

LEORA BILSKY

LEORA BILSKY – LIST OF PUBLICATIONS

BOOKS

1. Leora Bilsky, *Transformative Justice: Israeli Identity on Trial* (Michigan University Press, 2004).
2. Leora Bilsky, *The Holocaust, Corporations and the Law: Unfinished Business* (Michigan University Press, 2017).

EDITED VOLUMES

1. Leora Bilsky, ed., *Judgment in the Shadow of the Holocaust, special issue of Theoretical Inquiries in Law*, Vol. 1(2) (2000)
2. Leora Bilsky, ed. *The Crisis of the Disciplines after the Holocaust, special issue of Theory and Criticism (Teoria ve-Bikoret)*, Vol. 40 (2012) [Hebrew]
3. *Jewish-European Émigré Lawyers: Twentieth Century International Humanitarian Law as Idea and Profession* (edited by Leora Bilsky & Annette Weinke, Wallstein, forthcoming 2021)

ARTICLES

1. Leora Bilsky, When Actor and Spectator Meet in the Courtroom: Reflections on Hannah Arendt's Concept of Judgment, **History and Memory** 8, pp. 137-173 (1996)
2. Leora Bilsky, Battered Women: From "Self Defense" to "Defense of the Self", **Plilim** 6 pp. 5-64 (1997) [Hebrew]
3. Leora Bilsky, Naming and Re-categorization in the Law: Child-Abuse as Slavery, **International Journal of Children's Rights**, pp. 147-176 (1997)
4. Leora Bilsky, Giving Voice to Women: An Israeli Case Study, **Israel Studies** vol. 3, pp. 47-79 (1998)
5. Leora Bilsky, The Competition of Storytellers: Gideon Hausner and Hannah Arendt in the Eichmann Trial in *Arendt in Jerusalem* (Steven Aschheim ed., University of California Press, 2001) 232-252 (also translated into Hungarian **Past-Future** vol. 4, pp. 55-69 (1998)
6. ----- Leora Bilsky, The Kastner Trial, **Theory and Criticism** vol. 12-13 pp. 125-133 (1999) [Hebrew]
7. ----- Leora Bilsky, Law and Politics: The Trial of Rabin's Assassin, **Plilim** vol. 8, pp. 1-62 (1999) [Hebrew]
8. ----- Leora Bilsky, The Violence of Silence: The Legal Procedure between Allocation and Voice, **Tel Aviv Law Review** vol. 23(2), pp. 427-474 (2000) [Hebrew]
9. Leora Bilsky, In a Different Voice: Nathan Alterman and Hanna Arendt on the Kastner and Eichmann Trials, **Theoretical Inquiries in the Law** 2, pp. 509-547 (2000) [Hebrew]
10. --- Leora Bilsky, "I Accuse": Derei, Political Trials and Collective Memory, in *Shas- The Challenge of Israeliness* (Yoav Peled ed.), pp. 279-320 (2001) [Hebrew]

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11. Leora Bilsky, Justice or Reconciliation: The Politicization of the Holocaust in the Kastner Trial, in *Lethe's Law: Justice, Law and Ethics in Reconciliation* (Emilios Christodoulidis and Schott Veitch eds., Oxford, pp. 153-173 (2001))
12. Leora Bilsky, Judging Evil in the Kastner Trial, *Law and History Review* 19, pp. 117-160 (2001)
13. Leora Bilsky, Judging and Understanding: Response to Prof. Douglas and Prof. Luban, *Law and History Review* 19, pp. 184-188 (2001)
14. Leora Bilsky, Arendt's Controversy 2000: An Israeli Perspective, Arendt's Newsletter, pp 41-46, (2001)
15. Leora Bilsky, Between Justice and Reconciliation: Thoughts after the Death and the Maiden vol. 3(2), *Israeli Sociology*, pp. 343-370 (2001) [Hebrew]
16. Leora Bilsky, Cultural Translation: The Case of Israeli Feminism, *Tel Aviv Law Review* 25(2), pp. 523-575 (2001) [Hebrew]
17. Leora Bilsky, The Arendt Controversy 2000: An Israeli Perspective, *Beshvil HaZikaron* (Yad Va-Shem), pp. 16-23 (2001) [Hebrew]
18. Leora Bilsky, Kufr Qassem: Between Ordinary Politics and Transformative Politics, *Adalah's Review*, vol. 3, pp. 62-70 (Summer 2002)
19. Leora Bilsky, Law's Literature: A Response to Ariel Bendor, *Studies in Law* vol. 18, pp. 119-128 (2002) [Hebrew]
20. Leora Bilsky & Analu Verbin, "Rothstein's Affair": Nachum Gutman, Local Mythology and the First Attempted Rape in Tel Aviv, *Tel Aviv Review* vol. 26(2), pp. 391-449 (2002) [Hebrew]
21. Leora Bilsky, Book Review: Lawrence Douglas, The Memory of Judgment, *Journal of Modern History* 75(2), pp. 397-400 (2003)
22. Leora Bilsky, Between Territorial and Universal Jurisdiction: Changing the Concept of Nation State in International Criminal Law, *Tel Aviv University Law Review* 27(2), pp. 655-702, (2003) [Hebrew]
23. Leora Bilsky, Book Review: Shoshana Felman, The Juridical Uncconscious: Trials and Traumas in the Twentieth Century, *Journal of Law and Society* , vol. 30, pp. 615-619 (2003)
24. Leora Bilsky, Suicidal Terror, Radical Evil and the Destruction of Politics, *Theoretical Inquiries in Law* vol. 5(1), pp. 131-161 (2004)
25. Leora Bilsky, The Eichmann Precedent, *Legal Affairs*, pp, 21-22, (March/April 2004)
26. Leora Bilsky and Analu Verbin, Nachum Gutman and The First Rape in Tel Aviv, *Zemanim* vol. 98, special volume on Law and History, R. Harris, A. Likhowski eds., pp. 20-31 (2007) [Hebrew]
27. Leora Bilsky, Citizenship as Mask: Between the Imposter and the Refugee, *Constellations* 15(1), pp. 72-97 (2008)

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28. Leora. Bilsky, Criminal Trials in an Age of Terror, **Adalah's Review** vol. 5, pp. 11-27 (2009) [English, Hebrew, Arabic]
29. Leora Bilsky and Hemda Gur-Aryeh, The Judenrat as Collaborator : Libel Law in the Service of Memory, **Mishpat u-Mimshal** 12, pp. 33-82 (2009) [Hebrew]
30. Leora Bilsky, Muslim Headscarves in France and Army Uniforms in Israel: A Comparative Study of Citizenship as Mask, **Patterns of Prejudice** vol.43 (4-5), pp. 285-309 (October 2009)
31. Leora Bilsky, Uniforms and Veils: What Difference Does a Difference Make? **Cardozo Law Review** vol. 30(6), pp. 2715-2743 (2009)
32. Leora Bilsky, Speaking Through the Mask: Israeli Arabs and the Changing Faces of Israeli Citizenship, **Middle East Law and Governance**, vol. 1, pp. 165-208 (2009)
33. Leora Bilsky, "We Had Never Jumped Fences Before:" The City, The Woman and the Drifter in the Yaakobowitz Case, **Studies in Law Politics and Society**, vol. 49, pp. 57-96 (2009)
34. Leora Bilsky, Book Review: Janet Halley, Split Decisions; Daphna Barak Erez: Studies in Law Gender and Feminism, **Teoria U-Bikoret** vol. 34, pp. 212-221 (2009) [Hebrew]
35. Leora Bilsky, Book Review: The Birth of Surrogacy in Israel by D. Kelly Weisberg, **Israel Studies Forum** vol. 24, pp. 129-133 (2009)
36. Leora Bilsky, "We Had Never Jumped Fences Before:" The City, The Woman and the Drifter in the Gan Meir Trial, **Hamishpat**, vol. 16, pp. 131-172 (2011) [Hebrew]
37. Bilsky, Bloxham, Douglas, Pendas, Weinke, Forum: The Eichmann Trial at Fifty Years on, **German History**, vol. 29, No.2, pp. 265-282 (2011)
38. Leora Bilsky, The Habibi Libel Trial: Defamation and the Hidden Community Basis of Criminal law, **University of Toronto Law Journal** vol. 61(4), pp. 617-655 (2011)
39. Leora Bilsky, Transnational Holocaust Litigation, **European Journal of International Law** vol. 23, pp. 349-375 (2012), also translated into Hebrew as Leora Bilsky, Transnational Holocaust Litigation **Mishpat, Hevra veTarbut (Procedures)** pp. 263-298 (2014) (eds. Talia Fisher and Issi Rozen-Zvi)
40. Leora Bilsky, The Judge and the Historian: The Holocaust Class Action as a New Model, **History and Memory** vol 24 (2), pp. 117 (2012)
41. Leora Bilsky and Natalie R. Davidson, A Process-Oriented Approach to Corporate Liability for Human Rights Violations, **Transnational Legal Theory** vol. 4, pp. 1-43 (2013)
42. Leora Bilsky and Tali Fischer, Rethinking Settlement, **Theoretical Inquiries in Law** vol. 15 pp. 77-123 (2014)
43. Leora Bilsky, Rodger Citron and Natalie R. Davidson, From *Kiobel* back to Structural Reform: the Hidden Legacy of Holocaust Restitution Litigation, 2 **Stanford Journal of Complex Litigation** 138 (2014)

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44. Leora Bilsky The Eichmann Trial – Toward a Jurisprudence of Eyewitness Testimonies of Atrocity? **Journal of International Criminal Justice** 12(1) pp. 27-57 (2014)
45. Leora Bilsky, Transitional Justice as a Modern Oedipus: The Emergence of a Right to Truth, Critical Analysis of Law (special volume: Arts and the Aesthetic in Legal History) Vol 2(2) (2015)
46. Leora Bilsky, Hannah Arendt-Gershom Scholem: Exchange of Letters, **Public Sphere** vol. 11 (2016) [Hebrew]
47. Leora Bilsky, Between Right to Truth and Rape by Deception, **Law, Society and Culture** [Hebrew: Just Law? The Criminal Process in Israel, ed., Alon Harel] pp. 393-433 (2018)
48. Leora Bilsky & Ofra Bloch, Neoliberal Discrimination, Theory and Criticism (Theoria ve-Bikoret,), vol. 50, pp. 175-194 (2018) [Hebrew]
49. Leora Bilsky & Rachel Klagsbrun, The Return of Cultural Genocide? **European Journal of International Law** Vol. 29 no. 2, pp. 373-396 (2018)
50. Leora Bilsky, Book Review Assaf Likhovski, Tax Law and Social Norms in Mandatory Palestine and Israel (CAP, 2017) "The Tax Collector, the Gangster and the Pirate" *Maasei Mishpat* vol 9(2) (2018) pp. 259-274 [Hebrew]
51. Leora Bilsky, "Human Rights and Groups: Beyond the Particular/Universal Dichotomy", Review of *James Loeffler, Rooted Cosmopolitans: Jews and Human Rights in the Twentieth Century* (Yale University Press, 2018), in *Shofar: An Interdisciplinary Journal of Jewish Studies*, vol 37(1) pp. 162-170 (2019)
52. Leora Bilsky, "Response to Book Reviews", Forum Iyunei Mishpat 2019, 60-66 [Hebrew], https://law.tau.ac.il/Law_Review/forum_1
53. Leora Bilsky, "The Virtues of Hybridity": Response to Book Symposium, WordPress blog, Feb. 2019 (James Stewart ed.), <http://jamesgstewart.com/>
54. Leora Bilsky, Between Eichmann Trial and TRC, **Mishpat Hevra ve-Tarbut** Vol. 3 (2020) 35-82 [Special volume Law and Emotions, Orit Rosin and Yoram Shahar ed., 2020] [Hebrew]
55. Leora Bilsky & Rachel Klagsbrun, Cultural Genocide and Cultural Return: Jewish Polish Comparison, 43 **Iyunei Mishpat** 553-630 (Tel Aviv Law Review) [2021] [Hebrew]
56. Leora Bilsky, Genocide and Restitution: Early Jewish Struggles for cultural restitution post-WWII, **International Journal of Cultural Property**, vol. 27(3), 349-374 (2020) https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3717276
57. Leora Bilsky & Doreen Lustig, Yad HaRokement: Pnina Lahav and Israeli Legal Feminism, **Iyunei Mishpat** (Tel Aviv Law Review) [forthcoming, 2021] [Hebrew]
58. Leora Bilsky & Natalie Davidson, The Judicial Review of Legality (under review)
59. Leora Bilsky & Natalie Davidson, The Regularization Law and the Rule of Law, **TAU Law**

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Review Forum (Hebrew, forthcoming 2021)

60. Leora Bilsky & Natalie Davidson, Legal Ethics in Authoritarian Legality: A Response to David Luban, 34 **Georgetown Journal of Legal Ethics** (forthcoming, 2021)
https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3778546
61. Leora Bilsky, The Virtues of Comparing: Between Early Jewish Restitution Campaign and Contemporary Post-Colonial Restitution Debate, **Art, Antiquity & Law Vol. XXV issue 4** (2020)
https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3774878
62. Leora Bilsky, Between Law, Politics and Legal Education: Response to Ron Harris the Uses of Historical Narratives, **TAU Law Review Forum** (Hebrew, forthcoming 2021)
63. 13.2.21) "חוקרים פרטיים": גינוסייד מבעד לעדשת המצלמה
<https://www.ynet.co.il/environment-science/article/HynvuLrbu>
64. Leora Bilsky & James Loeffler, How Should We Remember the Holocaust Today? A Forgotten Poem's Message for Our Times, *The Atlantic*
<https://www.theatlantic.com/ideas/archive/2021/04/how-remember-holocaust/618538/>

CHAPTERS IN BOOKS

65. Leora Bilsky, Child-Parent-State: The Absence of Community in Court's Approach to Education, in **Children's Rights and Traditional Values** (Gillian Douglas and Leslie Sebba eds.) Dartmouth, pp. 134-159 (1998)
66. Leora Bilsky, Facing the Glass-Booth, in **Israeli Courts: Fifty Years of Judgment** (1999) [Hebrew]
67. Leora Bilsky, entry on Political Trials, in **International Encyclopedia of the Social and Behavioral Sciences**, (Smelser Neil J. and Baltes Paul eds.)
68. Leora Bilsky, When Actor and Spectator Meet in the Courtroom: Reflections on Hannah Arendt's Concept of Judgment, **History and Memory**, vol. 8 p. 137 (1996), and reprinted in **Judgment, Imagination and Politics** (Ronald Beiner and Jennifer Nedelsky, eds.), Rowman & Littlefield Pub., pp. 257-286 (2001)
69. Leora Bilsky, Breaking the Acoustic Wall: Between the Kastner and Eichmann Trials, in **The History of Law in A Multicultural Society** (R. Harris, S. Kedar, P. Lahav, A. Likhovski, eds.), Ashgate Dartmouth, pp. 123-145, 2002)
70. Leora Bilsky, The Violence of Silence: Searching for the Woman's Voice on Trial, in **The Voice and the Gaze** (Vered Lev-Cnaan and Michal Gruber-Friedlander eds.) pp. 59-80 (2002) [Hebrew]
71. Leora Bilsky, Feminism and Family in Israel: Revisiting the Book of Ruth, in **On Mother's Love and Father's Fear: Another Look at the Family** (Aviad Kleinberg ed., Tel Aviv University Press) 194-270 (2004) [Hebrew]

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72. Leora Bilsky, entry on The Eichmann Trial, in **Encyclopedia of the Modern Middle East and North Africa**, 2nd Edition (Editor in Chief Philip Mattar) (2004)
73. Leora Bilsky, Universal Jurisdiction and the Arendtian Interpretation of Territory, in **Hannah Arendt: Half A Century of Controversy** (Idit Zartal, Moshe Zukerman eds., Hakibutz Ha-Meuhad) pp. 107-142 (2004) [Hebrew]
74. Leora Bilsky, Strangers Within: The Barghouti and Bishara Criminal Trials, in **Law and the Stranger**, Amherst Series in Law Jurisprudence and Social Thought, (A. Sarat, L. Douglas, M. Humphrey eds.), Stanford University Press, pp. 96-14 (2010)
75. Leora Bilsky, Multi-Participants Crimes: From Eichmann to Barghouti, in **Ten to Thirty Nine** (Eli Lederman, Keren Shapira-Etinger, Shai Lavi ed.), pp. 63-89 (2010)
76. Leora Bilsky, The Eichmann Trial and the Legacy of Jurisdiction, in **Politics in Dark Times. Encounters with Hannah Arendt** (Seyla Benhabib, ed.), Cambridge U. Press , pp. 198-218 (2010) also translated into German as Leora Bilsky, Der Eichmann-Prozess und die Frage der gerichtlichen Zustaendigkeit, in **Interessen um Eichmann: Israelische Justiz, deutsch Strafverfolgung und alte Kameradschaften**, (Werner Renz Hg.), Campus Verlag Frankfurt/New York, pp 51-78 (2012).
77. Leora Bilsky, Hannah Arendt's Judgment of Bureaucracy, in **Hannah Arendt and the Law** (Chris McCorkindale and Marco Goldoni eds.), Hart Publishing, Oxford pp. 271-290 (2012)
78. Leora Bilsky, Critical Theory in the Shadow of Law, in **Four Critical Essays** (Y. Shenhav ed.), Van Leer Institute) 51-72 (2012) [Hebrew]
79. Leora Bilsky, Zwischen Washington und Berlin: Transnational Holocaust-Entschadigung, in **Die Globalisierung der Wiedergutmachung** 175-227 (Jose Brunner, Constantin Goschler, Norbert Frei, eds.), Wallstein publishers, Goettingen, 2013) [German]
80. Leora Bilsky, entry on "Political Trials" in **International Encyclopedia of the Social and Behavioral Sciences**, Second Ed. 497-503 (James D. Wright, ed., Oxford: Elsevier, 2015)
81. Leora Bilsky, Truth and Judgment in Arendt's Writing, in **The Trial That Never Ends: Hannah Arendt's Eichmann in Jerusalem in Retrospect** (Richard J. Golsan and Sarah Misemer, eds., Toronto: University of Toronto Press, 2017) 161-190
82. Leora Bilsky, Legal Truth and Historical Truth: The Emile Habibi Trial, in **Nili Cohen Book: Law, Culture and Book** (Ofer Grosskopf and Shay Lavie, eds., Tel Aviv: Tel Aviv University Press, 2017) [Hebrew]
83. Leora Bilsky, Eichmann in Jerusalem – a crisis of judgment? in **The Bloomsbury Companion to Arendt** (Peter Gratton and Yasemin Sari eds., Bloomsbury) (2020) 228-237
84. Leora Bilsky, The Eichmann Trial: Toward a Jurisprudence of Eyewitness Testimony of Atrocity, in **Eichmann: The Man, the Trial, the Aftermath** (Rebecca Wittmann and David Lazar, eds.) (Toronto University Press, forthcoming)
85. Leora Bilsky, The Right to Truth and International Criminal Law, in **The Oxford Handbook of**

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International Criminal Law (Kevin Jon Heller, Frédéric Mégret, Sarah Nouwen, Jens Ohlin & Darryl Robinson eds., Oxford: Oxford University Press, 2020)

86. Leora Bilsky, and Rachel Klagsbrun, Cultural Genocide: Between Law and History, **Oxford Handbook on Historical Legal Research** (M. Dubber, C. Tomlins, eds., 2018) pp. 1081-1094

87. Leora Bilsky, Between The Right to Truth and Rape by Deception, Just Law? The Criminal Process in Israel – failures and challenges (Eds., Alon Harel, 2017) 393-434 [Hebrew]

88. Leora Bilsky & Hagi Kenaan, Forward to *Images in Spite of All* by Didi-Huberman [am oved, 2019 [Hebrew] [צילום, צלם, צלמוות]

89. ליאורה בילסקי, עדות המצלמה ומשפט השואה, ספר מאוטנר [טרם פורסם, 2020]

90. Leora Bilsky & Rachel Klagsbrun, Desk Perpetrator and Cultural Genocide: Between Poland and Canada in **Desk Perpetrators: Schreibtischtater and their International Crimes** (Jens Meierhenrich ed., CUP forthcoming)

91. Leora Bilsky, Rachel Auerbach: Re-imagining the Victim as “EyeWitness” to the Nazi Camera, **Jewish Émigré Lawyers** (eds., L. Bilsky & A. Weinke, forthcoming 2021)