

International Academy for the Study of the Jurisprudence of the Family

Symposium on the Jurisprudence of Family Relations: Privacy, Autonomy, and Whether States Should Regulate Family Relations

Benjamin N. Cardozo Law School of Yeshiva University
55 Fifth Ave. NYC, New York City, New York, USA 10003

June 10-11, 2013

Tentative Final Program (130523)

Monday, June 10, 2013

8:00–8:30 a.m. **Registration (continues through the morning)**

8:30–8:45 a.m. **Welcome**
Cardozo Law School Official
Professor Rabbi J. David Bleich, Cardozo
Professor Lynn D. Wardle, President, International Academy (IASJF)

8:50-10:45 p.m. **Panel 1 Plenary Presentations (Moderator, Carmen Garcimartin)**

Robin Fretwell Wilson (Washington and Lee University; after July 1, 2012, University of Illinois (USA))
The Erupting Clash Between Religion and the State Over Contraception, Sterilization, and Abortion

Scott FitzGibbon (Boston College Law School, USA)
The Law's Duty to Protect the Kinship System and the Failure of Cultural Anthropology

Monika Pfaffinger (University of Lucerne, Switzerland)
The Past Future of Adoption: The Impact of Biotechnologies on an Old Institution

Federica Giardini (University of Padua, Italy)
The Italian Situation on Filiation Born Into and Outside The Marriage: How The State Intervenes in Family Relations According to the Principle of Equality—An Historical and Comparative Legal Perspective.

Dr. Aviad Hacoen (Sha'arei Mishpat Law School, Israel)
Parents and Children, Religion and State: Can We Circle the Square?

Suzana Kraljić (University of Maribor, Slovenia)
The Child Has the Right to Privacy at School

10:55–12:10 a.m. **Panel 2 Keynote Presentations (Moderator Scott FitzGibbon)**

Baroness Ruth Deech (House of Lords, United Kingdom)
Getting Married

*Ursula C. Basset (Pontificia Universidad Católica Argentina, Argentina)
Autonomous Choices of Adults and the Rights of Children: Can a Satisfactory Balance Ever Be Achieved?

12:15-1:05 p.m. Lunch and Presentation of the Richard G. Wilkins Award for Distinguished Service

1:10-3:05 p.m. Panel 3 Plenary Presentations (Moderator Ruth Farrugia)

Dr. Ayelet Blecher-Prigat (Sha'arei Mishpat Law School, Israel)
Abolishing Legal Marriage: The Unique Israeli Perspective

David Pimentel (Ohio Northern University, USA)
State Intervention in Parental Discretion: Enforcing Overprotective Norms

Eva Ryrstedt (University of Lund, Sweden)
The Legal Effect of Elderly's Cohabitation out of Wedlock in Sweden

Javier Ferrer (University of Zaragoza, Spain)
Marriage and Religious Freedom

Barbara Stark (Hofstra University, USA)
Empire State of Mind: Theorizing Marriage in New York

Olga A. Dyuzheva (Moscow State University, Russia)
Leo Tolstoy as a Mirror of Global Family Law Reform

3:15-5:10 p.m. Panel 4 Plenary Presentations (Moderator James Dwyer) ~~Nicolas Lafferriere~~**

Carmen Garcimartín (University of La Coruña, Spain)
The Privatization of Marriage

Karin Carmit Yefet (Haifa University, Israel)
Unchaining the Agunot: A Constitutional Analysis of Israeli-Jewish Women's Call for Martial Freedom

Carlos Martínez de Aguirre (University of Saragossa, Spain)
Is the Law of Contradiction Part of Family Law? Spanish Family Law as a (Bad) Model

Marcia Zug (University of South Carolina, USA)
Government Matchmakers: Shaping the American Family Through Immigration Law

María Sara Rodríguez (Universidad de los Andes, Chile)
Same-Sex Unions and the State in Chile: Why the State Should Not Interfere With Marriage

Marcos M. Córdoba (Universidad Abierta Interamericana Law School, Argentina)
The Respect for Cohabitants' Privacy

5:20-6:25 p.m. Panel 5 Plenary Presentations (Moderator Ursula Basset)

Dr. Yitshak Cohen (Columbia Law School, USA; Ono Academic College, Israel)
Issues Subject to Modification in Family Law: A New Model

Dr Bénédicte Sage-Fuller (University College Cork, Ireland)
Taxing the Family or Taxing Individuals? Perspective on the Irish Family Tax System

Ya'ir Ronen (Ben Gurion University of the Negev, Israel)
How Should Law Respond to the Plight of Those Choosing Humiliating Submission Within the Family?

6:45-8:45 p.m. Symposium Banquet

Tuesday, June 11, 2013

8:30-10:25 a.m. Panel 6 Plenary Presentations (Moderator Piotr Fiedorczyk)

Lars-Göran Sund, Kajsa Haag, and Anneli Linhard (Jönköping International Business School, Sweden)
Impact of Divorce on Family Business: The Legal Aspects

Sean Hannon Williams (University of Texas, USA)
Local Family Law

Leah Bornstein-Makovetsky (Ariel University, Israel)
Ottoman and Jewish Authorities Facing Issues of Prostitution and Adultery: 1700-1900

Dr. Yoav Mazeh (Ono Academic College, Israel)
State Regulation of Financial Support for Children: Should Divorce Change Everything?

Prof. Avv. Antonio Tullio (University of Modena and Reggio Emilia, Italy)
The Pathological Aspects Associated With Family Dissolution

Dr. Olga Cvejić Jančić (Singidunum University, Serbia)
Privacy and Autonomy in Serbian Family Law

10:35–11:20 a.m. Panel 7 Keynote Presentation (Moderator Lynn D. Wardle)

J. David Bleich (Benjamin N. Cardozo School of Law, USA)
A Proposal for Withholding a Divorce Decree on Grounds of Equity

Ursula C. Basset (Pontificia Universidad Católica Argentina, Argentina)
Autonomous Choices of Adults and the Rights of Children: Can a Satisfactory Balance Ever Be Achieved? **>>Moved to Monday

11:25-12:30 p.m. Panel 8 Plenary Presentations (Moderator *)**

Dr. Antonio Jorge Pereira Júnior (University of Fortaleza, Brazil)
The Co-Regulation of Family by Social Circles (Civil Society and State): A Dialogue With the Federal Constitution of Brazil

Avishalom Westreich (College of Law and Business, Ramat Gan, Israel)
Financial Relations and Property Rights in Civil Marriage: A Jewish Law Perspective

Dr. Ram Rivlin (Hebrew University of Jerusalem, Israel)
The Right to Divorce: Its Direction, and Why it Matters

12:35–1:25 p.m. Lunch and General Assembly of the IASJF

1:30-3:25 p.m. Panel 9 Plenary Presentations (Moderator Carlos Martinez de Aguirre)

James G. Dwyer (William & Mary Law School, USA)
Regulation of the Parent-Child Relationship: Unavoidable and Fiduciary

Ruth Farrugia (University of Malta, Malta)
Is There a State Responsibility to Regulate Child-Parent Relationships?

Lynn D. Wardle (Brigham Young University, USA)
The Law of Morality and the Morality of Law: Implications for Family Law

Lucinda Ferguson (University of Oxford, United Kingdom)
The Virtues of Realizing the Aims of Children's Rights Through a Non-Rights-Based Approach to Regulating Children

Jo Aurea M. Imbong (University of Asia and the Pacific, Philippines)
My Children Are Not Your Children: Defending Parents' Autonomy in the Moral Upbringing of Their Children

Dr. Maria Cahill (University College Cork, Ireland)
The Impact of Anti-Subsidiarity Trends on Regulation of the Family

3:35-5:30 p.m. Panel 10 Plenary Presentations (Moderator Olga Cvejić Jančić)

Déborá Gozzo (Centro Universitário Fieo, Brazil)
Surrogate Motherhood and the Autonomy of Sexual Reproduction

Gordana Kovaček Stanić (University of Novi Sad, Serbia)
State Regulation of Surrogate Motherhood: Liberal or Restrictive Approach

Alejandro Laje (Universidad Abierta Interamericana Law School, Argentina)
Privacy Right, the Family and Entertainment

Ana Maria Olguin Britto (Universidad Católica San Pablo, Arequipa-Perú)
Family Relations and the Family Protection as an Institutional Guarantee in the Peruvian Law

Stefano Troiano (University of Verona, Italy)
Understanding and Redefining the Rationale of State Policies Allowing Anonymous Birthing: A Difficult Balance Between Conflicting Interests

Piotr Fiedorczyk (University of Białystok, Poland)
Should Poland Ratify the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence?

5:30-6:40 p.m. Panel 11 Plenary Presentations (Moderator Jo Aurea M. Imbong)

Yael Braudo (Tel Aviv University, Israel)
Women's Autonomy and Marital Property

Rafael Santa María D'Angelo (San Pablo Catholic University of Arequipa)
Gender and Family Perspective: Presuppositions of a New Proposal

Graciela Medina (University of Buenos Aires, Argentina)
Argentine Law Report on the Autonomy Principle in Family Law: Breakthroughs and Limits

6:40 – 6:45 p.m. Conclusion

Professor Rabbi J. David Bleich, Cardozo

Professor Lynn D. Wardle, President, International Academy (IASJF)

IASJF website is at <http://www.iasjf.org>

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