LAWSG155: Advanced Issues in Family Law: Globalisation, Multiculturalism and Religion : Alison Diduck



1.

Course information.

2.

Beck-Gernsheim E. On the Way to a Post-Familial Family: From a Community of Need to Elective Affinities. Theory, Culture & Society. 1998 Aug 1;15(3):53–70.

З.

Dewar J. The Normal Chaos of Family Law. Modern Law Review. 1998 Jul;61(4):467-485.

4.

Büchler A. Islamic family law in Europe? From dichotomies to discourse – or: beyond cultural and religious identity in family law. International Journal of Law in Context. 2012 Jun;8(02):196–210.

5.

Morgan DHJ. Family connections: an introduction to family studies. Cambridge, UK: Polity Press; 1996.

6.

Diduck A. Shifting Familiarity. Current Legal Problems. 2005 Jan 1;58(1):235–254.

Smart C. Personal life: new directions in sociological thinking. Cambridge: Polity; 2007.

8.

Fineman M. The neutered mother, the sexual family, and other twentieth century tragedies. New York: Routledge; 1995.

9.

Fineman M. The autonomy myth: a theory of dependency. New York: New Press; 2004.

10.

Janet Finch. Displaying Families. Sociology [Internet]. Sage Publications, Ltd.; 2007;41(1):65–81. Available from: http://www.jstor.org/stable/42856961

11.

E. Silva, C. Smart. The `New' Practices and Politics of Family Life. The new family? London: Sage; 1999.

12.

J. Weeks. Elective Families: lesbian and gay life experiments. Analysing families: morality and rationality in policy and practice. London: Routledge; 2002.

13.

Green Paper on the Family [Internet]. Available from: http://www.centreforsocialjustice.org.uk/publications/green-paper-on-the-family

14.

Family Law Online. Available from: https://onlineservices.jordanpublishing.co.uk/content/en/FAMILYpa/Family_CFLQONLINE_CF LQ_navParentTopic_0#addHistory=true&filename=Family_CFLQONLINE_CFLQ_2000_06_3. dita.xml&docid=Family_CFLQONLINE_CFLQ_2000_06_3&inner_id=&tid=&query=&scope= &resource=&toc=false&eventType=lcContent.loadDocFamily_CFLQONLINE_CFLQ_2000_06 _3

15.

Carol Smart. The Legal and Moral Ordering of Child Custody. Journal of Law and Society [Internet]. Wiley; 1991;18(4):485–500. Available from: http://www.jstor.org/stable/10.2307/1410322?origin=crossref

16.

If only we can find the appropriate terms to use the issue will be solved': Law, identity and parenthood. Family Law [Internet]. Available from:

http://onlineservices.jordanpublishing.co.uk/content/en/FAMILYpa/Family FLJONLINE FLJ na vParentTopic 0#addHistory=true&filename=Family CFLQONLINE CFLQ 2007 12 3.dita.x ml&docid=Family CFLQONLINE CFLQ 2007 12 3&inner id=&tid=7d179daf-e906-4718-81 cb-857cf78cc6b1&query=%252B%2522If%2520only%2520we%2520can%2520find%2520 the%2520appropriate%2520terms%2520to%2520use%2520the%2520issue%2520will%25 20be%2520solved%27%253A%2520Law%252C%2520identity%2520and%2520parenthoo d%2522%2520%2520%252BOOChildandFamilyLawQuarterlyOQ&scope=&resource=&toc =false&eventType=lcContent.loadDocFamily CFLQONLINE CFLQ 2007 12 3&url=/web/se arch.xgl%3Fc%3Dt%26pub%3DFAMILYpa%26lang%3Den%26action%3Dsearch%26guery% 3D%252B%2522If%2520only%2520we%2520can%2520find%2520the%2520appropriate% 2520terms%2520to%2520use%2520the%2520issue%2520will%2520be%2520solved%27 %253A%2520Law%252C%2520identity%2520and%2520parenthood%2522%2520%2520 %252BQQChildandFamilyLawQuarterlyQQ%26scope%3D%26min%3D0%26max%3D0%26 xslmode%3Dhide excerpts%26sort%3Dcustom%3Achrono%26chunk%3D25%26ggprodna me%3DQQChildandFamilyLawQuarterlyQQ&sid=lcSearch.runSearch1413804344662&curr entQuery=%252B%2522lf%2520only%2520we%2520can%2520find%2520the%2520appr opriate%2520terms%2520to%2520use%2520the%2520issue%2520will%2520be%2520sol ved%27%253A%2520Law%252C%2520identity%2520and%2520parenthood%2522%2520 %2520%252BQQChildandFamilyLawQuarterlyQQ¤tScope=

17.

Boyd, Susan. Motherhood and Law: Constructing and Challenging Normativity. The Ashgate research companion to feminist legal theory [Internet].

Farnham%2C%20Surrey%2C%20England%20%3B%20Burlington%2C%20VT%2C%20USA: Ashgate; 2013. Available from:

http://copac.ac.uk/search?title=The%20Ashgate%20Research%20Companion%20to%20Fe minist%20Legal%20Theory%20&rn=1

Esther Dermott. Linking fatherhood and motherhood. Intimate fatherhood: a sociological analysis. Abingdon: Routledge; 2008.

19.

Diduck, Alison. Conceiving the Bad Mother: `The focus should be on the child to be born'. University of British Columbia Law Review [Internet]. 1998;32(2):199–226. Available from: http://heinonline.org/HOL/Page?handle=hein.journals/ubclr32&div=13&collection=journals &set_as_cursor=0&men_tab=srchresults

20.

Wallbank JA. Challenging motherhood(s). Harlow: Pearson Education; 2001.

21.

Lewis J. The politics of motherhood: child and maternal welfare in England, 1900-1939. London: Croom Helm; 1980.

22.

Susan B. Boyd. Child custody, law, and women's work. Oxford: Oxford University Press; 2003.

23.

K. O'Donovan, J. Marshall. After Birth: decisions about becoming a mother. Feminist perspectives on family law. Abingdon: Routledge-Cavendish; 2006.

24.

Millbank J. The Limits of Functional Family: Lesbian Mother Litigation in the Era of the Eternal Biological Family. International Journal of Law, Policy and the Family. 2008 Feb 1;22(2):149–177.

Collier R. A Hard Time to Be a Father?: Reassessing the Relationship Between Law, Policy, and Family (Practices). Journal of Law and Society. 2001 Dec;28(4):520–545.

26.

E. Dermott. Paradoxes of contemporary Fatherhood'. Intimate fatherhood: a sociological analysis [Internet]. Abingdon: Routledge; 2008. Available from: https://contentstore.cla.co.uk/secure/link?id=788f581e-5536-e711-80c9-005056af4099

27.

R Collier. Engaging Fathers? Responsibility, Law and the "Problem of Fatherhood"'. Responsibility, law and the family. Aldershot: Ashgate; 2008.

28.

R Collier. Engaging Fathers, changing men? Men, law and gender: essays on the 'man' of law. Abingdon: Routledge-Cavendish; 2010.

29.

Collier R, Sheldon S. Fragmenting fatherhood: a socio-legal study. Oxford: Hart; 2008.

30.

Sheldon S. Fragmenting Fatherhood: The Regulation of Reproductive Technologies. Modern Law Review. 2005 Jul;68(4):523–553.

31.

B. Neale, C. Smart. Caring, Earning and Changing. Analysing families: morality and rationality in policy and practice. London: Routledge; 2002.

32.

S. Ruddick. The idea of Fatherhood'. Feminism and families. New York: Routledge; 1997.

Glenda Wall and Stephanie Arnold. How Involved Is Involved Fathering?: An Exploration of the Contemporary Culture of Fatherhood. Gender and Society [Internet]. Sage Publications, Inc.; 2007;21(4):508–527. Available from: http://www.jstor.org/stable/27640989

34.

Gatrell C. Whose child is it anyway? The negotiation of paternal entitlements within marriage. The Sociological Review. 2007 May 10;55(2):352–372.

35.

Dermott E. Intimate fatherhood: a sociological analysis. Abingdon: Routledge; 2008.

36.

Research report 15 Work and care: a study of modern parents | Equality and Human Rights Commission [Internet]. Available from:

http://www.equalityhumanrights.com/publication/research-report-15-work-and-care-a-stud y-of-modern-parents

37.

Working Better: Meeting the changing needs in the 21st century | Equality and Human Rights Commission [Internet]. Available from: http://www.equalityhumanrights.com/publication/working-better-meeting-changing-needs-21st-century

38.

J Scott, S Dex. Paid and Unpaid Work, Can policy improve gender inequalities? Sharing lives, dividing assets: an inter-disciplinary study [Internet]. Oxford: Hart Pub; 2009. Available from:

https://www.dawsonera.com/guard/protected/dawson.jsp?name=https://shib-idp.ucl.ac.uk/ shibboleth&dest=http://www.dawsonera.com/depp/reader/protected/external/AbstractVie w/S9781847315274

Lewis J, Campbell M. UK Work/Family Balance Policies and Gender Equality, 1997-2005. Social Politics: International Studies in Gender, State & Society. 2007 Mar 23;14(1):4–30.

40.

LEWIS J. Childcare Policies and the Politics of Choice. The Political Quarterly. 2008 Dec 11;79(4):499–507.

41.

Haugen GMD. Caring children: exploring care in post-divorce families. The Sociological Review. 2007 Nov 6;55(4):653–670.

42.

James G. Mothers and fathers as parents and workers: family-friendly employment policies in an era of shifting identities. Journal of Social Welfare and Family Law. 2009 Sep;31(3):271–283.

43.

Allison James, Allison James. A New Paradigm for the Sociology of Childhood? Provenance, Promise and Problems. Constructing and reconstructing childhood: contemporary issues in the sociological study of childhood [Internet]. 2nd ed. London, UK: RoutledgeFalmer; 1997. Available from:

https://contentstore.cla.co.uk/secure/link?id=f597fc54-6936-e711-80c9-005056af4099

44.

Tisdall EKM, Punch S. Not so 'new'? Looking critically at childhood studies. Children's Geographies. 2012 Aug;10(3):249–264.

Burman E. Deconstructing neoliberal childhood: Towards a feminist antipsychological approach. Childhood. 2012 Nov 1;19(4):423-438.

46.

James AL. Competition or integration? The next step in childhood studies? Childhood. 2010 Nov 1;17(4):485–499.

47.

Emily Buss. What the Law Should (And Should Not) Learn from Child Development Research. Hofstra Law Review [Internet]. 2009;38(1):13–68. Available from: http://www.heinonline.org/HOL/Page?handle=hein.journals/hoflr38&id=15&collection=jour nals&index=journals/hoflr

48.

Jans M. Children as Citizens: Towards a Contemporary Notion of Child Participation. Childhood. 2004 Feb 1;11(1):27-44.

49.

Ennew J.,. Time for Children or Time for Adults? Childhood matters: social theory, practice and politics. Aldershot: Avebury; 1994.

50.

Wendy Stainton Rogers. What is a Child? Understanding childhood: an interdisciplinary approach. Chichester: Wiley; 2003.

51.

Heywood C. Centuries of Childhood: An Anniversary—and an Epitaph? The Journal of the History of Childhood and Youth. 2010;3(3):341–365.

Fass PS. The damned and the beautiful: American youth in the 1920's. Oxford: Oxford University Press; 1979.

53.

Holt JC. Escape from childhood: the needs and rights of children. Harmondsworth: Penguin; 1975.

54.

Sally Engle Merry. Legal Pluralism. Law & Society Review [Internet]. Wiley; 1988;22(5):869–896. Available from: http://www.jstor.org/stable/3053638

55.

Tamanaha, Brian Z. Understanding Legal Pluralism: Past to Present, Local to Global. Sydney Law review [Internet]. 2008;30(2):375-411. Available from: http://www.heinonline.org/HOL/Page?handle=hein.journals/sydney30&id=373&collection=j ournals&index=journals/sydney

56.

Roberts S. Against Legal Pluralism. The Journal of Legal Pluralism and Unofficial Law. 1998 Jan; 30(42):95–106.

57.

Sally Falk Moore. Law and Social Change: The Semi-Autonomous Social Field as an Appropriate Subject of Study. Law & Society Review [Internet]. Wiley; 1973;7(4):719–746. Available from: http://www.jstor.org/stable/10.2307/3052967?origin=crossref

58.

Griffiths, J. What is Legal Pluralism? Legal Pluralism and Unofficial Law [Internet]. 1986;24:1–56. Available from: http://www.heinonline.org/HOL/Page?handle=hein.journals/jlpul24&id=11&collection=jour nals&index=journals/jlpul

von Benda-Beckmann F. Who's Afraid of Legal Pluralism? The Journal of Legal Pluralism and Unofficial Law. 2002 Jan;34(47):37–82.

60.

Shah P. Legal pluralism in conflict: coping with cultural diversity in law. London: Glass House; 2005.

61.

Melissaris, Emmanuel. The More the Merrier? A New Take on Legal Pluralism. Social and Legal Studies [Internet]. Sage Publications Ltd; 1AD;13(1):57–79. Available from: https://www.swetswise.com/swoc-web/linkingDetails.html?openURL=false&issn=0964-663 9&eissn=0964-6639&volume=13&issue=1&page=57

62.

Douglas et al. G. The Role of Religious Tribunals in Regulating Marriage and Divorce. Child and Family Law Quarterly [Internet]. 2012;24(2):139–156. Available from: http://onlineservices.jordanpublishing.co.uk/content/en/FAMILYpa/Family CFLQONLINE CFL Q navParentTopic 0#eventType=lcContent.loadDocFamily CFLQONLINE CFLQ 2012 06 1 &url=/web/search.xgl%3Fc%3Dt%26pub%3DFAMILYpa%26lang%3Den%26action%3Dsear ch%26query%3D%252B%2522The%2520Role%2520of%2520Religious%2520Tribunals%2 520in%2520Regulating%2520Marriage%2520and%2520Divorce%2522%2520%2520%252 BQQChildandFamilyLawQuarterlyQQ%26scope%3D%26min%3D0%26max%3D0%26xslmo de%3Dhide excerpts%26sort%3Dcustom%3Achrono%26chunk%3D25%26qqprodname%3 DQQChildandFamilyLawQuarterlyQQ&sid=lcSearch.runSearch1414143484547¤tQu ery=%252B%2522The%2520Role%2520of%2520Religious%2520Tribunals%2520in%2520 Regulating%2520Marriage%2520and%2520Divorce%2522%2520%2520%252BQQChildan dFamilyLawQuarterlyQQ¤tScope=&query=%252B%2522The%2520Role%2520of%2 520Religious%2520Tribunals%2520in%2520Regulating%2520Marriage%2520and%2520Di vorce%2522%2520%2520%252BQQChildandFamilyLawQuarterlyQQ&scope=&filename=F amily CFLQONLINE CFLQ 2012 06 1.dita.xml&docid=Family CFLQONLINE CFLQ 2012 06 1&inner id=&tid=9eaad4aa-7dc0-4d12-a76e-cc399cbf07ee&addHistory=true&resource= &toc=false

63.

Hirschl, Ran. Constitutional Courts vs. Religious Fundamentalism: Three Middle Eastern Tales. Texas Law Review [Internet]. University of Texas, Austin, School of Law Publications, Inc.; 82(7):1819–1860. Available from: http://search.proquest.com/docview/203680245

Büchler A. Islamic family law in Europe? From dichotomies to discourse – or: beyond cultural and religious identity in family law. International Journal of Law in Context. 2012 Jun;8(02):196–210.

65.

Ruru J. Indigenous Peoples and Family Law: Issues in Aotearoa/New Zealand. International Journal of Law, Policy and the Family. 2005 Dec 1;19(3):327–345.

66.

Andra Nahal Behrouz. Transforming Islamic Family Law: State Responsibility and the Role of Internal Initiative. Columbia Law Review [Internet]. Columbia Law Review Association, Inc.; 2003;103(5):1136–1162. Available from: http://www.jstor.org/stable/10.2307/1123833?origin=crossref

67.

Marc J. Swartz. Religious Courts, Community, and Ethnicity among the Swahili of Mombasa: An Historical Study of Social Boundaries. Africa: Journal of the International African Institute [Internet]. Cambridge University Press; 1979;49(1):29–41. Available from: http://www.jstor.org/stable/1159503

68.

Giunchi E, editor. Muslim family law in Western courts. Abingdon, Oxon: Routledge; 2014.

69.

Rehman J. The Sharia, Islamic Family Laws and International Human Rights Law: Examining the Theory and Practice of Polygamy and Talaq. International Journal of Law, Policy and the Family. 2007 Mar 6;21(1):108–127.

M. Malik. The branch on which we sit": Multiculturalism, Minority Women and Family Law. Feminist perspectives on family law. Abingdon: Routledge-Cavendish; 2006.

71.

Hashem v Shayif & Anor [2008] EWHC 2380 (Fam) (22 September 2008) [Internet]. Available from: http://www.bailii.org/ew/cases/EWHC/Fam/2008/2380.html

72.

Murphy J. Ethnic minorities, their families and the law. Oxford: Hart; 2000.

73.

Sen A. Identity and violence: the illusion of destiny. London: Penguin; 2007.

74.

Eekelaar J. Family Law and Personal Life [Internet]. Oxford University Press; 2007. Available from: http://www.oxfordscholarship.com/view/10.1093/acprof:oso/9780199535422.001.0001/acp rof-9780199535422

75.

Maclean M, Eekelaar J. Managing family justice in diverse societies. Oxford: Hart Publishing; 2013.

76.

Witte J. From sacrament to contract: marriage, religion, and law in the Western tradition. 2nd ed. Louisville, KY; 2012.

77.

Nichols JA. Marriage and divorce in a multicultural context: multi-tiered marriage and the boundaries of civil law and religion. New York: Cambridge University Press; 2012.

The Convention on the Elimination of all Forms of Discrimination Against Women [Internet]. Available from: http://www.un.org/womenwatch/daw/cedaw/text/econvention.htm

79.

International Covenant on Economic, Social and Cultural Rights [Internet]. Available from: http://www.ohchr.org/en/professionalinterest/pages/cescr.aspx

80.

International Covenant on Civil and Political Rights [Internet]. Available from: http://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx

81.

Convention on the Rights of the Child [Internet]. Available from: http://www.ohchr.org/en/professionalinterest/pages/crc.aspx

82.

European Convention on Human Rights - Convention [Internet]. Available from: http://www.echr.coe.int/Documents/Convention_ENG.pdf

83.

Stark, Barbara. When Globalization Hits Home: International Family Law Comes of Age. Vanderbilt Journal of Transnational Law [Internet]. 2006;(5):1551–1604. Available from: http://www.heinonline.org/HOL/Page?handle=hein.journals/vantl39&id=1563&collection=j ournals#1563

84.

JANET HALLEY and KERRY RITTICH. Critical Directions in Comparative Family Law: Genealogies and Contemporary Studies of Family Law Exceptionalism. The American Journal of Comparative Law [Internet]. American Society of Comparative Law; 2010;58(4):753–775. Available from: http://www.jstor.org/stable/25766167

85.

Hilary Charlesworth, Christine Chinkin and Shelley Wright. Feminist Approaches to International Law. The American Journal of International Law [Internet]. American Society of International Law; 1991;85(4):613–645. Available from: http://www.jstor.org/stable/10.2307/2203269?origin=crossref

86.

Rose N. Beyond the Public/Private Division: Law, Power and the Family. Journal of Law and Society. 1987 Spring;14(1).

87.

Jane Liddy. The concept of family life under the ECHR. European Human Rights Law Review. 1998;

88.

Eekelaar J, Maclean M. Family justice: the work of family judges in uncertain times. Oxford: Hart Publishing; 2013.

89.

Eva Brems. A Noble Cause: A Case Study of Discrimination, Symbols and Reciprocity. Diversity and European human rights: rewriting judgments of the ECHR. Cambridge: Cambridge University Press; 2013.

90.

Estin, Ann Loquer. Family Law, Pluralism, and Human Rights. Emory International Law Review [Internet]. 2011;25(2):811–829. Available from: http://www.heinonline.org/HOL/Page?handle=hein.journals/emint25&id=815&collection=jo urnals&index=journals/emint

Durrant J. Legal reform and attitudes toward physical punishment in Sweden. The International Journal of Children's Rights. 2003 Jun 1;11(2):147–173.

92.

Rogerson P, Collier JG. Collier's conflict of laws [Internet]. 4th ed. Cambridge: Cambridge University Press; 2013. Available from: http://www.vlebooks.com/vleweb/product/openreader?id=UCL&isbn=9781107255173

93.

Briggs A. The conflict of laws. 3rd ed. Oxford: Oxford University Press; 2013.

94.

Büchler A. Islamic family law in Europe? From dichotomies to discourse – or: beyond cultural and religious identity in family law. International Journal of Law in Context. 2012 Jun;8(02):196–210.

95.

CASE OF ŞERİFE YİĞİT v. TURKEY (Application no. 3976/05) [Internet]. Available from: http://hudoc.echr.coe.int/sites/eng/pages/search.aspx?i=001-101579#{%22itemid%22:[% 22001-101579%22]}

96.

Foblets M.-Cl. Migrant Women Caught between Islamic Family Law and Women's Rights: the Search for the Appropriate 'Connecting Factor' in International Family Law. The multi-cultural family. Aldershot: Ashgate; 2008.

97.

Foblets, Marie-Claire. Migrant Women Caught between Islamic Family Law and Women's Rights. The Search for the Appropriate 'Connecting Factor. Maastricht Journal of European and Comparative Law [Internet]. 2000;7(1):11–34. Available from:

http://www.heinonline.org/HOL/Page?handle=hein.journals/maastje7&id=13&collection=journals&index=journals/maastje

98.

Dukali v Lamrani [2012] EWHC 1748 (Fam) (15 March 2012) [Internet]. Available from: http://www.bailii.org/ew/cases/EWHC/Fam/2012/1748.html

99.

Hyde v. Hyde and Woodmansee [Internet]. Available from: http://www.uniset.ca/other/ths/LR1PD130.html

100.

Family Law Week: Holliday v Musa [2010] EWCA Civ 335 [Internet]. Available from: http://www.familylawweek.co.uk/site.aspx?i=ed56141

101.

Kymlicka W. Multicultural citizenship within multination states. Ethnicities. 2011 Sep 1;11(3):281–302.

102.

Miller RA, Zumbansen PC, editors. Comparative Law as Transnational Law [Internet]. Oxford University Press; 2011. Available from: http://www.oxfordscholarship.com/view/10.1093/acprof:oso/9780199795208.001.0001/acp rof-9780199795208

103.

Twining W. General jurisprudence: understanding law from a global perspective. Cambridge: Cambridge University Press; 2009.

Nabi v Heaton (Inspector of Taxes) - [1981] STC 375. Available from: http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?lni=4D2W-3NY0-TWP1-SOW 5&csi=274713&oc=00240&perma=true&elb=t

105.

Fawcett JJ, Carruthers JM, North PM. Cheshire, North & Fawcett: private international law. 14th ed. Oxford: Oxford University Press; 2008.

106.

Marella MR. The Non-Subversive Function of European Private Law: The Case of Harmonisation of Family Law. European Law Journal. 2006 Jan;12(1):78–105.

107.

David Bradley. A Family Law for Europe? Sovereignty, Political Economy and Legitimation. : Global Jurist Frontiers. Available from: http://www.degruyter.com/view/j/gj.2004.4.1/gj.2004.4.1.1121/gj.2004.4.1.1121.xml

108.

Aude Fiorini. The Codification of Private International Law in Europe - Could the Community Learn from the Experience of Mixed Jurisdictions. Tulane European and civil law forum [Internet]. 2008;23:89–110. Available from: http://www.heinonline.org/HOL/Page?handle=hein.journals/teclf23&id=91&collection=jour nals&index=journals/teclf

109.

Legrand P. European Legal Systems are not Converging. International & Comparative Law Quarterly. 1996 Jan;45(01).

110.

Wilkinson v Kitzinger and Another (Same-sex marriage) - (2006) Times, 21 August. Available from:

http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?lni=4MDR-DHX0-TWP1-X17J &csi=274676&oc=00240&perma=true&elb=t

Borg-Barthet J. The Principled Imperative to Recognise Same-Sex Unions in the EU. Journal of Private International Law. 2012 Aug 15;8(2):359–388.

112.

Peter McEleavy. The Brussels II Regulation: How the European Community Has Moved into Family Law. The International and Comparative Law Quarterly [Internet]. Cambridge University Press; 2002;51(4):883–908. Available from: http://www.jstor.org/stable/3663191

113.

ENGLAND Paula. Separative and Soluble Selves. Dichotomous Thinking in Economics. Feminism confronts homo economicus: gender, law, and society. Ithaca, N.Y.: Cornell University Press; 2005.

114.

G. Straetmans. Non economic free movement of EU citizens and family law matters. International family law for the European Union. Antwerpen: Intersentia; 2007.

115.

Martin C. The Pacs and marriage and cohabitation in France. International Journal of Law, Policy and the Family. 2001 Apr 1;15(1):135–158.

116.

Millbank, Jenni. The role of the "functional family" in same-sex family recognition trends. Child and family law quarterly [Internet]. 2008;20(2):155–182. Available from: http://www.heinonline.org/HOL/Page?handle=hein.journals/chilflq20&id=155&collection=jo urnals&index=journals/chilflq

C. Stychin. Family Friendly? Rights, Responsibilities and Relationship. Feminist perspectives on family law. Abingdon: Routledge-Cavendish; 2006.

118.

Richards C. The Legal Recognition of Same-Sex Couples—The French Perspective. International & Comparative Law Quarterly. 2002 Apr;51(02).

119.

CASE OF SCHALK AND KOPF v. AUSTRIA (Application no. 30141/04) [Internet]. Available from:

http://hudoc.echr.coe.int/sites/eng/pages/search.aspx#{%22appno%22:[%2230141/04%2 2],%22itemid%22:[%22001-99605%22]}

120.

Wilkinson v Kitzinger [2006] EWHC 2022 (Fam) [Internet]. Available from: http://www.familylawweek.co.uk/site.aspx?i=ed2118

121.

Adam BD. Care, Intimacy and Same-Sex Partnership in the 21st Century. Current Sociology. 2004 Mar 1;52(2):265–279.

122.

PARKER S. THE MARRIAGE ACT 1753: A CASE STUDY IN FAMILY LAW-MAKING. 'International Journal of Law, Policy and the Family'. 1987;1(1):133–154.

123.

JDiduck A. A Family by any other Name ... or StarbucksTM comes to England. Journal of Law and Society. 2001 Jun;28(2):290–310.

Wright WK. The Tide in Favour of Equality: Same-Sex Marriage in Canada and England and Wales. International Journal of Law, Policy and the Family. 2006 Apr 11;20(3):249–285.

125.

Fineman M. The autonomy myth: a theory of dependency. New York: New Press; 2004.

126.

Murphy, John. Same-Sex Marriage in England: A Role for Human Rights? Child and Family Law Quarterly [Internet]. 2004;16(3):245–260. Available from: http://www.heinonline.org/HOL/Page?handle=hein.journals/chilflq16&id=251&collection=jo urnals&index=journals/chilflq

127.

Kofman E. Gendered Global Migrations. International Feminist Journal of Politics. 2004 Jan;6(4):643–665.

128.

Skrbiš Z. Transnational Families: Theorising Migration, Emotions and Belonging. Journal of Intercultural Studies. 2008 Aug;29(3):231–246.

129.

Ruth Zafran. Children's Rights as Relational Rights: The Case of Relocation. American University Journal of Gender, Social Policy & the Law [Internet]. 2009;18(2):163–218. Available from:

http://heinonline.org/HOL/Page?handle=hein.journals/ajgsp18&div=13&g_sent=1&collectio n=journals

130.

Ehrenreich B, Hochschild AR. Global woman: nannies, maids and sex workers in the new economy. London: Granta Books; 2003.

Ronen Y. The ties that bind: family and private life as bars to the deportation of immigrants. International Journal of Law in Context. 2012 Jun;8(02):283–296.

132.

Choudhry, Shazia. Adoption and Children Act 2002, the Welfare Principle and the Human Rights Act 1998 - A Missed Opportunity. Child and Family Law Quarterly [Internet]. 2003;15(2):119–138. Available from:

http://www.heinonline.org/HOL/Page?handle=hein.journals/chilflq15&id=123&collection=journals&index=journals/chilflq

133.

Dey I. Adapting Adoption: A Case of Closet Politics? International Journal of Law, Policy and the Family. 2005 Dec 1;19(3):289–309.

134.

Dowling M, Brown G. Globalization and international adoption from China. Child & Family Social Work. 2009 Aug;14(3):352–361.

135.

Eekelaar J. CHILDREN BETWEEN CULTURES. International Journal of Law, Policy and the Family. 2004 Aug 1;18(2):178–194.

136.

Harris-Short S. Making and Breaking Family Life: Adoption, the State, and Human Rights. Journal of Law and Society. 2008 Mar;35(1):28–51.

137.

Ishaque S. Islamic Principles On Adoption: Examining The Impact Of Illegitimacy And Inheritance Related Concerns In Context Of A Child'S Right To An Identity. International Journal of Law, Policy and the Family. 2008 Dec 1;22(3):393–420.

Lewis J. ADOPTION: THE NATURE OF POLICY SHIFTS IN ENGLAND AND WALES, 1972-2002. International Journal of Law, Policy and the Family. 2004 Aug 1;18(2):235-255.

139.

Lind J, Johansson S. Preservation of the Child's Background in In- and Intercountry Adoption. The International Journal of Children's Rights. 2009 Apr 1;17(2):235–260.

140.

Mezmur BD. From Angelina (To Madonna) to Zoe's ark: What are the 'A-Z' Lessons for Intercountry Adoptions in Africa? International Journal of Law, Policy and the Family. 2009 Aug 1;23(2):145–173.

141.

Palmer, Michael. Rethinking Children's Rights and Interests: Economic Reform, Social Protection and Legal Culture in Post-Mao China. Journal of Comparative Law [Internet]. 2010;5. Available from:

http://heinonline.org/HOL/Page?handle=hein.journals/jrnatila5&div=42&g_sent=1&collection=journals

142.

Roby, Jini L. From Rhetoric to Best Practice: Children's Rights in Intercountry Adoption. Children's Legal Rights Journal [Internet]. 2007;27. Available from: http://heinonline.org/HOL/Page?handle=hein.journals/clrj27&div=29&g_sent=1&collection =journals

143.

Tobin J, Mcnair R. Public International Law and the Regulation of Private Spaces: Does The Convention on the Rights of the Child Impose an Obligation on States to Allow Gay and Lesbian Couples to Adopt? International Journal of Law, Policy and the Family. 2009 Jan 29;23(1):110–131.

ECJ 04.10.1991 C-159/90 Judgment of the Court of 4 October 1991. The Society for the Protection of Unborn Children Ireland Ltd v Stephen Grogan and others [Internet]. 4AD. Available from:

http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?lni=4KWJ-F0W0-TXHM-409G &csi=301393&oc=00240&perma=true&elb=t

145.

R v Human Fertilisation and Embryology Authority, ex parte Blood - [1997] 2 All ER 687 [Internet]. Available from:

http://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?lni=4CSP-7P90-TWP1-61GW &csi=274668&oc=00240&perma=true&elb=t

146.

A, B AND C v. IRELAND - 25579/05 [2010] ECHR 2032 (16 December 2010) [Internet]. Available from: http://www.bailii.org/eu/cases/ECHR/2010/2032.html

147.

de Londras F, Dzehtsiarou K. II. GRAND CHAMBER OF THE EUROPEAN COURT OF HUMAN RIGHTS, A, B & C v IRELAND, DECISION OF 17 DECEMBER 2010. International and Comparative Law Quarterly. 2013 Jan;62(01):250–262.

148.

M. Hunter-Henin. Surrogacy: Is there Room for a New Liberty Between the French Prohibitive Position And the English Ambivalence? Law and Bioethics [Internet]. Oxford University Press; 2008. Available from:

http://www.oxfordscholarship.com/view/10.1093/acprof:oso/9780199545520.001.0001/acprof-9780199545520

149.

Diarmuid Rossa Phelan. Right to Life of the Unborn v Promotion of Trade in Services: The European Court of Justice and the Normative Shaping of the European Union. The Modern Law Review [Internet]. Wiley; 1992;55(5):670–689. Available from: http://www.jstor.org/stable/1096721

Morgan D, Lee RG. In the Name of the Father? Ex parte Blood: Dealing with Novelty and Anomaly. Modern Law Review. 1997 Nov;60(6):840-856.

151.

Hervey T. Buy baby: the European union and regulation of human reproduction. Oxford Journal of Legal Studies. 1998 Jun 1;18(2):207–234.

152.

Margaret Jane Radin. Market-Inalienability. Harvard Law Review [Internet]. The Harvard Law Review Association; 1987;100(8):1849–1937. Available from: http://www.jstor.org/stable/10.2307/1341192?origin=crossref

153.

Evans v United Kingdom (Application 6339/05) (2007) 46 EHRR 728, [2007] 2 FCR 5 [Internet]. Court: European Court of Human Rights. Available from: http://www.lexisnexis.com/uk/legal/results/enhdocview.do?docLinkInd=true&ersKey=23_T 20880888532&format=GNBFULL&startDocNo=0&resultsUrlKey=0_T20880888533&backK ey=20 T20880888534&csi=279841&docNo=1&hitNo=ORIGHIT 2&scrollToPosition=114

154.

Evans v United Kingdom (Application 6339/05) (2007) 46 EHRR 728, [2007] 2 FCR 5 [Internet]. Court: European Court of Human Rights. Available from: http://www.lexisnexis.com/uk/legal/results/enhdocview.do?docLinkInd=true&ersKey=23_T 20880888532&format=GNBFULL&startDocNo=0&resultsUrlKey=0_T20880888533&backK ey=20_T20880888534&csi=279841&docNo=1&hitNo=ORIGHIT_2&scrollToPosition=114

155.

Evans v Amicus Healthcare Ltd [2004] EWCA Civ 727, [2005] Fam 1 [Internet]. Court: Court of Appeal. Available from: http://www.levisnevis.com/uk/logal/results/onbdocview.de2decl.inklnd=true&ersKov=2

http://www.lexisnexis.com/uk/legal/results/enhdocview.do?docLinkInd=true&ersKey=23_T 20880959400&format=GNBFULL&startDocNo=0&resultsUrlKey=0_T20880959401&backK ey=20_T20880959402&csi=279841&docNo=2&scrollToPosition=228

Sheldon, Sally. Evans v Amicus Healthcare; Hadley v Midland Fertility Services - Revealing Cracks in the Twin Pillars. Child and Family Law Quarterly [Internet]. 2004;16. Available from:

http://heinonline.org/HOL/Page?handle=hein.journals/chilflq16&div=43&g_sent=1&collection=journals

157.

Freeman M. Rethinking Gillick. The International Journal of Children's Rights. 2005 Mar 1;13(1):201–218.

158.

Tobin J. The International Obligation to Abolish Traditional Practices Harmful to Children's Health: What Does It Mean and Require of States? Human Rights Law Review. 2009 Jan 1;9(3):373–396.

159.

Lewis, Hope. Between Irua and Female Genital Mutilation: Feminist Human Rights Discourse and the Cultural Divide. Harvard human rights journal [Internet]. 1995;8. Available from:

http://heinonline.org/HOL/LandingPage?collection=journals&handle=hein.journals/hhrj8&di v=5&id=&page=

160.

Kristiansen M, Sheikh A. Legislation on male infant circumcision in Europe: a call to avoid paternalism and to promote evidence-based, patient-centred care. Global Discourse. 2013 Jun;3(2):342–347.

161.

DeLaet DL. Genital Autonomy, Children's Rights, and Competing Rights Claims in International Human Rights Law *. The International Journal of Children's Rights. 2012 Jan 1;20(4):554–583.

SS (Malaysia) v Secretary of State for the Home Department [2013] EWCA Civ 888 (18 July 2013) [Internet]. Available from: http://www.bailii.org/ew/cases/EWCA/Civ/2013/888.html

163.

Female genital mutilation/cutting | Child protection from violence, exploitation and abuse | UNICEF [Internet]. Available from: http://www.unicef.org/protection/57929_58002.html

164.

Bluebond-Langner M. The private worlds of dying children. Princeton, N.J: Princeton University Press; 1978.

165.

Harris-Short S. International Human Rights Law: Imperialist, Inept and Ineffective? Cultural Relativism and the UN Convention on the Rights of the Child. Human Rights Quarterly. 2003;25(1):130–181.

166.

Sabatello M. Children's bioethics: the international biopolitical discourse on harmful traditional practices and the right of the child to cultural identity. Leiden: Martinus Nijhoff; 2009.

167.

House of Lords - Regina v. Secretary of State for Education and Employment and others (Respondents) ex parte Williamson (Appellant) and others [Internet]. Available from: http://www.parliament.the-stationery-office.co.uk/pa/ld200405/ldjudgmt/jd050224/will-1.ht m

House of Lords - R (on the application of Begum (by her litigation friend, Rahman)) (Respondent) v. Headteacher and Governors of Denbigh High School (Appellants) [Internet]. Available from:

http://www.publications.parliament.uk/pa/ld200506/ldjudgmt/jd060322/begum-1.htm

169.

Chamber judgments Dogru v. France and Kervanci v. France 4.12.08 [Internet]. Available from:

http://hudoc.echr.coe.int/sites/eng-press/pages/search.aspx?i=003-2569490-2781270#{% 22itemid%22:[%22003-2569490-2781270%22]}

170.

Peter Cumper. Religious Education in Europe in the Twenty-First Century. Law, religious freedoms and education in Europe. Farnham: Ashgate; 2011.

171.

Eric Barendt. Teaching Evolution, Creationism and Intelligent design in US Schools (with Some European Comparisons). Law, religious freedoms and education in Europe. Farnham: Ashgate; 2011.

172.

Ahdar R, Leigh I. Religious Freedom in the Liberal State [Internet]. Oxford University Press; 2013. Available from: http://www.oxfordscholarship.com/view/10.1093/acprof:oso/9780199606474.001.0001/acp rof-9780199606474

173.

Eanmonn Callan. Discrimination and Religious Schooling. Citizenship in diverse societies / edited by Will Kymlicka and Wayne Norman [Internet]. Available from:

http://ucl-primo.hosted.exlibrisgroup.com/primo_library/libweb/action/display.do?tabs=det ailsTab&ct=display&fn=search&doc=dedupmrg113933876&indx=1&reclds=dedupmrg11 3933876&recldxs=0&elementId=0&renderMode=poppedOut&displayMode=full&frbrVersi on=&dscnt=0&frbg=&scp.scps=scope%3A%28UCL%29%2Cprimo_central_multiple_fe&tab =local&dstmp=1415271777447&srt=rank&mode=Basic&&dum=true&tb=t&vl(freeText0) =Diverse%20Societies&vid=UCL_VU1

Evans C. Religious Education in Public Schools: An International Human Rights Perspective. Human Rights Law Review. 2008 Jan 1;8(3):449–473.

175.

Joel Feinberg. The Child's right to an open future. Whose child?: Children's rights, parental authority, and state power. Totowa, N.J.: Rowman and Littlefield; 1980.

176.

I. Leigh. Objective, Critical and Pluralistic? Religious education & Human Rights in the Public Sphere. Law, state and religion in the new Europe: debates and dilemmas. Cambridge: Cambridge University Press; 2012.

177.

Temperman J. The Lautsi papers: multidisciplinary reflections on religious symbols in the public school classroom. Leiden: Martinus Nijhoff Publishers; 2012.

178.

Convention of 25 October 1980 on the Civil Aspects of International Child Abduction [Internet]. Available from: http://www.hcch.net/index_en.php?act=conventions.text&cid=24

179.

Council Regulation (EC) 2201/2003 [Internet]. Available from: http://eur-lex.europa.eu/legal-content/EN/NOT/?uri=CELEX:32003R2201

180.

RE J (CHILD RETURNED ABROAD: CONVENTION RIGHTS) [2005] UKHL 40 [Internet]. Available from: http://www.hcch.net/incadat/fullcase/0801.htm

E (Children), Re [2011] UKSC 27 (10 June 2011) Re E (Abduction: Custody Appeal) [2011] UKSC 27, [2012] 1 AC 144 [Internet]. Available from: http://www.bailii.org/uk/cases/UKSC/2011/27.html

182.

Re LC (Children) (International Abduction: Child's Objections to Return) [2014] UKSC 1, [2014] 2 W.L.R. 124 [Internet]. Available from: https://supremecourt.uk/decided-cases/docs/UKSC_2013_0221_Judgment.pdf

183.

Nigel Lowe. A Supra-National Approach to Interpreting the 1980 Hague Convention – a Tale of Two European Courts' [2012]. International Family Law [Internet]. 48:170–179. Available from:

http://onlineservices.jordanpublishing.co.uk/content/en/FAMILYpa/Family_IFLONLINE_IFL_20 12_06_17

184.

Ruth Lamont. Child Abduction in the European Union: Recognizing and Regulating Care and Migration. Regulating family responsibilities. Farnham: Ashgate; 2011.

185.

Schuz R. Hague child abduction convention: a critical analysis. Oxford: Hart Pub; 2013.

186.

Re K (Abduction: Rights of Custody) [2014] UKSC 29 [Internet]. Available from: http://cases.iclr.co.uk/Subscr/search.aspx?path=WLR+Dailies%2FWLRD+2011%2Fwlrd201 4-218

187.

A (Children), Re (Rev 1) [2013] UKSC 60 (09 September 2013) [Internet]. Available from:

http://www.bailii.org/uk/cases/UKSC/2013/60.html

188.

Schuz R. Hague child abduction convention: a critical analysis. Oxford: Hart Pub; 2013.

189.

Trimmings K. Child abduction within the European Union. Oxford: Hart Publishing; 2013.

190.

Stalford H. Children and the European Union: rights, welfare and accountability. Oxford: Hart; 2012.

191.

Operating the 1980 Hague Abduction Convention: The 2008 Statistics [Internet]. Available from:

http://onlineservices.jordanpublishing.co.uk/media/en/FAMILYpa/FLJ_FLJ_2011_11_Articles_ 02_half_sys.pdf

192.

P v P [2001] EWCA Civ 166 (13 February 2001) [Internet]. Available from: http://www.bailii.org/ew/cases/EWCA/Civ/2001/166.html

193.

MK v CK [2011] EWCA Civ 793 (07 July 2011). Available from: http://www.bailii.org/ew/cases/EWCA/Civ/2011/793.html

194.

D v S [2001] NZCA 374; [2002] NZFLR 116; (2001) 21 FRNZ 331 (4 December 2001) [Internet]. Available from: http://www.nzlii.org/cgi-bin/sinodisp/nz/cases/NZCA/2001/374.html?query=title(%222002%

20NZFLR%20116%22)

195.

George RH. Relocation disputes: law and practice in England and New Zealand. Oxford: Hart Publishing; 2014.

196.

George R. The international relocation debate. Journal of Social Welfare and Family Law. 2012 Mar;34(1):141–152.

197.

Jonathan Herring, Rachel Taylor. Relocating Relocation. Child and Family Law Quarterly [Internet]. 2006;18(4):517–537. Available from: http://www.heinonline.org/HOL/Page?handle=hein.journals/chilflq18&id=525&collection=jo urnals&index=journals/chilflq

198.

Parkinson, Patrick. Freedom of Movement in an Era of Shared Parenting: The Differences in Judicial Approaches to Relocation. Federal Law Review [Internet]. 2008;36(2):145–172. Available from:

http://www.heinonline.org/HOL/Page?handle=hein.journals/fedlr36&div=12&collection=jou rnals&set_as_cursor=0&men_tab=srchresults

199.

AR (A Child: Relocation), Re [2010] EWHC 1346 (Fam) (10 June 2010) [Internet]. Available from:

http://www.bailii.org/cgi-bin/markup.cgi?doc=/ew/cases/EWHC/Fam/2010/1346.html&query =EWHC+and+1346+and+(Fam)&method=boolean

200.

K v B (Kacem v Bashir) — Courts of New Zealand [Internet]. Available from: https://www.courtsofnz.govt.nz/cases/k-v-b-kacem-v-bashir

George RH. Relocation disputes: law and practice in England and New Zealand. Oxford: Hart Publishing; 2014.

202.

Nicholas Bala, Andrea Wheeler. Canadian Relocation Cases: Heading Towards Guidelines. 2012; Available from:

https://qspace.library.queensu.ca/bitstream/1974/7861/3/relocation-user-guide.pdf

203.

Hayes M. Relocation cases: is the Court of Appeal applying the correct principles? Child and Family Law Quarterly [Internet]. 18(3). Available from: http://onlineservices.jordanpublishing.co.uk/content/en/FAMILYpa/Family_CFLQONLINE_CFL Q_navParentTopic_0#eventType=lcContent.loadDocFamily_CFLQONLINE_CFLQ_2006_09_3 &url=/web/search.xql%3Fc%3Dt%26pub%3DFAMILYpa%26lang%3Den%26action%3Dsear ch%26query%3D%252BRelocation%2520%252BCases%2520%252BQQChildandFamilyLaw QuarterlyQQ%26scope%3D%26min%3D25%26max%3D0%26xsImode%3Dhide_excerpts% 26sort%3Dcustom%3Achrono%26chunk%3D25%26qqprodname%3DQQChildandFamilyLa wQuarterlyQQ&sid=lcSearch.runSearch1415875654404¤tQuery=%252BRelocation %2520%252BCases%2520%252BQQChildandFamilyLawQuarterlyQQ¤tScope=&que ry=%252BRelocation%2520%252BCases%2520%252BQQChildandFamilyLawQuarterlyQQ &scope=&filename=Family_CFLQONLINE_CFLQ_2006_09_3.dita.xml&docid=Family_CFLQO NLINE_CFLQ_2006_09_3&inner_id=&tid=27a3b1c3-3113-44f1-b469-84d78c3edb6c&addHi story=true&resource=&toc=false

204.

Henaghan M. Relocation cases – the rhetoric and the reality of a child's best interests – a view from the bottom of the world. Child and Family Law Quarterly [Internet]. 2011;23(2):153–274. Available from:

http://onlineservices.jordanpublishing.co.uk/content/en/FAMILYpa/Family_CFLQONLINE_CFL Q_navParentTopic_0#eventType=lcContent.loadDocFamily_CFLQONLINE_CFLQ_2011_06_4 &url=/web/search.xql%3Fc%3Dt%26pub%3DFAMILYpa%26lang%3Den%26action%3Dsear ch%26query%3D%252BRelocation%2520%252BCases%2520%252BQQChildandFamilyLaw QuarterlyQQ%26scope%3D%26min%3D0%26max%3D0%26xsImode%3Dhide_excerpts%2 6sort%3Dcustom%3Achrono%26chunk%3D25%26qqprodname%3DQQChildandFamilyLaw QuarterlyQQ&sid=lcSearch.runSearch1415876219349¤tQuery=%252BRelocation% 2520%252BCases%2520%252BQQChildandFamilyLawQuarterlyQQ&addHistory=true&filen ame=Family_CFLQONLINE_CFLQ_2011_06_4.dita.xml&docid=Family_CFLQONLINE_CFLQ_2 011_06_4&inner_id=&tid=43f94fa3-b026-41d0-9b29-20a7f947cd91&query=%252BReloca

tion%2520%252BCases%2520%252BQQChildandFamilyLawQuarterlyQQ&scope=&resourc e=&toc=false¤tScope=

205.

Lamont R. Free movement of persons, child abduction and relocation within the European Union. Journal of Social Welfare and Family Law. 2012 Jun;34(2):231–244.