

UNIVERSITAS IURIS NATURALIS KOPAONICI
THIRTY-TWO YEARS OF LIFE AND WORK

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– Slobodan Perović

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Esteemed Colleagues,
Members of the large family of the Kopaonik School of Natural Law,
Distinguished guests, gathered under the high arch of this University of Justice,
Ladies and gentlemen,
Dear friends,

The Kopaonik School of Natural Law was born thirty-two years ago. Over time, it has grown in age and space, steadily gaining in strength and developing the concept of rational natural law. Guided by this very concept, the Kopaonik School of Natural Law has always countered the evils of this world with the beauty of the good and the just – *Honeste vivere, alterum non laedere, sum cuique tribuere* – To live honourably, not to harm another, to render each his own.

The results achieved so far by the Kopaonik School of Natural Law may be grouped around three headings: scientific achievements, publishing activity, bringing domestic and international communities together.

Scientific Achievements

The most important scientific achievements of the School include:

The tripartition theory, which explores the relationship between the natural and the positive laws, specifically the exemplary, subsidiary and corrective relationships.

The democratic culture as distinguished from the simulated and vulgar democracy. Professor Slobodan Perović spoke thus about the democratic culture: “In truth, a rule of majority is the first letter of the alphabet of democracy, but if one should look no further than this letter, there would be neither alphabet nor literacy. Such democracy may jeopardise the rights of minority or even turn into its own opposite – a tyranny of majority over minority. A democracy where the majority declares truths and in the name of such truths penalizes all those who think differently should be called a vulgar democracy, a totalitarian democracy or democratic tyranny. Such a democracy has no necessary attributes, other than a rule of majority. Let us remember - Socrates was judged more kindly by history than by the Athenian democracy. A state ruled by law implies a democratic culture where, in addition to the

fundamental features of democracy, tolerance and responsibility are the essential attributes of a high level of collective mind”.

Speaking of tolerance, the School has created a draft theory of tolerance as a subjective right proclaimed under the constitution and governed by the law. Under the principle of tolerance, no one may place themselves above another and by seizing power turn the pluralism of life into the monism or their own authority;

Furthermore, the School has acknowledged a discord between the proclaimed and non-realised human rights and identified the causes of such discord (extreme poverty, anti-legal states, misuse and politization of human rights) and pointed to possible ways out of the crisis engulfing the concept of human rights;

The School has established a theory of misuse of human rights, which occurs when human rights are put into effect contrary to the purpose of their establishment, with the aim of achieving political, financial or military strategic objectives;

It has applied the categories of commutative and distributive justice in the present-day conditions and set the criteria for distinguishing statutory non-law from the supra-statutory law;

The Kopaonik School of Natural Law has always devoted careful attention to the role and position of courts in the system of the division of power. This has led to the formulation of Twelve Tablets of Judicial Independence. The Tablets proclaim that in dispensing justice, a judge is independent of any kind of power, except the power of the legitimate law. By performing their duty, judges rule on the life and freedoms of men and thus take part in administering justice. There is no higher duty than that. In this way, the School raised its scientific and professional voice against any violence considered as opposition to wisdom and antipode of a state ruled by law and a democratic culture.

The Kopaonik School is “the birthplace of the Preliminary Draft Civil Code” and the first important steps towards drafting this Code were taken at the Kopaonik School of Natural Law. Academician Professor Dr Slobodan Perović was Chair of the Commission for drafting the Civil Code of Serbia. In that regard, Professor Perović said: “As Founder and Chair of the Kopaonik School of Natural Law, I have been given the scientific honour to address to the Government an official proposal to set up a Commission for drafting the Civil Code of Serbia, delineating the main reasons and the need to adopt such Code. The proposal also identifies possible members of the Commission”. The Serbian Government accepted the proposal in full and in 2006 set up a Commission for drafting the Civil Code of Serbia. Given the topicality and importance of this codification, the Preliminary Draft Civil Code was regularly discussed at the School’s sessions.

Preliminary Draft Civil Code of Serbia was drawn up in the days of Professor Slobodan Perović, published and submitted for public debate. This work, produced before departure of Professor Perović, remains recorded and documented and available to the widest public. The

publication of this work allows for drawing a clear line between the Preliminary Draft Civil Code written during the lifetime of Professor Slobodan Perović and anything produced following his demise.

Speaking of the fate of the Preliminary Draft, I would like to use the words of Professor Perović: “Large codifications in the realm of civil law may never cease to live. In time, through use of state authorities, they may become void of legal power but never void of power of life and scientific universe”. I believe these words apply fully to the Preliminary Draft Civil Code.

A particular reflection of the School's scientific achievements is the Hexagon of Natural Rights, which grouped all legal and social disciplines round six pillars of universal civilisation (Life, Freedom, Property, Intellectual Creation, Justice, State Ruled by Law). It was in 1994 that Academician Professor Slobodan Perović, as Founder and Chair of the Kopaonik School of Natural Law, established this scientific Hexagon which is essentially an expression of the integrity of natural rights.

Publishing Activity

The publishing activity of the School is well worth mentioning. First of all, it includes publication of the papers received in response to the call for paper submission for each December meeting, addressing the general theme selected for the particular year. In the course of thirty-two years, almost 8.000 papers have been published across six chairs and 23 sections, comprising over 135 volumes.

Special mention must be made of the Final Documents, reflecting the annual messages and conclusions from the Kopaonik Meetings, as well as Bibliography of Kopaonik School of Natural Law papers.

Speaking of the School's publishing activity, the Declaration of the Kopaonik School of Natural Law (2002) stands out as a major work, a synthesis of the School's past work and a pointer for its future. Academician Professor Slobodan Perović, as Founder and Chair of the Kopaonik School of Natural Law, submitted a draft Declaration at the Closing Plenary Session in 2002, when the Declaration was adopted without entering any changes to the Draft. The Declaration was printed in one volume in six languages: English, French, German, Spanish, Russian and Chinese.

And now, allow me the pleasure of making a very special announcement. The publishing activity of the Kopaonik School of Natural Law – Slobodan Perović has since December 2019 been enlarged by a scientific journal – a Review of the Kopaonik School of Natural Law. As a new, separate and independent journal of the Kopaonik School, the Review comes out biannually and features scientific articles, comparative studies, analyses of court judgements and arbitral awards, legal commentaries, book reviews and other scientific papers by distinguished local and international authors.

Presenting the legal community with this journal, the Kopaonik School of Natural Law – Slobodan Perović continues to build on the edifice of its printed word, enriching it for another view of the horizon of the law whose purpose it is to serve justice. It is bound to do so by its scientific identity and integrity, and what is more, by the pivotal name of its Founder, Professor Slobodan Perović.

Bringing Legal Communities Together

The third dimension of the Kopaonik School of Natural Law is comprised of bringing together all ranks of legal community, both from the country and abroad. As for international participants, they come from over 40 different countries (Germany, France, the UK, Italy, Austria, the Netherlands, Greece, Poland, Hungary, Romania, Bulgaria, Portugal, Spain, Turkey, Switzerland, the USA, India, Russia, Belarus, China, Brazil, Lebanon).

In considering the work of the School, special attention must be drawn to the fact that the School has been under the moral auspices of UNESCO since 2005 on the grounds that “the projects and publications of the Kopaonik School of Natural Law are of special interest to UNESCO and will certainly contribute to the advancement of human rights and strengthen the international law. Their goals are fully in line with the ongoing human rights process within the United Nations system” (as signed by Koitchiro Matsura, Director-General of UNESCO). UNESCO support to the School is ongoing. It is not only protocolary in character, rather, the School has been described by UNESCO as an important international event. On the occasion of the Twentieth Meeting of the School, UNESCO addressed the following words “UNESCO presents wholehearted compliments to Professor Slobodan Perović, Founder of the School of Natural Law, for organizing this event. We consider the Kopaonik School of Natural Law to be our natural ally in the joint efforts to promote fundamental principles of respect for human rights and human dignity” (Pierre Sané, Assistant Director General of UNESCO).

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An understanding of the work of the Kopaonik School of Natural Law leads us to a conclusion that a unique scientific movement has been created under the auspices of the School, a movement based on traditional philosophy of justice and rational concept of the natural law as codified by the United Nations and other peaceful associations and integrations.

This Year’s Meeting

Dear colleagues, over 200 scientific and professional papers were submitted by local and international authors for our Meeting this year, and a total of 172 papers were published, arranged in four volumes.

In honour of its Founder, Academician Professor Dr Slobodan Perović, the Kopaonik School had announced a call for paper competition for “Professor Slobodan Perović” Award, for the best three papers submitted by young participants of the Kopaonik School of Natural Law, addressing the theme of “Law and the Power of Mind – To Honour the Memory of the Founder of the Kopaonik School of Natural Law, Academician Prof. Dr Slobodan Perović”. A large number of young authors responded to the call – young jurists and undergraduate and postgraduate students of law. Having evaluated all submissions, the panel of experts selected three papers offering the best response to the general theme and the requirements of the call for papers. The authors of these papers are the winners of this year’s “Professor Slobodan Perović” Award, and the public announcement of the winners and their addresses to the public will follow in a couple of minutes. The Kopaonik School of Natural Law has dedicated a special issue of “Legal Life” journal to the papers for the “Professor Slobodan Perović” Award, featuring the submissions received in response to the call for paper competition.

To sum it up, speaking of the Kopaonik School’s publishing activity, this year it comprises over 3.500 pages of printed text. In that regard, I wish to thank you for entrusting me, as Chair of the Kopaonik School and Editor-in-Chief of the special-themed issues of the journal, with editing the volumes before us.

General Conclusion

Dear colleagues, allow me to conclude this address by stating that Freedom is the first letter and the pillar of the Hexagon of the Kopaonik School of Natural Law, the pillar bearing all other natural rights. Reflecting on freedom, Slobodan Perović would say: “The song of freedom is not a song if not lived. It is never finished. The only question is how much we may reach out to it with a collective arm, perhaps even grasp it. Those unable to hear the song of freedom will hear the tempest of non-freedom, a desert of anti-law, the crime of the stronger. The Kopaonik School of Natural Law has banished all violence and all aggression against our natural rights to a desert island. Only the power of mind may usher us into the culture of peace and the splendour of justice as the sine qua non of eternal youth of the natural law. And with such youth, the immortal spirit of freedom will never fade”.

And thus, freedom is here today, at this University of Natural Law. Freedom is here today with us and within us, it is and shall be. The Kopaonik School of Natural Law will be guided by eternal youth of Freedom and the ideas of its Founder Slobodan Perović.