

## **Report for the SLS on Funding from the SLS' Legal Scholarship Fund for a research seminar on the Philosophical Foundations of Children's and Family Law**

On 15-16 June 2015, thanks to funding from the Society of Legal Scholars and the University of Oxford, we hosted a two-day seminar on the philosophical foundations of children's and family law at Oriel College, Oxford. Speakers were drawn from both law and philosophy, as well as from a number of jurisdictions – the UK, the US, Canada, and Germany: John Eekelaar (University of Oxford), Elizabeth Brake (Arizona State University), Robert Leckey (McGill University), Molly Shanley (Vassar College), Scott Altman (University of Southern California), Diane Jeske (University of Iowa), Matt Lister (University of Pennsylvania) Colin Macleod (University of Victoria), Lucinda Ferguson (University of Oxford), Rosie Harding (University of Birmingham), Charlotte Bendall (University of Essex), Daniel Weinstock (McGill University), Harry Willekens (University of Hildesheim; University of Hannover).

In addition to speakers, there were approximately twenty further attendees, which ensured a lively exchange when discussing various papers. Funding enabled us to support the attendance of up-and-coming speakers, as well as to open the seminar to free attendance for SLS members. We have compiled abstracts and notes of the discussion following each presentation; SLS members are welcome to contact Lucinda Ferguson for a copy: [lucinda.ferguson@law.ox.ac.uk](mailto:lucinda.ferguson@law.ox.ac.uk).

The aim of the seminar was to foster inter-disciplinary conversations about key issues in the field. To facilitate the cross-fertilisation of ideas and insights, discussion was organised according to themes, rather than the particular subject-matter: definitions and influences, relationships, rights and obligations, and regulation and intervention. Within these themes, speakers explored issues such as whether there is anything distinctive about 'family law'; whether parents have distinctive rights in respect of their children and on what basis; whether children have children's rights, or their interests ought to be prioritised over those of others; whether maintenance (spousal support or alimony) is justified and on what basis; which adult intimate relationships the law should recognise and how; and how the law should respond to surrogacy as a means of procreation.

The resulting papers are under contract with OUP for 2016 publication as a volume in its *Philosophical Foundations* series, edited by Elizabeth Brake and Lucinda Ferguson. This volume will also feature papers by David Archard (Queen's University Belfast), Martha Fineman (Emory University), James Dwyer (William and Mary), and Helen Reece (London School of Economics).

Lucinda Ferguson,  
Oriel, Oxford, December 2015