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Iurisprudentia est divinarum atque humanarum rerum notitia, iusti atque iniusti scientia

On 11 November 1997, lawyers gathered at the newly opened building of the Faculty of Law of the University of Tartu—Juridicum, at Näituse 20—to establish the Estonian Society of Legal Philosophy. The founding members of the society were T. Anepaio, L. Auväärt, J. Ginter, P. Kask, S. Kaugia, T. Kerikmäe, A. Kiris, M. Kiviorg, I. Kull, L. Lehis, U. Liin, M. Luts, K. Merusk, M. Muda, R. Narits, V. Olle, I.-M. Orgo, P. Pruks, M. Sillaots, J. Sootak, and G. Tavits. Two years later, our society became the first in the Baltic region to be accepted unanimously as a member of the International Association for Philosophy of Law and Social Philosophy (hereinafter referred to as the IVR), at its World Congress in New York.

In New York, our application was mediated to the world organisation by Professor W. Krawietz. We were the 45th national branch of the society. Professor Krawietz was also the first one to notify us, writing in his fax:

Lieber Herr Narits! Aus New-York zurück, kann ich Ihnen mitteilen, dass Ihr Antrag erfolgreich abgewickelt wurde. Ich habe ihn (i) im Exekutivkomitee und (ii) im engeren Vorstand der IVR vorgetragen. Hier- wie in der Generalversammlung des Weltkongresses der IVR, wo es von dem amtierenden Weltpräsidenten Herrn Prof. Dr. Enrico Pattaro eingebracht wurde – wurde der Antrag der Estnischen Sektion einstimmig angenommen. Sie sind seit 29. Juni 1999. Die 45. Sektion im Rahmen der Welt-IVR (und die erste im Baltischen!). Gratuliere!

The 100th reporting meeting of the Estonian branch of the International Association for Philosophy of Law and Social Philosophy was held on 10 May this year. Amid the jubilee atmosphere of this reporting meeting, doctoral candidate of the Faculty of Law of the University of Tartu Ü. Vanaisak delivered a presentation that touched upon the problem of how the rights of a minor subject to proceedings should be protected in a state based on the rule of law. We have reached our 100th report meeting (there have been more reports than this because sometimes more than one is made during a meeting) by gathering every second Tuesday each month at 4:00 in the afternoon at Juridicum. The interest in these reports has constantly been quite high. It has been mainly interest in legal philosophical issues that has brought the listeners to these meetings. It seems that people in the Faculty of Law of the University of Tartu do not share a certain scepticism towards philosophy that says that in its never-ending search for goodness and justice the philosophy of law careers into a situation in which human cognition has no solid anchor(s). It must be added that our report meetings are not merely listening events. Each presentation is always followed by a debate carried by the spirit of *liberum arbitrium*.

Both the selection of presenters and the subject matter has been broad and, of course, related to the research and cognition interests of the presenters. Approximately a tenth of the presentations for our soci-

ety have been made by foreign guests. I would especially like to emphasise that we have made good use of the opportunity to involve the guests of the annual *Academica Week* of the University of Tartu.^{*1} To cite just a few examples of the subject matter of these presentations, I could mention that this April we listened to a presentation on sociology of law as an underlying science of sociological jurisprudence (S. Kaugia); in February 2010, we discussed the limitations imposed by the Estonian Constitution on the President of Estonia (N. Parrest); in February 2009, T. Anepaio brought up the problem of the ‘Middle Ages’ in relation to the Estonian right of ownership; in February 2008, listeners enjoyed the Finnish A. Aarnio’s presentation ‘Reasonable As Rational—on Legal Argumentation and Justification’; in October 2007, the presentation by K. Saaremäel-Stoilov was titled ‘Sotsiaalriigi põhimõtte õigusliku sisustamise ja rakendamise probleemid’ (‘The Problems Related to Legal Furnishing and Implementation of the Principle of Social Justice’); as many as 73 people gathered to listen to I. Pilving’s presentation ‘Kohtute vastutus ja võimude lahusus’ (‘Liability of Courts and Separation of Powers’) in October 2006; in September 2005, a discussion was held on ‘codification’ of private law, led by Professor R. Schulze, from Münster (in Germany); in September 2004, the listeners were intrigued by Professor E. Hilgendorf (of Germany) with his ‘Die Diskussion um Folter’; in March 2003, as Estonia stood on the doorstep of the European Union, R. Narits made a presentation on survival of the Estonian Constitution; J. Rückert from Frankfurt gave the presentation ‘Free and Social: The Century’s Program for Law and State’ in October 2002; in November 2001, M. Luts took the stage at the society’s report meeting with a presentation titled ‘Eraõiguse ajalooline tüpologia’ (‘Historic Typology of Private Law’); in November 2000, H. Schneider delved deeply into the subject ‘iseorganiseerumine ühiskonnas kui õiguslik ja õigusteaduslik probleem’ (self-organisation in society as a judicial and legal problem); and in April 1999, Professor H. Siigur discussed the systematics of legal norms.^{*2}

The report meetings are attended not only by the people from Tartu, although most in the audience are scientists working at the University of Tartu and students of all levels (in bachelor’s, master’s, and doctoral studies). Our colleagues from the Supreme Court of Estonia are often present among the listeners. A few years ago, we tied in the activities of the society with the curriculum of the Faculty of Law. This means that from 2008, doctoral candidates in the Faculty of Law have been able not only to participate in the report meetings of the society but also to receive credit points in their doctoral studies for this, given that certain curriculum-related conditions have been fulfilled. For example, 18 doctoral candidates registered for the course in the 2010–2011 academic year, and quite a few of them have also made a presentation.

The European society is still largely a ‘teaching society’ in the sense that it provides instructions. On one hand, this is a good and necessary conception that requires certain action. At the same time, globalisation—in view of the future—is a challenge in which the perspective depends on whether or not we can also be a learning society. That is what the activity of the Estonian Section of the International Association for Philosophy of Law and Social Philosophy concentrates on—learning—and the vitality of its functioning indicates that the philosophical problems in law are not about being ‘philosophical’ in the sense of office science but a rational flow of thought that has obtained its observations from the legal (social) reality and is able to offer its own solutions for judicial—that is, fair—development of this reality.

¹ The University of Tartu has held an annual German-Estonian academic week since 1997. This week is a bridge to contemporary German academic and scientific environment. Lawyers are especially interested in this event since Estonian legal order has had the deepest and longest historical and legal cultural connections with the German judicial area and therefore presentations by German lawyers are of special interest and attention.

² Information on the report meetings of the Society: <http://www.ut.ee/oigusteaduskond>.