elements of artificial intelligence in the law application process. At the same time, a hypothesis was proposed that the participation of artificial intelligence systems in the application of the law should be limited and that the final decision must be made by a human.

During the discussion, the speakers drew attention to the relatively poor use of the "Queen of ADR" (i.e. mediation) in the field of application of law in the European Union. The percentage use of mediation in EU countries continues to grow but still represents a small number as compared to judicial cases. An example to follow can be Japanese procedural solutions and their application: about 70% of family-law cases are resolved through mediation. If European lawmakers want to increase the use of alternative forms of dispute resolution as part of legal procedures, an educational action addressed to law applying bodies, legal assistance providers and the general public is required.

In addition to its scientific value, the 2024 Congress offered an unforgettable experience by showing both the historical and contemporary cultural elements of South Korea. The cultural events were perfectly complemented by trips prepared by the organisers, including an excursion, particularly interesting in historical terms, to the Korean Demilitarized Zone (DMZ) on the demarcation line between South Korea and North Korea.

During the 2024 Congress, new authorities of the Association were elected for term 2024–2028. Professor Jin-Sook Yun from South Korea was elected the new President of the Association. Finally, the venue for the next congress was announced. It will be held in Istanbul (Turkey) in 2026.

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ABSTRAKT

W dniach 7–12 lipca 2024 r. w Seulu (Korea Południowa) odbył się XXXI Światowy Kongres Filozofii Prawa i Filozofii Społecznej (IVR). Jest to cykliczne, najważniejsze światowe wydarzenie dla nauki filozofii prawa, socjologii prawa i teorii prawa. To miejsce do dyskusji i wymiany poglądów osób reprezentujących ośrodki naukowe z całego świata zajmujących się tymi zagadnieniami. Problematyka Kongresu, który odbył się w 2024 r., dotyczyła zagadnień z zakresu rządów prawa, sprawiedliwości oraz przyszłości demokracji.

Słowa kluczowe: Kongres IVR; rządy prawa; sprawiedliwość; przyszłość demokracji