



International LL.M. Degree



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WELCOME TO TEL AVIV UNIVERSITY BUCHMANN FACULTY OF LAW

MESSAGE FROM THE DEAN

Studying law in Israel is different than anywhere else in the world...The juxtaposition of the old and the new, the East meeting the West - these are just some of the concepts evident in the philosophy and uniqueness of Tel Aviv University's Faculty of Law.

From the cradle of world religions for millennia, Israel has emerged as a nation deeply integrated into global trade and knowledge transfer. We have a front-row seat to the issues critical to today's world precisely because of where we are located on the map.

Content emerging from the classroom will be explored through tours and activities that will familiarize you with the country and its legal complexities. Internships in legal clinics, NGOs and law offices will transform your classroom studies into real world applications. International students are invited to explore Israel's unique circumstances under the guidance of our top faculty members and to network with their Israeli peers.

Top American law school deans regularly invite members of our faculty to be Visiting Professors at their universities, and encourage their own professors to teach here. I am proud that the Buchmann Faculty of Law is so highly respected and well-known as the #1 law school in Israel, one of the top five law schools outside of the United States, and among the highest globally.

I look forward to seeing you on campus,
Prof. Ron Harris

TAU BUCHMANN FACULTY OF LAW

INTERNATIONAL LL.M. DEGREE

The TAU International LL.M. Program is a one-year (September-June) program for English-speaking students from around the globe.

Offering a wide range of classes taught by internationally-recognized professors of the leading law faculty in Israel, LL.M. candidates have the opportunity to study for this advanced degree in Israel, with classes conducted entirely in English.

The rigorous academic curriculum ranges is based on innovative approaches to legal theory, providing law students analytical tools and skills to engage in serious academic research and practical insights. Classes explore contemporary challenges to law that stem from the processes of globalization to specific courses on the Israeli legal and social systems, the complexities of the Middle East region and the legal aspects of the “Start-up Nation.”

The curriculum will consist of courses, seminars and workshops. The selection of courses will allow students to pursue several disciplines, including: Legal Theory; Legal History; Law and Religion; International Law and Global Regulation; Law and Technology; Environmental Law; and, Business Administration.

The program also enables the participants to choose electives from the rich variety of English-language graduate programs.

LL.M. candidates will be eligible to apply for admittance to the **PhD Program** at the Faculty of Law, following the successful completion on the LL.M. degree.

Substantial fellowships will be offered to promising candidates according to needs and academic qualifications and in order to promote diversity.



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Buchmann Faculty of Law

A World Class Reputation

Located at the heart of Tel Aviv, TAU Law Faculty is Israel's premier law school. It offers an environment of excellence and educational intimacy in the form of renowned faculty, vibrant student life, ample opportunities for clinical training, and extracurricular activities. Small by design, the faculty's impact on the legal world is measured by its accomplished graduates and its ongoing scholarship and outreach through numerous centers and projects.

Our faculty consists of outstanding scholars in virtually every major field of law who enjoy national and international reputation. In recent years, the Buchmann faculty has published a great number of books and articles through the world's most prestigious university presses and the most acclaimed law reviews. Faculty members have won a number of best book prizes (such as those of the American Association of the History of Law and the American Association of the Sociology of Law) and have presented articles at the most distinguished forums. They are board members of important American Law journals that accept only a small number of non-Americans into their ranks, and of influential and exclusive international organizations. According to Lexis, a leading database, the scholarship of the Buchmann Faculty of Law at TAU is the most cited of all faculties in Israel.

Buchmann's faculty includes three Israel Prize laureates, and winners of the Emet Prize for Art, Science and Culture, and the Humboldt Prize for lifetime achievement. Members of the Buchmann Faculty have won other highly-regarded prizes, such as the Zeltner and the Cheshin Awards, and the distinguished European Research Council Advanced Grant. Faculty members are regularly invited to teach at the world's top law schools and to prominently participate at the most respected law conferences.

These achievements complement the extensive community outreach activities, including the Clinical Legal Education Program and a number of innovative admissions procedure, geared towards recruiting the best students from underprivileged backgrounds. A law education from TAU prepares students for success in the practice of law, business, public service, and teaching.

Through its faculty, students, and alumni, TAU Faculty of Law is able to contribute solutions to the world's most complex legal and social challenges. The Faculty's proud graduates include Supreme Court Judges and Members of Parliament.



Buchmann Faculty of Law

A Tradition of Excellence

“I welcome you to challenge yourself - and our professors - by pursuing your LL.M. at TAU. Study issues like “religion and the state” in the country home to the world’s three monotheistic religions. Contribute to human rights by interning at one of our legal clinics with clients of every background. Explore the law’s relationship with technology from the headquarters of the most cutting edge hi-tech companies east of Silicon Valley.

I have had the pleasure of teaching and working at prestigious universities around the world, and I am confident that my TAU colleagues are unparalleled in their expertise and passion for their subject.”

Professor Eyal Benvenisti

Academic Director, International LL.M. Degree

Anny & Paul Yanowicz Professor of Human Rights, Tel Aviv University Faculty of Law

Faculty confirmed to teach seminars, workshops & courses in the 2013-2014 International LL.M. program.

Professor Eyal Benvenisti	Professor Aeyal Gross	Professor Menny Mautner
Professor Leora Bilsky	Professor Ron Harris	Professor Guy Mundlak
Professor Michael Birnhack	Professor Sharon Hanes	Professor Ariel Porat
Professor Yishai Blank	Dr. Tami Kricheli-Katz	Professor Issi Rosen-Zvi
Professor Jose Brunner	Professor Shai Lavi	Dr. Hila Shamir
Professor Hanoach Dagan	Dr. Doreen Lustig	Dr. Shai Wozner
Professor Avihay Dorfman		

Guest Professors (as of 15 Jan 2013):

Professor Reuven Avi-Yonah University of Michigan Law School	Professor Arif Jamal National University of Singapore	Professor Guy Pessach Hebrew University Faculty of Law
Adv. Eran Baraket Reinhold Cohn Group	Adv. David Mirchin Meitar Liquornik Geva & Leshem Brandwein	Professor Suzanne Stone Cardozo School of Law - Yeshiva University
Adv. Tony Greenman Tony Greenman Law Offices	Professor Dotan Oliar University of Virginia School of Law	Dr. Gila Stopler Academic Center for Law and Business

Requirements & Procedures

For the LL.M. class beginning in September 2013, the application deadline is April 1, 2013.

To be considered for the LL.M. program, an applicant must have an LL.B. or equivalent first law degree.

Applicants must submit an complete application file online at <https://portal.telavivuniv.org> containing:

An application form;

A curriculum vitae;

Two letters of recommendation;

Official transcripts;

Health declaration form;

TOEFL or IELTS score;

Statement of intent.

TOEFL or IELTS score: English-language proficiency exam is required for all applicants whose first law degree was not taught in English, or for applicants whose law degree program was taught in English but whose degree-granting institution is located in a country where English is not the primary language. Exams must be taken before the application deadline, and official scores must be sent directly to the TAU International office by the testing agency. TAU International's ETS code is 7704. TOEFL test (minimum score: written 582, computer-based 223, or internet-based 89). IELTS test (minimum score: 7).

Statement of Intent: We are interested in your past experiences and future aspirations. Please tell us what has motivated you to pursue and LL.M. degree, your career plans following your graduate studies, and how an LL.M. degree from the Buchmann Faculty of Law will help you advance your professional goals.

Tuition & Financial Aid

Tuition for the 2013-2014 academic year is \$18,000.

Substantial fellowships will be offered to promising candidates according to needs and academic qualifications and in order to promote diversity.

Academic scholarships do not require an application. Candidates will be notified of an academic scholarship upon receipt of acceptance letter.

Need-based scholarships have a separate application - contact jrozentel@tauex.tau.ac.il for the form. Please submit all required documents by April 1, 2013. Candidates will be notified of a need-based scholarship upon receipt of acceptance letter.

There are a significant number of sources for financial aid. American students, for example, can apply for US federal loans. The governments of Israel and Germany also provide scholarships for international students. Applicants are strongly encouraged to research financial options on their own.

For any questions about the LL.M. degree, application process or financial aid, please contact:

Jessica Rozental, International LL.M. Degree Administrative Director

jrozentel@tauex.tau.ac.il

+972-03-640-8597

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Courses

Core Courses (mandatory)

- Introduction to Israeli Law
- Introduction to Law and Economics
- Introduction to Law and Society
- Scholars' Workshop: Theoretical Texts

Workshops (Choose of 1 of 4)

- Law and Economics
- Private Law
- Law and Technology
- The Theory of International Law & Institutions

LL.M. Elective Courses

Minimum 4 courses
for at least 8 credits

Other Elective Courses

Maximum 5 courses
for 10 credits

20 elective options are available,
including 12 condensed courses
taught by foreign professors and
8 courses taught by adjunct faculty.

LL.M. students are also permitted
to choose from a wide variety of
classes from TAU's Graduate
Programs for overseas students.
See page 11 for more information.

SPECIALIZATION 1: LAW,
GLOBAL GOVERNANCE
& HUMAN RIGHTS

- Seminar: Law and Global Governance
- Course: International Taxation
- Course: Transitional Justice
- Course: The International Law of Work
- Course: International Environmental Law
- Course: Labor Migration & Human Trafficking

SPECIALIZATION 2:
LAW, STATE & RELIGION

- Seminar: Biotechnology and Religion: Israel in a Comparative Perspective
- Seminar: Religion and the Liberal State
- Course: Remembering Like a State: Law and National Identity
- Course: Freedom of Religion
- Course: Sharia & the State
- Course: Jewish Political Tradition Through the Eyes of the Law
- Course: Gender, Religion and the Law: Israel in a Comparative Perspective
- Course: Tensions Between Liberal Law & Religion: The Case of Jewish Law

SPECIALIZATION 3:
LAW & TECHNOLOGY

- Seminar: Law and Information Technology
- Seminar: Biotechnology & Religion: Israel in a Comparative Perspective
- Course: Cyberlaw
- Course: Introduction to Intellectual Property
- Course: Information Law
- Course: Licensing of Intellectual Property

SPECIALIZATIONS

Law, Global Governance and Human Rights

Law, State and Religion

Law and Technology

LL.M. students will be recognized if a specialization is chosen, though a specialization is not required to complete the LL.M. degree.

DEGREE REQUIREMENTS

Core Courses (3)
= 6 credits

Scholars' Workshop (1)
= 2 credits

Seminars (2)
= 6 credits

LL.M. elective courses (at least 4)
= at least 8 credits

elective courses (up to) 5
= (up to) 10 credits

Total credits: 32

Introduction to Israeli Law

Professor Ron Harris

Core Course (Mandatory)
2 credits

This course will only be offered during the Mini-Semester.

This course will introduce international students the Israeli legal system. It will survey the historical construction of the Israeli legal system, starting with the Ottoman Empire, going through the British Mandate, Independence and post-independence eras as formative periods, the codification, the Constitutional Revolution and concluding for now with the early 21st century. It will place the Israeli system on the comparative law map between the common law and civil law traditions. It will present the court system, with special attention to the Supreme Court and its role as High Court of Justice. It will present the role of the Legislature and of statutory and regulatory reforms.

Introduction to Law & Economics

Professor Sharon Hannes

Core Course (Mandatory)
2 credits

This course will only be offered during the Mini-Semester.

This course will provide an introduction to economic analysis of the law. We shall see how legal rules and institutions can correct market failures. Covered topics shall include the Coase Theorem, economic analysis of breach of contract, introduction to game theory, property v' liability rules, litigation and settlement, tax v' subsidy, economic analysis of eminent domain, criminal sanctions (the tradeoff between the certainty and severity of punishment), accidents, precautions & optimal activity level, regulation v' liability for harm, products liability and non-monetary damages. There is no formal economics prerequisite to take this course. The purpose of the course is to introduce economic analysis methodology to the students, equip them with the basic tools of this school of thought and apply it to several major areas of the law.

Introduction to Law & Society

Dr. Tami Kricheli-Katz

Core Course (Mandatory)
2 credits

This course will only be offered during the Mini-Semester.

The course deals with the relationships across law, society and culture. We will focus on sociological theories of the law, its origins and functions. Among other things, we will discuss the following topics: Legal sanctions and their relationship to morality, rationality and cognition; compliance and obedience to the law, crime and perversion; the gap between the law in the books and the law in action, the social roles of judges, lawyers and juries.

The purpose of the course is to expose students to socio-legal theories of the law and related social institutions and to provide them with analytical tools that will enable them to further investigate the relationship between law and society.

Scholars' Workshop

Professor Yishai Blank

Core Course (Mandatory)
2 credits

This course will be offered during the Fall semester.

The purpose of the course is to expose students to socio-legal theories of the law and related social institutions and to provide them with analytical tools that will enable them to further investigate the relationship between law and society.

Core Courses
Mandatory

LL.M. Mini-Semester Sept & Oct 2013-2014

LL.M. students will participate in a 3-week intensive session prior to the start of the Fall semester. Three core classes and off-campus visits.

Law & Global Governance

Professor Eyal Benvenisti

Seminar (3 credits)

Track One: Law, Global Governance and Human Rights

Globalization has led to a broad transfer of policy making authority from the domestic to the global sphere. This power shift has facilitated review by global authorities of domestic decisions, but has also shielded many global policy making processes from domestic monitoring and reviewing mechanisms. The seminar will examine the roles of domestic courts and institutions, global tribunals and arbitration panels, global monitoring bodies and other global organizations, private organizations and NGOs in responding to the accountability gaps and opportunities created by globalization. They have done so by developing and applying accountability requirements of transparency, participation, reason-giving, and liability. We will examine the incentives and constraints that shape the capabilities of these actors to further these objectives. Examples will be drawn from a variety of fields, including human rights, environmental protection, and regulation of trade and investment.

The purpose of the seminar is to acquaint students with the various forms of global governance institutions that take part in forming and reviewing public policy making and to explore the challenges that they pose to the ideals of democratic participation, global welfare and egalitarian allocation of resources and opportunities. Pedagogically, the seminar is designed to provide participants to engage in independent research of a topic of their choice.

International Taxation

Professor Reuven Avi-Yonah

Course (2 credits)

Track One: Law, Global Governance and Human Rights

This course introduces students to the basic features of the international tax regime, with particular emphasis on the international aspects of the US income tax and on tax treaties. Topics covered include jurisdiction to tax, inbound taxation (US taxation of foreigners), transfer pricing, outbound taxation (US taxation of foreign source income), tax treaties, international mergers and acquisitions, and the future of the international tax regime in the 21st century.

Transitional Justice

Professor Leora Bilsky

Course (2 credits)

Track One: Law, Global Governance and Human Rights

Transitional justice scholarship studies legal responses to collective violence, and asks how these responses affect collective memory and the state's liberalization. Unlike a military revolution that sustains its authority by brute force, democratic regimes are committed to the rule of law and are inclined to address the evils of the previous regime with the help of legal devices. However, the new regime's commitment to the rule of law also makes it aware of the dangers of using ex post facto laws and indulging in 'victor's justice.' At such times, the various expectations from the law—to punish the guilty, ascertain the truth about the old regime, and enhance reconciliation in society—seem to overwhelm the legal system and to push it in opposite directions. As a result, trials of transition bring to the foreground the clash between politics and justice. In this course we will focus on the two main approaches to the problem which have evolved since World War II: exemplary criminal trials (Nuremberg, Eichmann, and others) and truth commissions, and examine them from the perspective of the relationship between law and politics. We will consider the politics of domestic transitional measures as well as of international criminal trials and other transnational legal mechanisms used in political transitions.

SPECIALIZATION: LAW, GLOBAL GOVERNANCE & HUMAN RIGHTS

To specialize, students must complete 1 seminar class + 4 courses in this track.

The International Law of Work

Professor Guy Mundlak

Course (2 credits) **Track One: Law, Global Governance and Human Rights**

Young women labour stitching jeans in a Chinese factory; fishermen in Southern United States are losing their jobs to Vietnam; care live-ins work around the clock; construction workers in Germany remain unemployed at the time Polish workers are being posted in Germany; consumers boycott Nike, but hesitate before paying premium prices for fair trade coffee; trade unions around the world support their fellow dock-workers in the Liverpool port. What do we make of these examples?

As labour and capital markets transcend domestic borders, the objectives of labour law can no longer be confined solely to actions within the nation state. The purpose of this course is twofold. First, to identify the diverse components of international employment and labour law, the institutions, the claims and the methods for advancing social protection to workers world-wide. This inquiry spans beyond traditional instruments that are associated with labour law, and includes trade law, private international law, international human rights and corporate social responsibility. It further seeks to embed the study of legal instruments in the broader economic and sociological debates on globalisation. The second goal is to critically assess how international developments affect domestic labour law and our perception of the ethical and economic values that underscore this body of law.

Course Objectives

- To understand the debates about globalisation
- To embed legal dilemmas in social and economic context
- To test our moral intuitions about dilemmas of global justice
- To piece together the various components of the loose body of law that we designate as international labour law.
- To start from the local premises of labour law we are familiar with and to test them in the move from the national to the international.

International Environmental Law

Professor Issi Rosen-Zvi

Course (2 credits) **Track One: Law, Global Governance and Human Rights**

Over the last 35 years, international environmental law has undergone a dramatic expansion. In 1972, when the first worldwide environmental conference took place in Stockholm, there were only very few international environmental treaties, primarily concerning wildlife conservation and the protection of the marine environment from oil pollution. Since the 1970s the world has witnessed a proliferation of international legal regimes and related efforts to manage sustainability issues that reach beyond national borders. Literally, hundreds of multilateral agreements have been negotiated, covering such diverse topics as acid rain, depletion of the ozone layer, protection of biological diversity, desertification, control of toxic chemicals, transboundary shipment of hazardous wastes and chemicals, and climate change.

The overarching question we will examine throughout the course is: What role can law play in addressing international environmental problems? This course will provide a general introduction to the basic concepts and mechanisms of international environmental law. As we will not be able to cover the entire field, the course will focus on a few case studies that illustrate the basic types of international environmental regimes, problems and issues. Among the issues the course will examine are: Why do states cooperate in developing international environmental norms? What factors promote or hinder cooperation? What incentives and disincentives do states have to comply with international environmental standards? What are the comparative strengths and weaknesses of national, regional and multilateral institutions in the design and implementation of environmental regimes? What types of international environmental standards are most effective? How do we evaluate effectiveness?

The purpose of the course is to provide students with knowledge about existing international environmental regimes and equip them with theoretical tools to analyze and evaluate them.

Labor Migration & Human Trafficking

Dr. Hila Shamir

Course (2 credits) Track One: Law, Global Governance and Human Rights

A rapidly evolving body of international and national law focuses on human trafficking. While significant political and scholarly attention has been dedicated to the prevention of sex trafficking, there is a growing understanding that human trafficking is not unique to the sex industry but occurs in other labor sectors such as agriculture, construction, and domestic work. This course will focus on understanding the mechanisms of anti-trafficking law, the ideological and policy impulses that produced and sustain it, the complex ways in which it is interacting with other legal regimes affecting labor migration (immigration law; human rights law and governance; international and national labor law; etc.), and the distributive effects it is producing both in the developed and the developing world. The course will begin with a study of the origins of anti-trafficking law in the context of sex work, and disagreements among feminists about the legal approach towards sex work/prostitution, and will then turn to an exploration of the challenges facing the current anti- trafficking legal framework in effectively reducing labor exploitation in both the sex industry and other labor sectors.

The course's goal is to introduce students to the international legal regime that developed around human trafficking, to contextualize this development in relation to other developments in the field of the international regulation of labor migration and human rights, and to provide students with the analytical tools to assess the regime's successes and failures. The course is based on legal texts as well as diverse texts from a variety of disciplines. The interdisciplinary approach is designed to deepen students understanding of newly emerging international regulatory mechanisms in general, and to critically engage with the international anti-trafficking regime in particular.

Elective Courses - An Interdisciplinary Approach

In addition to the courses described here, LL.M. students have an additional 20 elective course options, including 12 condensed courses taught by foreign professors and 8 courses taught by adjunct faculty.

LL.M. students are also permitted to choose from a wide variety of classes from TAU's Graduate Programs for overseas Master's students, including:

Conflict Mediation & Resolution

Environmental Studies

Migration Studies

Soafer International MBA

Security & Diplomacy

Visit international.tau.ac.il for a complete list of Master's Programs and related courses

Biotechnology & Religion: Israel in a Comparative Perspective

Professor Shai Lavi

Seminar (3 credits)

Track Two: Law, State & Religion

Track Three: Law & Technology

Recent advancements in biotechnology both at the beginning and at the end of life have given rise to new bioethical and legal dilemmas. The legal regulation of new biotechnologies greatly differs from country to country. Religious belief and cultural heritage play a central role in determining these differences. In comparison to other Western countries, Israel is often described as exceptionally liberal in regulating biotechnologies at the beginning of life and markedly conservative at its end. The seminar will explore the Israeli case in a comparative perspective, and assess the importance of religion and culture to the formation of legal regulation in Israel in comparison to Europe, the US, and other Middle-Eastern countries. Among the topics covered in the seminar are: genetic engineering, reproductive cloning, and abortion at the beginning of life, and euthanasia, vital organ transplantation, and posthumous sperm extraction at life's end.

The purpose of the seminar is to provide students with a theoretical framework for analyzing the relationship between law, science and religion (as a set of beliefs and as a cultural heritage), and provide them with skills to conduct comparative legal research.

Religion & the Liberal State

Professor Menny Mautner

Seminar (3 credits)

Track Two: Law, State & Religion

In the first half of the twentieth century, following Weber's "Secularization Thesis", it was a firm assumption in the social sciences that modernization processes inevitably involve secularization. In recent decades this assumption has been widely undermined. It has been argued that even in countries that went through widespread processes of modernization, many people are still religious believers and practitioners.

In the United States, since the 1970s we have been witnessing much invigoration in the political organization and political power of Christian religious groups. In Europe, where Weber's thesis has seemed to be most pertinent, religion has become highly conspicuous in recent decades following large numbers of Muslim immigration. This, in turn, has bred recurring confrontations between deep seated premises of the liberal state, on the one hand, and deeply entrenched Muslim religious convictions, on the other. Similar such confrontations may be found in other countries such, as Canada and Britain.

In Israel, the rise of religious fundamentalism in Religious Zionism is discernible since the 1970s. This fundamentalism denies any value of Western spiritual heritage, including the basic principles of the regime, political culture and law of the country. Also, in the late 1970s and early 1980s ultra-Orthodox Ashkenazi and Sephardic religious parties entered the core of the political process.

These developments, in the world and in Israel, underline not only the tension, but also the growing friction, between the claims of religious normative systems (Christian, Muslim, Jewish) on the one hand, and the normative premises of the liberal state, embedded in its law, political culture and regime, on the other. As a result, in recent years there is widespread discussion by liberal political theorists, as well as by the courts of liberal states, of the issue of the reconciliation of liberalism and religiosity. This seminar aims at acquainting the students with these theoretical and legal discussions, as well as at allowing them to critically evaluate them.

SPECIALIZATION: LAW, STATE & RELIGION

To specialize, students must complete 1 seminar class + 4 courses in this track,
or 2 seminar classes + 3 courses in this track.

Remembering Like a State: Law & National Identity

Professor Jose Brunner

Course (2 credits) [Track Two: Law, State & Religion](#)

Laws and legal mechanisms both express and shape national identity by instituting modes of collective forgetting and remembering. They fulfill this dual task by various means: by legislating memorial days, establishing national archives, documentation centers and historical museums, initiating trials with historical significance, empowering commissions of inquiry to investigate historically important events, offering or denying restitution for past injustices, offering amnesty or imposing punishment for atrocities committed under previous regimes.

This course will explore the broad range of techniques by which legislation and judicial procedures regulate and articulate historical memories, thus manifesting and molding visions of national identity all over the world. This will be done by examining a series of case studies from Western and Eastern Europe, the Middle and the Far East, North and South America, Africa and Australia.

- To encourage students to think about the broader cultural, social and historical effects of legislative and judicial procedures.
- To develop the ability of students to conduct interdisciplinary research by introducing them to the uses of sociological, historical, philosophical, political and cultural perspectives for the understanding of legal techniques and mechanisms.
- To broaden the academic horizon of students by leading them to consider legal constructions and expressions of national identities from a comparative, global perspective.
- To improve the analytic skills of students by urging them to provide, in their seminar papers, a detailed case study of the law as an expressive and regulative instrument of national identity.

Freedom of Religion

Professor Avihay Dorfman

Course (2 credits) [Track Two: Law, State & Religion](#)

Most liberal democracies provide protection against state imposition of religious orthodoxy. It typically takes two forms—freedom of religion and freedom from religion (or, in the language of the U.S. Constitution, the Free Exercise and the Establishment Clause, respectively). The exploration of these two freedoms from legal, theoretical, and historical perspectives is the purpose of this course. Some of the main questions that will be addressed from all three perspectives are: where and how the line that separates church and state ought to be drawn; why single out religion (say, rather than conscious) as an object of special constitutional protection; can religious liberty and equality be reconciled; can there be a non-sectarian principle of toleration?

Sharia & the State

Professor Arif Jamal

Course (2 credits) [Track Two: Law, State & Religion](#)

Course description will be added soon.

Jewish Political Tradition Through the Eyes of the Law

Professor Suzanne Stone

Course (2 credits) [Track Two: Law, State & Religion](#)

Globalization has led to a broad transfer of policy making authority from the domestic to the global sphere. This power shift has facilitated review by global authorities of domestic decisions, but has also shielded many global policy making processes from domestic monitoring and reviewing mechanisms. The seminar will examine the roles of domestic courts and institutions, global tribunals and arbitration panels, global monitoring bodies and other global organizations, private organizations and NGOs in responding to the accountability gaps and opportunities created by globalization. They have done so by developing and applying accountability requirements of transparency, participation, reason-giving, and liability. We will examine the incentives and constraints that shape the capabilities of these actors to further these objectives. Examples will be drawn from a variety of fields, including human rights, environmental protection, and regulation of trade and investment.

The purpose of the seminar is to acquaint students with the various forms of global governance institutions that take part in forming and reviewing public policy making and to explore the challenges that they pose to the ideals of democratic participation, global welfare and egalitarian allocation of resources and opportunities. Pedagogically, the seminar is designed to provide participants to engage in independent research of a topic of their choice.

Gender, Religion & the Law

Dr. Gila Stopler

Course (2 credits) [Track Two: Law, State & Religion](#)

The purpose of the course is to acquaint students with relevant aspects of the varieties of religion state relations across the globe, of feminist theory and women's rights in different countries, and of the intersection between them. The course will then use this comparative perspective to reflect on the interaction between women's rights and religion state relations in Israel. The comparative and interdisciplinary perspectives will improve students' comparative skills and deepen their understanding of the relations between law and society.

This course explores these issues through three focal points. First, we will examine the ideas of some major thinkers in legal and political theory who have theorised about the relationship of law and religion. Our starting point for this will be the seminal contribution of John Rawls's work Political Liberalism. After looking at Rawls's theory we will turn to responses and reactions to Rawls from other prominent thinkers. Second, we will examine 'religio-legal' cultures and traditions to understand how they expressed and represented the relationship of law and religion. Finally, we will look at selected case studies – instance where law and religion have directly encountered each other – as points of reflection and discussion.

Tensions Between Liberal Law & Religion: The Case of Jewish Law

Dr. Shai Wozner

Course (2 credits) [Track Two: Law, State & Religion](#)

The course addresses the tensions between liberal and religious laws, particularly in the context of Jewish law. It is usually argued that Jewish law is a religious law and its narratives and values at its basis cannot be reconciled with the narratives and liberal democratic values which characterize western liberal secular law. The course will examine the validity of this argument to ascertain the exact meaning of religious law and its nature.

Some of the subjects studied in the course: History of the relationships between law and religion; "legal" characteristics of religion and "religious" characteristics of law; The change from religious to legal hegemony in the western world; religious constructs which penetrated the western legal systems; belief in the existence of Divinity and its possible implications on the concepts of law and morality; Is Jewish law a religious law? the attitude of Jewish law toward liberal democratic values; the tensions between morals and religion; the concept of sanctity in the religious and legal contexts.

The course also studies a number of specific topics in the focus of tension between religious and liberal law such as: abortion, euthanasia, exclusion of women and homosexuality.

The aim of the course is to improve understanding of the complex relationships between religion and law in modern thought, particularly in the context of Jewish and Israeli laws, and to provide critical skills to facilitate critical examination of the validity of accepted conventions about law and religion in the legal discourse.

Law & Information Technology

Professor Michael Birnhack

Seminar (3 credits)

Track Three: Law & Technology

What is the relationship between law and technology? Does the law lag behind technology? Can the law regulate technology? This seminar will query the complex relationship between law and Information Technology (IT). It is a conceptual seminar, with the intention of providing students with tools to address additional IT Law topics in their individual works. We will encounter several answers to the over-arching question and few explanatory models. We shall ask not only can the law regulate technology, but also how. We will examine various regulatory modalities and legislative techniques. Accordingly, each of the topics we will discuss serves as a case study for one or more strands of the above, broader theoretical themes.

During the first meetings, we will sample few topics related to IT Law, such as online speech (shielding children from harmful material; the use of technological filters, the rise of new intermediaries, e.g., search engines), ISP liability, online anonymity, and digital privacy.

The purpose of the seminar is to equip students with informed general perspectives about the law/information technology relationship, delve into several topics in the seminar's meetings, and then enable the students to closely study one topic, in their seminar papers. As such, the seminar is also meant to improve academic legal skills.

Biotechnology & Religion: Israel in a Comparative Perspective

Professor Shai Lavi

Seminar (3 credits)

Track Two: Law, State & Religion

Track Three: Law & Technology

Recent advancements in biotechnology both at the beginning and at the end of life have given rise to new bioethical and legal dilemmas. The legal regulation of new biotechnologies greatly differs from country to country. Religious belief and cultural heritage play a central role in determining these differences. In comparison to other Western countries, Israel is often described as exceptionally liberal in regulating biotechnologies at the beginning of life and markedly conservative at its end. The seminar will explore the Israeli case in a comparative perspective, and assess the importance of religion and culture to the formation of legal regulation in Israel in comparison to Europe, the US, and other Middle-Eastern countries. Among the topics covered in the seminar are: genetic engineering, reproductive cloning, and abortion at the beginning of life, and euthanasia, vital organ transplantation, and posthumous sperm extraction at life's end.

The purpose of the seminar is to provide students with a theoretical framework for analyzing the relationship between law, science and religion (as a set of beliefs and as a cultural heritage), and provide them with skills to conduct comparative legal research.

SPECIALIZATION: LAW & TECHNOLOGY

To specialize, students must complete 1 seminar class + 4 courses in this track,
or 2 seminar classes + 3 courses in this track.

Introduction to Intellectual Property

Adv. Eran Bareket
Adv. Tony Greenman

Course (2 credits) **Track Three: Law & Technology**

Course description will be added soon.

Licensing of Intellectual Property

Adv. David Mirchin

Course (2 credits) **Track Three: Law & Technology**

This is an advanced licensing class for students who already have a solid foundation in intellectual property law and contract law. The focus will be practical rather than theoretical, and the course will address real-world business and legal scenarios faced by technology companies.

The purpose of the course is to familiarize students with a wide range of licensing issues and ways to address divergent interests. We will cover in-depth licensing of software, content and inventions. We will review the purpose of various key terms in licensing agreements, the interests of each party, and a variety of fallback and alternative solutions which could serve your client and “make the deal happen.” The course will address some specific legal issues related to licensing, such as the enforceability of clickwrap agreements, and website terms of use never agreed to by users, the impact of bankruptcy upon a license, and licensing of open source software.

Students will also learn about various forms of agreement related to intellectual property licenses, such as Software-as-a-Service (SaaS) agreements and software escrow agreements.

Information Law

Professor Dotan Oliar

Course (2 credits) **Track Three: Law & Technology**

Course description will be added soon.

Cyberlaw

Professor Guy Pessach

Course (2 credits) **Track Three: Law & Technology**

Course description will be added soon.

