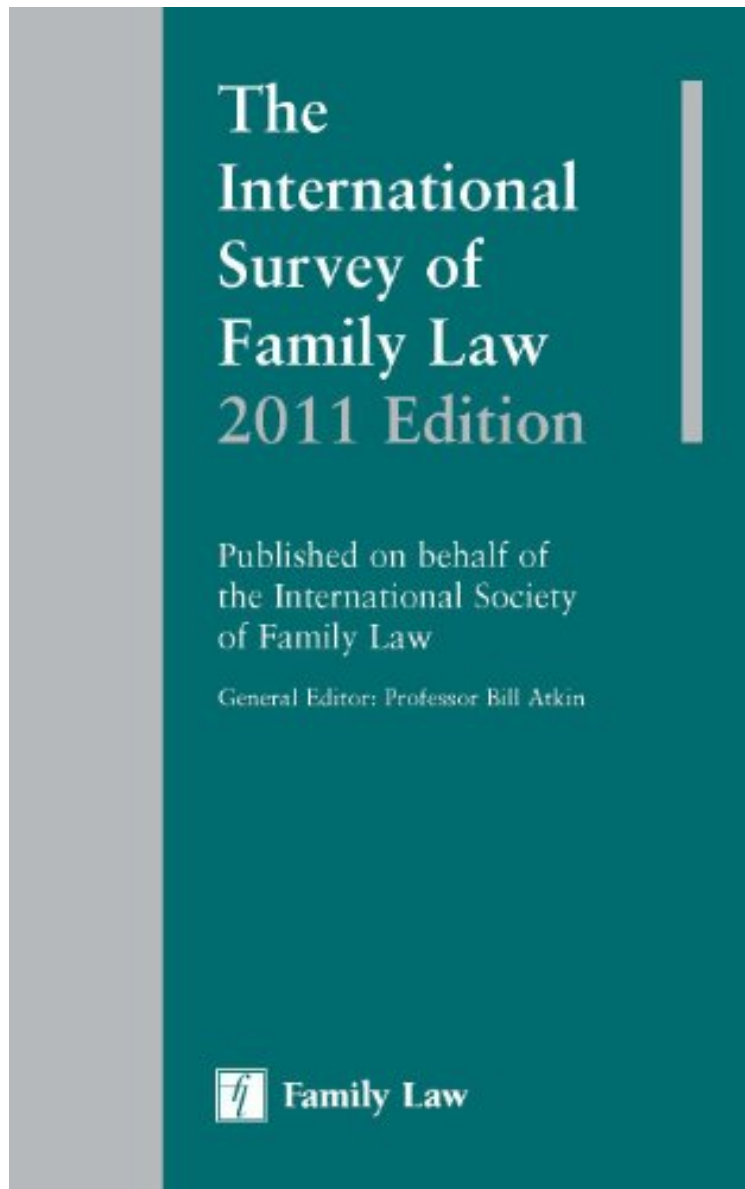


[Online library] The International Survey of Family Law 2011 Edition

The International Survey of Family Law 2011 Edition

From Jordan Publishing Limited
*ePub | *DOC | audiobook | ebooks | Download PDF*



 Download

 Read Online

#7861783 in Books 2011-07-31 Original language: English PDF # 1 9.60 x 1.20 x 6.40l, 1.88 #File Name: 1846612845452 pages | File size: 39.Mb

From Jordan Publishing Limited : The International Survey of Family Law 2011 Edition before purchasing it in order to gage whether or not it would be worth my time, and all praised The International Survey of Family Law 2011 Edition:

0 of 0 people found the following review helpful. Latest developmentsBy Phillip Taylor MBETHE LATEST FAMILY LAW DEVELOPMENTS WORLDWIDE, INCLUDING CANADAS ZERO TOLERANCE ACT.An appreciation by

Phillip Taylor MBE and Elizabeth Taylor of Richmond Green Chambers

If you are a family lawyer, you probably know about the International Society of Family Law. But don't worry if you don't, because now you do. Be it known that this organisation, launched at the University of Birmingham in 1973, publishes among other things, this important and up-to-the-minute annual review of significant and noteworthy developments in family law across the world. Published by the Family Law imprint of Jordan Publishing, this is the new 2015 edition of the International Survey of Family Law, compiled under the editorship of Professor Bill Atkin of the Faculty of Law, Victoria University of Wellington, New Zealand. I am writing this, he says in the preface, the day after the news broke that the United States Supreme Court had decided in favour of gay marriage, causing a mix of jubilation and consternation. The United States, he adds, illustrates the vital role of the courts accompanied by an interplay between the Constitution and the various federal and state legislation. He then contrasts New Zealand's positive vote with the negative vote in Australia on the same issue, while also reminding us that Ireland, a staunchly Catholic country, also voted almost 2 to 1 in favour of marriage equality. Atkin comments that for the most part, these developments in the West are not replicated anywhere else. Predictably, a substantial percentage of the contributions from the twenty-two areas (from Australia to Zanzibar) discussed in this volume discuss a range of issues relating to marriage in for example Europe, France, Puerto Rico, Scotland and India. International developments in other areas of family law are of course, also covered. Particularly interesting and certainly timely is a piece of legislation now emerging from Canada referred to by Martha Bailey in the chapter on Setting Boundaries, as an effort to demarcate civilized marriage from barbaric forms of marriage. This is the fiercely named Zero Tolerance for Barbaric Cultural Practices Act (Zero Tolerance Act). Passed in March 2015 by Canada's Senate and subsequently referred to Canada's House of Commons, the Act is designed primarily to render forced marriages and other barbaric cultural practices illegal. Expanding on the intent and impact of the Act, the Canadian government has declared officially (and we quote) that Canada's openness and generosity does not extend to early and forced marriage, polygamy or other types of barbaric cultural practices. Canada will not tolerate any type of violence against women or girls, including spousal abuse, violence in the name of so-called honour or other mostly gender-based violence. Those found guilty of these crimes are severely punished under Canada's criminal laws. The statement further cites Canada's commitment to standing up for victims of violence and abuse and to send a strong message to those in Canada and those wishing to come to Canada - - that such practices will not be tolerated on Canadian soil. It is more than clear that in this ethnically diverse and famously tolerant country, the tolerance level of mainly mild-mannered Canadians has hit zero on this and a number of other odious and repellent issues, as they have not exactly minced words in the wording of this Act. It is also proposed that prohibitions on polygamy apply to temporary as well as permanent residents of Canada. Martha Bailey's essay as well as the other scholarly contributions in this carefully footnoted volume makes it a fascinating and diverting read. It is also a mine of up-to-date information on developments in family law worldwide. It will certainly broaden the perspective of both family and international lawyers everywhere and should be regarded as an essential purchase for the well-stocked family law library. The publication date is cited as at June 2015.0 of 0 people found the following review helpful. A bumper edition....

By Phillip Taylor MBEA BUMPER EDITION OF RECENT DEVELOPMENTS IN FAMILY LAW ACROSS THE WORLD

An appreciation by Phillip Taylor MBE and Elizabeth Taylor of Richmond Green Chambers

In his Preface, Professor Bill Atkin poses a fundamental question- we sometimes ask what the purpose of family law is. In many ways the main answer to this question is to be found in The International Survey of Family Law which is an annual review of developments in family law across the world under the auspices of the International Society of Family Law. This year's edition covers developments in over 20 countries written by academics and family law experts and is truly global with its wide content. Atkin says he appreciates how significant family law is for much of our existence and how his own preconceptions about the purpose and shape of family law are now challenged by what is happening elsewhere in the world and not just in the England and Wales jurisdiction. We can certainly confirm, reading this excellent survey that we find ourselves in the same position as the editor! Atkin expands his original point asking these additional questions about family law: is it to control how we live; to empower people; to facilitate people as they sort out their personal lives; to lay down sensible ground rules for personal relationships; to reflect local culture and values; to protect the vulnerable; or is it something else or a combination of a variety of things? Well, it is actually about all these matters and more although many of the chapters are about children, especially those who are vulnerable across the world. Bill Atkin has seen the number wishing to contribute to the survey rise to a total of 46 for this edition which reflects not just the amount of work involved but also the range which this substantive law area covers and the different countries and languages. Each contribution has a resume or French language abstract at the beginning of chapter which is also specific to a particular country and the issues found there. The book is just over 500 pages long with useful detailed footnotes sub heading numbering within the main chapters. There is no index but readers will find the overview on the International Society of Family Law most informative. One thing which will strike the reader as familiar are the issues we face in England and Wales under the subtitle The Battle for Parenthood- Lesbian Mothers and Biological Fathers which reflect important recent case law studies illustrate the development of the common law in our jurisdiction. And then we read of events in other jurisdictions which certainly make us realize that the problems Atkin outlines with his questions in the Preface have

some answers and that what we face as issues in family law here are not really much different from the problems in other jurisdictions notwithstanding all the different legal systems and approaches. Atkins International Survey of Family Law for 2014 does just that and is a great contribution to the Jordan Family Law library of books we depend upon for so much with our practices. Thank you.

This book is the International Society of Family Law's annual review of family law around the world. Written by leading academics and family law experts, each article is accompanied by a French language abstract. The 2011 review begins with a round-up of the major developments in the international arena, and is followed by contributions from a diverse selection of countries where there have been important developments in family law, including: marriage and sexual orientation in Argentine law * gender mainstreaming in the family law of The People's Republic of China * adoption in Samoa * matrimonial property and its contractual regulation in Kazakhstan * registered and unmarried partners in Denmark * ten years of divorce reform in Switzerland.