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14th Polish-Spanish Conference on the European Legal Tradition

Democracy, Peace, and the Person.

From Ancient Rome to Modern Times



**UNIVERSITAT
JAUME I**



**UNIVERSITÀ
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ALDO MORO**



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ULPGC
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**Faculty of
Law**

May 10, 2024

**SWPS University, Chodakowska 19/31, 03-815 Warsaw
(hybrid mode)**

Organizers: SWPS University, Jaume I University, University of Las Palmas de Gran Canaria, Cardinal Stefan Wyszyński University in Warsaw

Co-organizers: Institute of Comparative Law and Interdisciplinary Research, University of Lodz; University of Barcelona; Faculty of Law, University of Valencia; Centro Interdipartimentale di Ricerca di “Studi di Diritti e Culture Prelatine, Latine ed Orientali” (CEDICLO); Institute of Law, University of Rzeszów; University of Warmia and Mazury in Olsztyn

Scientific Director of the Conference: Prof. Bronisław Sitek, Ewa Dawidziuk, Ph.D.

Patronage: Warsaw Bar Association, C.H Beck

Conference Schedule

8.30–9.00 Registration

9.00–9.30 Inaugural speeches – room S303, floor III

9.30–10.30 Plenary session – room S303, floor III

10.30–10.45 Coffee break for all participants – room S303, floor III

Group 1

10.45–12.15 Panel 1 (Polish: room s305; English: room S303, floor III)

12.15–12.30 Coffee break for all participants – room S303, floor III

12.15–13.45 Lunch for Group 1

13.45–15.15 Panel 2 (Spanish: room S302, floor III; Italian: room S206, floor II; English: room S304, floor III)

15.15–15.30 Coffee break for all participants – room S302, floor III

15.30–16.45 Panel 3 (English: room s305, floor III; Polish: room S303, floor III)

Group 2

12.30–14.00 Panel 1 (English: room S303, floor III; in Polish: room s305, floor III)

14.00–15.00 Lunch for Group 2

15.00–16.45 Panel 2 (English, room S304, floor III; Polish: room S302, floor III)

16.45–17.00 Conclusions and closing remarks – room S303, floor III

8.30–9.00 Registration

9.00–9.30 Inaugural speeches – room S303, floor III

<https://zoom.us/j/97921373916>

Prof. Teresa Gardocka, SWPS University, Director of the Institute of Law

Prof. Marcin Aslanowicz, SWPS University, Dean of the Faculty of Law in Warsaw

Prof. Carmen Lázaro Guillamon, Jaume I University, Vicerector (online)

Prof. Artur Kotowski, Cardinal Stefan Wyszyński University in Warsaw

Prof. José Luis Zamora Manzano, University of Las Palmas de Gran Canaria

9.30–10.30 Plenary session – room S303, floor III

<https://zoom.us/j/99884075069>

Moderator: Ewa Dawidziuk, Ph.D., SWPS University

Speech length: 10 minutes

1. Prof. Katarzyna Kubuj, Institute of Law Studies of the Polish Academy of Sciences, *Engaging Young People In Democracy – A Value For The Present and The Future*

2. Prof. José Luis Zamora Manzano, University of Las Palmas de Gran Canaria, *The Role of Fake News in Shaping Public Opinion in Political Decision-Making: From Rome to the Present Day*

3. Prof. Anna Tarwacka, Cardinal Stefan Wyszyński University in Warsaw, *The Censorship as an Instrument of Control in the Roman Republic*

4. Prof. Carmen Lázaro Guillamon, Jaume I University, *What Some Jurists From Ancient Rome Said and Human Rights: More Than Coincidences* (online)

10.30–10:45 Coffee break for all participants – room S303, floor III

Group 1 10:45–12:15 Panel 1 (Polish, English)

English: 10:45–12:15, room S303, floor III

<https://zoom.us/j/93333536324>

Moderator: Prof. Jose Zamora Manzano, University of Las Palmas de Gran Canaria

Speech length: 10 minutes

1. **Prof. Artur Kotowski**, Cardinal Stefan Wyszyński University in Warsaw, *Law, Freedom and Morality – Remarks on Shaw vs. Dpp (1962). What Does This Tell Us About Legal Activism?*
2. **Prof. Joanna Beata Banach-Gutierrez**, University of Warmia and Mazury in Olsztyn, *Shaping the Right to a Lawyer in the Area of EU Criminal Justice: New Challenges After the Lisbon Treaty*
3. **Prof. Michał Mariański**, University of Warmia and Mazury in Olsztyn, *Development of Democracy and the Effectiveness of Traditional Legislative Procedure. Contemporary Challenges in Relation to New Technologies and Financial Market Law Regulations*
4. **Ewa Dawidziuk, Ph.D.**, SWPS University, *Dignity of the Person Deprived of Liberty – Theory and Practice in Polish Penitentiary Units*
5. **Agata Hauser, Ph.D.**, Adam Mickiewicz University in Poznań, *Democracy in Crisis and Its Effects on the Enjoyment of Human Rights*
6. **Ewa Pietrzak, Ph.D.**, SWPS University, *The Right to Strike as a Fundamental Human Right*
7. **Prof. Edyta Sokalska**, University of Warmia and Mazury in Olsztyn, *New Wave of Deliberative Democracy – International Discourse* (online)
8. **Prof. Maciej Rzewuski**, University of Warmia and Mazury in Olsztyn, *The Right to Be a Mother in the European Union* (online)

Polish: 10:45–12:15, room s305, floor III

<https://zoom.us/j/97819034968>

Moderator: Prof. Anna Tarwacka, Cardinal Stefan Wyszyński University in Warsaw

Speech length: 10 minutes

1. **Prof. Jacek Sobczak**, University of Economics and Human Science in Warsaw, *Parental International Child Abduction. Conflict Between the Right to Respect for Private and Family Life and the Rights of the Child*
2. **Prof. Katarzyna Chalubińska-Jentkiewicz**, War Studies University, *Fighting Harmful Content – Censorship in the Name of Cybersecurity?*
3. **Prof. Renata Świrgoń-Skok**, University of Rzeszów, *The Institution of Expropriation and the Right to Property in a Historical Legal Perspective*
4. **Prof. Sławomir Kursa**, SWPS University, *Preventing Abuse of the Right to Court. Roman Sacramentum vs. Contemporary Slapps*

5. **Prof. Elżbieta Loska**, Cardinal Stefan Wyszyński University in Warsaw, *The Auspices in the Activities of Plebeian Tribunes*
6. **Dobromiła Nowicka, Ph.D.**, University of Wrocław, *The Nature of Actio Iniuriarum: Ancient Roman vs Modern South African Perspective*
7. **Katarzyna Barbara Wojtkiewicz, Ph.D.**, SWPS University, *Unveiling Ancient Wisdom: Entity Identification's Crucial Role in Modern Governance and Public Participation*
8. **Michał Rudy, Ph.D.**, SWPS University, *Peace as the Illusion or Imperative?*
9. **Prof. Justyna Krzywkowska**, University of Warmia and Mazury in Olsztyn, *Contemporary Manifestations of Discrimination Based on Religious Affiliation* (online)

12.15–13.45 Lunch for Group 1

13.45–15.15 Panel 2 (Spanish, Italian, English)

Spanish: 13.45–15.15, room S302, floor III

<https://zoom.us/j/93605971526>

Moderator: Prof. Amparo Montanana Casani, Jaume I University

Speech length: 10 minutes

1. **Prof. Jose Antonio Herrera Trujillo**, University of Las Palmas de Gran Canaria, *Repetundis Crime: Society and the Misappropriation of Public Funds*
2. **Prof. Amparo Montanana Casani**, Jaume I University, *Women, Law, Peace and Freedom.*
3. **Prof. Sławomir Fundowicz**, University of Radom, *The Idea of a Just War According to the Polish Ius Gentium School of the 14th–15th Centuries*
4. **Prof. Belen Fernandez Vizcaino**, University of Alicante, *The Principle of Gender Equality in European Thought and Its Antecedents in Roman Law*
5. **Anna Szmigiera-Wyrzykowska, M.A.**, Member of the Council of the Warsaw Notary Chamber, *Lasting Power of Attorney as a Means of Protecting Adults Against Exclusion in Decision-Making*
6. **Klaudia Kucinoglu**, SWPS University, *Legal Analysis of Same-Sex Marriages: A Comparative Perspective Between Spain and Poland*
7. **Prof. Maria Carmen Colmenar Mallen**, Jaume I University, *New Technologies in Spanish Judicial Proceedings in the Taking of Evidence Affecting Particularly Vulnerable People: Maximum Respect for Human Rights* (online)
8. **Prof. Maria Lidon Lara Ortiz**, Jaume I University, *Access to Public Information, a Citizen's Human Right in Modern Democracies* (online)
9. **Agnieszka Wójcik-Czerniawska and Maria Jasińska**, SGH Warsaw School of Economics, *World Paradigms and the Future – Quo Vadis Humanitas?* (online)

Italian: 13.45–15.15, room S206 floor II

<https://zoom.us/j/97668151561>

Moderator: Prof. Bronislaw Sitek, SWPS University

Speech length: 10 minutes

- 1. Prof. Sebastiano Tafaro**, University of Bari, *Democracy and Res Publica* (online)
- 2. Prof. Piotr Krajewski**, University of Warmia and Mazury in Olsztyn, *Land Grabbing and Water Grabbing – The Phenomena That Threaten Human Rights*
- 3. Prof. Ferdinando Parente**, University of Bari, *The Human Person and the Legal Order: Cultural and Normative Evolution* (online)
- 4. Prof. Michele Indelicato**, University of Bari, *Democracy and Peace in the Thought of Alcide de Gasperi* (online)
- 5. Prof. Laura Tafaro**, University of Bari, *Climate Change and Justice: Climate Justice* (online)
- 6. Prof. Salvatore Antonello Parente**, University of Bari, *Participatory Democracy and Ius Impositionis* (online)
- 7. Prof. Maira Casola**, University of Bari, *Forme di partecipazione politica* (online)
- 8. Prof. Rosa Indelicato**, University of Bari, *For a Democratic Education: Dewey's Pedagogy* (online)
- 9. Prof. Bronislaw Sitek**, SWPS University, *Freedom is a Natural Ability*
- 10. Gino Dessolis**, SWPS University, *Hominum causa omne ius constitutum sit: From the Rights of the Roman Citizen to Modern Human Rights*

English: 13.45–15.15, room S304, floor III

<https://zoom.us/j/95436141944>

Moderator: Prof. Joanna Beata Banach-Gutierrez, University of Warmia and Mazury in Olsztyn

Speech length: 10 minutes

- 1. Joanna Bocianowska, Ph.D.**, Polish Academy of Sciences, Institute of Juridical Sciences, Polish–French Legal Thought Centre, *Ensuring Legal Security. The Status of the French Notary Public From the Revolution to the Present Day*
- 2. Monika Nowikowska, Ph.D.**, War Studies University, *Digital Identity and the Right to Privacy and Data Protection*
- 3. Natalia Piotrowska, Ph.D.**, Natalia Piotrowska Law Firm, *The Right to a Fair Trial in Relation to the Selected Institutions in Civil Proceedings, Taking Into Consideration the Historical Context of Their Establishment*

4. Juliusz Mroziński, M.A., University of Wrocław, *Non-Derogable Rights in the European System for Human Rights Protection in the Context of National Constitutions*

5. Katarzyna Kwiatkowska; M.A., University of Warsaw, *Panamanian Path Towards Democracy*

6. Maciej Pleban, M.A., SWPS University, *Abuse of Right to Access to Public Information in a Democratic State of Law*

7. Prof. Magdalena Rzewuska, University of Warmia and Mazury in Olsztyn, *Children's Rights in the Information Society* (online)

8. Anna Siemińska, AWSGE University of Applied Sciences in Józefów, *Democracy as a Law-Making Procedure and a Challenge to Polish Legal Theory and Law Interpretation* (online)

15.15–15.30 Coffee break for all participants – room S303, floor III

15.30–16.45 Panel 3 (English, Polish)

English (students): 15.30–16.45, room s305, floor III

Moderator: Prof. Sławomir Kursa, SWPS University

Speech length: 10 minutes

1. Cezary Gryczewski, SWPS University, *History of Human Rights*

2. Maria Jaszczur, SWPS University, *The Role of the Roman Senate in Establishing Peace: An Analysis of the Late Roman Republic Period*

3. Paulina Domek, SWPS University, *Children in Armed Conflicts*

4. Łukasz Kordelasiński, SWPS University, *Human Dignity: Evolution From the Charter of the UN to the Modern Day*

5. Adam Kućmierz, SWPS University, *Standardization of LGBT+ Rights at the International Level: From History to the Present*

6. Jakub Kowalski, University of Warmia and Mazury in Olsztyn, *Legal and Economic Transformation After the Collapse of the Soviet Union: Consequences for Central and Eastern Europe*

7. Zuzanna Chlebicka, University of Warmia and Mazury in Olsztyn, *Perception of Democracy and the Rule of Law in Asia, Taking Into Account Cultural Conditions*

8. Paulina Lewandowska, SWPS University, *Council of Europe Convention on the Participation of Foreigners in Public Life at Local Level as a Basis for Granting Voting Rights to Foreigners*

Polish: 15.30–16.45, room S303, floor III

Moderator: Joanna Bocianowska, Ph.D., Polish Academy of Sciences, Institute of Juridical Sciences, Polish-French Legal Thought Centre

Speech length: 10 minutes

- 1. Maciej Witkowski, M.A.**, University of Warsaw, *Hans Kelsen's Concept of World Peace Against the Backdrop of Militaristic Ideas in Germany During the Interwar Period*
- 2. Marina Khachatryan-Zagórska, M.A.**, Close to You Centre for Diagnosis, Therapy and Support, *Man in a Particular Social Group, Geographic Location and Country of Origin in the Face of His Democratic Freedoms and Right to Self-Determination*
- 3. Ewa Kacprzak-Szymańska, M.A.**, SWPS University, *Shaping the Rights of Migrants in the Light of Human Rights*
- 4. Tomasz Tluczek, M.A.**, Institute of Legal Studies of the University of Rzeszów, *Human Rights and Freedoms in the Context of the Common Provisions of the 2007 Constitution of Montenegro*
- 5. Izabela Wysocka, M.A.**, SWPS University, *Citizen Participation in the Administration of Justice – The Function of Jurors in Civil Proceedings*
- 6. Justyna Skwirowska, M.A.**, SWPS University, *Personal Income Tax Treatment of the Provision of Overnight Accommodation to Employees*

12.15–12.30 Coffee break for all participants – room 303, floor III

Group 2 12.30–14.00 Panel 1 (English, Polish)

English: 12.30–14.00, room S303 floor III

Moderator: Prof. Renata Świrgoń-Skok, University of Rzeszów

Speech length: 10 minutes

- 1. Prof. Dariusz Makilla**, University of Economics and Human Science in Warsaw, *The Paradigm of Constitutional Democracy. The Case of the Polish–Lithuanian Commonwealth in the 16th and 18th Centuries*
- 2. Prof. Renata Kamińska**, Cardinal Stefan Wyszyński University in Warsaw, *The Right to Property as a Human Right Versus the Institution of Expropriation. Roman Example*
- 3. Piotr Kołodko, Ph.D.**, University of Białystok, *Lex Poetelia de Ambitu of 358 B.C. – Legislation Against Corruption in Elections in the Roman Republic*
- 4. Prof. Anna Karabowicz**, University of Pablo de Olavide in Sewilli, *Lex est quod populus iubet atque constituit (Gai. 1,3): Law-Making Functions of Popular Assemblies as the Factor of Democratisation in the Roman Republican Constitution*

5. Wojciech Kosior, Ph.D., University of Rzeszów, *The System of Punishment in Roman Criminal Law – A Contemporary Perspective*

6. Grzegorz Nancka, Ph.D., University of Silesia, *On the Significance of Peace in the Law-Making Context. Around the Activities of the Codification Commission in Interwar Poland*

7. Dominik Horodyski, SWPS University, *Cybersecurity in International Arbitration – Is Arbitration a (Cyber) Secure Method of Resolving Disputes?*

Polish: 12.30–14.00, room s305, floor III

<https://zoom.us/j/96018418042>

Moderator: Prof. Elżbieta Loska, Cardinal Stefan Wyszyński University in Warsaw

Speech length: 10 minutes

1. Prof. Kinga Flaga-Gieruszyńska, University of Szczecin, *The Right to a Court in the Face of the Computerisation of Civil Proceedings*

2. Prof. Bogusław Uliasz, University of Radom, *The Impact of European Legislation on Laying the Foundations of the Polish Agricultural Social Security System*

3. Prof. Elżbieta Zębek, University of Warmia and Mazury in Olsztyn, *Environmental Democracy and the Protection of Natural Elements – Legal Instruments and Ecological Considerations*

4. Elżbieta Maj; Ph.D., University of the National Education Commission, Krakow, *The Role of Human Rights in the Establishment of the Legal-Administrative Status of the Disabled People in Poland, with Particular Reference to the UN Convention on the Rights of Persons with Disabilities*

5. Maria Supera-Markowska, Ph.D., University of Warsaw, *In Search of an Index of Entrepreneurial Tax Capacity in Income Taxes in the Face of Contemporary Challenges for Democratic States Governed by the Rule of Law*

6. Łukasz Majewski, Ph.D., SWPS University, *Gladiators, Champions, Duellists. A Contribution to the Evolution of the Duel*

7. Prof. Adam Zienkiewicz, University of Warmia and Mazury in Olsztyn, *The Judge as a Peace Promoter* (online)

8. Krystyna Ziółkowska, Ph.D., University of Warmia and Mazury in Olsztyn, *Employee's Right to Protection of Privacy in the Workplace* (online)

9. Ewelina Mikulska, Ph.D., Jan Długosz University in Częstochowa, *The Will as a Source of Knowledge About the Needs and Hopes of the Dying Throughout the Ages* (online)

10. Dawid Radziszewski, Jagiellonian University, *New Directions for the Development of Human and Civil Rights in the Draft Constitution of New Belarus* (online)

14.00–15.00 Lunch for Group 2

15.00–16.45 Panel 2 (English, Polish)

English: 15.00–16.45, room S304, floor III

Moderator: Ewa Pietrzak, Ph.D., SWPS University

Speech length: 10 minutes

1. **Małgorzata Eysymontt, Ph.D.**, SWPS University, *Legal Protection of the Creditor in European Order for Payment Procedure – Analysis and Commentary on Selected Provisions of EU Law*
2. **Paweł Gołębiowski, Ph.D.**, University of Economics and Human Sciences in Warsaw, *Human Rights Under the Extradition Procedure and the European Arrest Warrant*
3. **Jessica Kruk**, University of Warmia and Mazury in Olsztyn, *The Death Penalty and the Right to Life in Democratic Europe*
4. **Gabriela Bryniak**, University of Warmia and Mazury in Olsztyn, *The Impact of Information Chaos on the Violation of the Rule of Law in Consolidated Democracies – Comparative Legal Analysis*
5. **Amelia Noskowska**, University of Warmia and Mazury in Olsztyn, *Normative Analysis of Direct Democracy's Impact on the Sense of Rule of Law in Poland and Selected European Countries*
6. **Róża Chlebicka**, Bydgoszcz University of Science and Technology, *Democracy and Human Rights in Art*
7. **Julia Ziółkowska**, University of Warmia and Mazury in Olsztyn, *Opportunities and Threats of Current Democracy in the International Arena in the Context of Climate Change*
8. **Emilia Beata Jedynak**, SWPS University, *Unlawful Action by the Perpetrator in the Case of Violation of the Right to Privacy on Social Media*
9. **Aleksandra Tokarska**, SWPS University, *The Good Life Model in the Netherlands and the Conditions of Isolation at KOZZD*
10. **Edwin Leśniak**, SWPS University, *The Evolution of Human Rights: From Ancient Rome to the Present Day*

Polish (students): 15.00–16.45, room S302, floor III

Moderator: Justyna Skwirowska, M.A., SWPS University

Speech length: 10 minutes

1. **Weronika Przybysz**, SWPS University, *Problems of Self-Injurious Behaviour Among Alumni of Attendance Centres*
2. **Małgorzata Czyżniak**, Cardinal Stefan Wyszyński University in Warsaw, *Divorce and Best Interests of the Child in a Comparative Legal Perspective*
3. **Artur Tarwacki**, Cardinal Stefan Wyszyński University in Warsaw, *The Law of Clemency? A Relic of the Past or a Timeless Tool of the Rule of Law?*

4. **Mikołaj Mirecki**, University of Warmia and Mazury in Olsztyn, *The Human Right to Good Administration in the Polish Legal System and the European Code of Good Administrative Behaviour*
5. **Jakub Nojszewski**, SWPS University, *Paweł Włodkowiec as a Precursor of Human Rights*
6. **Natalia Tolak**, SWPS University, *Human Rights and Slavery in Ancient Rome*
7. **Dominika Kuna, M.A.**, SWPS University, *The Right to the Internet – Has It Become a Human Right Yet?*
8. **Sara Ghazaryan**, University of Warmia and Mazury in Olsztyn, *Man Rights as a Fundamental Element of Democracy*
9. **Kacper Kostrzewa**, University of Warmia and Mazury in Olsztyn, *Gender Reassignment Procedure in Selected European Countries*
10. **Mateusz Dąbrowski**, University of Warmia and Mazury in Olsztyn, *The Impact of the Declaration of the Rights of Man and of the Citizen of 1789 on the Development of Human Rights and Civil Society*
11. **Oliwia Dąbkowska**, SWPS University, *Protecting Freedom of Expression as the Essence of Maintaining Democracy*

16.45–17.00 *Conclusions and closing remarks – room S303, floor III*

<https://zoom.us/j/99715711983>

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