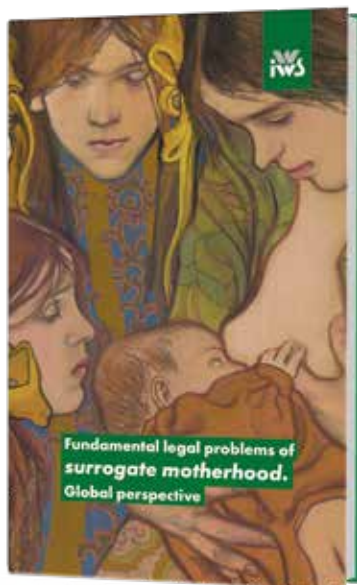




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Gerard Dou, Man with a pipe



Fundamental legal problems of surrogate motherhood Global perspective

edited by Piotr Mostowik

REVIEWERS:

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dr hab. Michał Kowalski, prof. UJ

PAGES: 1048

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HARDCOVER

The observation that *mater semper certa est* remains accurate under most legal systems in the world. Maternity is defined as the personal status (filiation) of a woman who gave birth to a child. It is typically complemented by the fatherhood of the man from whom the child biologically originates (often *quem nuptiae demonstrant*). However, in some states, a kind of competitive way of acquiring the legal status of mother and father (or “homosexual parents A and B”) has been introduced *via* concluding a contract with a surrogate mother. Usually with a woman coming from poorer societies and with the assistance of professional intermediaries and organizers. The postulates to change substantive family law, or at least to recognize the effects of foreign law and procedures (a kind of “procreative tourism”), appear nowadays also in states generally prohibiting surrogate motherhood.

The book allows readers, including legislators and judges, the better understanding of the fundamental legal problems that surrogate motherhood brings. They concern both national law and international court cases. Recent examples include the opinion of the European Court of Human Rights of 10 April 2019 initiated by the French *Cour de cassation*, the judgement of the German *Bundesgerichtshof* of 20 March 2019, and dilemmas of Polish administrative courts.



Freedom of Conscience A Comparative Law Perspective

edited by Grzegorz Blicharz

REVIEWERS:

Gerard V. Bradley, *Professor of Law,
University of Notre Dame, USA*

James C. Phillips, PhD, *Stanford University's
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HARDCOVER

Freedom of Conscience. A Comparative Law Perspective addresses the timeliest of topics. Across the European continent as well as in the Anglophone world (including the United States), “freedom of conscience” is at the forefront of issues addressed by judges and legislators. It is also a perennial matter of great importance. Public authorities throughout the ages have struggled to understand, and properly to meld, the necessities of political order and the freedom of competent adults to author their own actions and to constitute themselves by making, and acting upon, their conscientious decisions about what moral truth requires of them. The urgency and gravity of the issues presented by “freedom of conscience” is also matched by their intrinsic complexity. For all these reasons, only a multi-disciplinary, full-orbed approach to these questions will do them justice.

This volume rises to the occasion. The comparative perspective supplied by the editor’s recruitment of an international group of scholars, and also by his assignment to some of them the task of investigating additional countries, is utterly invaluable. The papers deftly blend what I might call “lawyer’s law” – that is, a careful presentation of the facts and holdings of courts or the precise details of a particular statutory scheme – with genuine philosophical depth. I should like to emphasize this virtue of the collection by observing that collections of this general sort tend to be either all sail or all anchor, either drowned in the minutiae of law without a care for the big picture, or all philosophy untethered to the reality of the positive law. Blicharz’s book has broken this mold. It promises to appeal to working lawyers, students, judges, and scholars.

Gerard V. Bradley, Professor of Law, University of Notre Dame, USA



Freedom of Religion A Comparative Law Perspective

edited by Grzegorz Blicharz

REVIEWERS:

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prof. dr hab. Andrzej Dziadzio, *Jagiellonian
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PAGES: 222

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HARDCOVER

Freedom of Religion. A Comparative Law Perspective consists of five chapters, looking at freedom of religion, particularly the display of religious symbols, in Poland, Italy, Hungary, and the United States. It provides a concise and very insightful look into the legal regimes of four nations, allowing reader to get a solid comparative view of public religious displays in these countries. Each chapter has sufficient depth and overall this edited volume will be a useful resource to scholars and jurists in this area.

Dr. James C. Phillips, Stanford University's Constitutional Law Center

The presented volume leads to an in-depth reflection on the issue of the display of religious symbols in the public sphere, which is widely discussed today. Most of the articles prove that secularism of the contemporary state ruled by law targets Christian symbolism (cross, cradle, the Decalogue). Christian religious symbols shall always be inscribed in the temporal order, otherwise they have no chance to be displayed in the public sphere. In this way, the rights of Catholic believers, as one of the dominant religious groups, are restricted in the name of the protection of religious and areligious minorities. As a result, the aim is to bring about the actual equality of all religions and – ultimately – the final removal of the Christian tradition from Western culture. Against this background, Polish (as well as Hungarian and Italian) judicial decisions present a different approach, which – as the authors of the volume prove – presents a position in favour of the presence of religious symbolism in the public sphere. The multifaceted evaluation of the inconsistency, casuistry and nuance of the jurisprudence of the US Supreme Court is extremely creative and interesting. It allows to conclude that the jurisprudence of the US Supreme Court, which usually limits the presence of religious symbols in the public forum, has not yet become universally binding. The pluralism of philosophical and religious attitudes still constitutes the axiological core of American democracy.

Prof. dr hab. Andrzej Dziadzio, Jagiellonian University in Kraków



Freedom of Speech A Comparative Law Perspective

edited by Grzegorz Blicharz

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ks. prof. dr hab. Franciszek Longchamps de Bériér,
Jagiellonian University in Kraków

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dr hab. Wojciech Lis, *Catholic University of Lublin*

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DIMENSIONS: 160 × 243 mm

HARDCOVER

Freedom of Speech: A Comparative Law Perspective offers a wide-ranging review of free speech law in Europe, the U.S., Canada and Australia, with a special focus on hate speech and on artistic and scientific speech. It provides a great deal of information on these topics, in a single volume, which presents a considerable value to anyone who wants to study the subject.

prof. Christopher Wolfe, University of Dallas

The book is disturbing. It encourages to pose serious questions, in particular about the phenomenon of the persecution for expressing traditional views, which ceased to be accepted by certain political and intellectual elites. It presents the context which allows us to realize how difficult it is to address such issues. Nevertheless, searching for the answers seems absolutely necessary. The analyses of the US law could be considered a universal parable about the awareness of free speech. The analyses of the law in other countries warn us how fragile the protection of freedom of expression is.

prof. Franciszek Longchamps de Bériér, Jagiellonian University in Kraków

The volume focuses on an important and complex theoretical question of practical value which is inscribed in the debate on the limits of freedom of speech. It is a collection of independent studies with a clearly presented central idea. Written by the authors representing not only different academic institutions and countries but even different legal cultures. Such a choice of authors offers a variety of presented evaluations, which testifies to the richness of content included in the book and is an invitation to further studies and analyses.

prof. Wojciech Lis, John Paul II Catholic University of Lublin



soon

Marriage, Children, and Family Modern Challenges in Comparative Law Perspective

edited by Grzegorz Blicharz

REVIEWERS:

Teresa Stanton Collett, *Professor of Law,
University of St. Thomas School of Law, USA*
Wojciech Lis, *Professor of Law,
The John Paul II Catholic University of Lublin*

PAGES: 456

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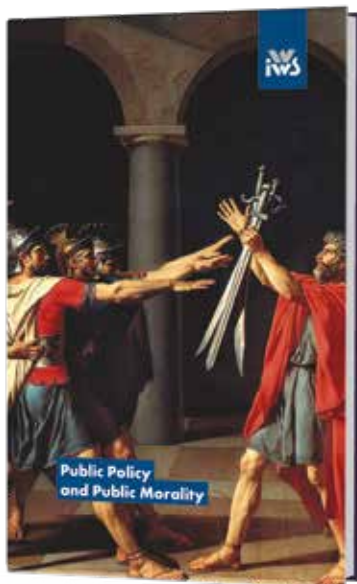
HARDCOVER

The book is a collection of essays presenting a troubling trio of family law issues from comparative law perspective. The authors, all experts with international reputations for their contributions to family law development, explore three discrete topics: the nature of marriage, sexualization of children, and involuntary commitment for addiction. The book is rich in content, and often provides specific suggestions for legislative reforms of Polish law. Foreign authors provide clear and readable commentary on the state of their domestic law, allowing readers to compare both jurisprudential and technical differences in national treatment of difficult family law issues.

Teresa Stanton Collett, Professor of Law, University of St. Thomas School of Law, USA

The book deals with several important issues that are of fundamental importance to the proper functioning of modern families and entire societies. Therefore, I consider the selection of issues discussed in the book to be extremely topical and noteworthy. The volume is a collection of studies prepared by authors representing various universities from Poland and abroad, which undoubtedly should be appreciated. Such a selection of authors ensures a variety of presented evaluations concerning the issues specified in the following parts of the book and presents them from the perspective of comparative law.

Wojciech Lis, Professor of Law, The John Paul II Catholic University of Lublin, Poland



soon

Public Policy and Public Morality

edited by Grzegorz Blicharz

REVIEWERS:

ks. prof. dr hab. Franciszek Longchamps de Bérér, *Jagiellonian University in Kraków*

Dr hab. Krzysztof Motyka, *The John Paul II Catholic University of Lublin*

Dr hab. Paweł Cichoń, *Jagiellonian University in Kraków*

PAGES: 222

DIMENSIONS: 160 × 243 mm

HARDCOVER

The book deals with two very important but imprecise terms in contemporary law, namely public policy and public morality. It is commendable that such a comprehensive work about vital general clauses has been prepared as they are the elements of the common good which refers directly to Article 1 of the Constitution of the Republic of Poland. The aim of these clauses is the protection of the integrity of Polish legal order and the reason why they are applied constitutes public interest. The clauses refer to the extralegal criteria of a moral, economic or political nature. That is why, for a legal practice, it appears vital to establish their content as a legal category by experts. No less important is entrusting or leaving the clarification of their meaning to the courts and other legal bodies, which serves to ensure necessary flexibility in applying, in particular, the public policy clause – a safety valve of legal order.

prof. Franciszek Longchamps de Bérér, Jagiellonian University in Kraków

The theme of the volume and the studies included in it are very interesting and important from a cognitive and applied perspective. The authors of the book represent various academic circles and different legal disciplines, whereas their conclusiveness is an essential value of the presented analyses.

Dr hab. Krzysztof Motyka, The John Paul II Catholic University of Lublin, Poland

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