

TEL AVIV UNIVERSITY  אוניברסיטת תל-אביב  
The Buchmann Faculty of Law

**The David Berg Foundation Institute for  
Law and History**

  
**YAD YITZHAK BEN ZVI**

The Israeli Law and History Association

**The 10<sup>th</sup> Annual Conference of the  
Israeli Law and History Association**

**Historical Perspectives on Judging**

Monday, October 20, 2014  
Yad Ben-Zvi, 12 Abarbanel Street, Jerusalem

08:45-09:00 Gathering

09:00-09:15 Greetings

09:15 – 10:45 Parallel Panels 1 & 2

**1<sup>st</sup> Session: Legislation, Judgment and Court Rulings during the Mandatory Period**  
**(Chair – Debbie Bernstein, Haifa University)**

Orna Alyagon-Darr (Carmel Academic Center), "*The construction of homosexuality as a criminal offense during the Mandatory period - the interaction between the legislative practices and judicial practices*"

Amichai Radzyner (Bar Ilan University), "*The Return of a judicial system: The establishment of the official rabbinical court in Eretz Israel*"

Shlomi Balaban (Hebrew University), "*Political pluralism behind barbed wires: Jurisdiction of the courts of the Jewish illegal immigrants camps in Cyprus, 1946-1949*"

**2<sup>nd</sup> Session: Holocaust Judgements**  
**(Chair – Ilay Aharonson (Haifa University))**

Rotem Giladi (Hebrew University) "*Israel and the genocide convention in the international Court 1950-1951*"

Guy Carmi (Hebrew University), "*Reflections on CA 7686/12 State of Israel vs. Chaim Robinson (13/01/2014)*"

Yehudit Dori Daston (Hebrew University), "*Holocaust survivors on the stand: Testimonies of survivors of Treblinka in the Demjanjuk case*"

10:45 –11:00 Coffee Break

11:00-12:30 Parallel Panels 3 & 4

**3<sup>rd</sup> Session: Sharia and Islamic Societies**  
**(Chair – Iris Agmon, Ben Gurion University)**

Haim Gerber (Hebrew University), *"The Terrible Sharia" in the past - Myth or Reality?"*

Moussa Abu Ramadan (Carmel Academic Center), *"The Muslim jurists' position regarding the appointment of a woman as a judge (ninth century to nineteenth century)"*

Roy Marom (Tel Aviv University), *"British justice in an Ottoman Province? Law in the majlis of Nablus as a mirror of processes of change in Palestine in the late Ottoman period"*

**4<sup>th</sup> Session: Judgment and Doctrine in Europe**  
**(Chair – Adam Hofri, Hebrew University)**

Anat Rosenberg (IDC), *"Toward a cultural-legal history of consumerism"*

Sara Mendel (Tel Aviv University), *"Jews and Jewish law in the eyes of the English judges in the eighteenth century"*

Vicky Melechson (Bar Ilan University), *"Judgment in Frankish Territories: The reality of multiple laws (900-500 AD)"*

**12:30-13:30 Keynote Lecture**  
**(Chair: David Schorr, Tel Aviv University)**

Daphne Barak-Erez (Supreme Court of Israel) *"Judgment and Justification "*

13:30-14:15 Lunch and the organization's annual meeting

14:15-15:45 Parallel Panels 5 & 6

**5<sup>th</sup> Session: Jewish Law and Adjudication in Jewish Communities**  
**(Chair – Ted Fram, Ben Gurion University)**

Elimelech Westreich (Tel Aviv University), *The Sephardi court in Jerusalem in the 19<sup>th</sup> century: From a community court to a formal court*

Yuval Haruvi (Bar Ilan), *"Jewish Judgment and French colonialism: The Great Rabbinical Court of Tunisia during the tenure of Rabbi Israel Zeitoun"*

Roni Weinstein (Hebrew University & Bar Ilan University), *"Rabbi Joseph Caro – From local to global judgment"*

**6<sup>th</sup> Session: History and the Legal Geography of the Negev Bedouins: A Comparative Perspective**  
(Chair – Ursula Wockok)

Alexander (Sandy) Kedar (Haifa University), *"The Geo-legal conflict between the state and indigenous Negev Bedouins in comparative historical context"*

Oren Yiftachel (Ben Gurion University), *"A murder without a body - the 'dead Negev' doctrine in light of legal-historical geography"*

Ahmad Amara (New York University), *"Mutual influence: Registration of the Negev Bedouin native land before 1948 versus the official system"*

Haim Zandberg (College for Administration), *"The claim of indigeneity and Bedouin customary law: A challenge to Israeli sovereignty under the guise of an ownership claim"*

15:45-16:00 Coffee Break

16:00-17:15 Parallel Panels 5 & 6

**7<sup>th</sup> Session: Researching Judicial Biographies**  
(Chair – Anat Stern, Tel Aviv University)

Nitzana Ben David (Tel Aviv University), *"The appointment of the social worker David Reifen as a juvenile judge"*

Levi Itzhak Cooper (Bar Ilan University), *"Rabbi Levi Yitzchak of Berdichev: A Hasidic judge"*

Ziv Schwartz (Hebrew University), *"Law and complex identity in Palestine: A new look at William James Fitzgerald and the Orr case"*

**8<sup>th</sup> Session: Issues in the history of the Supreme Court**  
(Chair – Avital Margalit, Sapir College)

Yair Sagy (Haifa University), *"The missing link: Organizational-legal history of the High Court of Justice"*

Ofer Shinar Levanon, (Hebrew University), *"Six decades of Supreme Court judgments and social ethos of the Israeli-Palestinian conflict"*

Liat Fridgut-Netzer (Sapir College, Open University, Bar Ilan University), *"Legal change as a tool to promote cultural change: The Ka'adan case as a case study"*

17:15-18:15 A Special Plenary Session  
(Chair: Nir Kedar, Sapir College)

Yoram Shachar (IDC), *One Hundred Years of Judgment*

Program Committee: Avi Rubin (Chair), Debbie Bernstein, Ilay Aharonson, Eyal Katvan, Anat Stern, Manal Totri Jubran, Omri Paz