



THE BONITA TRUST  
**INTERNATIONAL LL.M. PROGRAM**  
TEL AVIV UNIVERSITY





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TEL AVIV UNIVERSITY BUCHMANN FACULTY OF LAW

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## INTERNATIONAL LL.M. DEGREE

**The International LL.M. program at Tel Aviv University attracts outstanding law students to study and collaborate with Israel's elite legal academia, students and legal professionals.**

Through a wide range of classes taught by world-renowned professors, international students have the opportunity to study for their advanced academic law degree at Israel's leading law faculty.

The rigorous academic curriculum is based on innovative approaches to legal theory that will provide law students with insights for legal practice and analytic skills for advanced academic research. More than 50 classes, taught entirely in English, explore contemporary challenges to the law stemming from processes of globalization, the Israeli legal and social systems, the complexities of the Middle East region, and the technological and entrepreneurial dynamism of the "Start-up Nation".

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

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

Applications for the 2014-2015 academic year are being accepted on a rolling basis. Application deadline: April 1, 2014.

# Welcome

TO TEL AVIV UNIVERSITY 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 Faculty of Law is so highly respected and well-known as the #1 law school in Israel and as one of the top five law schools outside of the United States.

I look forward to seeing you on campus,

**Professor Ron Harris**







## A WORLD CLASS REPUTATION

Located at the heart of Tel Aviv, TAU Faculty of Law 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.

The Faculty consists of outstanding scholars in virtually every major field of law who enjoy national and international reputation. In recent years, the 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.

Tel Aviv University's Faculty of Law 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 Cheshin Awards, and the distinguished European Research Council Advanced Grant. TAU professors are frequently invited to teach at the world's top law schools and to prominently participate in the most respected law conferences.

The school's breadth of activity and reputation for excellence makes TAU the #1 choice for Israeli students and Faculty of Law graduates the most sought after by Israeli employers. The Faculty's proud graduates include five current Supreme Court Justices and over 80 municipal judges, including 13 Presidents and Vice-Presidents of District and Magistrate Courts. Alumni include government ministers, members of Parliament, and CEOs of major international Israeli companies. Dozens of Faculty graduates serve in senior positions in top American law schools including Harvard and NYU. Through its faculty, students and alumni, TAU Faculty of Law contributes meaningful solutions to the world's most complex legal and social challenges.

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“Considering that Israel is the “Start-up Nation”, going to Israel is my number 1 option. Everyone in Spain prefers to go to London or the US, but not me. I really want to go to Tel Aviv University to learn more about your magic.”

– Applicant from Spain





## 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

Global Law Faculty, New York University School of Law

Principal Investigator, GlobalTrust Research Project



“My favorite part of the program has to be the professors – the fact is they really want to help you and they are really there for you (this wouldn’t happen in my home country). I really enjoy the way the lectures are conducted, especially the seminars, where we actively create the class. The visiting professors come from prestigious universities – I don’t know if I would have had the chance to learn from most of them, let alone all of them!”

– Graduate from Paris X Ouest, France





## FACULTY – LL.M. DEGREE

The following professors, internationally-known for their expertise in their fields, teach courses, workshops and seminars in the International LL.M. program. To learn more about our professors, their publications and interests, visit <http://studylaw.tau.ac.il/index.php/faculty>.

### TAU FACULTY OF LAW PROFESSORS



#### Professor Eyal Benvenisti

Professor Eyal Benvenisti serves as the Academic Director of the International LL.M. program at Tel Aviv University. He earned his LL.B. from the Hebrew University of Jerusalem, LL.M. and J.S.D. degrees from Yale University, and is the Anny and Paul Yanowicz Professor of Human Rights at Tel Aviv University Faculty of Law. Professor Benvenisti is a Global Visiting Professor at New York University and was a Visiting Professor at Harvard University, Columbia University, University of Michigan, University of Pennsylvania, a Humboldt Fellow at Humboldt University and University of Munich, and a Visiting Fellow at the Max Planck Institute for International Law in Heidelberg, Germany. Most recently, Professor Benvenisti was awarded the European Research Council Advanced Grant to establish the Global Trust Center.



#### Professor Leora Bilsky

Leora Bilsky is the Editor-in-Chief of *Theory & Criticism* (Teoria u-Bikoret) and a Full Professor at the Tel Aviv University Faculty of Law. She earned her LL.B cum laude from Hebrew University and both her LL.M and J.S.D. from Yale University. She was a Fulbright fellow at Yale University, a Visiting Professor at Toronto University and Amherst College, and a fellow in “Ethics and the Professions” at Harvard University. Professor Bilsky teaches courses at TAU on criminal law, feminist theories, Holocaust trials, and the relationship between law, history and memory. Her main areas of research are law after the Holocaust, political trials, transitional justice, international criminal law, civil liability for atrocity, and feminist legal theory.



### Professor Michael Birnhack

Professor Michael Birnhack researches, teaches and writes about intellectual property, law and technology, information law, and privacy law. His IP-related research focuses on the intersection between copyright law and freedom of speech, employees' ownership, IP and globalization, contributory infringement, and copyright history. He was a member of the University's patent, copyright and Internet committees.

In the privacy field, Professor Birnhack served as a member of the legal committee of the Israeli Public Council for the Protection of Privacy, advised the European Commission on the data protection in Israel, and was a member of the Schofmann Committee on Data Protection. Additionally, he served as co-director of Computers & Ethics at the Mishkenot Sha'ananim Ethics Center in Jerusalem; Chief Editor of *Tel Aviv University Law Review* (Vol. 33 - 34), and was a founding member of the Association for Strengthening Ethics in Journalism. He was a member of the board of the Association of Civil Rights in Israel (ACRI).

Professor Birnhack earned his LL.B. degree at Tel Aviv University, his LL.M. and J.S.D. at NYU School of Law. Prior to joining Tel Aviv University, he was a faculty member at the University of Haifa and co-director of the Haifa Center of Law & Technology.



### Professor Hanoch Dagan

Professor Hanoch Dagan is the Stewart and Judy Colton Chair in Legal Theory and Innovation, a former Dean of the Tel Aviv University Faculty of Law, and the founding director of the Zvi Meitar Center for Advanced Legal Studies. He is also a Senior Fellow at the Israel Democracy Institute, a member of the American Law Institute and of the International Academy of Comparative Law. Professor Dagan received an LL.M. and a J.S.D. from Yale Law School (where he held a Fulbright award) after receiving his LL.B. (summa cum laude) from Tel Aviv University. Prior to becoming Dean, he was the Director of the Cegla Center for Interdisciplinary Research of the Law and the Editor-in-Chief of *Theoretical Inquiries in Law*. Professor Dagan has published six books and over fifty articles in leading university presses and legal journals, and has served as a Visiting Professor at many law schools, including Yale, Columbia, Michigan, Cornell, and Toronto.



### Professor Avihay Dorfman

Dr. Avihay Dorfman is a senior lecturer with tenure at Tel Aviv University's Faculty of Law. He is a graduate of Haifa University (B.A. Economics, LL.B. Law ) and Yale Law School (LL.M., J.S.D.). He clerked for The Honorable Aharon Barak who was then the Chief Justice of the Supreme Court of Israel. He is a winner of the Alon Fellowship (granted by the Council of Higher Education in Israel), the winner of the Cegla prize for best law review article published by junior faculty in Hebrew, and a winner of the Cheshin Prize in the category of junior legal scholar. Professor Dorfman's primary research and teaching interests include the philosophical foundations of private law, especially torts and property, and theories of political legitimation. His other areas of interests are constitutional rights (in particular, free speech and religious liberty). He is currently the Chief Editor of the *Tel Aviv University Law Review* (Vol. 37-38).





### Professor Aeyal Gross

Professor Aeyal Gross earned his LL.B. from Tel Aviv University, S.J.D. from Harvard Law School, and was awarded the Diploma in Human Rights from the Academy of European Law, European University Institute. Professor Gross serves on the Association for Civil Rights in Israel as a Board Member, and his research interests include International Law, Constitutional Law, Human and Civil Rights, Social and Economic Rights, Health Rights, Humanitarian Law, Law of Occupation, Sexuality and the Law, Queer Theory, and Critical Approaches to Law.



### Professor Ron Harris

Ron Harris is a Professor of Legal History and Dean of the Faculty of Law at Tel Aviv University. He earned an LL.B., B.A. and M.A. in history from TAU and a Ph.D. in history from Columbia University. He was a Visiting Professor at UC Berkeley, University of Southern California and Cornell University, a short-term Visiting Professor at École Normale Supérieure (ENS) and Hautes études commerciales (HEC) in Paris and spent extended research periods in Oxford and London.

Dean Professor Harris is a co-founder of the Israeli Legal History Association, and he works on the intersection of legal history and economic history. His main research fields are the history of the corporation and other forms of business organization, the history of bankruptcy and consumer credit, and Israeli legal history. He is the author and editor of several books and numerous articles on economics, business, and history. His research interests include Anglo-American legal and economic history, history of business organizations, Israeli legal history, consumer bankruptcy, and comparative law.



### Professor Roy Kreitner

Professor Roy Kreitner teaches courses on private law, legal history, and law and political thought at the law school, where he has been on the faculty since 2001. He received an S.J.D. from Harvard Law School, an LL.B. and an M.A. (Comparative Literature & Semiotics) from Tel Aviv University, and an A.B. from Brown University. He has been a Visiting Professor at the University of Virginia School Of Law, a visiting researcher at the University of Turin, Italy, and taught at Brooklyn Law School before joining the Tel Aviv University Faculty of Law. During 2009-2010, he was a Fellow at The Radcliffe Institute for Advanced Study at Harvard University and an American Council of Learned Societies Fellow. In 2010-2011, he was a visiting researcher at the Institute for Global Law and Policy at Harvard Law School.



“I am sure I will never regret having chosen Israel instead of the US or England as the place to pursue my Master’s degree. The professors kindly offer us the opportunity to mingle with professionals in our fields of interest through which we establish international networks for our legal careers.”

– Graduate of Kyoto University, Japan



### Dr. Tami Kricheli-Katz

Tamar Kricheli-Katz holds a joint appointment in the Faculty of Law and the Department of Sociology at Tel Aviv University. She received her Ph.D. and J.S.M. from Stanford University and her LL.B. from the Hebrew University. Prior to her graduate studies, Dr. Kricheli-Katz served as a law clerk at the Supreme Court of Israel and legal advisor to Justice T. Or. She studies inequality, anti-discrimination law, empirical legal studies, sociology of law and employment law.



### Professor Shai Lavi

Shai Lavi a Professor of Law, and the director of the newly founded Edmond J. Safra Center for Ethics and the co-director of the Minerva Center for the Interdisciplinary Study of End of Life, both at Tel Aviv University. He received his Ph.D. from the Jurisprudence and Social Policy Program at University of California Berkeley. He was a Fulbright fellow at the UC Berkeley, a Visiting Professor at Toronto University and Cardozo Law School, and a Humboldt fellow at the Dubnow Institute for Jewish History and Culture in Leipzig, and at the Faculty of Law at the Humboldt University in Berlin.

Professor Lavi is a member of the National Helsinki Committee (IRB) for Medical Research. He is also a member on the editorial board of *Law and Society Review* and *Law and Culture and Humanities Journal*, two of the leading American journals in his field. His research interests include the sociology of law and bioethics, criminal law and jurisprudence.



### Dr. Shay Lavie

Dr. Shay Lavie is an Assistant Professor at Tel Aviv University, teaching civil procedure and law and economics. He received an S.J.D. degree from Harvard Law School, an LL.M. from Columbia Law School and an LL.B. from the Hebrew University (magna cum laude). He served as a law clerk to the Honorable Aharon Barak, Chief Justice of the Supreme Court, and practiced in class action law firms. Lavie's academic work, published in the *George Washington Law Review* and *Notre Dame Law Review*, integrates diverse methodologies, including doctrinal analysis, law and economic insights, game theoretical tools, and quantitative methods.



"I enjoyed teaching the diverse and vibrant community of International LL.M. students at TAU. The students and their unique perspectives and backgrounds challenged me – and each other – to re-think our assumptions about the law and its role in society."

– Professor of "Introduction to Law and Society", Tel Aviv University





### **Dr. Doreen Lustig**

Dr. Doreen Lustig received her JSD and LL.M. from New York University after completing her LL.B. and Bachelor's degree in Sociology and Anthropology from Tel Aviv University. Dr. Lustig has served as a law clerk to Justice Eliezer Rivlin of the Supreme Court of Israel. She studies and teaches international law, history and theory of international law, legal history and corporations in the transnational arena.



### **Professor Menny Mautner**

Professor Menachem Mautner is the Danielle Rubinstein Professor of Comparative Civil Law and Jurisprudence at Tel Aviv University's Faculty of Law, where he previously served as Dean. He teaches courses in the areas of contract law, jurisprudence, law and culture and multiculturalism. Professor Mautner received his LL.B. (magna cum laude) and LL.M. (summa cum laude) from Tel Aviv University Faculty of Law, and another LL.M. and a J.S.D. from Yale Law School, where he received a Fulbright scholarship and the Myres S. McDougal Scholarship. Twice, he was a Visiting Professor at Michigan Law School and at NYU Law School, where he was among the first 20 legal scholars from all over the world appointed by NYU Law School to its Global Law School Program. Professor Mautner has also been a Visiting Professor at Cardiff Law School, Venice International University, and Columbia Law School, and a visiting scholar at Harvard Law School.

Professor Mautner is the author of five books and is the Editor-in-Chief of the book series *Law, Society and Culture* published by the Tel Aviv University Faculty of Law.



### **Professor Guy Mundlak**

Professor Guy Mundlak's appointment is shared with the Department of Labor Studies in the Faculty of Social Sciences at Tel Aviv University. His research deals with the impact of law on the labor market and the welfare state, and his work centers on: the relationship between labor law and industrial relations; constitutional social rights in general, and on the rights to social security and work in particular; the effects of globalization on labor markets and the efficacy of international instruments to respond to the regulatory deficit; and, migrant and Palestinian workers in Israel.



### **Professor Issi Rosen-Zvi**

Professor Issachar Rosen-Zvi obtained his LL.B. (magna cum laude) from Bar-Ilan University, his LL.M. in law and sociology from Tel Aviv University (summa cum laude) and received his J.S.D. from Stanford Law School. He clerked for the Honorable Chief Justice Aharon Barak of the Israeli Supreme Court and practiced law at Kirkland & Ellis, LLP in New York. Professor Rosen-Zvi teaches Environmental Law, Local Government Law, Administrative Law and Civil Procedure at Tel Aviv University, and was a member at the Haifa University Law Faculty. His research areas include civil and criminal procedure, law and geography, local government law and environmental law.



## Professor Omri Yadlin

Professor Omri Yadlin joined the Tel Aviv University Faculty of Law in 1994 after completing his LL.M. and J.S.D. studies at Boalt Hall School of Law at UC Berkeley. He is a magna cum laude graduate of TAU's Faculty of Law (LL.B. 1998) and of the Industrial Engineering School (B.Sc. 1998). During his studies at U.C. Berkeley, Professor Yadlin won the Olin Fellowship and worked as a teaching and research assistant, and was a consultant with the Law and Economics Consulting Group. He teaches and researches in the areas of Corporate Law, Securities Regulation, Economic Analysis of Public and Private Law. Professor Yadlin also formed and headed the *The Batya and Isachar Fischer Center for Corporate Governance and Capital Markets Regulation*. In addition to teaching in TAU, Professor Yadlin also taught as a Visiting Professor at Boalt Hall School of Law and the University of Michigan Law School. In 2007, after serving four years as the Vice Dean of the TAU Faculty of Law, Professor Yadlin formed the Sapir College Law School, a new law school in the Negev. He returned to TAU Faculty of Law in 2013.



“The LLM has been academically rigorous, and people feel challenged and that they are getting a lot out of it. The other students are quite bright, and people come well-prepared for class discussion. Everyone draws on a lot of their own personal backgrounds when discussing certain topics, which means that the classes are always interesting and there is a lot of dialogue. The professors have been really good – they’re from all over the world and have amazing credentials.”

– Graduate from Georgetown University,  
United States



**VISITING  
PROFESSORS**  
2014-2015



**Professor Michael A. Carrier,**  
Rutgers University



**Professor Robert D. Cooter,**  
UC Berkeley



**Professor Albrecht Cordes,**  
Goethe University



**Professor Stuart Green,**  
Rutgers University



**Professor Stephan Holmes,**  
NYU



**Professor Rob Howse,**  
NYU



**Professor Robert J. Jackson,  
Jr.,** Columbia University



**Professor Pierre-Emmanuel  
Moyse,** McGill University



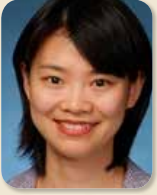
**Professor Neil Netanel,**  
UCLA



**Dr. Arie Rosen,**  
University of Auckland



**Professor Richard J. Ross,**  
University of Illinois



**Dr. Chen Ruoying,**  
Peking University



**Prof. Catherine M. Sharkey,**  
NYU



**Professor Kurt Siehr,** Max  
Planck Institute for Comparative  
and International Private Law



**Professor Suzanne Last  
Stone,** Cardozo School of Law –  
Yeshiva University



**Professor Talha Syed,**  
UC Berkeley



**Professor Erik Vermeulen,**  
Tilburg University



**Professor Franz Werro,**  
Georgetown University



**Professor Sienho Yee,** Wuhan  
University



“I love the field trips  
organized for our class.  
I’m really looking forward  
to the ‘Strategic Tour’  
overnight trip”

– Graduate from  
University of Chile



**VISITING  
PROFESSORS**  
2013-2014



**Professor Gregory S. Alexander**, Cornell University Law School



**Professor Reuven Avi-Yonah**, University of Michigan Law School



**Professor Lisa Bernstein**, The University of Chicago Law School



**Professor Oren Bracha**, University of Texas School of Law



**Professor Jacques deLisle**, University of Pennsylvania Law School



**Professor Tom Ginsburg**, The University of Chicago Law School



**Professor Roderick M. Hills, Jr.**, New York University School of Law



**Professor Arif Jamal**, National University of Singapore



**Professor Massimo Iovane**, University of Naples



**Professor Tsvi Kahana**, Queen's University



**Professor Ernest Lim,**  
University of Hong Kong



**Professor Orly Lobel,**  
University of San Diego  
School of Law



**Professor Daniel Markowits,**  
Yale Law School



**Professor Peter Menell,**  
University of California,  
Berkeley School of Law



**Professor Dotan Oliar,**  
University of Virginia  
School of Law



**Professor Naomi Roht-  
Arriaza,** University of California  
Hastings College of the Law



**Professor Kurt Siehr,**  
Max Planck Institute for  
Comparative and International  
Private Law



**Professor Suzanne Last Stone,**  
Cardozo School of Law –  
Yeshiva University



**Professor Nimer Sultany,**  
School of Oriental and African  
Studies, University of London



**Professor Steven Wilf,**  
University of Connecticut  
School of Law



**Professor Eric Zolt,**  
University of California Los  
Angeles

## GUEST PROFESSORS

The guest professors listed on the following pages refer to the 2013-2014 academic program. Please visit our website throughout the year for the list of confirmed guest professors for the 2014-2015 program.



**Adv. Eran Bareket,**  
Reinhold Cohn Group



**Advocate Tony Greenman,**  
Tony Greenman Law Offices



**Professor Kenneth Mann,**  
Libai, Mann & Co.,  
Advocates



**Advocate David Mirchin,**  
Meitar Liguornik Geva  
Leshem Tal



**Professor Guy Pessach,**  
Hebrew University of  
Jerusalem Faculty of Law



**Advocate Galit Ragan,**  
Israeli Ministry of Justice,  
Department of Special  
International Affairs



**Dr. Daphna Shraga,**  
Former Principal Legal  
Advisor, UN Office of  
Legal Affairs



**Dr. Gila Stopler,**  
Center for Law and  
Business



**Dr. Micha'el Tanchum,**  
Tel Aviv University Faculty of  
Humanities



**Dr. Assaf Yaakov,**  
Interdisciplinary Center

Not listed: Ms. Hayley Galgut



# REQUIREMENTS APPLICATION PROCEDURES



Applications for the 2014-2015 academic year are being accepted on a rolling basis until April 1, 2014.

Applicants must have completed a first degree in law in order to be eligible to enroll in the International LL.M. program. Students who are in their final year of their first degree in law are encouraged to apply. Their acceptance will be conditional providing they complete their first degree studies by July 2014 in good standing.

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



- Application form
- Curriculum vitae or resume
- Official transcripts of LL.B. or JD degree
- Two letters of recommendation (academic and/or professional)
- Statement of Intent
- TOEFL or IELTS score

**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 an LL.M. degree, your career plans following your graduate studies, and how an LL.M. degree from the Faculty of Law will help you advance your professional goals.

## Questions about the application process or financial aid?

Contact us:

Jessica Rozental, Administrative Director

[studylaw@tau.ac.il](mailto:studylaw@tau.ac.il)

+972 (0)3 640-8597



Skype "TAU\_LLM"



Find us on Facebook!

"TAU International LL.M. Degree"



LinkedIn [il.linkedin.com/in/taullm/](http://il.linkedin.com/in/taullm/)



Photo courtesy of www.APIC.cl

## **TUITION** & **FINANCIAL AID**

### **Tuition for the International LL.M. program is \$18,000.**

Substantial fellowships will be offered to promising candidates according to needs and academic qualifications, and in order to promote diversity. Applicants to the International LL.M. program will be automatically considered for fellowships based on prior academic and professional achievement.

Candidates admitted to the International LL.M. program may also apply for need-based aid. Contact [studylaw@tau.ac.il](mailto:studylaw@tau.ac.il) for the application.

### **External Scholarships**

There are a significant number of sources for financial aid. Applicants are strongly encouraged to research financial options on their own.

Please contact each institution for application and qualification information.

- MASA Israel Journey
- Fulbright Program – U.S. Bureau of Educational and Cultural Affairs
- GI Bill – U.S. Department of Veterans Affairs
- Israel Ministry of Foreign Affairs - Cultural and Scientific Relations Division (for students from: Austria, Belarus, Belgium, Bulgaria, Canada (Quebec Province), China, Colombia, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Great Britain, Greece, Hungary, India, Italy, Japan, Korea, Lithuania, Latvia, Luxembourg, Mexico, Moldova, The Netherlands, Peru, Poland, Portugal, Romania, Russia, Republic of Serbia, Slovak Republic, Slovenia, Spain, Switzerland and Turkey)
- Nefesh B'Nefesh - Misrad HaStudentim (for students making aliya)











## SPECIALIZATIONS

**Law, Global Governance & Human Rights**

**Law, State & Religion**

**Law & 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
Scholar's Workshop (1)	=	2 credits
Workshop (1)	=	3 credits
Seminar (1)	=	3 credits
Faculty of Law elective courses (at least 6)	= at least	12 credits
Elective courses in other faculties (up to 3)	= up to	6 credits
<b>Total credits:</b>		<b>32</b>

## CORE COURSES (mandatory)

2 credits

- Introduction to Israeli Law
- Introduction to Law and Economics
- Introduction to Law and Society
- Scholar's Workshop: Legal Theory

### Workshops (Choose of 1 of 4)

3 credits

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

### Faculty of Law elective courses

- Minimum 6 courses for at least 12 credits

### Elective courses in other faculties

- Maximum 3 courses for 6 credits

Almost 50 elective courses are available, including condensed courses taught by foreign professors & adjunct faculty. LL.M. students are also permitted to choose from a wide variety of classes from TAU's Graduate Programs for overseas students.

The seminars and courses described on pages 22-43 refer to the 2013-2014 academic program. Please visit our website throughout the year to learn of new, innovative classes confirmed for the 2014-2015 program.

## SPECIALIZATION ① LAW, GLOBAL GOVERNANCE & HUMAN RIGHTS

- Seminar: The Obligation of States to Foreign Stakeholders
- Seminar: Religion and the Liberal State
- Course: Comparative Constitutional Law and the Middle East
- Course: Democracy & Counter-Terrorism in the 21st Century: Legal Challenges & Developments
- Course: Freedom of Religion
- Course: Gender, Religion & the Law: Israel in a Comparative Perspective
- Course: International Environmental Law
- Course: International Legal Perspectives on the Israeli-Palestinian Conflict
- Course: Introduction to International Taxation
- Course: National Prosecutions for International Crimes – the Latin-American Experience
- Course: Social & Economic Rights
- Course: Tax & Democracy
- Course: The International Law of Work
- Course: The Role of the International Judge
- Course: Transitional Justice
- Course: Transitional Justice & Conflict Transformation: Comparative Perspectives

### New in 2014-2015

- Course: Criminal Law Theory: The Sexual Offenses
- Course: Law of the Sea

## SPECIALIZATION ② LAW, STATE & RELIGION

- Seminar: Biotech & Religion: Israel in a Comparative Perspective
- Seminar: Religion and the Liberal State
- Course: Freedom of Religion
- Course: Gender, Religion & the Law: Israel in a Comparative Perspective
- Course: Islam, Law & State in the Middle East and Asia
- Course: Islamic Law and the State: Historical Development and Contemporary Contexts
- Course: Jewish Political Tradition Through the Eyes of Jewish Law

## SPECIALIZATION ③ LAW & TECHNOLOGY

- Seminar: Biotech & Religion: Israel in a Comparative Perspective
- Seminar: Law and Information Technology
- Course: Corporate Innovation and Intellectual Property Strategy
- Course: Digital Copyright
- Course: Intellectual Property Policy
- Course: Introduction to Information Law
- Course: Introduction to Intellectual Property
- Course: IP in the Digital Age
- Course: Licensing of Intellectual Property
- Course: Visual Arts and the Law

## ELECTIVE COURSES – An Interdisciplinary Approach

LL.M. students can choose from a wide variety of classes from TAU's Graduate Programs for International Master's students, including: Conflict Mediation & Resolution | Environmental Studies | Migration Studies | Soafer International MBA | Security & Diplomacy

## General LL.M. Electives

- Course: Advanced Contracts
- Course: American Constitutional History
- Course: Comparative Constitutional Design
- Course: Comparative Constitutional Property Law
- Course: Comparative Corporate Law
- Course: Contract Remedies and Contract Relations
- Course: Criminal Justice In Israel
- Course: Federalism & Decentralization: Law, Policy, History
- Course: Law and Economic Reform in China

## New in 2014-2015

- Course: American Legal History
- Course: EU Law: Selected Topics in ECJ Jurisprudence
- Course: Legal Aspects of China's Economic Transitions
- Course: Statutory and Constitutional Interpretation
- Course: Special Topics in Torts: Defamation, Privacy and Economic Harms
- Course: Three-part Class on the Lex Mercatoria





## Core Courses

Mandatory

### **LL.M. Mini-Semester** September 7 – October 2, 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.

#### **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 Omri Yadlin**

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.



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## **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.

## **Scholar's Workshop: Legal Theory**

### **Professor Roy Kreitner**

Core Course (Mandatory)

2 credits

This course will only be offered during the Fall semester.

The twentieth century was marked by intense debates concerning the basic ideas about the law: What is the role of law in society? What is the relation between politics and law? What is the nature of the legal process? What should be the guiding principles of legal interpretation and judicial reasoning? And, what is the role of the various legal institutions of the state? American legal theory, which dealt with these questions, has been globally influential, impacting the consciousness of legal elites – lawmakers, legal academics, judges and administrators – throughout the world. The Workshop will examine the internal evolutions within the American legal field and the way it has disseminated to the field of international law as well as to various jurisdictions across the world.



## Law, Global Governance & Human Rights

### SPECIALIZATION 1

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

## The Obligation of States to Foreign Stakeholders

### 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 (1 credit)

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.

## Transitional Justice & Conflict Resolution: Comparative Perspectives

**Ms. Hayley Galgut**

Course (2 credits)

Track One: Law, Global Governance  
and Human Rights

This course examines measures available to emerging democracies and societies currently engaged in on-going conflict to transform the socio-political and legal contexts that pertain through confronting complex legacies of human rights violations in the hope of securing sustainable conflict cessation, peaceful co-existence, healing the deep wounds of divided peoples and building nations founded firmly on the values of human dignity, equality and freedom for all. Transitional justice strategies will be studied holistically and located within their broader context as one of a spectrum of complementary inter-disciplinary and multi-sectoral initiatives employed to advance socio-political transformation in the continuance or aftermath of long-term conflict.

With reference to the now substantial body of academic and comparative, practice-based literature as well as documentary evidence, key themes will be explored and approaches critically appraised.

## The Role of the International Judge

**Professor Massimo Iovane**

Course (2 credits)

Track One: Law, Global Governance  
and Human Rights

The first part of course will explore the concept of the international judge, and the distinction between impartial judicial organs and political organs with jurisdictional functions, while the second part will look at the impact of international case law on the traditional sources of economic law. The conclusion of the course will examine the role of international judges in the creation of a system of fundamental values based on the respect of human rights and the general interests of the international community.

## Social and Economic Rights

### Professor Tsvi Kahana

Course (2 credits)

Track One: Law, Global Governance  
and Human Rights

For many years, constitutional jurisprudence and literature has discussed negative rights. These are the rights that citizens have against the state, the best example being freedom of expression. In the past few decades, a new realm of constitutional rights has emerged, known as social and economic rights. Here the emphasis is not on what the state *cannot do to* a citizen, but what the state is *obligated to do for* a citizen. These rights are the focus of the course. We will ask questions such as: Does the state owe its citizens health? Education? A job? Housing? Minimum subsistence? If so, how much of these? Must the state prevent poverty? If such duties exist, should they remain moral duties or should they be entrenched in the constitution and become constitutional duties? If they become constitutional duties, should they be self-enforced by the legislature or should they be enforced by courts? Are courts capable of enforcing such rights? Are there non judicial ways to develop social and economic rights?

## 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.

## Democracy & Counter-Terrorism in the 21st Century: Legal Challenges & Developments

**Dr. Galit Raguan**

Course (2 credits)

Track One: Law, Global Governance and Human Rights



The 21<sup>st</sup> century has brought the struggle against terrorism to the forefront of legal and public discourse. For more than a decade, Western democracies have been facing growing challenges in the area of national security. Acts of terrorism, such as the horrific attacks of 9/11 or the intense hostilities between Israel and Hamas or Hezbollah, have grown in scope and intensity and are often transnational. These and other characteristics of modern acts of terrorism have raised questions with respect to the legal framework that applies to counter-terrorism policies, *i.e.*, whether these are governed primarily by the domestic law enforcement paradigm or amount to an armed conflict regulated by international law. Moreover, questions regarding the appropriate balance to be struck between national security and civil liberties are abundant.

This course will seek to critically examine contemporary national security policies, looking primarily at the Israeli and American experiences. The course will begin with an attempt to define terrorism, looking to both domestic and international law sources and will present different approaches to the legal framework applicable to acts of terrorism. Various administrative, criminal and operational tools applied by Israel and by other countries to combat terrorism will be presented and discussed, as well as the legal challenges that such means present and the manner in which different countries have chosen to address these challenges. Examples include administrative detention, military commissions and targeted killings. A central question addressed throughout the course will be the role of the courts in reviewing counter-terrorism policies and military action. In particular, the course will focus on the jurisprudence of Israel's High Court of Justice and juxtapose it with that of U.S. federal courts with respect to matters of national security. The course aims to highlight the complexity of both doctrinal and practical challenges encountered when attempting to tailor effective national security policies while ensuring personal liberties are respected.

## National Prosecutions for International Crimes – The Latin-American Experience

**Professor Naomi Roht-Arriaza**

Course (2 credits)

Track One: Law, Global Governance and Human Rights

This course considers some of the legal, political and practical issues that arise when national courts address international crimes including genocide, crimes against humanity, war crimes, enforced disappearances and torture. To do so it looks at the experiences of courts in Latin America. Over the last 25 years, courts in several Latin American countries have moved from upholding blanket amnesty laws and refusing to investigate the crimes of former military regimes, to overturning or reinterpreting such laws and beginning prosecutions that now involve thousands of people in countries like Argentina, Chile, and Peru. The course traces that evolution. It also looks at the legal doctrines that have developed to deal with other issues that arise in these cases, including the non-inclusion of international crimes in the penal code, retroactivity (*ex post facto*) concerns, and procedural difficulties in trying potentially thousands of perpetrators within a reasonable time.



The course considers the political and practical constraints and opportunities presented, the role of gender and local (especially indigenous) culture, the interaction with other transitional justice mechanisms, and the lessons to be drawn from these experiences for other parts of the world.

## 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.



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## International Legal Perspectives on the Israeli-Palestinian Conflict

**Dr. Daphna Shraga**

Course (2 credits)

Track One: Law, Global Governance  
and Human Rights

The course will examine the Law of the United Nations in a multi-disciplinary context. It will focus on the institutional and legal framework of UN activities in an ever-growing number and diversity of fields, the powers and competences of the United Nations, and its role in world affairs and in the development of international law. The course will examine the practice of the Organization, of States and of judicial institutions where the purposes and principles of the UN Charter were implemented, interpreted, deviated from or further developed. It will examine, in particular, the nature and characteristics of an international organization, the Charter of the United Nations, membership in the United Nations, peace and security, humanitarian intervention and the passage to Responsibility to Protect, peacekeeping operations, international criminal tribunals, economic sanctions and responsibility of international organizations. The course will conclude with a discussion of the challenges of the United Nations in a globalized world.

## Comparative Constitutional Law and the Middle East

**Dr. Nimer Sultany**

Course (2 credits)

Track One: Law, Global Governance  
and Human Rights

Why do jurists and judges cite foreign law? Which constitutional regimes should one cite? Is there a way out of the dilemma between identity and difference, universal rationalism and cultural relativism? What is a constitution and to what extent is it important to understanding a political order? How can foreign constitutional arrangements influence our thinking regarding local arrangements? What lessons can one learn from others' experiences?

This course will discuss the comparative methodology, the different conceptions of law and constitution and their effect on different political regimes, as well as specific questions of constitutional design and rights such as religion, equality, and transitional justice. Half of the course will focus on law in Middle East dealing with questions like: Israel in comparative perspective; effect of colonial law in Egypt; Sudan and federalism; Iraq and religious minorities; and Islamic constitutionalism.

The goal is not only to provide students with comparative knowledge but also with the critical tools to examine texts, petitions and rulings that utilize comparative law. Specifically, the course will use insights from the law and society movement, legal realism, and critical legal studies.

## Tax and Democracy

**Professor Eric Zolt**

Course (2 credits)

Track One: Law, Global Governance  
and Human Rights

This course will examine several issues related to tax and society, including examining the role governments could play in providing goods and services and in raising taxes to fund them. We will focus on the legal, political, and economic challenges in raising revenue to support government operations as well as issues related to democracy and taxation, tax and the welfare state, tax and inequality, tax and economic growth, and tax and globalization.



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## Law, State & Religion

### SPECIALIZATION 2

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

## Biotechnology & Religion: Israel in a Comparative Perspective

### Professor Shai Lavi

Seminar (3 credits)

Track Two: Law, State & Religion

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.

## Freedom of Religion

**Dr. 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?

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.

## Islamic Law & the State: Historical Development & Contemporary Contexts

**Professor Arif Jamal**

Course (2 credits)

Track Two: Law, State & Religion

This course will, first, trace the historical and contextual development of Muslim legal traditions. To this end, course participants should develop a general understanding of the development of classical Islamic law including the geographical schools, the eponymous schools, the dynamic between Shari'a and fiqh, and between fiqh and usul al-fiqh (including an understanding of the sources of law), and the basic differences between Sunni and Shi'i legal theory. From this basis, the course will move on to consider issues and debates that arise in attempts at applying Islamic law in contemporary nation states both conceptually and through the examination of selected case studies.

## Jewish Political Tradition Through the Eyes of the Law

**Professor Suzanne Last Stone**

Course (2 credits)

Track Two: Law, State & Religion

In this course, we will examine rabbinic texts that address the question of who has authority to govern the Jewish community. We will examine the authority of God, and then the division of authority among kings, prophets, priests, rabbis, lay leaders, non-Jewish rulers and the state of Israel. Topics to be discussed include the division of religious and political realms in Jewish thought, the role of controversy in Jewish law, the role of reason and consent in the Jewish legal tradition, and finally, the role of Jewish law within a civil state and civil society. This course also serves as an introduction to the philosophy and methodology of Jewish law.

## 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.

## Islam, Law & State in the Middle East & Asia

**Dr. Micha'el Tanchum**

Course (2 credits)

Track Two: Law, State & Religion

This course explores Islamic conceptions of law, religion, and state in Muslim societies in the Middle East and Asia. The course focuses on the following legal issues 1) The constitutional status of Islamic law and *shari'ah* courts; 2) The state's legal power to define what constitutes Islam and who qualifies as a Muslim; 3) Women's rights and the law of personal status; 4) Freedom of speech, freedom of religion and blasphemy laws. The materials will grant students a broad comparative perspective on the different Islamic approaches to these legal issues by providing a look at both Muslim-majority and Muslim-minority states from Egypt to Indonesia. Reading materials will provide a variety of perspectives, from liberal Islamic rights discourses to more conservative and statist approaches.



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## Law & Technology

### SPECIALIZATION 3

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

## 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 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.

## Introduction to Intellectual Property

**Adv. Eran Bareket &**

**Adv. Tony Greenman**

Course (2 credits)

Track Three: Law & Technology

The course will introduce the student to the theoretical basis and the legal foundations of intellectual property protection. We will examine the fundamentals of the laws of the traditional forms of intellectual property: copyright and related rights, patents, designs, trademarks and trade secrets, as well as more modern concepts, such as the right of publicity and IP in traditional knowledge. In particular, we will explore the subject matter, scope and term of protection, as well as questions of ownership and infringement. Emphasis will be placed on the balancing of IP rights with the public interest, such as the right of free speech and the free flow of information, and on the influence of advances in technology on that balance. Additionally, we will discuss the international regimes of protection and different approaches to the subject matter in various jurisdictions.

## Digital Copyright

**Prof. Oren Bracha**

Course (2 credits)

Track Three: Law & Technology

The course explores the law and policy of copyright in the context of digital technology. Digital technology—such as digital content formats and devices for their use or manipulation, the Internet, technological protection measures and platforms for peer production—create novel challenges and promises in respect to the traditional policies of copyright law. This course examines the law of digital copyright that has developed in the last two decades and its connection to the social policies underlying copyright law. Special emphasis will be put on the interaction between legal and technological regulation and its relationship with new forms of economic, cultural and social activities.

## Corporate Innovation & Intellectual Property Strategy

### Professor Orly Lobel

Course (2 credits)

Track Three: Law & Technology



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What are the optimal policy ingredients and business strategies for managing innovation? How can business leaders, inventors, lawyers, and policymakers benefit from the connections between corporate success, intellectual property, and human capital? We will examine corporate policies and disputes over the control of ideas, secrets, skill, and intellectual property. In particular, we will analyze non-compete contracts, trade secrets and non-disclosures, information privacy, economic espionage, employee duties of loyalty, including prohibitions on customer and co-worker solicitation and raiding for competitive endeavors; and employer ownership over inventions and artistic work, including pre-invention patent assignment agreements and work-for-hire disputes.

In the past few years, the black box of innovation has been pierced with a plethora of new interdisciplinary research and practice. At the same time, industry and policymakers around the world are debating the reforms in intellectual property laws, employment laws, antitrust and innovation policies. In the course, we will bring together these various developments to identify how companies can sustain their innovative capacities, commercialize science, and manage creativity, and to assess how differences in regulatory and contractual arrangements in the employment relationship can impact key aspects of innovation, such as the rate of patent filings, the level of network participation in intellectual and creative endeavors, individual motivation to innovate, organizational behavior, and talent mobility.

Themes of the course include: 21st workplace and its challenges from the perspectives of job mobility, technology, innovation, and intellectual property; frontiers in interdisciplinary studies, including behavioral law and economics; experimental and empirical legal studies; and, policy perspectives on innovation, creativity, and competition.

## IP in the Digital Age

### Professor Peter Menell

Course (2 credits)

Track Three: Law & Technology

Advances in information technology – most notably, computers and digital networks – have both raised the prominence of and posed great challenges for intellectual property protection. This course examines the role and design of intellectual property in the digital age. The course begins with an analysis of the competing policies underlying the intellectual property laws. It covers the basics of patent, copyright, and trademark law, emphasizing salient controversies relating to patent protection for software and business methods, copyright enforcement challenges posed by the Internet age, and the role and difficulties of protecting trademarks on the Internet.



## 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.

## Intellectual Property Policy

### Professor Dotan Oliar

Course (2 credits)

Track Three: Law & Technology

This class will cover advanced topics in intellectual property law and policy. Topics include optimal balance of incentives and access, optimal duration of intellectual property protection, the desirable scope of exclusive rights, sequential and cumulative innovation, recent empirical work in IP, search costs theory of trademark law, and alternatives to intellectual property rights as means to promote progress in the arts and sciences. Students should be at ease with the economic approach to law, although no previous knowledge is assumed or required.

## Information, Law & Technology

### Professor Guy Pessach

Course (2 credits)

Track Three: Law & Technology

This is an introductory course to the interface of law, technology and networked communication platforms. The course examines legal aspects of the Internet and digital technologies with emphasis on the creative industries. Topics to be discussed include: legal regulation of search engines, liability for online copyright infringement, net neutrality, digital cultural preservation, online privacy and new business models for content distribution.

## Visual Arts & the Law

### Professor Kurt Siehr

Course (2 credits)

Track Three: Law & Technology

The course deals with legal problems of cultural property in public and private international law, European law and national law. The course is taught by case law method showing pictures and art objects in PowerPoint.



## General Elective Courses

### **Comparative Constitutional Property Law**

**Prof. Gregory S. Alexander**

Course (2 credits)

This course examines various aspects of constitutional protection of property from a comparative perspective. Among the topics considered are: (1) Why constitutionalize property at all? (2) Eminent domain and the “public use” requirement; (3) Are regulatory takings recognized in other countries? (4) The proportionality doctrine; and (5) What counts as “property” for constitutional purposes? We will compare American law and theories with its counterparts in other jurisdictions, notably Canada, Germany, and South Africa. Materials will include case reports (all in English), statutory and constitutional materials; and excerpts from academic writings, especially G.S. Alexander, *The Global Debate Over Constitutional Property* (Univ. of Chicago Press, 2006)

### **Introduction to International Taxation**

**Prof. Reuven Avi-Yonah**

Course (2 credits)

This course will introduce the students to the basic rules underlying the international tax regime. It will focus on both taxation of non residents on domestic source income and taxation of residents on foreign source income. Examples will be based primarily on US law and tax treaties.

## Advanced Contracts

**Prof. Lisa Bernstein**

Course (2 credits)

The goal of this course is to introduce students to American Sales Law from a hybrid jurisprudential, transactional, and litigation perspective. The readings are a mixture of statutory sections, excerpts from law reviews, and cases. For most classes students will complete a short exercise (about 2 pages) applying the material in the reading, occasionally students will do a 15 minute in class meeting with their peers to discuss a problem and/or reach consensus on a legal issue. The exercises vary from lecturing to the loading dock staff to writing letters to clients to writing short dissents to finding out the content of trade usages in particular industries to drafting contract provisions. The final project is to draft a sales agreement while including footnotes to the contract that explains why each provision is needed, how it creates value, and how a court might view it in the event of a dispute.

## Law and Economic Reform in China

**Prof. Jacques Delisle**

Course (2 credits)

Since the Reform Era began at the end of the 1970s China has grown rapidly to become the world's second largest economy, a leading trading state and a top destination for—and emerging source of—foreign investment. To support and sustain this economic rise, China has created a framework of laws and legal institutions to support a generally market-oriented and internationally open economy. This course will provide an overview of major elements of this legal framework and a consideration of how well—or how badly—they function. Areas that we will consider include: contract law, property law, product liability law (partly as an example of public safety regulation), foreign direct investment and international trade law, and institutions and processes of dispute resolution (both between parties to economic relationships and between those who hold economic rights and interests and the state).

Readings will draw from legal and social science scholarship by foreign and Chinese scholars and translations of some primary Chinese legal sources (including laws and cases). There are no prerequisites for this course. For those with little or no background on contemporary China, a few optional background readings will be provided.

## Comparative Constitutional Design

**Prof. Tom Ginsburg**

Course (2 credits)

In this course we will examine the design and implementation of national constitutions. In particular, we will address the following questions. What are the basic elements of constitutions? How do these elements differ across time, across region, and across regime type? What is the process by which states draft and implement constitutions? What models, theories, and writings have influenced the framers of constitutions? In this seminar, we will review the historical roots of constitutions and investigate their provisions and formal characteristics. We will also discuss the circumstances surrounding the drafting of several exemplary or noteworthy constitutions, from various regions of the world. We will then examine particular features of institutional design in depth, and analyze the factors that make constitutions effective and enduring.



## **Federalism & Decentralization: Law, Policy, History**

**Prof. Roderick Hills**

Course (2 credits)

This course will provide an overview of five fundamental sets of legal and policy issues raised by and connected with federalism in several different legal regimes, past and present. The five issues are (1) secession, nullification, and subnational jurisdictions' power more generally to resist the central government; (2) division of competences between subnational and central government; (3) judicial and non-judicial enforcement of the rules defining the federal division of power; (4) the central governments' protection of commerce and individual mobility between subnational jurisdictions; and (5) implementation of national rules, through either or both contract or command, by subnational governments. We will examine these five issues by examining constitutional ground rules, political practices, and judicial decisions from the United States, Canada, India, Nigeria, Germany, and the European Union. In addition, we will read some recent economic and political science scholarship associated with each of the four issues, including work by Barry Weingast, Jonathan Rodden, Daniel Treisman, Jenna Bednar, and Robert Inman and Daniel Rubinfeld.

## **Comparative Corporate Law**

**Prof. Ernest Lim**

Course (2 credits)

The course consists of a comparative study of major areas of the company laws of US, UK and Hong Kong. The three jurisdictions selected for comparative study have had an important impact on the development of company law. Such a comparative study is intended to enable students to see their own system of company law in a new and more meaningful light, and to be able to form new views about its future development. The approach taken is both functional and comparative, looking at a series of core problems with which any system of corporate law must deal and analyzing from a functional perspective the solutions adopted by the systems in question. The course assumes students have a basic knowledge of company law.

## **Criminal Justice in Israel**

**Prof. Kenneth Mann**

Course (2 credits)

This course will focus on central characteristics of the criminal legal process in Israel. We will look at Israeli legal process in comparative perspective, using United States case law as a backdrop for identifying critical issues in criminal justice. The course will give special emphasis to a "downside-up" empirical view of how the legal process actually operates in police stations, prosecutors' offices, the courts and in prisons. We will develop an empirical model of criminal justice, and compare it with law-in-the books. Emphasis will be given to the important differences in criminal justice for the poor as compared to the rich, and how those differences become evident at different stages of the criminal process, such as in plea bargaining, the conduct of criminal trials, sentencing and in appeals. Special attention will also be given to lawyers' ethics in criminal defense representation and prosecutorial advocacy. We will also look at use of administrative detention in matters related to national security offenses, refugee entry and illegal immigration. Overall we will try to identify distinctive aspects of the Israeli legal process as compared to the American legal process.

## **Contract Remedies and Contract Relations**

**Prof. Daniel Markowits**

Course (1 credit)

The course will begin by outlining the Anglo-American approach to the expectation remedy and efficient breach. It will then take up some alternative regimes of restitution or specific performance, including in part through Israeli cases. The course will consider the efficiency and distributive effects of each approach. The main theme of this part of the course will be that in a transactions costless world, both the expectation remedy and a properly constructed specific performance remedy have identical efficiency properties and also identical distributive properties. In a transactions costly world, there are good reasons to prefer the expectation remedy.

The second part of the course will use the distinction between the expectation remedy and restitution to illustrate two different styles of surplus sharing--which I call sharing ex ante and sharing ex post. It will argue that contracts are essentially constituted by ex ante surplus sharing. This will allow the course, in its conclusion, to situate contract remedies within a broader context, that takes into account both fiduciary law and the Coasean theory of the firm.

## **American Constitutional History**

**Prof. Stephen Wilf**

Course (2 credits)

This course traces the formation and making of the Constitutional legal ordering of the United States from its beginnings in the end of the eighteenth century to our own day. A brief introduction places the United States Constitution in comparative perspective, and examines the process of drafting and ratification. Most of the course, however, focuses upon what might be called an archeology of the Constitution—tunneling deep down in specific clauses and probing how they have been interpreted in different ways over time. What are the enduring legal arguments that animate constitutional decision making? How does the specific context of the period lead to different articulations of constitutional meaning? And how might these normative debates provide insights into how constitutional thinking—not just in the United States, but around the globe—differs from ordinary law? Constitutions are usually thought of as creating a settlement that will set boundaries to contentious debates about the direction of a society. However, as we will discuss, constitutions also become the sites of contention.

# STUDENT LIFE

Tel Aviv is a global city, rich in diversity and culture. Within its bustling metropolis is Tel Aviv University, home to over 1,000 international students in diverse programs.

## Residence Halls

Limited on-campus housing is available for international graduate students at the brand-new Broshim Dorms, just a few blocks away from campus. The Einstein Dorms, across the street from the university's main gate, offers shared rooms while Broshim has private studio apartments.

Living in the dorms is convenient for international graduate students – they are close to campus, and the rate includes electricity, municipal tax, etc.

## Apartments

Tel Aviv, like most metropolitan cities, has a dynamic real estate market with a constant supply of apartments in every price range. Living in the heart of the city will give you easy access to the beach, cafes, shops and public transportation.

The Tel Aviv-Yafo Municipality produced a guide on apartment rentals in the area – visit their website to download the brochure.

## Transportation to Campus

Transportation between Ramat Aviv (where the university & dorms are) and central Tel Aviv is easy – buses are frequent and there is a train station behind campus. Many students use bicycles (electric & regular) or ride a “tus tus” (scooter license required).

## Student Visa Application

Students must obtain an “A-2 Student Visa”, a multiple-entry visa valid for one-year. The student visa does not allow you to work in Israel.

If you are a returning Israeli citizen or child of a parent with Israeli citizenship, please contact your nearest Israeli Consulate to clarify your legal status in advance of entering the country. Israeli citizens or children of Israeli citizens should apply for exemption from military service through their nearest Israeli consulate prior to arrival in Israel.



## Did you know?

- Lonely Planet travel guide ranked Tel Aviv third in a list of “the world’s best cities” as well as one of the world’s “most vibrant cities for nightlife.”
- National Geographic ranked Tel Aviv as one of the world’s top 10 beach cities.
- The Wall Street Journal and Newsweek magazine rated Tel Aviv as one of the top 10 technologically influential cities in the world.
- The Huffington Post named Tel Aviv among the 10 best beach cities in the world.
- The Globe and Mail listed Tel Aviv as one of the world’s most creative cities.
- Conde Nast travel magazine dubbed Tel Aviv as one of the world’s best cities for architecture.
- MasterCard included Tel Aviv among the world’s top destinations in 2012.
- Travelers Digest magazine says Tel Aviv is home to the most beautiful people in the world.
- Tel Aviv, aka “The White City”, is a UNESCO World Heritage Site.
- Tel Aviv is home to over 5,000 Bauhaus buildings – the largest concentration in the world.



Photo courtesy of [www.APIC.cl](http://www.APIC.cl)



## TEL AVIV UNIVERSITY & TEL AVIV

Tel Aviv University is one of Israel's foremost higher education institutions, attracting over 30,000 talented students and renowned faculty from around the globe to our campus in central Tel Aviv.

Tel Aviv features an exciting mix of cultures and creativity with a Middle Eastern flair. With its sunny Mediterranean beaches and vibrant social scene, Tel Aviv provides the ideal setting for an unforgettable study experience.



### PROGRAM INFORMATION

[studylaw.tau.ac.il](http://studylaw.tau.ac.il)

### CONTACT

[studylaw@tau.ac.il](mailto:studylaw@tau.ac.il)



[portal.telavivuniv.org](http://portal.telavivuniv.org)

### PROGRAM LENGTH

3 Semesters (10 months)

### PROGRAM DATES

September 7, 2014 – June 19, 2015

### LANGUAGE OF INSTRUCTION

English

### TUITION

\$18,000 (USD); Substantial fellowships are available for promising candidates according to need and academic qualifications, and in order to promote diversity.

### ADMISSION REQUIREMENTS

Applicants must hold an LL.B. or equivalent first law degree