

Social Leader

Dafna Meitar Nechmad not only ensures the future of research students at the Faculty and the future of the University, but also spurs a change in the field of social investment in Israel.

Being the Dean Is About Dreaming and Making Those Dreams Come True

Prof. Ron Harris, the outgoing Dean of the Faculty, sums up five years of achievement. Prof. Sharon Hannes, the new Dean, sets his sights just as high.

Our Ambassadors Around the World

Four graduates of the Parasol Foundation Trust International LL.M. Program reveal why they chose the program and what they accomplished as a result.

A Fitting Memorial

The mentoring project in memory of the late judge and educator, Ami Dweck, marks a decade of critical support for first-year students.

The Israeli Public Law Club

How the Tel Aviv-Northwestern Executive LL.M. program became synonymous with the training of practitioners in the field.

Long Before the Bitton Commission

Prof. Elimelech Westreich and his monumental study on the status of married women in the Sephardic and Eastern traditions.

The First Lady

Prof. Nili Cohen, President of the Israel Academy of Sciences and Humanities, is a member of the first graduating class of the Faculty and founder of the Faculty's *Iyunei Mishpat* Law Review. She holds LL.B., LL.M., and Ph.D. degrees from the Faculty, where she also served as a member of the academic staff for many years. She is also this year's Israel Prize Laureate for Legal Research.



Passover 5777, April 2017

De iure

The Tel Aviv University Buchmann Faculty of Law Magazine

On the occasion of the publication of the Faculty's Passover magazine



The magazine of the Buchmann Faculty of Law at Tel Aviv University is brought to you twice a year, at Rosh Hashanah and Passover, in two languages, Hebrew and English. Out of the rich and varied activities of the Faculty, the current issue reviews in detail some of our latest developments and news. One news item, about which you will find an article in the magazine, concerns the identity of the author of this greeting... On March 1st, I took up office as Dean of the Faculty, replacing Prof. Ron Harris after five years of extensive activity on behalf of the Faculty. I hope that with your help — alumni, students, teachers, staff, and the many good friends of the Faculty — I will continue strengthening and consolidating the leading position of the Faculty in its field, in Israel and worldwide.

In this Passover issue we include comprehensive interviews with two women of great accomplishment at the Faculty. First is Dafna Meitar Nechmad, chair of the Zvi and Ofra Meitar Family Foundation, a major contributor to the Faculty, which only recently extended its support of the Zvi Meitar Center for Advanced Legal Studies for an additional twenty years! This is great news for the Faculty and a great challenge: how to blaze new trails for a Center that is already a trailblazer in the field of training the next generation of legal scholars? Dafna Meitar Nechmad was also behind the establishment of a first of its kind institute, within the Faculty, that is rapidly gaining momentum and prestige: The Institute for Law and Philanthropy.

The second is Prof. Nili Cohen, to whom our front-page interview is dedicated, on the occasion of

her being announced a laureate of the Israel Prize for legal research this year. Prof. Cohen, President of the Israel Academy of Sciences, is quite likely the legal scholar and academic figure most closely identified with the Faculty and the University. She received her LL.B., LL.M. and Ph.D. from our Faculty, served as the first editor and founder of the Faculty's Law Review, *Iyunei Mishpat*, and served as a faculty member for many years. She also acted as Vice-Rector and Rector of Tel Aviv University. No one is more deserving of this prestigious and important award, and we are very proud of her.

Another feature of the magazine concerns the Parasol Foundation Trust International LL.M. Program, which, thanks to its unique learning method and the exceptional specialization tracks it offers, has become a source of attraction for outstanding jurists from all over the world. We chose to introduce to you four students, members of the last class that just graduated from the program, to show how the program contributes not only to the careers of its graduates and to reputation of the Faculty and the University, but also to the diversity of legal perspectives in the classrooms, and to the level of discussion on every topic.

An extensive article is dedicated to an important and successful project that celebrates its tenth anniversary and serves to memorialize the work of one of our deserving graduates, the late Judge Ami Dweck. Another program that celebrates a decade of activity is the Tel Aviv-Northwestern Executive Masters in Public Law, which is also the subject of special coverage in the magazine. Our "Zoom on

Research" feature is devoted to the enormous undertaking of Prof. Elimelech Westreich in the area of personal status of married women in Sephardic and Oriental communities, and as a special treat, in the New Books section, we report on a variety of recent publications of the Faculty.

We lack the space that would be needed to describe the achievements of the Faculty since the beginning of the academic year. These include activities aimed at amending legislation, including the latest important amendments to the Class-Action Law and the Land Law, which were formulated as part of the clinical legal education program and by the Hagar Center; academic achievement, for example, Prof. Neta Ziv's winning the prestigious Cheshin Award and Prof. Issi Rosen-Zvi's winning the esteemed Fattal Prize; the teaching of a growing number of practical-experiential courses that open the door for a challenging and different learning experience; visits of exceptional guests, such as Professor Alan Dershowitz, who was a guest at the Faculty last December... These landmarks, together with the extensive activity of which only a portion is represented in this issue, attest to the excellence in the Faculty as a leading legal academic institution. This excellence is maintained and continues to develop thanks to our outstanding academic, clinical, library, and administrative staff, external teachers and visiting lecturers, students, graduates, and friends of the Faculty. Thank you all, enjoy the magazine, and a **happy holiday**.

Sincerely yours,
Prof. Sharon Hannes, Dean

Save the Date

Upcoming Events at the Buchmann Faculty of Law

> April 24

David Berg Foundation Institute for Law and History hosts a **workshop with Prof. Susanna Blumenthal (University of Minnesota)** - Counterfeiting Confidence: Contracts and the Problem of Trust in Melville's America. 18:00.

> April 26

Round Table of the Housing, Community and Law Legal Clinic: **Accompanying Residents through Urban Renewal Processes**. 16:00.

> April 27

Edmond J. Safra Center for Ethics hosts the 4th Privacy Workshop: **Privacy, Cyber and Technology**.

> May 3

David Berg Foundation Institute for Law and History hosts a **workshop with Dr. Silvia Schiavo (University of Ferrara)**: Roman Law in Beccaria's *On Crimes and Punishments*. 17:45.

> May 4

Round Table of the S. Horowitz Institute for Intellectual Property. **Parallel Imports: On the Doctrine of Exhaustion in Current Law and Future Challenges**. 16:00.

> May 16-18

Conference of the S. Horowitz Institute for Intellectual Property: **Commercializing Academic Research**.

> May 22-23

50 Years after 1967: Evaluating the Past, Present and Future of the Law of Belligerent Occupation. The 12th Annual Minerva Center for Human Rights Conference, in collaboration with Minerva Center for Human Rights at the Hebrew University of Jerusalem, Emile Zola Chair for Human Rights at the College of Management Academic Studies, and the International Committee of the Red Cross (ICRC) Delegation in Israel and the Occupied Territories.

> May 28

David Berg Foundation Institute for Law and History hosts a **meeting with authors** (many of whom are TAU Law faculty) of several chapters within the forthcoming Oxford *Handbook of Historical Legal Research*, and a **workshop with Prof. Hendrik Hartog (Princeton University)**. 18:00.

> May 28-29

Edmond J. Safra Center for Ethics Annual Conference: **Science, Ethics and Democracy**.

> June 4-5

Judicial Review - Law and Politics
International conference hosted by the Cegla Center for Interdisciplinary Research of the Law, to mark the publication of the English version of Prof. Daniel Friedmann's book: *The Purse and the Sword - The Trials of Israel's Legal Revolution* (Oxford University Press, 2016).

> June 14-15

Minerva Center for Human Rights hosts: **Sex Acher 17th Annual LGBT Studies & Queer Theory Conference**. Inw collaboration with Ben-Gurion University.

> June 21

Book Launch at David Berg Foundation Institute for Law and History. **Nir Kedar, The Israeliness of Israeli Law: The Struggle to Establish Original and Independent Israeli Law** (1st volume in David Berg Foundation Institute Book Series). 18:00.

> June 28-30

Theoretical Inquiries in Law International Conference. **The Tragedy of the Commons at 50: Contexts, Precedents, and Afterlife**, on the occasion of the 50th anniversary of Garrett Hardin's article. Hosted by the Cegla Center for Interdisciplinary Research of the Law, with the support of David Berg Foundation Institute for Law and History, Paulina Goldberg Foundation, and S. Horowitz Institute for Intellectual Property. Organized by Dr. David Schorr (TAU Law) and Prof. Carol M. Rose (Yale Law School).

> June 29

Edmond J. Safra Center for Ethics and Manna Center for Food Safety and Security at TAU Faculty of Life Sciences host a book launch: **Studies in Food Law** (Law, Society and Culture Book Series, 2017). Key note speaker: the renowned food writer, Claudia Roden. Kagan Hall. 17:00.

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De iure

The Tel Aviv University
Buchmann Faculty of Law Magazine
Editor: Dr. Matan Orian
Graphic Design: Rakefet Oved

 BuchmannLaw
www.en-law.tau.ac.il
Tel. +972 3 640 7257
Enquiries and Suggestions:
deanlaw@post.tau.ac.il





International Legal Career Boost

Each year, a group of talented and motivated graduates of LL.B./JD programs worldwide gather at the Tel Aviv University Buchmann Faculty of Law (TAU Law) to take part in the concentrated, 10-month Parasol Foundation Trust International LL.M. Program. The program offers several tracks of specialization, such as global governance and human rights, law and technology, and law and business, alongside

courses on contemporary issues in Israeli law and society.

What attracts young jurists, some already with remarkable legal careers, to the program, and what doors does it open for them upon graduation? As a representative sample, we bring the story of four of last year's graduates: Yue from Shanghai, who came armed with

little prior knowledge about Israel but with great curiosity about Israeli innovation and business opportunities in the country; Matias from Argentina, who made aliya in preparation for the program; Luiza from São Paulo, who followed her keen interest in high-tech; and Diana from Germany, who, after participating in three Maccabiah games, was eager to get to know Israel better.



Yue Gao (25) began working immediately after her graduation from the 2015–2016 class of the Parasol Foundation Trust International LL.M. Program, at the China Desk of Fischer Behar Chen Well Orion & Co., one of Israel's leading law firms. Before her studies in Israel, she had internship experiences at an American NGO operating in China, and at a Shanghai law firm

What made you apply to the International LL.M. Program at TAU Law?

“Many Chinese law students choose to study for a second Master’s degree outside of China, to become better acquainted with Western legal systems, and with the international business world and its practices, and to better prepare for their professional career. Some stay abroad, but most return to China, because of the many opportunities and the great demand in China for people with that kind of knowledge. Israel is known in China for its innovation and creativity, and as the start-up nation. I found out about the Parasol Foundation Trust International LL.M. Program at TAU Law when I was studying for my Master’s degree in Shanghai at the Jiao Tong University, one of the leading Chinese universities. There is a student exchange program between Jiao Tong and TAU Law. I did some research and found out that TAU Law and its International LL.M. Program are considered to be

very good. It is also quite unique and different from the usual and familiar destinations for Chinese law students: the US, Australia, and the UK.”

How is it different?

“For most Chinese, Israel is a mysterious place. When I announced my intention to come here, some of my classmates in China wondered whether it is an Arab country, being in the Middle East... As I collected more information about Israel I was even more eager to come, because of its many complexities and because of my desire to judge for myself rather than to rely on international media. Also, US colleagues from my internship in Shanghai encouraged me and considered it to be a good experience.”

How did your family respond to your decision to study in Israel?

“They are like me. They said ‘go and explore.’ I also got a scholarship from the Parasol Foundation Trust, the sponsor of the International LL.M

Program, which considerably relieved me and my family from financial worries during my studies here.”

What was your experience when you arrived?

“Of course, Tel Aviv is a modern city, not very different from Shanghai. The program itself is very diversified, with classmates from all over the world, and the discussions are likewise very international, with everyone voicing their opinion about what it is like in their country in comparison with the state of affairs in Israel. The faculty are amazing and I enjoyed the discussions with them and learned a lot in the process. The Dean, for example, taught us the very first course, “Introduction to Israeli Law,” and he was extremely knowledgeable, answering every small question with a lecture! We also took field trips, for example, to the Supreme Court, where we met one of the Justices. In fact, it is not only a legal program, but also a window onto Israeli culture and society.”

Indeed, how do you find Israeli culture?

“I think that Israelis are more open to different opinions, more willing to take up challenges, and they do not conceal their feelings. They say what they really feel. China is more conservative in this sense.”

Could you tell us a bit about your current position in one of Israel's largest law firms?

“It is well known that in Israel the legal services market is extremely competitive, and it’s not less so for a foreigner like myself. Meanwhile, the most attractive aspect of my work is that it is much needed by the practice and by the market, and that it is very helpful for both Israeli companies and entrepreneurs, as well as for Chinese business people and investors. I think that I do something that contributes to the development of the business relations between the two countries. It is valuable work for me, and I’m greatly honored to be part of it.”

Luiza Rezende (28) grew up in São Paulo and studied law at the University of São Paulo Law Faculty. After her LL.B. graduation, Luiza started practicing business law, but at the same time discovered a keen interest in technology and digital media. She eventually became partner in a law firm in São Paulo that specializes in the local high-tech industry, and at the same time applied her digital media skills to create a blog on entrepreneurship and technology. Today more than 650,000 people follow her publications on social networks. Luiza moved from Brazil to Europe and from there to Israel. Based on her legal experience and her desire to work in the high-tech market, the TAU International LL.M. track in Law and Technology was a perfect way to get to know Israel and at the same time become integrated into the globally leading Israeli high-tech industry from its legal aspect.



“I contacted the International LL.M. administrative director in June 2015, and inquired about the 2016-2017 class, but she said, why not start already this September? Just send me ASAP all the documents, recommendations, and so on, and I’ll get you in! And so, within two months I found myself living and

studying in Tel Aviv... and I loved every second of it. It’s a very high-quality program, extremely well organized, with fascinating subjects, such as IT law and a privacy workshop — I didn’t study anything of the kind in Brazil. It was both new and unique.”

Weren’t your parents concerned about you going to Israel?

“They were. The media in Brazil is generally negatively biased against Israel, picturing it as a war zone. I had been in Israel before, so I was already expecting something positive. With time, they realized that Israel is a very good place for me to be, and that they didn’t need to worry. In addition, Israelis are warm, informal, and welcoming. It’s easy to make friends here, which makes the experience even more fulfilling for anyone coming from abroad.”

What was especially surprising in your studies here?

“The Law Faculty of the University of São Paulo is very traditional; when I studied there, we had large classes of more than 100 students. Here, the class was small and socially connected, the

discussions were internationally rich, and the engagement with the material was different. For example, we had to write ‘reaction papers,’ which involve you with the material taught in class throughout the course, rather than having to wait until the final exam. Also, some courses have a 24 hours exam, which is more like writing a paper in a rush, and if you didn’t follow the lessons, you won’t be able to catch up and come up with a good end result.”

When did you decide to pursue a third degree?

“In Brazil it is not common for students to study full-time for their Master’s or Ph.D. in law, or even to pursue an academic career without simultaneously practicing law, because the scholarships are extremely low. So being full-time in academia is not something realistic for a Brazilian. But then, in a class, the academic director of the LL.M. Program, Prof. Michael Birnhack, mentioned that there is a highly competitive, fully sponsored European technology-related Ph.D. project, and I thought, why not apply? At the same time I applied to Israeli law firms, relying on my

experience and resume, being a partner in Brazil, and speaking six languages, to open some doors. And then I was accepted to the Ph.D. program.”



I loved every second of it. It’s a very high-quality program, extremely well organized, with fascinating subjects, such as IT law and a privacy workshop — I didn’t study anything of the kind in Brazil. It was both new and unique.

Tell us a bit more about your Ph.D. project.

“It’s called ‘Privacy and Usability,’ or in short, Privacy & Us. The project involves 13 Ph.D. students in different countries, and meetings are held each time in a different country. The majority of my colleagues in the project are computer scientists or human-computer interaction professionals. Of course, privacy carries with it a clear technical aspect, and being the only lawyer, I get to learn other aspects of this field. The focus of my work is ‘Informed Consent in Privacy,’ and I’m quite passionate about the topic. This Ph.D. is something I wouldn’t have dreamt about in Brazil.”

What is your long-term goal following the Ph.D.?

“I’m much interested in working in the field of privacy, in the high-tech industry, or in government. I think that the knowledge and the skills I’m gaining are unique, and privacy is a rapidly growing field, with laws that are likewise changing rapidly. More and more companies are becoming aware of privacy issues, and they will need specialized professionals to help them navigate this landscape.”

Matias Ludman, born and raised in Rio Negro, Patagonia, Argentina, studied for his LL.B. at the University of Salvador, Buenos Aires, then started working in the fields of civil and labor law in Buenos Aires. Feeling limited within his professional specialization, Matias started looking for an LL.M. program abroad, to obtain an alternative and more satisfactory legal specialization. Being acquainted with Israel as a past participant in both the Taglit-Birthright (2009) and the Masa (2010) programs, both programs designed to introduce Jewish youths from all over the world to Israel, Matias inquired about the Parasol Foundation Trust International LL.M. and was delighted to find out about the program's law and technology track. In preparation for his application to the program, Matias decided to make *aliya*.



“The LL.M. experience was really amazing and the time just flew by. It was a ten-month program, but it felt like one month. I enjoyed every aspect of it: the perfect combination of courses and the diversity in the class, which I attended with colleagues and professors from China, France, Germany, the US, Canada, Brazil, and the UK.”

Where there things which you found difficult to adjust to?

“At first it was difficult because of the method of study, which gives students a great degree of freedom and choices. This is different from the way we study in Argentina, at least at the LL.B. level, where, for example, we have a final oral exam that is a kind of ordeal. In contrast, most of the final exams in the International LL.M. at TAU Law were take-home exams. But in the end, one way or the other, you need to show the results of your learning.”

“As for Israeli culture in general, or should I say, Israel's mix of cultures, although I was familiar with it, it took me a while to get used to Israeli chutzpah... actually now I cannot get rid of it, and between you and me, it's not such a bad tool for a lawyer!”

“In addition, after I finished my LL.B. in Argentina, I began a second LL.B., as an external student, at the University of London, so I got to study common law. Once in Israel, even though I was not familiar with Israeli law, my studies in common law were useful for understanding the Israeli combination of civil law and the inherited common law. In some ways, Israeli law is as unique as Israel itself.”

What was your impression of the program faculty?

“In Argentina, being a law professor is not a common career, and most lawyers seek

to become successful professionals while teaching as a hobby — although there has been a change in this perspective in the last years. This is different in Israel, where a career in academia is more developed. As a result, professors at the International LL.M program had a wide and deep international perspective on each subject. They were also quite helpful on a personal level, providing valuable advice regarding the best way to advance my career.”

When did you decide that despite having made *aliya*, for your career it was best for you to return to Argentina?

“Despite having relatives and friends in Israel, my girlfriend and I missed our families, and that was a major factor. In addition, it is not easy for someone whose mother tongue is not Hebrew or English to find a job as an international lawyer in Israel. And becoming a lawyer

in Israel requires taking a set of nine exams of the Israeli Bar Association, plus one year of internship, which amounts to a period of another two to three years of studies; I wasn't willing to do that. I therefore decided to return to Argentina and apply for a job in an international field of law, which was my aim prior to the LL.M., and I have accomplished it! Nowadays I work in one of Argentina's largest firms: Marval, O'Farrell & Mairal, in the field of corporate law. I can say that after the International LL.M. my career took 180-degree turn.”

How is your LL.M. degree perceived in the Argentinian legal practice?

“There is no such thing in Argentina as an LL.M. in law and technology, and the specialization itself is something unique. At Marval, a firm with over 300 lawyers, only a few specialize in technology! So my degree is considered very valuable locally. It is something huge for me.”



Diana Roif (29) first visited Israel when she was 18 years old, as a member of the German Table Tennis Women's Team for the 17th Maccabiah Games (2005). Encouraged by the experience, she participated in the two subsequent Maccabiah games as well. In between, she completed her First State Examination in Law at Heidelberg University (2012), Germany's elite university for law studies. After the Maccabiah in 2013, and in proximity to her completion of the Second State Examination in Law at the Regional Court of Frankfurt (2015), Diana came to the decision to explore her interest in Israel more thoroughly.

"Every time I came to Israel I thought of staying a bit longer and was looking for the right way to do it. I found out about the International LL.M. during the last Maccabiah. But first I wanted to finish my Second State Exam, to be 100% qualified to work as lawyer or as a judge in Germany. Nevertheless, it was clear to me that I wanted to apply for the International LL.M. Not often in my life did I have such a strong feeling that I really had to do something. In this case, I felt it 100% and was very happy to have found this opportunity. It came from the heart."

From a professional legal aspect, what made you so confident in your decision to pursue the International LL.M.?

"During my first degree, as well as during my 'Referendariat,' I specialized in intellectual property, and it was nice to discover that the program has a special law and technology track. I also contacted the administrative director of the program and asked for contact details of the German alumni and students. I contacted all of them,

and they all praised both the program and this track. Of course, some of them talked to me after just returning from the sunny beaches of Tel Aviv, while I was freezing in Germany, so it also had an impact..."

Could you give us your perspective of the studies in the program?

"The method of study is completely different from that in Germany. At TAU it is more open-minded, and you can be more creative and think outside of boxes. In Germany, it is stricter and you have less freedom of choice. You need to fulfil A, B, and C, and nobody stops to ask whether you may actually be interested in D. Maybe it has also to do with the fact that this is a second degree. For whatever reason, I liked it. Also, the mixture of contents in the program was perfect, and so, even if you are interested in a certain specialization, you also have the opportunity to broaden your horizons. The field trips, however, all fell on rainy days... It was particularly funny when we came to see the desert in the south, and some of us had never seen a desert before, and it was pouring!"

How was the LL.M. class?

"We came from ten different countries... and were also of different ages. Some have just finished their LL.B., others have had a lot of practical experience, and some were already parents to children. So there was a big variety. In the discussions, everybody contributed from their experience. It is not just a matter of different legal thinking, but often simply of different cultures. You are exposed to new and unfamiliar things, learn from it, and grow."

And the country itself?

"The LL.M. gives you a taste of the country and its culture, but I had also table tennis and friends to help me better integrate into local society. It was also table tennis that helped me blend in quickly in Germany, when my family migrated from the Ukraine, when I was 9 years old. The same happened in Israel. I started playing for Maccabi Tel Aviv women's table tennis team, and traveled for the weekend league games to all parts of the country — by the way, I find it incredible how many unique spots the Israeli landscapes has to offer— and so I

had the opportunity to meet new friends and see new places. It made my life here more complete."

One of the program's courses is about Israeli law. How did you find the Israeli legal system?

"There are things that I couldn't believe at first, for instance, the absence of a formal constitution, which for me is the proper foundation of a proper democracy. This is one of the unfamiliar things I mentioned."

When did you decide that you wish to stay in Israel after the completion of the program?

"In the beginning of the program I didn't know what will happen next, but toward the end I decided to work here as an attorney, and this is what I do, I work as a foreign attorney at Barnea & Co., a firm of about 50 lawyers and some 19 partners. I specialize in commercial law and privacy law, providing legal consultation for high-tech startups and big investors. I like the job... it's a refreshing change after all my studies."

And where do you see your future?

"I try to fully live every experience, so now I study Hebrew at the *ulpan* and I even think of taking the Israeli Bar examination! But I don't know where I'll end up in the long term."

Looking back at the International LL.M., what doors did it open for you?

"Having the LL.M. is an advantage both on the Israeli and the foreign market. The big law firms in Germany, for example, see the LL.M. degree as an attractive bonus in addition to the First and Second State Examination, especially if you have completed it abroad, and with an exceptional specialization. For me personally, the LL.M. also opened the opportunity of becoming integrated in local Israeli society, both on a professional and a private level."



PARASOL
FOUNDATION

The Parasol Foundation Trust: TAU International LL.M. sponsor

The Parasol Foundation Trust is a philanthropic trust established in 2004 in Gibraltar. It is overseen by its principal benefactor, Ruth Parasol, who is considered to be one of the world's wealthiest self-made women today. Following the immense international success of her online gaming company and its IPO on the London Stock exchange, in 2005, Ruth sold her remaining interests and dedicates her time to raising her children, to philanthropy, and to overseeing her international private investment office. For over 10 years, the Parasol Foundation Trust has been supporting communities in Gibraltar, UK, Israel, India, and the United States. To date, the Trust has committed over £20,000,000 for various educational, health, culture, and heritage initiatives.

Ruth Parasol says: "Our time, success, and fortune are borrowed. You can never give or appreciate enough, but every effort helps. Here, at the Parasol Foundation Trust, we enable change by supporting talented individuals and core centers of health and education, in order to create a better future for the next generation. Through education, cutting-edge technologies, advanced medical treatments, and culture preservation we hope to contribute to a better and brighter future."

Meet Prof. Michael Birnhack, academic director of the Parasol International LL.M. Program



Photography: Gal Hermoni

Prof. Birnhack (J.S.D., NYU School of Law, 2000) is an internationally renowned scholar in the field of intellectual property, privacy law, and information technology law. He also directs the TAU Law S. Horowitz Institute for IP. For the past two years, he has served as academic director of the Parasol Foundation Trust International LL.M. Program. Since March of this year, Michael is also Associate Dean for Research at TAU Law.

Could you explain for whom the program is designed and how one is admitted into it?

"The Parasol Foundation Trust International LL.M. considers applications from holders of an LL.B. degree obtained outside of Israel, who have a demonstrated knowledge of English. We evaluate the applicants' academic achievements and professional experience, as well as the recommendations provided. The same criteria, alongside individual needs, also serve us in awarding generous Parasol Foundation Trust scholarships, offered to some of the participants. But we also encourage and assist the applicants we accept to obtain scholarships from other resources, such as the Masa Scholarship for Jewish students, the Asper scholarship for Canadian students, the funding possibilities offered by the Israel Ministry of Foreign Affairs, or funding offered in their home countries."

Program graduates have high praise for the curriculum and the method of study, especially the specialization tracks, the combination of courses and field trips, as well as the different methods of evaluation. Could you briefly describe the structure of the program?

"Certainly. It's a 10-month program, which opens with three core courses, designed to eliminate any gaps in the students' prior knowledge and to introduce the students to the Israeli legal system. That being said, it is important to note that the program is theoretical in nature, and is not about Israeli law. Nevertheless, we believe

that it is important for students to know something about the place where they are studying.

After this preliminary phase, which takes place before the beginning of the regular academic year, students can choose courses, seminars, and workshops according to their specialization track, from a large variety offered at TAU Law, in English, including by some 20 to 25 visiting scholars from the best law schools in the world. We also have special activities that are unique for the program students, such as the field trips you mentioned, as well as weekly presentations of contemporary legal issues with special relevance to Israel.

As for the methods of study and evaluation, I think that this is all part of the general Israeli academic approach. It is a relatively young academic tradition, cherry-picking the best of all learning and legal traditions. We have frontal lectures, as is common in the continental tradition, alongside discussion-based courses, following the Socratic method, which is common in the United States. Add to this mixture the Israeli lack of formality, and you arrive at the special way in which we teach, which the students indeed find greatly appealing."

Do students in the program interact extensively with the rest of the Faculty students, including local and exchange students?

"Definitely. The TAU Law Student Exchange Program cooperates with 45

leading law schools from all over the world. All the TAU Law classes that are taught in English thus provide an opportunity to meet different people of different backgrounds, who grew up in different legal systems. I witness how all the students, both local and foreign, are greatly excited by this opportunity and gain a lot from it, because it brings a wide spectrum of perspectives to the discussion. Take freedom of speech, for example, an issue pertinent to the seminar I teach on law and information technology. In the classroom, I meet American students, for whom the First Amendment represents a very clear position on the topic, and I have Chinese students with an alternative view, and many other different perspectives in between. The discussions are truly fascinating. Each class is a wonderful intellectual experience for the students and for myself."

As the academic director of the program, can you describe your interaction with the young but already experienced jurists from all over the world?

"As I mentioned, I enjoy the diversity in class a lot. But it is much more than that. I believe that it takes a certain courage, curiosity, and willingness to explore new things for people to study abroad. These qualities, on top of the high standard we maintain in our application process, guarantee that participants are truly excellent jurists."



Bringing about Change in the Field of Philanthropy

In view of the coming summer conference on Israeli philanthropy, hosted by the Buchmann Faculty of Law Institute for Law and Philanthropy, we interviewed the founder of the Institute, Atty. Dafna Meitar Nechmad, to discuss the goals of the Institute and the conceptual and practical changes facing all those involved in giving, as they seek to turn philanthropy into a more effective tool in the service of Israeli society.

“Philanthropy is an outdated term,” says Atty. Dafna Meitar Nechmad, founder of the Institute for Law and Philanthropy at TAU Law, and the Zvi and Ofra Meitar Family Fund Chair, the fund being one of the largest contributors to Tel Aviv University, in particular to the Buchmann Faculty of Law. “Beyond the somewhat patronizing connotations that this term harbors, giving has today a completely different profile from what we used to refer to as charity. The time when donors would simply write a check and be done is over. The kind of giving in which I take part and promote is an investment in every sense, because it carries with it the donor’s involvement in his investment, to guarantee the ability of the investment to achieve the aims for which the money was provided. Because in this type of investment the aim is social, the more accurate term would therefore be exactly that: social investment.”

“Allow me to give you an example. My brother, Aviad Meitar, and I are board members of the Zvi Meitar Center for Advanced Legal Studies at TAU Law, together with Atty. Meir Linzen, Senior Managing Partner at Herzog Fox & Neeman Law Firm, whose firm, together with other large Israeli law firms and many other generous donors, is among the supporters of the Center. We do not impose any restriction on academic freedom, of course, and we do not dictate the agenda of the Center. We do, however, share in setting its course, in the fundraising efforts, in putting together its annual budget, and contribute from our expertise and insights, not to mention the considerable time that we dedicate to it.”

Ten years ago, Dafna Meitar Nechmad has decided to leave a long and prosperous career as an attorney and the senior position of partner in one of Israel’s largest law firms, and place her experience and skills entirely at the service of social investment. The fund that she manages focuses on two areas of activity: education and culture. As such, the fund supports young singers at the Israeli opera as well as the research students at the Zvi Meitar Center for Advanced Legal Studies, the Tel Aviv University Collier School of Management, and other educational institutions and ventures. In parallel, Dafna Meitar Nechmad serves as co-chair of the ambitious fundraising campaign of Tel Aviv University for the next decade. After a meeting with Edna Fast, Founder and Director of the Luna Art Fund, as part of their shared activity within the framework of the Jewish Funders Network, Dafna Meitar Nechmad also established a first of its kind institute, the Institute for Law and Philanthropy.

“It was our first meeting, and there Edna brought up this idea that suddenly struck me – how is it that I, being a lawyer, have never thought of combining my years-long activity within the Buchmann Faculty of Law with my parallel involvement, in all of those years, in social investment? Truly, the legal aspect of encouraging giving and removing the obstacles it faces is the critical one. It has to do with more than just tax deduction because at the end of the day this is a minor incentive. Therefore, the purpose behind the Institute for Law and Philanthropy, which was founded also thanks to Marcia Riklis, is not so much to induce others to give – of course, the more the better – but rather



to make donations more effective in achieving their goals, and therefore more satisfactory for the donor; this, in turn, will no doubt encourage further giving. Our idea was to research giving, and on that basis promote more advanced legislation, but then we discovered that even researching giving is not so straightforward because of the lack of a comprehensive information base on giving in Israel. This provided the impetus for our large-scale project of creating a database on giving in Israel, which includes collecting information from various state authorities, government branches, and private organizations.”

[Continued >>](#)

From left to right: Dafna Meitar Nechmad with her father, the late Atty. Zvi Meitar, at the pre-establishment conference of the Institute for Law and Philanthropy, January 2014. Sitting next to them: Shuki Ehrlich, Chair of "Committed to Give," Maya Natan, Director of the JFN Israel Office, Maya Lapid Edut, Director of "Committed to Give," and Debra London, Executive Director, The Israeli Fund for Unicef.



What, in your view, are the goals of the Institute for Law and Philanthropy?

"To become the professional academic authority in the field of social investment. Not a bystander, from the ivory tower or from a sociological perspective alone, but, and here lies the importance of the legal aspect, a key, active player in reshaping the entire field, as well as a platform for new collaborations. For instance, I happened to meet Prof. David Hahn, Official Receiver of Israel, who told me of his dream of establishing a public funds forum, and behold, through the Institute for Law and Philanthropy, we have established the Public Funds Forum, and initiated a dialogue between bodies and individuals who had never dreamt of entering into such a dialogue. If the private funds were to acknowledge the Institute for Law and Philanthropy

as such a platform, and recognize its abilities and activity, it would be an overwhelming success for the Institute."

Is the forthcoming conference an opportunity for such a dialogue?

"Exactly so. The change, however, will not be brought about only by means of dialogue and collaboration between the different players in the field, but also by raising awareness of the need for such change, and by broadening the ranks of those involved in social investment. Already this year, the Buchmann Faculty of Law offered a new and highly successful course on "Philanthropy in Practice," conceived and taught by Atty. Galia Feit, Executive Director of the Institute for Law and Philanthropy, and Sharon Levite-Vaknin, Executive Director of "Keren Baktana" ("Little

Foundation"). The course exposed students to the perspective of various NGOs, the meaning of donations for these organizations, and the point of view of the donors, by having to choose an organization to receive an actual donation from the class. We intend to deliver similar training to lawyers and accountants."

What drives you to generate a wholesale change in the field of philanthropy?

"I like to help things take shape and I derive great satisfaction from giving. I chose to renounce a wonderful career for it, and I don't regret it. I am also pleased with the transition from investing in specific social projects to investing in the entire field of giving, because it will produce much more than any

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Through the Institute for Law and Philanthropy we have initiated a dialogue between bodies and individuals who had never dreamt of entering into such a dialogue.

given investment would. This is why I am also a board member of Jewish Funders Network, in Israel and abroad, and served as co-chair of the recent convention in Atlanta. It's all intended to promote a dialogue that will produce practical results and real change. At such conferences, I can see that I'm not the only dedicated visionary and that the exhilaration that I feel is shared by many others. All who are involved in giving as a profession also share the will to promote the entire field, people like Zeev Feldman, Chair of Pa'amei Tikva Charitable Foundation, Irith Rappaport, Vice-Chair of the Bruce and Ruth Rappaport Foundation and founding member of the initiative "Committed to Give," Chanoch Barkat, Chair of the Dualis Social Venture Fund, Edna Fast, and Marcia Riklis."



One of the topics to be discussed at the forthcoming summer conference on Israeli philanthropy is the public image, which is not always positive, of philanthropists such as Israeli tycoons...

"This is true, but one does not have to own a fortune in order to give. Many contribute their time and energy, which is no less fulfilling and of no less help. Just the other day I attended a conference of the "Committed to Give" initiative (promoting significant private philanthropy among affluent Israelis), and one of the presenters was a representative of Nachshonim Venture, which fosters the development of a social career alongside a business career among young professionals. All members of this group have a day job, such as in marketing, and they contribute their time – as much as 6 hours per week,

which is a lot – to help NGOs sharpen their messages. So, without actually giving one cent, they contribute a great deal. The guy who launched this initiative posted a Facebook call for action. He dreamed of recruiting some fifty people. Four hundred have applied! So if altruism and communal responsibility are praiseworthy in those with limited means, they should not be regarded as reprehensible when one has bountiful means."

But isn't it the obligation of the state to support social causes?

"I cope with a given reality, and the government has its own priorities. My interests lie in the cultural, educational, and social strength of Israel. Moreover, not everything is an appropriate area for state action. Many social initiatives are a gamble or risky adventures; because of its bureaucracy and it being subject to many administrative regulations, the state cannot take the same type of risks, and even if it could, it wouldn't be appropriate for it to do so with public funds. Private social investors are more apt for such risk taking with new models of social programs, and can also move things along quickly. Sometimes it fails. When it succeeds on a large scale, perhaps then, it should be adopted as a government course of action."

The change you push for is therefore also a conceptual change toward giving?

"Yes, but it is also one that reflects different times and a new generation. My father, the late Zvi Meitar, did not believe in collaboration between various players in the field of giving. Nevertheless, he

came with me to the first conference of the Institute for Law and Philanthropy... actually it was the pre-establishment conference of the Institute, attended by two hundred people! At the end of the conference he said: it seems I should eat my hat!"

Do you involve your children with your philanthropic activity?

"They witness my activity but they are still crafting their own careers. When I was the age of my eldest daughter today, I wasn't practicing social investment either. I believe that the time will come for that as well, but they will choose their own path within this field, which would not necessarily be the same as mine. I mean, if they decide that they wish to support, let's say, a soccer team, it would be perfectly fine."

Last question; can you tell us about the Tel Aviv University fundraising campaign that you co-chair?

"I co-chair the 10-year Capital Campaign of TAU, and lead an international group of supporters and friends of TAU, in collaboration with the Chair of TAU Board of Governors, Prof. Jacob Frenkel, with TAU President, Prof. Joseph Klafter, and TAU Vice President for Resource Development, Mr. Amos Elad, as well as the TAU Development and Public Affairs Division, and the global network of the TAU Friends Associations. The goal of the campaign is to secure financial resources that will guarantee the continued growth of the University, and strengthen its influence and status both locally and internationally, in the next decade. We set ourselves an objective of \$1 billion, of which, I am very happy to say, we have already raised 300 million!"

The Zvi Meitar Center for Advanced Legal Studies: Looking forward to two Decades of New Challenges



On February 20, at a festive signing ceremony held at the conference hall of the President of Tel Aviv University, the Zvi and Ofra Meitar Family Fund confirmed its extended, generous support for the Zvi Meitar Center for Advanced Legal Studies for the next **20 years!**

On this occasion, we asked the Zvi and Ofra Meitar Family Fund Chair, Atty. Dafna Meitar Nechmad, to share with us her perspective on the Center's achievements in its first decade, and its goals for the coming two decades.



TAU Law Dean Elect, Prof. Sharon Hannes, TAU President, Prof. Joseph Klafter, Dafna Meitar Nechmad, Aviad Meitar, Ofra Meitar, TAU Law presiding Dean, Prof. Ron Harris and Atty. Meir Linzen at the festive ceremony, marking the generous new donation on behalf of the Zvi and Ofra Meitar Family Fund, in support of the Zvi Meitar Center for Advanced Legal Studies for the next 20 years.



The festive ceremony, marking the generous new donation on behalf of the Zvi and Ofra Meitar Family Fund, was attended by Ofra Meitar and her children, Dafna Meitar Nechmad and Aviad Meitar (both TAU Law alumni), as well as by Atty. Meir Linzen, Senior Managing Partner at Herzog, Fox & Neeman and member of both the TAU Law Board of Governors and the Zvi Meitar Center Board of Directors. Also present were TAU Law presiding Dean, Prof. Ron Harris, TAU Law Dean Elect, Prof. Sharon Hannes, and TAU Law Vice Deans, Prof. Roy Kreitner and Prof.

Talia Fisher. The occasion was honored by the most senior TAU officials: TAU President, Prof. Joseph Klafter, Vice President, Prof. Raanan Rein, Chair of the Board of Governors, Prof. Jacob A. Frenkel, Rector, Prof. Yaron Oz, Vice President for Development, Amos Elad, President of the Israel Academy of Sciences and Humanities and former Rector, Prof. Nili Cohen, and TAU Director General, Mordechai Kohn.

“In my view,” says Dafna Meitar Nechmad, “the Zvi Meitar Center sets an example for a social investment that one could not have foreseen where it would lead. Today, there is general agreement that the Center’s achievements in its first decade have exceeded all expectations. This success can be measured not only by the number of research students and Ph.D. graduates, or by the impressive senior positions they hold throughout the Israeli legal system. From the start,

our mission was never quantitative but rather the establishment of a center for excellence. We proposed to counteract the juristic brain drain, and to achieve our goal we had to attract and host some of the top legal lecturers in the world. This is how our remarkable success should be measured, because these special guests, as many as 25 every year, enabled us to create an unparalleled research hub. They have also significantly enhanced teaching at the Buchmann Faculty of Law.”

“The bottom line is one of constant interaction of the young legal researchers at the Zvi Meitar Center with the most senior legal researchers worldwide, alongside lack of financial concern on the part of the research students. As a result, the quality of the research they produce is truly remarkable, and so is the academic activity of the Center, as for example, the conferences for young

legal researchers that are organized by the students themselves. A collateral great consequence, which we did not anticipate, is a broader opportunity for women researchers, because women are less inclined than men to move their families abroad for the sake of their own studies and their own careers, but thanks to the Center, such relocation has become unnecessary.”

The credit for the achievement should go, first and foremost, to your father, the late attorney Zvi Meitar.

“To my father and to Prof. Hanoch Dagan, who was Dean of the Buchmann Faculty of Law at the time, and approached my father with the initial idea. It was right at the start of activity by our fund. My father suggested a model based on a commitment for a limited period of time, to set the process in motion, and from that moment it became a project that was very dear to him. He asked me and my

brother, Aviad, to act as board members, a move that engaged and connected us to the Center very strongly.”

How do you continue to advance, for another two decades, a Center that is already successful and groundbreaking?

“As I said at the signing ceremony, this indeed may prove not less of challenge than founding the Center... One option we consider is to turn it into an international center, and there are already initial developments in that direction. Another course of action is collaborations with other universities. We have to bear in mind that, like any other successful model, we will see competing institutions that will imitate the Zvi Meitar Center, in Israel and abroad, and the Center will have to reinvent itself in response. I have complete faith, however, in the excellent people that run the Center.”



Making History in Israeli Philanthropy

Israeli philanthropy has its own characteristics. It is based on relatively new capital, some of it from innovative entrepreneurship in such areas as high-tech, and it must cope with social and welfare policy, as well as taxation that have become obsolete by comparison with other developments in Israel and abroad. Next July, the Institute for Law and Philanthropy at the Buchmann Faculty of Law at Tel Aviv University, in partnership with the Forum of Foundations in Israel, JFN Israel, and the "Committed to Give" initiative, will hold a unique conference for the philanthropic community in Israel. It will initiate a professional discussion about values and social involvement, about the function of philanthropy in the strengthening of Israeli society, and about how this important function can be discharged better.

Although Jewish philanthropy has a long history, which is of great importance for Israel's growth, until about 20 years ago it involved mostly donations by individuals or communities outside of Israel. In recent decades, however, alongside a culture of household contributions, which remains strong in Israel, Israeli philanthropy underwent a process of professionalization, which resulted in increased reliance on it by social organizations and initiatives that in the past did not exist or were dependent entirely on government contributions. The interfaces between philanthropy and the public, social, and business sectors have evolved, and today Israeli philanthropy plays a decisive role in shaping the social, community, and economic aspects of our lives.

Image of the famous philanthropist, Baron Edmond de Rothschild, on a half-shekel coin. Jewish philanthropy has a long history, and it is of great importance for Israel's growth. Today, however, alongside continued support from Jews outside of Israel, and a culture of household donations, a professionalization of Israeli philanthropy has taken place, and together with it, reliance on it by many social organizations. The planned conference is thus intended to discuss the many challenges facing Israeli philanthropy.



The Israel Philanthropy Conference, scheduled for this coming July, is intended to facilitate a systematic discussion of various aspects of philanthropic practice in Israel by invited guests – philanthropists, fund managers, and key figures in philanthropic activities in Israeli Jewish and Arab societies. In advance of the conference, three discussion groups have been set up on key questions affecting the growth of Israeli philanthropy, with the participation of philanthropists, professionals at funds operating in Israel, as well as researchers from academia. The topics discussed in the three groups are:

Philanthropy in its own eyes: What are the personal, family, social, cultural, political, and intergenerational and attributes that most affect philanthropic giving in Israel? How does being an Israeli shape the local philanthropic practice? The group is chaired by Ms. Adina Shapira and Ms. Tamar Galai Gat, CEO of the Clore Foundation. The discussion is led by Ms. Noa Krauz Lahav, a researcher in philanthropy and a doctoral student in the Department of Sociology and Anthropology at Tel Aviv University, and Ms. Maya Lapid Edut, director of the "Committed to Give" initiative.

Philanthropy in the eyes of the public: How do ideological and moral views on wealth and giving shape the public opinion on philanthropy in Israel? The group is chaired by Mr. Shuki Erlich and Dr. Tali Yariv Mishal, Director of the Bracha Foundation. The discussion is led

by Mr. Guy Schultz, doctoral student, Fellow of the Institute of Law and Philanthropy, and by Ms. Talia Horev, Director of the Israel Foundation Forum.

Philanthropy and the state: The way philanthropists and professionals view their role in contributing to Israel's socio-economic policy and as partners in setting its direction. What is the proper relationship between philanthropy and the state? Whether and when should philanthropy be a test lab or a research and development lab for social initiatives, with the expectation that the state will step in to replace it, fully or partially, if the experiment is crowned with success? The group will also address the question of whether and how the state should encourage philanthropic activity. The group is chaired by Mr. Allan (Chanoch) Barkat and Mr. Eli Buch, Director of Philanthropy, the Rothschild Foundation, and is guided by Prof. Yoram Margalioth, Academic Director of the Institute of Law and Philanthropy, and by Ms. Sigal Yaniv Feller, JFN.

Organizers of the conference believe that it will establish a tradition of professional dialogue on topics that engage Israeli philanthropists, help promote and share knowledge about Israeli philanthropy, and create a unified language for the various players in the field, in the interest of the common goal of all: strengthening the significance of philanthropy in inter-sectoral discourse and increasing the effectiveness of philanthropy in the service of Israeli society. ■



Nothing in my career was planned

On the coming Independence Day, the President of the Israel Academy of Sciences and Humanities, Prof. Nili Cohen, will receive the Israel Prize for legal research in recognition of a wide-ranging legal career in her areas of interest, alongside her great influence in shaping the University of Tel Aviv and Israeli academia in general. A week after she was named winner of the Prize, we spoke with Prof. Nili Cohen about the development of Israeli academia, about the closeness between law and literature, and about her special connection with the Faculty of Law at Tel Aviv University.



In a public interview with Dr. Ilana Dayan Orbach

“I received hundreds of congratulatory notes... maybe more,” Prof. Nili Cohen said, commenting on the week following the announcement of being awarded the Israel Prize for legal research this year, “but what moved me especially were congratulations from former students. Alongside a huge investment in research, I invested much in teaching. I have always believed that the meaningful relationships formed at the university are between teachers and students. The investment in teaching was demanding. It was not easy to free time for it given the management functions I took upon myself. But the human connection and the inculcation of knowledge, of ways of thinking, and of values were important to me, and apparently, when the effort bears fruit, we derive particular enjoyment from it.”

Does this prize represent a high water mark for you?

“It is a very important milestone, a professional peak, but I’ll tell you what was the record that I broke: I’m the

first woman legal scholar to win the Israel Prize whose name is not Ruth! I was preceded by groundbreaking researchers, Ruth Ben-Israel, Ruth Lapidot, and Ruth Gavison...”

In addition to the keystones you have established in Israeli contract law, the prize committee noted your interest in law and literature. Can you tell us how you became attracted to this field?

“I come from a home seeped in culture, and my natural attraction was to the humanities. I decided to study law because I considered it an important area of general education, which would also provide a profession, and found myself falling in love with this fascinating and rich field. Even within the field of law, I was drawn to legal education in its broadest sense—Roman law, Jewish law, the history of English law, comparative law—but eventually chose private law as my main area of interest, which I enjoyed very much. Nevertheless, I was always interested in the connection between literature and



▲ As part of her research about the meeting between literature and law, Prof. Nili Cohen founded the "Law and Book Club" project, which marks 13 years of successful activity. The club examines the interplay between culture, literature, and the law. From left to right: with Supreme Court Justice Prof. Dafna Barak Erez, author Meir Shalev, and Prof. Ron Harris, and writers A. B. Yehoshua and Amos Oz.

law. My return to the Faculty after my tenure as Rector of Tel Aviv University, has been an opportunity to come full circle and thoroughly explore this area, which happens to be a relatively recent field of academic interest. At the initiative of then Vice Dean, and today judge, Prof. Ofer Grosskopf, we started a series of lectures open to the general public, titled "The Law and Book Club," which has been going strong for thirteen years now. It concerns the interface between culture, literature, and the law. I taught, together with

Prof. Shai Lavi, a seminar called "Law and Memory," which involved cultural and literary aspects, after which I also started to teach the seminar "Literature and Law." Many literary works paint a picture of the law, emphasize its ethical relativity, and the way in which the law chooses to persuade those it addresses. Like literature, the law also involves interpretation and critique, so that the connection between the two enriches and expands the mind."

Alongside the analysis of the representation of the law in literature and the literary analysis of the law, you also engage in the analysis of legal cases that touch on literature, such as the fate of the works of Kafka.

"This case is a fine example of how the literary work of Kafka himself could have and perhaps should have affected legal outcomes. It is a clear synthesis of a legal issue and cultural and literary criticism."

In parallel with your activity in diverse areas of legal research, you have been and continue to be involved in academic management and guidance positions. How did you arrive at this?

"When at the time, the Rector, Prof. Dan Amir, asked me to serve as Vice-

Rector, I hesitated. I didn't think I had the necessary qualities. But I decided to give it a try, and I discovered in myself a hidden side, which eventually led me to the position of Rector. The position was highly challenging but also greatly satisfying. In addition to promoting research, I sought to make the University available to disadvantaged populations. For example, we "adopted" the municipal high school in Jaffa, seeking to advance the students and their families. At the initiative of Dr. Gideon Chitayat, we integrated high school students from the periphery into our summer semester, giving them credit for courses they attended in their future academic studies. But after I finished serving in the demanding position of Rector, I was happy to return to the Faculty. In 2004 I joined the Israel Academy of Sciences and Humanities, the prestigious academic body in Israel, and in 2015 another challenging position came my way, as President of the Academy."

Can you tell us a little about your role as President of the Academy?

"The Israel Academy of Sciences and Humanities was established in the early 1960s, on the model of the European academies, working to advance research

and science through initiatives, advice to government, and guidance. The most prominent initiative of the Academy, created during the presidency of Prof. Joshua Jortner, was the establishment of the Israel Science Foundation, the largest and most important research funding organization in Israel. But even the so-called "Communicating Vessels" program at Tel Aviv University, which is the requirement that science students attend courses in the humanities and vice versa, came into being as an initiative of the Academy, following a report on the humanities by Prof. Kedar. As President of the Academy, it is important to me to continue the honored tradition of my predecessors. For example, we are actively promoting the report of an Academy commission headed by Prof. Stroumsa on developing the field of religions studies. And similarly to how we acted at Tel Aviv University at the time, it is important for me to emphasize the connection with diversified layers of society. For example, starting last year, the Academy has been conducting a series of lectures called "At the gates of the academy." The series is open to the public, but we made sure to include high school students in our audience. We host them, have them meet the speakers, and allow them, after the lectures, to be

the first to respond and to ask questions. We also continue to initiate cooperative ventures with equivalent bodies abroad to promote science; for example, next October there will be a workshop on "Science and Privacy" in collaboration with the Royal Society, Britain's national academy."

You are intensely associated with the Faculty, where you completed all three degrees, where you established, already as a student, *Iyunei Mishpat Law Review*, and where you served as a faculty member for many years.

"Yes, when I left the Faculty, in January 2016, having received for the third time the Rector's Award for Excellence in Teaching (an award I established as Rector...), I said that I didn't feel that I was really parting. I still remember how, still a soldier, I enrolled in the first year that the Faculty operated as an independent Faculty of Law within Tel Aviv University. And lo and behold, I stayed in the same place for fifty years. I love this place, the people, the areas of interest that I found here as a researcher and teacher, and the beauty of the place. I had the privilege to study in this place and to teach students, from many of whom I learned. Looking back, I feel truly fortunate." ■



Photography: Gal Hermoni



- ◀ The late Ami Dweck with President of the Supreme Court, Prof. Aharon Barak, at Ami's swearing in as district court judge. Zafra Dweck: "I'm convinced that Ami would have been very proud of the activities of the Foundation established in his memory and of the mentoring project at the Faculty."
- ▼ Zafra Dweck at the recent annual Ami Dweck memorial ceremony, in which also the scholarships for the mentors in the program are awarded.



Photography: Assaf Shilo

Mentoring & Memorializing

In the mentoring project of the Faculty, second, and third-year students help freshmen adjust to the different aspects of law studies. Support for the project, which celebrates this year a decade of success among both mentors and mentees, comes, in addition to other donors, from the foundation in memory of the judge, educator, and graduate of the Faculty, Amichai Dweck. On the eve of the anniversary of the program, we spoke with Zafra Dweck, Director of the Foundation, and with Shai Wazana and Yara Mansour, the current project coordinators, and heard about Ami and about the way in which the project has evolved to date.

The late Ami Dweck, an educator turned judge

For the late Amichai Dweck, judgeship was a second career. He achieved it after long and devoted service in the field of supplementary education, in the youth movements and community centers in Tel Aviv. Despite his achievements, which included the creation of empowering frameworks that brought together different populations of youths in the disadvantaged southern neighborhoods of Tel Aviv, and despite the fact that his career as an educator was assured (he was offered to head the Youth Division at the Ministry of Education), Ami chose to change direction: much older than his classmates, and already a father, he started studying law in the evening program of the Faculty of Law at Tel Aviv University.

After graduation and internships in the Prosecutor's Office and with- Menahem Goldberg (who later became Chief

Justice of the Supreme Labor Court), Ami worked for a decade in the area of torts, during which he showed an aptitude and talent for guiding parties toward agreement and compromise. His subsequent application to serve as a judge in juvenile court was a natural extension and a desire to combine his talent for settling disputes with his educational experience and activities for the benefit of youths (Ami continued to serve all along as Chairman of the national leadership of the boy scouts). But the needs of the system (a shortage of magistrate's court judges with a background in torts) led Ami to serve for a decade as a judge in the Tel Aviv Magistrate's court. During that time he had been diagnosed with a malignant disease. Nevertheless, he didn't miss a single day of work, undergoing operations during summer recesses of the court, and chemotherapies on weekends, as he was reviewing court cases in the hospital. Three months after

Ami was promoted to the district court, on the first day of the court recess in 2000, he was hospitalized for the last time. Ami passed away at the age of 54.

Ami Dweck Foundation for Youth and the birth of the mentoring project at the Faculty

In 2005, Ami's widow, Chairwoman of the Association of Social Workers in Israel, Zafra Dweck, together with Ami's friends, established the "Ami Dweck

Foundation for Youth," to memorialize Ami's achievements and help youths while connecting Ami's different fields of interest. Thanks to the Foundation, youth centers in disadvantaged neighborhoods and in the periphery were renovated, an extreme park for girls at risk was established, a Scouts troop was named after Ami (the Amichai Katzrin troop), and a lookout was built above the township of Nataf, on the way to Reut, where Ami lived.

Over the years, Ami kept in touch with the Faculty of Law at Tel Aviv University, consulted his former teachers, and participated in the annual mock trial. Therefore, the Ami Dweck Memorial Fund has decided, following the advice of Prof. Nili Cohen and in collaboration with Dean Prof. Hanoch Dagan (himself a former boy scout...), to help young students from disadvantaged backgrounds study at the Faculty, in pursuit of personal and social change. This is how the mentoring project was born. As part of this project, more experienced students, in return for scholarships, guide first-year students who are in need of such guidance, one on one, throughout the year.

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We are constantly searching for means to continue this beautiful project, as well as other activities, as befits the memory of Ami. We are appreciative of any contribution, however modest.

Zafra Dweck

A project that contributes, in different ways, to all participants

This year will mark ten years since the inception of the project. In the course of this decade, new donors joined the program and the Foundation distributed tens of scholarships each year to mentoring students. The scholarships are awarded at a moving ceremony held annually at the Faculty, in the presence of faculty members and students, and with the participation of Ami's friends and of those who cherish his memory, including lawyers and judges. At the ceremony, a film is shown about Ami, about his educational and legal activities, and about his coping with illness, and participants in the mentoring program share their experiences.

Says Zafra Dweck: “The response of mentors and students, over the years, has been amazing. It is heartwarming to see how much the project contributes to both groups of participants, how program participants created a network of contacts and mutual support. I believe we have succeeded both from the ethical point of view and from that of practical results: we have reached a situation today that recipients of mentoring no longer fail academically! The project is in high demand by mentors, and it is no less sought for by the mentees, who do not feel uncomfortable seeking it and are happy to receive help. But the funds of the Foundation are running out, and we are constantly searching for means to continue this beautiful project, as well as other activities, as befits the memory of Ami. We are appreciative of any contribution, however modest.”



Shai Wazana and Yara Mansour (pictured above), third-year students, served as mentors in the project last year, and this year they together coordinate the project. We met them to learn about the change the project brings about, and about how it is conducted.

Hello Shai and Yara. Could you briefly describe the mentoring project?

Shai: First, before the beginning of the school year, all first-year students, who of course have had no experience with any higher education framework and with searching for legal materials or reading and writing of legal texts, come for a week of orientation conducted by senior students. During the orientation, they learn about the requirements of the Faculty, what it means to submit assignments, what the library looks like, how to read a court ruling, etc.

The mentoring project takes place after the orientation week, and in addition to the course “Introduction to Israeli Law,” for students whose mother tongue is not Hebrew. These two are the general and initial frameworks intended to help students adapt to the law school. But already as part of these activities, as well as in the emails they receive and on the various Facebook groups,

we have announced that the students who experience specific difficulties, for example, those who have trouble in understanding the academic and legal discourse in Hebrew or have attention and concentration problems, can receive, starting from a few weeks into the academic year, a mentor for the entire year.

Yara: I was mentored as part of the project in my first year of studies. I had great difficulty with language in the first semester of that year. Not only in the classroom. Also with the mentor. And I couldn't concentrate properly. But in the second semester, I felt an improvement. The mentor helped me make order out of chaos and distinguish between what was important and unimportant, which now I know is a common difficulty... although I still read court rulings, unlike many others... Last year I mentored three students, who today are my friends, and this year I decided to contribute from

my experience for the benefit of the program, and in particular to serve as a point of reference for Arab students.

Shai: I also mentored last year two students with language difficulties. One was an Arab student; the other had immigrated to Israel a year earlier. The GPA of one of them really soared in the second semester, although the success of the mentoring is not measured by grades. In my opinion, it is not only a question of what is important and unimportant, but finding the appropriate method of study for each student. For example, it might make more sense for students who have language difficulties to concentrate in class on what is being said rather than try to take notes, and if this doesn't work either, to spend time in the library or at home going over a friend's notes or someone's notes from the previous year, as a means to achieve understanding. This is why the mentor's dialogue and a long-term familiarity with the freshman

student are so important. At times it takes the entire first semester to find the method of studying that will help the student make progress.

How did you choose the mentors and what kind of training did they undergo?

Shai: We interviewed the candidates and chose twenty-five of them. By the way, we almost didn't take grades into account at all. We looked for students committed to the program, not for those interested in adding a line to their resume. We also looked for a background in volunteer work, even for students who themselves experienced difficulties in their first year. We also gave priority to second-year students, who still have the first-year material fresh in their mind. We conducted a short training, which also included a meeting with a board member of the Ami Dweck Foundation. During the training, we gave mentors tips and presented a model for several meetings with each student. We discussed the manner in which to provide help in specific areas, such as reading court rulings, preparing for submission of assignments, and preparing for examinations. The goal is to help students continuously, without unfairly burdening the mentor. It is also important to maintain a certain distance, to avoid a situation in which students may ask the mentor to do their work for them, and the mentor would feel uncomfortable to refuse.

How are mentors teamed up with students?

Yara: We try to pair them according to the curriculum, so that we match students enrolled in the same track, who studied with the same teachers, or who combine two identical degree programs. But note that the aim is to impart learning skills that are useful for students in the Faculty, such as improved verbalizing,

and we focus less on specific content. Those who are interested in tutoring can obtain subsidized lessons through the student union. In any case, given the load in the first year, it is impossible for the student and the mentor to prepare every assignment together. They therefore choose the important assignments to focus on, and learn from these how to handle the rest.

How does your contact with mentors and students take shape throughout the semester?

Shai: We collect feedback from students and mentors, and conduct joint mid-year talks with the mentors, led by Dr. Hila Shamir, project coordinator on behalf of the Faculty. We also made it clear to all participants in advance that anyone who has difficulty should get in touch with us, and the fact is that in most cases no problems arise. There was only one case in which we changed a student's mentor, and there were a few cases in which students failed to cooperate, but we met with them and helped them understand the benefits of the program.

Is there no concern that students may be embarrassed to ask for mentoring, even if they come to the realization that they need help?

Yara: We maintain discretion, not to deter those who might be embarrassed. Students don't know about each other, there are no social gatherings, and generally no joint meetings. Students can also opt to meet with the mentors outside the Faculty. But in truth, we haven't encountered embarrassment. On the contrary, students are happy to receive help. About 70 students applied out of fewer than 300 first-year students, and unfortunately, partly because of a reduction in the budget of the Ami Dweck Foundation, we were able to accept only 50. ■



Photography: Ravit Tzeiniker

Thank you very much Ron, and good luck, Sharon!

On March 1, the new Dean of the Faculty, Prof. Sharon Hannes, assumed the post and replaced Prof. Ron Harris, who completed a five-year term. We met the new Dean for a welcome interview, to learn about his vision and plans for his term, as well as the outgoing Dean for a farewell interview, to sum up his term and review the list of the Faculty's achievements under his guidance.

Prof. Hannes, can you tell us a little about your management path within the Faculty, before becoming Dean?

“Similarly to some previous deans, the significant position on the way to the deanship was that of Associate Dean. I served in this position in 2009-2010, when Prof. Hanoch Dagan was Dean. It’s an intensive job, which involves responsibility for all aspects of teaching, including the schedule, as well as working with the teachers, the students, and the relevant administrative staff, heading the Teaching Committee, and other ancillary functions having to do with the routine management of the Faculty. Subsequently, and until my appointment as Dean, I managed the Cegla Center, established with the exceptional contribution of a friend of the Faculty, Mr. Michael Biron Cegla. The Cegla Center is the largest legal research center in the country as far as budget and the scope of activities are concerned. Among others, it is also responsible for the publication of the law journal *Theoretical Inquiries in Law*, highly regarded worldwide in the field of legal theory. The Director of the Cegla Center is ex officio also the editor-in-chief of the journal, heading a large student editorial staff. Luckily, I benefited greatly from the help of Dr. Yael Braude, the associate editor, who oversaw in practice most of the editorial work, so that I was able to focus on the development of the journal with respect to the quality of the writers and to the conferences organized by the journal. In addition to the journal, the activities of the Center include inviting visiting professors, organizing conferences and student exchanges, supporting the clinical legal education program, supporting research by

הפקולטה למשפטים ע"ש בוכמן
THE BUCHMANN FACULTY OF LAW

Special interview with Prof. Sharon Hannes, on the occasion of his assuming the position of Dean of the Buchmann Law Faculty



faculty members and a variety of other academic activities. In parallel, until two years ago I served as director of Tel Aviv-Berkeley executive graduate program in commercial law. This unique, intensive program, with a carefully thought out curriculum, grants a Master’s degree in one year for lawyers in the commercial field. Two semesters are taught at TAU Law, and the summer semester at the UC Berkeley Law School. Over the years, I also served in various positions at the University, thanks to which I have an overall view, at a certain level, of the campus. Among others, for two years I was a member of the University Appointments Committee, which reviews the promotions of all faculty members at the University, and I was the representative of the Law Faculty in the Strategic Committee of the University, headed by Prof. Ariel Porat, which is designed to help the President of the

University formulate the direction the University should follow as we approach the year 2020. The Committee submitted recommendations of great importance for the future of the University.”

How does one accommodate so many functions and demands simultaneously, together with teaching and research?

“Work is demanding and requires physical presence on the premises for long hours, but it appears that I like it. The fact is that I keep taking on additional loads... I actually enjoy everything I do in the Faculty, primarily the teaching, and especially I enjoy teaching the large class in corporate law, that is, the basic course on the subject: each time I discover new things, and the students are challenging my way of thinking. As far as research is concerned, I am now in the midst of several projects, many of them jointly with other researchers, and I am making

efforts to advance these as well, in parallel with my position of Dean, albeit at a slower pace. Naturally, there is a price to pay for the overload, particularly in regard to family, but I spend as much time as possible with them, and make a point of taking vacations...”

To what extent can one prepare for the position of Dean?

“I have been feeling for some time that many members of the faculty were expecting me to take the deanship upon myself, so I have been drawn into it gradually; therefore, I prepared for the job seriously and made plans. My general objective is to identify paths for expanding research and collaboration with senior scholars abroad, and to create incentives and a framework for faculty publications at the most prestigious academic venues. All this needs to go on

together with the continued cultivation and recruitment of the best faculty members. In parallel, I intend to advance teaching and provide services to our outstanding student body. As part of these important objectives, and as a way of achieving them, I thought of three specific projects I would like to promote in the first half of my term in office; these will require significant development of resources.”

Would you present these projects briefly?

“Of course. The first one is the establishment of a Summer Research Institute at TAU Law—this is the working name of the project for now. The idea is to create a permanent research environment for four to six weeks, every summer, each year under the guidance of a different Faculty member, which will focus on cooperation between us and a



leading law school abroad. Each year the collaboration will be with a different institution, focusing on a particular topic. Each of the two institutions, our Faculty and our counterpart abroad, will be represented by three scholars. Together, they will form a research group that will convene in Tel Aviv in the summer. Other senior researchers will also take part in the research group, up to six more, from Israel and from abroad. There will be a formal and focused program, with a weekly seminar for presenting the research work of each member of the group. The main focus, however, will be advancing the members' research on the subject for which the group meets, all the while benefitting from the ensuing cross-fertilization. I believe that such a framework could quickly acquire world renown, which will naturally reflect on the Faculty and achieve global recognition for its high quality. I expect this framework to lead to many collaborations between our faculty and foreign researchers, to fire up the imagination of the researchers involved, and to expose our young and veteran

researchers to new opportunities. Many leading teachers and researchers from around the globe would like to come here, but often the teaching requirements of their institutions prevent them from doing so; a concentrated summer framework can be an ideal solution for them."

Are there precedents for this type of research framework?

"There are many precedents for research groups and for advanced research institutes, and they have made an enormous contribution to research and researchers. But in this case, there will be something more: not only a high-quality research group, but intensive collaboration with a leading legal academic institution each summer, and over time, a series of collaborations with many institutions. This will be yet another element in the research activities taking place within the framework of the many research institutes at the Faculty, which are also responsible for initiating conferences and recruiting doctoral and post-doctoral students from abroad.

The second project I am interested in promoting is the establishment of a research center for law and innovation, or for law, technology, and innovation. Technological innovation challenges the law, and we must provide solutions to developments in this arena as part of our research activities and beyond. I feel that we are lagging behind in this area. The manner of instruction is also likely to change in the future; the new center will be able to deal with this aspect as well, in other words, to help the transition to online courses and distance learning. We are facing drastic changes in this respect, and I want to encourage the faculty to gain exposure to this field. The new center could also serve as a bridge between us and entities active in the market in the field of technological and legal innovation."

And the third project?

"The third project may not be as glamorous, but it is no less significant; it has to do with support for research. We encourage our faculty to submit applications to outside foundations and

grants, and it fills us with great pride when they obtain competitive grants because it is a measure of excellence. In the last two years, researchers of our Faculty have won more research grants from the National Science Foundation than all legal researchers from all other Israeli universities combined. Nevertheless, we need to have our own budget for research development for the stage that precedes the application to external funds, and for areas in which it is more difficult to raise external funding. For this purpose, I want to establish a Dean's research fund, which would grant us greater freedom in funding such initiatives. It is important that the Dean, as a focus of decision making and of the follow-up of research activities at the Faculty, have this ability."

In addition to academic goals you have set for yourself, is it possible to prepare for the administrative aspects of the deanship?

"Less so. Clearly, there are many competing interests and desires that the Dean must reconcile, and at the

same time advance the objectives of the Faculty. The blanket is always too narrow. I have been an integral part of the Faculty and the University for fifteen years, so I am intimately familiar with how things work, but one doesn't fully experience it until one delves into it. I feel that I have significant credit with faculty members, and I will try to keep it."

Do you feel that you have the statesmanship and salesmanship required to market the Faculty?

"I am certainly very proud of the Faculty, and it is easy to "sell" something you believe in. The Faculty is an island of excellence and outstanding activity. Nevertheless, despite the fact that I have countless friends and acquaintances at the University, at law firms, and in the business world, mingling and small talk are not my forte, and I'm told that this forms part of the job requirements. So I'm either going to change, or the job will change."

Thank you and good luck.

Farewell interview with Prof. Ron Harris, the outgoing Dean



Prof. Harris, let's go back five years. Did you want to be Dean?

"There is no question that it's a challenge. Both at the personal level, how I cope with the position and how it develops me, and from the point of view of my ability to exert influence. But I didn't exactly choose to apply for the deanship. Prof. Dafna Barak-Erez was appointed to the Supreme Court after serving as Dean for six months, and I was approached as next in line with the required experience for the job... If a faculty member wishes not to be eligible for such an appointment, he or she must refuse or "fail" in the initial administrative positions in which faculty members generally serve, such as,

being a member of the different Faculty committees. Otherwise, he or she will be given increasingly broader assignments, such as the head of a committee or of a program (for example, in the beginning, I was responsible for the mentoring project), or head of a research institute, and of course, Associate Dean. All these boil down to positions one occupies on the way to the deanship. At that point in time, I was persuaded that there was probably no better-suited candidate on the management track. I also felt a responsibility, as a member of the Faculty community, although in other respects, research and family, it was not the most appropriate choice for me just then, given the demands of the position."

When you assume such a position, do you officially set goals for yourself and for the Faculty?

"As I just said, I was appointed unexpectedly, as far as the timing was concerned. I had a few goals set in advance, and some that were born along the way, but the important thing is to know how to take advantage of opportunities, not necessarily to stick to goals defined in advance."

Looking back, did you meet your goals, whether planned or opportunistic?

"For the most part, yes. For example, one of the goals that I set in advance, because I thought it was important to the Faculty at that point in time, and

because it also interested me personally, was strengthening its international character. The academic staff in general has international experience, and we have teachers from abroad, but it was important that we also have foreign students, and it was important to strengthen ties with Asia, especially with India and China. We are still at the beginning of the road, but I believe that a momentum has been created, on which we can build."

Regarding the students, are you referring to the opening of the Parasol Foundation Trust International LL.M. Program and the expansion of the student exchange program?

"Yes, the undergraduate student exchange program used to be limited to, and collaborated primarily with law schools in the US and Canada. It was important to expand the program in general, especially to law schools in South America, Europe, and above all Asia, so that we would have more undergraduate foreign students. And of course, the opening of the Parasol Foundation Trust International LL.M. Program was a major step. But even at the doctoral level, it was important to bring doctoral students and post-doctoral fellows from abroad. Five years ago there were very few foreign post-doctoral students, and this has changed. I didn't bring them all personally, but I made efforts to increase resources and to take advantage of existing resources for this purpose, and I made efforts to recruit post-doctoral students, again with an emphasis on India and China."

Why is this important?

"Whenever I teach abroad, one of the most prominent differences that I find between academia in Israel and abroad

is the diversity of the student population, which abroad comes from all over the world. This brings a different learning culture and different legal perspectives. Also, regardless of my personal and research interest in India and China, it is difficult not to see the potential and development of the economy, the middle class, and academia in these countries. There are millions of students in these countries who want to study abroad. I also tried to bring more visiting professors and participants at conferences from China and India and to encourage participation of our academic staff at conferences in India and China, and to get to know these places professionally."

During your time as Dean, there was also a significant increase in the number of Israeli-Palestinian students in the Faculty.

"Yes, although this is the result of processes that began earlier. In fact, the next challenge in this context is to open the doors of the profession to them upon the successful completion of their studies at our Faculty, so that they do not end up working only in the Arab sector in Israel. We raised donations for this purpose, and we work with the other law faculties and with the heads of the large legal offices. This is an example of an opportunity that one should take advantage of, in this case, right now. We should also mention, in this context, the pilot program with ultra-Orthodox students. In this case, the University must agree to different admissions requirements (the absence of a matriculation certificate and of core subjects otherwise taught in high school), and the need for scholarships for these students, who are economically disadvantaged and have families at an early age."



Photography: Ravit Tzelniker

One of the things mentioned in the recent report of the international committee appointed by the Israeli Council for Higher Education to assess the law schools in Israel is the expansion of the legal clinics and their increasing importance as an integral part of LL.B. studies.

“I was involved in the clinics as a supervisor of the Work, Welfare and the Execution Proceeding Office clinic, and later as the head of the Faculty committee assessing the clinics, so that here too I had preliminary thoughts on what can be done. During my tenure as Dean, there was a change of guard in the management of the clinical program, and also a clinicians’ strike broke out, which was all an opportunity for change, both in fundraising for the program and in its institutionalization. I hope that the conclusions of the international committee will strengthen our legitimacy in demanding and obtaining resources for this important issue.

Is there another notable achievement that you can claim as Dean?

“Perhaps the most important thing for the Faculty is the quality of the academic staff. I had the opportunity to make a quantum leap in this matter during my tenure. Thanks to the fact that the Faculty consolidated its status in previous years for being so strong academically, excellent people from other institutions in Israel wanted to transfer to us, and I had the opportunity



With President of the Supreme Court, Justice Miriam Naor.



With TAU Vice-Rector, Prof. Eyal Zisser.



Submitting the Harris committee recommendations to the Minister of Justice, Ayelet Shaked, and the Official Receiver of Israel, Prof. David Hahn.

to add them to our ranks, although such a transfer usually involves various difficulties. We have also brought back two outstanding faculty members from the US. We made significant progress in the middle generation, as well as in hiring young faculty members.”

But you will agree that there are areas, for example criminal law, where it is possible to argue that with the retirement of Prof. Eli Lederman there is a shortage of academic staff.

“Before I took up the position, I consulted with leading scholars and researchers in the US, and one of them made a wise comment; he said that he had never heard of a faculty being complimented on being balanced in all fields. In other words, what usually makes a faculty good is that it has a group of leading and excellent researchers in certain areas. When you have a group of researchers in the same field, they cross-fertilize, there is a synergy between them, and they consolidate their status and that of the faculty. In some of these areas, we are

in the top ten and even in the top five in the world. Furthermore, teaching can be solved by hiring an outside lecturer, not necessarily a permanent faculty member. Another important thing to remember is that young researchers, or rather the topics they choose for their doctorate, serve as an excellent indication of the “hot” areas currently developing in the legal world, for example the field of empirical law, and it is appropriate to follow this indication and not the needs of the schedule.”

What about expanding the range of research bodies in the Faculty? During your tenure, the S. Horowitz Institute for Intellectual Property was launched, the Institute for Law and Philanthropy became reality, and more.

“Definitely. And we can add the area of Jewish law, which is expanding at the Faculty, and the interest in Russian and East European law, although there are other areas for which I would be happy to raise funds and establish research institutes, for example, international law,

which is expanding greatly at the Faculty and in general, or research collaborations with institutions in India and China. But research possibilities are a clear example of how things unfold regardless of your planning as Dean, because they are dependent on opportunities that arise with respect to donations and the recruitment of the right staff. There is no point in raising funds for a field in which you don’t have suitable academic staff or interest among existing faculty members.”

The list of achievements is getting longer...

“Then let me add also the reform of the LL.B. program, which Prof. Yishai Blank has proposed, when he was Associate Dean, and Prof. Roy Kreitner formulated and is prudently guiding now, in his capacity as the current Associate Dean. More than 15 years have passed since the last reform, and the world has changed, the law has changed, and the pedagogical approaches have changed. It is time to reflect these changes. Most of

my achievement in this amounts to the fact that the reform has been approved at all, considering that it requires all faculty members to prepare new courses or change a large part of existing ones, because the scope has changed and the frequency of classes has increased. All this comes at the expense of their research, therefore their basic instinct is not to make a change. The fact that faculty members agreed to support this effort stands to their credit. My job was to make sure that it happens, and to persuade them that the balance between teaching and research will not be significantly upset. Another issue to which the reform contributed, which I considered to be especially important, was reducing the teaching burden on young faculty members, in their first years here. In parallel, we awarded research grants for them and provided mentoring by the Associate Dean for Research – a position created during my tenure – and by other faculty members. I believe that such moves help their proper development as faculty members.”



Let's talk a bit about the deanship itself. I assume that the main problem is the large number of tasks, together with the fact that you are still researching, teaching, and holding other positions, in your case, for example, the Harris Government Commission...

"It is true that in Israel, unlike in the US, deans continue to teach, but on the other hand they spend less time flying to meet alumni... In the US, deans are generally outsiders who focus on fundraising; by contrast, I'm plugged into the community of researchers at the Faculty. But yes, one of the things I was told when I assumed the position was that I would learn to use my time much better, and that turned out to be correct. Perfectionists cannot be good managers because managers must be able to distinguish between major and minor issues, and neglect certain things in favor of others that demand attention. For example, I had to deliver several speeches every week.

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The major tip for the incoming Dean is to always remember the goal: academic excellence.

One learns to handle these assignments, so that learning the topic and the writing would not take too long.”

How did you deal with the need to reconcile or represent the different interests of the academic and administrative staffs, university officials, and donors?

"This is one of the things one doesn't have prior experience with, and it is necessary to develop personal skills in this respect. As a faculty member, I did

interact with the administrative staff and with university officials, but not a great deal. I think that the best rule is to always remember the goal. In other words, preventing conflict and friction is not an end in itself, and even if it were, it will quite likely not succeed. My overarching objective was to advance the academic quality of the Faculty, and I kept this goal in mind as I examined every issue and determined how to conduct myself with the various officials.”

But the knowledge that you are going back to being a member of the academic staff is likely to influence decisions that are not always pleasant, such as approving a program or promoting faculty members.

"Working with 40 faculty members who have strong opinions and different wishes is part of the challenge. There is no consensus on any of your decision as Dean, and some of the skills required are emotional intelligence, interpersonal communication, and the ability to build a joint work plan; for a researcher, such skills are not always required.”

You assumed the position of Dean six months after the 2011 social protest in Israel. I'm tying this together with what you said at the last graduation ceremony about the devaluation of the profession and of the status of the judiciary. Do you think the Faculty should play an ideological-educational role in the midst of this reality?

"I believe that social and political involvement is a personal matter of individual staff members, not of the Faculty, which needs to protect its status as an institution that encourages intellectual pluralism and critical approaches. Promoting specific agendas will undermine its legitimacy to act

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Working with 40 faculty members who have strong opinions and different wishes is part of the challenge. Some of the skills required are emotional intelligence, interpersonal communication, and the ability to build a joint work plan; for a researcher, such skills are not always required.

and its ability to do so. For example, advancing the cause of a constitution in Israel, which has been attempted here in the past, is not one of the functions of the Faculty, in my opinion. Faculty members are involved in the formulation of policies by means of their membership in government committees, by consulting to the public and private sector, by working with NGOs, and by writing opinions — this is the correct way of affecting reality. I also recommend caution in mixing legal opinions with political ones.”

Did your tenure as Dean arouse a desire for a career in management, perhaps at other levels in academia?

"No. As I said, I found it meaningful that much of the work was with people who have been with me for many years. This would not be the case in positions outside the Faculty, and I have no intention of crossing this line. Admittedly, in a job like that of the Dean the pace is rapid, and gratification is quick and measurable, which is very different from academic research. I was

also happy to see the objectives I had set for myself being realized. But in the balance between management, my love of research, and the family, I believe that five years is definitely an adequate span of time.”

Which of the perks of the job will you miss?

"The reserved parking, and dear Orly, the secretary of the Dean... Clearly, the position involves a certain sense of importance: you are always busy; many people are looking to approach you, and must adjust themselves to you; they depend on where you stand. And you can really get things done. But I will get over the drop in tension... I'll be happy to return to research. Several things have been sidelined to some degree in this respect. I'll be happy to spend more time with my family, and to become involved in 'regular' academic activities such as attending conferences, rather than just delivering the greeting speech.”

Any tips for the incoming Dean?

"One tip is to delve into the details because much of the power and the ability to accomplish things stems from understanding the details, the limitations, and the actions that need to be carried out. When you are familiar with the details, it is easier to advance processes faster. Another important thing, at least in working with officials outside the Faculty, is to determine whom to approach about what, because the struggle is not always with orderly hierarchical systems, and one must discover from experience who are the people that one can work with comfortably. And naturally, it is always important to remember the goal: academic excellence.” ■

Setting the academic gold standard in the field of public law



The one-year Tel Aviv–Northwestern LL.M. program in public law, conducted jointly by the Buchmann Faculty of Law and the Northwestern University School of Law in Chicago, marks its tenth anniversary. This special occasion offers an excellent opportunity to examine how the program has become much more than a Master’s degree course in law, and to recall how it all began. We do so with the academic director of the program, Prof. Ronen Avraham, who was among the founders of the program... on behalf of Northwestern University.

The Tel Aviv–Northwestern program offers an excellent solution for Israeli jurists in the field of public law who dreamed of advanced studies in a leading law school in the US, but for reasons of career, family, etc., have not been able to realize their dream. The intensive, one-year program, intended for experienced practitioners in the field of public law, has been thoughtfully designed in accordance. The first two semesters are taught at Tel Aviv University, at times convenient for individuals pursuing careers. They include advanced courses that were custom-tailored for the program and reflect the high level of knowledge of the participants. The concentrated summer semester is held in Chicago, and includes a variety of courses offered by Northwestern faculty specializing in public law, as well as meetings with American experts in public law — judges and attorneys. Graduates receive a double (Israeli and American) LL.M., from two leading institutions for legal training in the two countries: Tel Aviv University and Northwestern University in Chicago.

The above represents the formal description of the program as an advanced degree program in the field of public law, intended for senior officials (judges, prosecutors, regulators, legal advisors, attorneys, and more). But today, a decade after its launch, the program has become something much broader.

Among its many activities, which position it also as a professional club for all those involved in the field of public law in Israel, the program offers:

- 1 | Cooperation with the Association for Public Law in Israel. Already this year, four joint events of the program and the Association were held, open to all interested parties, hosting Chief Justice, Dorit Beinisch, State Attorney, Shai Nitzan, Prof. of law and gender studies, Dafna Hacker, and Deputy Attorney General, Dina Zilber. The meetings, referred to as “Bar lectures,” were held in a relaxed atmosphere in bars in Tel Aviv and Jerusalem. They attracted hundreds of participants and were a tremendous success.
- 2 | Networking by graduates of the program (who already number 350 senior officials in the legal system, government, media, and third sector) was ratcheted up one notch with the 10th anniversary party, which featured a lecture by former Supreme Court Justice Dalia Dorner.
- 3 | Webinar lectures. This year, the program initiated a series of online lectures as a service to the public on various subjects in the field of public law. The lectures, which were open to the public at large, hosted experts such as former Antitrust Commissioner, Prof. David Gilo, Prof. James Speta, the academic director of the program on behalf of Northwestern University, who lectured on the regulation of Uber, Prof. Issi Rosen-Zvi, who lectured on environmental justice, Prof. Talia Fisher, who lectured on statistical evidence, Prof. Lynn Cohen, an expert on negotiations from Northwestern University, Dr. Amit Pundik, who lectured on withheld testimony, and Prof. Nadav Shoked, who lectured on cities and economic distress.

Former Chief Justice, Dorit Beinisch, at one of the "Bar lectures," held in cooperation with the Association for Public Law in Israel.



Prof. Ronen Avraham, who since last year serves as academic director of the program on behalf of the Buchmann Faculty of Law at Tel Aviv University, was among the founders of the program, at the time, on behalf of... Northwestern University. We met him for a talk about the program, then and now:



Former Supreme Court Justice Dalia Dorner with Atty. Gaby Lasky, a graduate of the first class, at the program's 10th anniversary party.



Prof. Ronen Avraham

"I was then a young professor at Northwestern University. Together with then Associate Dean of TAU Law, Prof. Ron Harris, we founded the program. As far as the groom was concerned, that is, TAU Law, in light of the turn that Israeli law took in the 1990s in a more theoretical direction, with a clear American orientation, and in light of the constitutional revolution in Israel, which took place at the same time, the need arose for broad and up-to-date theoretical knowledge, which practitioners in the field of public law lacked. This was true in particular of all those who were educated in the old approach. The Northwestern University Law School, which is considered outstanding, was an excellent site for acquiring this knowledge. As far as the bride was concerned, Northwestern University, there was a desire to expand the international cooperation programs of the law school with academic institutions abroad, and to serve as a

source of learning and inspiration for groups of overseas students. At the same time, similar cooperations were established with universities in Spain and South Korea."

Have the objectives of the program changed since?

"In part. The Buchmann Faculty of Law at Tel Aviv University is still the most theoretical in Israel, and this is the place to acquire the theoretical background that those who have been educated at other institutions lack. Naturally, the fact that the fields of administrative and constitutional law in Israel have become more public and more important emphasizes the need for in-depth familiarity and understanding of what is happening in these areas in the US. In addition, a big bonus of the program is the unmediated encounter with American law, at a leading university, and in the course of tours and meetings we conduct for participants in courts

of law in Chicago and elsewhere, where they can observe the American practice.

“
A big bonus of the program is the unmediated encounter with American law, at a leading university... This cannot be compared with any course in American law that one can take in Israel.”

This cannot be compared with any course in American law that one can take in Israel. Above and beyond all this, starting with the next class, we are developing the program in three new directions. The first has to do with the teaching method, which will be more experiential, and accordingly we added new experiential courses, for example, a course in practical philanthropy and an online course for students from all over the world. The second direction involves the addition to the program of senior staff from the practical field in Israel, such as the Deputy Attorney General, who will be teaching already the next class. A third direction is to come out of the ivory tower and create a presence for the program in the public sphere. This can be accomplished through the series of lectures at the bar – hosting senior public law officials – and by the Webinar lectures, which are open to the public at large, and which deal with everyday issues such as the regulation of Uber.”

How do you balance the cost of the program with its target audience, most of which comes from the public sector?

“Although tuition in the program is higher than the standard tuition in Israel, participants receive a dual LL.M. in exchange, an Israeli and an American one. Any jurist who enrolled in a Master’s degree program at Northwestern would pay three or four times more. In addition, the curriculum and the conditions under which the program is offered have been designed with great attention to detail; this is not an ordinary Master’s program. At the same time, it is important to note that we have quite a few scholarships, and we award them on the basis of the candidates’ excellence and practical record. But we also take into account economic need, in recognition of the fact that participants chose to serve in the public sector and forfeit a high earning capacity in the private sector, for the benefit of state service. It is our job to help them in this endeavor.”



The legal status of married women in the Sephardic and Eastern traditions: The challenges of modernity and encounters between ethnic groups

Prof. Elimelech Westreich

For the past two decades, Prof. Westreich has been focusing on substantive issues having to do with the status of women in the Sephardic and Eastern Jewish traditions, and on the case law emerging from rabbinical courts in Israel and Morocco, especially in matters of bigamy, levirate marriage, and forcible divorce. Last year, Prof. Westreich was awarded a three-year research grant by the Israel Academy of Sciences and Humanities to expand the scope of his research to include also Jewish communities that have not yet been the subject of academic research, such as the communities of Iraq, Iran, Turkey, Yemen, the Balkans, and North Africa as a whole. Another goal of the project is to generalize and conceptualize the legal findings that emerged so far and that will emerge in the course of the project, and to incorporate all the findings of his research into a unified corpus.

Zoom on research

Prof. Westreich, your research emphasizes the encounter between the West and the Jewish cultures under discussion. Why is this important?

“The encounter with the West challenged Sephardic case law on the issues of bigamy, the forcible divorce of a woman, and levirate marriage—phenomena that had been completely rejected by European civilization since the middle Ages. The encounter occurred because of imperial and colonial rule in the countries of residence of Sephardic and Oriental Jews, and through intensive interaction with Ashkenazi Jews in the Land of Israel, in the 19th and 20th centuries (the Ashkenazi Jews have adopted the European patterns on these three key issues in their respective countries since the middle Ages). Note, incidentally, that I am not alone in this project. For example, one of the sub-topics currently being studied by my research partner, Dr. Eyelet Segal, concerns the economic empowerment of childless widows in a levirate connection.”

Your focus is historical. Do you also pay attention to the practical effects of the research on present-day halakhic rulings?

“My research method is historical; I cannot tell to what extent the results of my research affect directly the rulings of rabbinical courts or of the Supreme Court. Its main importance is in the fact that it brings to light the existence of a rather effective toolbox of Jewish law, which enabled Sephardic and Eastern sages to cope with the new reality created by the influence of Western culture. Exposure of these tools can offer concrete suggestions for dealing with difficulties and problems in the field of



family law in the experience of Jewish life in Israel.”

How do you integrate this research with the general Western orientation of the Faculty?

“It seems to me that given the strong presence of Jewish law in Israeli law, directly in the areas of family law and indirectly in other issues, through the Foundations of Law Act, 1980, it is appropriate for the study of Jewish law to occupy a proper place in the academic research conducted at the Faculty. Note further that historically the West was characterized by openness to other cultures, from which it has imported many features. Conducting a colloquy by means of scientific research, with the Sephardic tradition of Jewish law as the subject and not only the object of research, may fertilize and enrich Western legal thought within the Faculty, as the above mentioned openness does everywhere else in the West.”

May I ask what is the personal attraction to Jewish law in the Sephardic and Oriental communities for you?

“I studied the rulings of the rabbinical courts in matters of personal status during the British Mandate and after the establishment of the State of Israel, and I found that rabbis and rabbinical judges with Oriental and Sephardic

Continued >>

backgrounds were more enterprising and less hesitant than Ashkenazi rabbinical judges, whose ruling were branded by a sense of threat and anxiety about modernity. It is quite likely that there are historical reasons for this, for example, the loss of Jewish judicial autonomy in Europe during the 19th century, and the rise of the Reform movement and of secularism, which threatened tradition and its representatives. This didn't happen in communities that lived under Muslim rule, whose courts were officially recognized from the mid-19th century onward, and were not threatened by the Reform movement or by secular ideology. As a jurist, I was attracted to the study of "living" law and I sought to expose the manner in which it evolved and learned to cope with the rapidly changing reality, under the intense pressures of Westernization and modernity. It is also quite possible that charismatic personalities, as for example, Rabbi Ovadia Yosef, provided a further attraction."

How do you see, in this context, the recent Biton Committee recommendations (the special committee tasked with making suggestions on how to integrate Eastern Jewish cultural studies within the general curriculum)?

"I definitely welcome it, and I believe that academic spotlight should be aimed also at issues concerning the culture of Sephardic and Oriental Jews. In the area of Jewish law, however, my impression is that in the past two decades there has been a clear focus on Sephardic and Oriental jurisprudence, which includes the studies I completed to date as well as the current project."



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TAU Law Review 39.2 (September 2016)

Chief Editor – Daphna Hacker

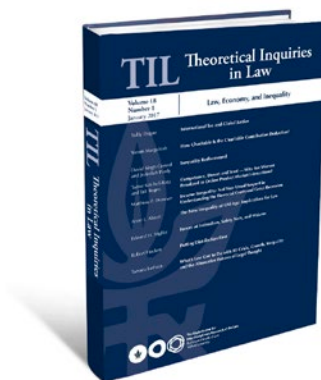
Karin Carmit Yefet and Shulamit Almog Religionization, Exclusion, and the Military: “Zero Motivation” in Gender Relations? | **Dov Solomon** Rational Apathy of Shareholders: How to Awaken Investors from Their Sleep? | **Einat Albin** From Required and Unlimited Intimacy to Troubling Unfree Labor: The Case of Domestic Workers | **Noya Rimalt** From Unjust and Partial Access to Just Legislation: Toward a New Paradigm of Abortion Law in Israel

TAU Law Review 39.3 (December 2016)

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