



The Buchmann Faculty of Law Tel Aviv University

# **Legal Change in Revolutionary Times**

## November 14-16, 2021 | The Sonia and Edward Kossoy Conference Room (307)

## **SUNDAY, 14 NOVEMBER 2021**

| 16:00                    | Gathering  |  |
|--------------------------|--|--|
| 16:30                    | Wondering and Mingling, via <u>Wonder</u>  |  |
| 17:00-18:00              | Master Class Workshop<br>Yishai Blank, Tel Aviv University<br>Head of the Research Degrees Program |  |
| 19:00                    | Social activity  |  |
| MONDAY, 15 NOVEMBER 2021 |  |  |
| 11:30-11:40              | Greetings  |  |
| 11:40-12:50              | Transformations in American Law  |  |

Chair: **Or Asher**, Tel Aviv University

Abigail Faust, Tel Aviv University The Unintended Consequences of Committee Jurisdiction: Consumer Credit, Consumer Bankruptcy and the Consumer Creditors' Lobby in the 97th Congress

Commentator: **Michael Zakim**, Tel Aviv University **Rafi Reznik**, Georgetown University Taking a Break from Self-Defense

🖵 Commentator: Leora Dahan Katz, Hebrew University

12:50-14:00 Lunch

### 14:00–15:10 Propertizing Nature through Intellectual Property Constructs

Chair: Chiaretta Giordano, The Meitar Center, Tel Aviv University

🕒 Shelly Simana, Harvard Law School

Is It Mine or Ours? Rethinking the Legal Conceptualization of the "Singular Genome" Commentator: **Shai Lavi**, Van Leer Jerusalem Institute, Tel Aviv University

**Tom Verdonk**, KU Leuven's Research Institute Consumer Competition Market Sowing The Seeds of Competition and Innovation: Collaborative Licensing Structures in Plant Breeding and Agricultural Biotechnology under EU Competition Law

🙂 Commentator: Miriam Marcowitz-Bitton, Bar-Ilan University

15:10–15:20 Coffee Break

## 15:20–16:30 Technology and Procedure

Chair: **Udi Neuman**, The Meitar Center, Tel Aviv University **Benjamin Newman**, The Meitar Center, Tel Aviv University

Adversarial Managerialism – the Managerial Turn of the Criminal Procedure: Legitimising Legal Change through Consent and its Limits

😳 Commentator: Michal Alberstein, Bar-Ilan University

Amit Haim, Stanford Law School; New York University Law School Predictive Algorithms and Street-Level Bureaucracy: The Case of Child Protective Services

Commentator: Tamar Kricheli-Katz, Tel Aviv University

16:30–17:00 Coffee Break

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| Chair: Shani Schnitzer, The Meitar Center, Tel Aviv University                  |
| Rawaz Shanagar, Uppsala University  |
| The Bloodless Revolution – The Swedish Civil Code Proposal of 1826              |
| Commentator: Assaf Likhovski, Tel Aviv University                               |
| Matan Goldblatt, Tel Aviv University  |
| Legal Revolutionaries by Conventions: Scribes and Legal Bypasses at the Ancient |
| Near East   |
| Commontator: Orit Malka, Stanford University                                    |

Commentator: Orit Malka, Stanford University

Amitpal C. Singh, University of Toronto

18:20–20:05 Bloodless Revolutions and Bleeding Evolution

- Fiji v Prasad and the Taxonomy of Legal Change
- 🕒 Commentator: Leora Bilsky, Tel Aviv University

# **TUESDAY, 16 NOVEMBER 2021**

| 09:15-10:45 | Writing Blocks & Time Management for Researchers   |
|-------------|--|
|             | Yofi Tirosh, Tel Aviv University   |
| 10:45-11:00 | Coffee Break   |
| 11:00-12:45 | When Civil Meets Common  |
|             | Chair: Mustafa Senel, The Meitar Center, Tel Aviv University   |
|             | Yifat Naftali Ben Zion, Tel Aviv University  |
|             | Good Faith and Loyalty: Reimagining Civilian Contracts from A Fiduciary Law Perspective  |
|             | Commentator: Celia Wasserstein Fassberg, Hebrew University   |
|             | 📮 Nausica Palazzo, Bocconi University; Hebrew University   |
|             | Marriage Apostates: Why Heterosexuals Seek Same-Sex Registered Partnerships<br>Commentator: <b>Ruth Halperin-Kaddari</b> , Bar-Ilan University     |
|             | James Campbell, Centre for Socio-Legal Studies, University of Oxford   |
|             | Continuity and Change in the Common Law Tradition<br>Commentator: <b>Rachel Friedman</b> , Tel Aviv University                                     |
| 12:45-13:45 | Lunch  |
| 13:45-15:30 | Rights, Power, and Democracy   |
|             | Chair: Dejen Messele, The Meitar Center, Tel Aviv University   |
|             | Tamar Luster, The Meitar Center, Tel Aviv University   |
|             | Deprivation Atrocities and the Enabling Structures of International Humanitarian Law<br>Commentator: <b>Natalie Davidson</b> , Tel Aviv University |
|             | Mirjam Streng, The Meitar Center, Tel Aviv University  |
|             | State obligations to guarantee equal education to asylum seekers under international   |
|             | law: keeping up with changing realities and understandings?<br>Commentator: <b>Itamar Mann</b> , Haifa University                                  |
|             | Gali Racabi, Harvard Law School  |
|             | A Tale of Two Wolves: From Separation of Powers to Power Coalitions in Tech Law  |
|             | Commentator: Niva Elkin-Koren, Tel Aviv University   |
| 15:30-15:45 | Coffee Break   |
|             | 10:45-11:00<br>11:00-12:45<br>12:45-13:45<br>13:45-15:30   |

#### 17:00–18:10 International Law through Time and Space

Chair: Mais Abdallah, The Meitar Center, Tel Aviv University

Junteng Zheng, Graduate Institute, Geneva Temporal Narratives in International Law-making: A Case Study on the Human Rights Law Making since the 1940s

Commentator: Roy Kreitner, Tel Aviv University

**Daniel R. Quiroga-Villamarín**, Graduate Institute, Geneva Conference-Hosting as State-Building and World-Making: Vignettes from Bogotá (1948), Nairobi (1973), and Beyond, Graduate Institute Commentator: **Eliav Lieblich**, Tel Aviv University

18:10–18:20 Coffee Break

#### 15:45–17:30 Regulating Climate Change

Chair: Nadia Tzimerman, The Meitar Center, Tel Aviv University

Sam Bookman, Harvard Law School

Three Constitutional Responses to Environmental Crises (Or, What We Talk About When We Talk About "Environmental Constitutionalism")

Commentator: Tamar Hostovsky Brandes, Ono Academic College

🗔 Gershon Hasin, Yale Law School

Ocean Governance in The 21st Century: A 'New Package-Deal' to Balance Mare Liberum and Mare Clausum Ocean

Commentator: David Schorr, Tel Aviv University

**Ermanno Napolitano**, McGill University; Harvard University Geoengineering and The Exception Commentator: **Dan Rabinowitz**, Tel Aviv University

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Academic Organizers: Mary Haddad • Alon Jasper • Anat Ovadia-Rosner • Shelly Pasternak *PhD Candidates* The Meitar Center, Tel Aviv UNiversity

https://taujuniorscholars.wixsite.com/website | The Workshop will be held in a hybrid format. In order to join virtually please e-mail us at: tau.junior.scholars@gmail.com