

Celebrating 40 Years of the TAU Law Review – Evaluating 40 Years of Family Law Research

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This Article has been written for the 40th anniversary of *Iyunei Mishpat*, the Tel Aviv University Law Review. For this occasion, the article reviews and examines the research of family law, which was published in the journal over the years, in light of general developments in this field during this period of time. The first part of the article considers what family law is in the Israeli context as a descriptive matter, and what the values and principles are that should form the basis for this distinctive field of law, as a normative goal. These questions, which remain open, linger throughout the discussion in the other parts of the article.

The following parts of the article are dedicated to describing and critically analyzing trends we have identified in the family law research in the journal. First, we consider the shift away from research, which focuses on the personal laws of specific religious communities, to more general and theoretical family law research. Nonetheless, we show that such general scholarship in fact takes the Jewish community in Israel as its model, and so its relevance to the non-Jewish community in Israel is limited. Second, we identify three major shifts in the topics being researched: from a substantial concern with jurisdiction and procedure to a primary interest in substantive family law issues; from focusing almost exclusively on marriage and partnership to considering the parent-child relationship; and from considering mostly traditional families to broadening the variety of family relationships that are considered.

The last part of the article takes a look at Israel family law scholarship beyond the journal, in an attempt to evaluate the research more generally, and to consider the extent to which the scholarship that was published in the journal reflects these four decades of family law research in Israel.