

## Report from the scientific conference “Law in a Changing World (30 Years: 1989–2019) in Retrospect and Prospects for 2020–2050”

On 16 and 17 December 2019, the scientific conference “*Law in a Changing World (30 Years: 1989–2019 in Retrospect and Prospects for 2020–2050)*”, organised by the Faculty of Law of Charles University within the Progres Q 04 programme, took place in the historical premises of the Carolinum. As its name suggests, the aim of the conference was to present various retrospective views on law and other related phenomena that have been shaping our society over the last three decades. At the same time, the conference focused on predictions of possible future changes in law and other social institutions in response to all the different challenges we face today.

The event, which attracted nearly 160 participants, was organised under the auspices of **Prof. MUDr. Tomáš Zima, DrSc.**, the Rector of Charles University. His Magnificence ceremoniously opened the plenary session in the beautiful premises of the Patriotic Hall of the Carolinum. The opening was followed by a short speech by the Dean of the Faculty of Law of Charles University, **Prof. JUDr. Jan Kuklík, CSc.**, one of the patrons of the conference. A short presentation by **Prof. JUDr. Aleš Gerloch, CSc.**, the main organiser of the event and coordinator of the Progres Q 04 “Law in a Changing World” programme of Charles University, followed. Participants were also greeted by prominent figures of the Czech judiciary: President of the Constitutional Court **Dr. Pavel Rychetský, Dr. h. c.** and President of the Supreme Court **Prof. JUDr. Pavel Šámal, Ph.D.** The Ambassador of the Slovak Republic to the Czech Republic, **PhDr. Peter Weiss**, also gave a brief introductory speech.

Then it was time for the keynote speakers to take the floor. The first speaker looked back at the last three decades in Czech law, focusing on key changes triggered by the Velvet Revolution. In an engaging presentation based mostly on his own experience, one of the first vice-presidents of the Czechoslovak federative government in the post-communist era and today’s long-term President of the Constitutional Court **Dr. Pavel Rychetský, Dr. h. c.** described our journey to democratic rule of law, the adoption of the Charter of Fundamental Rights and Freedoms, rehabilitation, restitution, and privatisation.

His presentation was followed by a speech given by **Prof. Aleš Gerloch, CSc.**, Vice-Rector of Charles University, who addressed multicentrism in law: the state where – as a result of the horizontal or vertical division of power, or partial delegation of legislative powers to supranational bodies – law is created by multiple actors holding power. Among other issues, Professor Gerloch pointed out that mutual coordination and subordination of the individual subsystems of law may lead to various interpretation and application issues in practice. In the long term, it may even result in the disintegration of society not only on the international scale but also on the national level, particularly if multicentrism is supported by plurality of the sources of law. The following keynote speaker, **JUDr. Eduard Bárány, DrSc.**, former long-term Vice-President of the Slovak Constitutional Court who now works at the Institute of State and Law of the Slovak Academy of Sciences, outlined other challenges faced by modern states in order to protect democracy and the rule of law. Dr. Bárány highlighted, for example, the fact that independence (especially of the judiciary) has recently been under unprecedented pressure from mass media (especially online media). Moreover, the results of democratic elections and the elected political representation have been questioned. In many cases, secret services no longer discretely serve those in power but are becoming independent players themselves.

Beyond the purely legal perspectives, the organisers also wanted to present other views on today’s society and institutions. The following part of the plenary session therefore offered no less inspiring presentations by two non-lawyers. The first one, entitled “*Material Focus of the Constitution in the Anthropocene*”, was given by prominent Czech philosopher and sociologist **Prof. PhDr. Václav Bělohradský**, who presented the processes through which the mass of discourse on a particular topic makes its way into society and starts reshaping it. Other related phenomena characteristic of today’s society were discussed as well, including the reduction of public space to media or the invasion of “hyperobjects” such as plastics for which externalities cannot be effectively divided based on the traditional private and proprietary order. Professor Bělohradský concluded by proposing changes to the material focus of democratic constitutions that would help protect the public space.

The last contribution offered an insight into these issues from the perspective of medical sciences. **Prof. MUDr. Michal Anděl, CSc.**, former long-standing Dean of the Third Faculty of Medicine of Charles University and current Vice-Dean for Academic Tradition and Ethics and head of the Department of Internal Medicine and Centre for Research on Nutrition, Metabolism and Diabetes at the same faculty, vividly described in his speech “*Scientific and Technological Progress: Legal and Ethical Dilemmas in Medicine*” the key legal and ethical questions that doctors have to deal with when choosing the most suitable treatment and their impact on the doctors’ decision-making.

The plenary session was followed by nearly 90 presentations divided into 13 separate panels. The participants of the conference discussed crisis management of a state. They also looked into the issue of minorities and majorities in the creation of the general will and the protection of rights. A special panel focused on the causes and consequences of the emerging phenomenon of the judicialisation of law and politics. The question of “independence”, especially the independence of judges, was debated as well. The conference also included a panel dedicated to “post-modern” law. A number of speakers considered the transformation of legal thought and values in modern law. In another thematic panel, speakers examined the possibilities of combing centralisation and decentralisation. The panel dealing with the transformation of law, legal education, and legal professions in response to the unparalleled development of new technologies and artificial intelligence also attracted a large audience. There were separate panels focusing on the future developments in individual branches of law: speakers presented their future predictions for civil procedure, international investment law, financial law, as well as environmental law and medical law. Special attention was also given to the potential changes in the fundamental rights of citizens and their conceptualisation in the coming decades. Finally, there were also panels dealing with globalisation and nation states or with the functions of law in the ever-changing environment. Most speeches were given by Czech legal scholars but prominent representatives of Slovak, Polish, and Hungarian jurisprudence were present as well.

The final part of the conference was a roundtable discussion dedicated primarily to insights from other scientific disciplines into law and society in the decades to come. One of the guests, **Prof. Mgr. Miroslav Bárta, Dr.**, former long-term Director of the Czech Institute of Egyptology and current Vice-Rector for Public Affairs of Charles University, pointed out right at the outset that today’s society changes in leaps (meaning not in a linear fashion), thus increasing the complexity of law that must accommodate all these changes – requiring significant resources. At the same time, it has become clear that the impact and scope of implied law inherent to societies (L. Pospíšil) is on the decline, which in turn can have a negative effect on our life in society. **Prof. PhDr. Václav Bělohradský** picked up on these thoughts and further developed the thesis of his presentation in the plenary session in the roundtable debate. **RNDr. Václav Cílek, CSc.** enriched the discussion by presenting his view as a climatologist, personal reflections based on his travels to Turkey and the American continent, as well as informative considerations of certain historical moments. The last scholar to take part in the roundtable discussion, **Prof. MUDr. Vladimír Komárek, CSc.**, Dean of the Second Faculty of Medicine of Charles University, addressed the recent and fascinating neuroscientific findings suggesting that the spectrum of brain impairment in humans is changing, which is closely related to the changing study of the human mind. As a result, the question arises as to whether the existing concepts of objectivity and free will in relation to human behaviour are sustainable. These introductory remarks spurred an interesting discussion hosted by **Prof. JUDr. Aleš Gerloch, CSc.**

Peer-reviewed conference proceedings should be published to enable those interested to take a closer look at some of the ideas and thoughts presented at this unique event. Undoubtedly, it will be very interesting to wait and see whether some of these legal futurological predictions will come true.

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