

**INTERNATIONAL ACADEMY FOR THE STUDY OF THE JURISPRUDENCE OF
THE FAMILY**

**Symposium: Judicial Protection of the Family: Too Little or Too Much?
University of Białystok, Faculty of Law, Poland, July 18th-21st. 2017**

Venue: University of Białystok, Faculty of Law, Mickiewicza 1 St, room 314, 3rd floor.

Main Sponsor and Honorary Patronage: Polska Federacja Hodowców Bydła i Producentów
Mleka (Polish Federation of Cattle Breeders and Producers of Dairy)

Sponsor: Raiffeisen Polbank

Tuesday July 18th

Arrival of the participants

19.00 Welcoming reception (Faculty of Law, Foyer, Ground floor), sponsored by Raiffeisen
Polbank

Wednesday July 19th

9.00 – 9. 15 Opening of the Symposium: Prof. dr hab. Emil Pływaczewski, Dean, Faculty of
Law, University of Białystok

9.15 - 10.15 Chair: Prof. Carlos Martinez de Aguirre

1. Prof. dr hab. Tomasz Sokołowski, Adam Mickiewicz University, Faculty of Law and
Administration, Poznań, Poland: Judicial Protection of the Family in Poland: Too Little or
Too Much?

2. Prof. Sanita Osipova, University of Latvia, Faculty of Law, Constitutional Court of Latvia:
Constitutional Court of the Republic of Latvia case-law adjudicating cases which impact
family rights.

3. Prof. Lynn D. Wardle, BYU, Provo, Utah, USA: Courts As Instruments of Change in
American Families and Family Law: Realities, Benefits, Risks and Limits.

10.15 – 10.45 Coffee break

10.45 – 12.15

Chair: Prof. Scott FitzGibbon

4. dr hab. Piotr Mostowik, Institute of Justice, Warsaw, Jagiellonian University, Cracow:
Some Remarks on Polish Constitutional Principles of Marriage and Parentage with regard to
recent European Union's Activities in the field of Private International Law.

5. prof. dr hab. Katarzyna Bagan – Kurluta, University of Białystok, Poland: Public order
clause and the identity of the child.

6. Anna Kontere, doctoral student, University of Latvia: Family Institution in Legal
Provision and Legal Reality in Latvia,

7. Prof. Carmen Carcimartin, University of La Coruna, Spain: Judicial Protection of the
Family and Hate Speech.

12.15-13.30 Lunch

13.00 IASJF Assembly (3rd floor, room 312)

13.30 - 15.00

Chair: Prof. Carmen Garcimartin

Speech delivered by Mr. Leszek Hądzlik, President of the Polish Federation of Breeders of Cattle and Producers of Dairy (Wystąpienie p. Leszka Hądzlika, Prezydenta Polskiej Federacji Hodowców Bydła i Producentów Mleka).

8. Prof. Teresa S. Collett, University of St. Thomas School of Law, Minnesota, USA: Parental Authority: Why are Sex-Related Matters Different?

9. Dr. Ram Rivlin, Hebrew University of Jerusalem, The Burden and Benefit of Parental Responsibility, and the Limits of Judicial Fairness

10. Ass. Prof. Shaakirrah R. Sanders, University of Idaho College of Law, USA, Child Martyrs: Parental Exercise of Religious Exemptions and a Minor's Right to Life,

11. Dr hab. Magdalena Habdas, University of Silesia, Katowice, Poland: Raising children revisited – lessons from law and psychology

12. Prof. Olga A. Dyuzheva, Lomonosov University, Faculty of Law, Moscow, Russia: Proposals of amendments to the Russian Family Code.

15.00-15.30 Coffee break

15.30 – 17.00

Chair: Prof. Tomasz Sokołowski

13. Prof. Inés Sánchez-Ventura Morer, University of Navarra, Spain: Public and Private Rules in the Assistance of Adults: The Statutory Duty of Maintenance and Social Benefits

14. Prof. Robin Fretwell Wilson, University of Illinois, USA: Vulnerable Children and the Family: Legislatures, Not Judges, Must Provide Needed Safeguards,

15. Prof. Javier Ferrer, University of Zaragoza, Spain: Public financing of the right and the freedom of education in Spain: legislation and jurisprudence, University of Zaragoza.

16. Prof. Zdeňka Králíčková, Masarykova Univerzita, Brno, Czech Republic: Judicial protection of victims of domestic violence,

17. Dr Ruth Amir, Yezreel Valley College, Nazareth, Israel: The Jurisprudence of Protecting Children from Forcible Transfer: The Genocide Convention; Yezreel Valley College

19.00 **Gala dinner**, venue: Hotel Aristo, 15 Kilinskiego St, sponsored by Polska Federacja Hodowców Bydła i Producentów Mleka

Thursday July 20th

9.00 – 10.30

Chair: Prof. Lynn Wardle

18. Prof. Scott FitzGibbon, Boston College Law School, USA: Protecting the Family: The Judicial Fostering of Meta-Vocational Morality

19. Rabbi Prof. Melech (Elimelech) Westreich, Tel Aviv University, Israel: Controlling Polygamy in Jewish law – a Millennium of Transitions,

20. Prof. Leah Bornstein-Makovetsky, Ariel University, Israel: The Principle of "The Welfare of the Minor" in Determining Guardianship and Custody in Jewish Society in the Ottoman Empire in Light of the Decisions of the Jewish Courts of Law, Jewish Halachic Literature and Muslim Courts Documents

21. Prof. Antonio Jorge Pereira Jr.: Is really unconstitutional the difference in treatment of the right of succession between spouse (marriage) and companion (civil union) in Brazil? Why? Analysis of the recent decision of the Federal Supreme Court of Brazil.

10.30 – 11.00 Coffee break

11.00 – 12.30

Chair: Prof. Teresa Collet

22. Rabbi Prof. J. David Bleich, Yeshiva University, Benjamin N. Cardozo School of Law, New York, USA: Child Support in Instances of Contested Implantation

23. Prof. Carlos Martínez de Aguirre, University of Zaragoza, Spain, The European Court of Human Rights on Surrogate Motherhood.

24. Dr Avishalom Westreich, Ramat Gan, Israel, Limiting Reproduction? Jewish Law Perspectives on Postmortem Fertilization.

25. Prof. Amihai Radzyner, Bar-Ilan University, Israel: Jewish Law, State, and Social Reality: Prenuptial Agreements for the Prevention of Divorce Refusal in Israel and in the United States.

26. Prof. Michael J. Broyde, Emory University School of Law, Georgia, USA: Religious Arbitration of Family Law Matters in America: Why Liberal Societies Ought to Encourage, but Regulate, Christian, Jewish and Islamic Religious Courts in the Area of Family Law.

12.30-13.15 Lunch

13.15 – 14.45

Chair: Rabbi Prof. J. David Bleich

27. Rabbi Prof. Yitshak Cohen, Ono Academic College, Israel: Extramarital Relationships and the Theoretical Rationales for the Joint Property Rules - a New Model.

28. Oleh Prostybozhenko, doctoral student, Kyiv University of Law of the National Academy of Sciences of Ukraine: Soviet Roots of the CIS's Modern Matrimonial Property Regimes: a Case of Ukraine.

29. Dr Javier Nanclares Valle, University of Navarra, Spain: Judicial Protection of the Same-sex Partners: Too Little or Too Much Family?

30. Dr Daniela Jarufe Contreras, Universidad Católica del Norte, Chile: Some Juridical Reflections on Transsexuality and the Effects of Registry Rectification Regarding the Gender of the People. Special reference to affiliation matters.

14.45 – 15.15 Coffee break

15.00 – 16.30

Chair: Prof. Robin Fretwell Wilson

31. Prof. Maria Concepcion S. Noche, Dean of the Institute of Law, School of Law and Governance of the University of Asia and the Pacific, Philippines: The Unborn in the Womb of the Philippine Constitution: The Mantle of Protection under the Legal System of the Philippines.

32. Prof. Jo Aurea Imbong, University of Asia and the Pacific, Philippines: *Sltijd de Zoon Van de Vader*: the Sound Public Policy and Juridical Guidance of *Processual Presumption* as Safe Harbour for Children

33. Dr hab. Anna Stawarska-Rippel, University of Silesia, Katowice, Poland; dr hab. Piotr Fiedorczyk, University of Białystok, Poland: The Unification of Family Law in Poland in 1945-46 and its Consequences for Civil Proceedings.

34. Prof. David Pimentel, University of Idaho, USA: The Impact of *Obergefell* – Traditional Marriage’s New Lease on Life?

18.00 Białystok sightseeing

Friday July 21st

9.00 Trip to Tykocin

Synagogue, castle, storks’ place, church

Boat ride on Narew river

Lunch

15.00 return to Białystok