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Prof. Amnon Reichman

Constitutional Law,

Theories of Interpretation, Jurisprudence, Civil Society



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**Education**

Post Doc: Center for Ethics and the Profession, Harvard University (2001)

S.J.D., University of Toronto (2000)

LL.M., University of California at Berkeley (Boalt Hall) (1996)

LL.B., Hebrew University, Jerusalem, Israel (1994)

**Fields of Interest and Research**

* Constitutional Law
* Administrative Law
* Comparative Constitutional Law
* Comparative Administrative Law
* Theories of Regulation
* Human Rights
* Separation of Powers
* Theories of Judicial Review
* Law and Culture
* Emergency Law
* Theories of Interpretation:
* Interpretation in Law; Judicial Discretion; Judicial Behavior; Judicial Ethics
* Jurisprudence:
* Formalism; Law and Morality; Law and Dominant Ideologies​

**Scholarships and Awards (Selected)**

* Israel Science Foundation (for research on the administration of courts)
* Minvera (for establishing a Center For The Study of the Rule of Law under Extreme Conditions)
* MOST (Israeli Ministry of Science) (for the study of the legal regulation of cyber)​

**Legal positions in the past**

* Associate, Abramson and Co., Jerusalem 1995 (specialized in freedom of expression, administrative law and corporate law).
* Clerk, Supreme Court of Israel, for Hon. Aharon Barak, Associate Chief Justice, 1994-95
* Co-Director, Interns Program, Israeli Parliament (Knesset) and Israeli Institute For Democracy (IDI) 1993 -1994

**Publications**

Articles

* "Judicial Independence in Times of War: Prolonged Armed Conflict and Judicial Review of Military Actions in Israel" ,2011(1) UTAH L. R. 63-96 (2011)
* "Public Interests As Constitutional Rights?"with O. Gazal-Ayal,41 Mishpatim (Hebrew University Law Review) 97-151 (Hebrew)(2011)
* "Prolonged Armed Conflict and Diminished Deference to the Military: Lessons from Israel",35 Law and Social Inquiry 919-956(2010)
* "A Constitution for the State of Israel – A Revolution in Three Acts" Proceedings of the 60th Anniversary to Israeli Law (IDC, 2008),10 Law and Business (IDC Law Review) 83-89(2010)
* "Challenges for Nonprofit Organizations – A Theoretical Framework",New England Journal of Public Policy (Special Issue) 1-10(2010)
* "The Production of Law (and Cinema): Preliminary Comments on an Emerging Discourse",17 S. CAL. INTERDISCIPLINARY L. J. 457-506 (2008)
* "Ethics, Aesthetics and Law: The Third Man's Three Prongs"with S. Almog,46 STUDIES IN LAW, POLITICS AND SOCIETY 169-201 (Austin Sarat, ed.)(2008)
* "The "Social", The "Legal" and Law-and-Society Research: A Quest for a Canon Amid Diverse Conversations",23 INTERNATIONAL SOCIOLOGY REVIEW OF BOOKS 181-193 (2008)
* "A Very Narrow Bridge: Constitutional Rules, Justice and Equity After The Negev Co-Existence Forum",37(3) MISHPATIM (Hebrew University Law Review) 701-758 (Hebrew)(2007)
* "The Dimensions of Law: Judicial Craft, Its Public Perception, and the Role of the Scholar",95 CALIFORNIA LAW REVIEW 1619-1675 (2007)
* "The Passionate Expression of Hate: Constitutional Protections, Emotional Harm and Comparative Law",31 FORDHAM ILJ 76-137(2007)
* "Judicial Review, Occupation and Academic Discourse" On Professor David Kretzmer's book: The Occupation of Justice- The Supreme Court of Israel and the Occupied Territories (Book Review),8 MISHPAT UMIMSHAL 731-786 (2005)
* "Omnipresent Dignity: The Right for Human Dignity as Membership in the Community of Moral Agents",7 MISHPAT UMIMSHAL, 467-540 (Hebrew)(2005)
* "On Screen It Seems so Easy",22 BAR ILAN LAW STUDIES 45-80 (Hebrew)(2005)
* "The Voice of America in Hebrew – The US Influence on Israeli Freedom of Expression Doctrines",3 LAW, SOCIETY AND CULTURE 185-246 (Hebrew)(2005)
* "State or Family? Pursuant to The Nationality and Immigration Law (Temporary), 2003"with G. Davidov, J. Yovel and I. Saban,1 Lawatch 69 (2004); Published also in 8 MISHPAT UMIMSHAL 643-700 (Hebrew)(2004-2005)
* "Casablanca: Judgment and Dynamic Enclaves in Law and Cinema"with S. Almog,42 OSGOODE HALL L. J. 201-227(2004)
* "The Democratic Deficit and The Constitutionality of the Economic Plan",10 AVODA CHEVRA UMISPAT 307-329 (Hebrew)(2004)
* "The New Broadcasting Agency – Models of Judicial Review"Center for Law and Technology Working Papers,Proceedings of the Conference on "The New Broadcasting Agency?" University of Haifa 61-66 (Hebrew)(2004)
* "Universal Jurisdiction in National Courts – Undermining Sovereignty or a New World Order?",17 IDF LAW REV. 49-96 (Hebrew)(2004)
* "Law, Literature and Empathy: Withholding and Reserving Judgment" Postscript to Martha Nussbaum's POETIC JUSTICE Hebrew Edition, University of Haifa 161-179 (served as the basis for the expended version published by the Journal of Legal Education) (2003)
* "Law, Literature and Empathy: Withholding and Reserving Judgment",POETIC JUSTICE 161-179(2003)
* "On Law and Utopia: Rules vs. Principles? – A Comment on Ramiro Avilés's Reply"with S. Almog,14.1 UTOPIAN STUDIES , 143-148 (2003)
* "A Charter Free Domain: in Defense of Dolphin Delivery",35 U. B. C. L. REV. 329-392(2002)
* "Professional Status and the Freedom to Contract: Towards a Common Law Duty of Non-Discrimination", 19 CAN. J. LAW & JURIS. 79-132(2001)
* "When We Sit to Judge We Are Being Judged: The Israeli G.S.S. Case, Ex Parte Pinochet and Domestic/Global Deliberation",9 CARDOZO J. INTL. & COMP. L. 41-103(2001)

Books

* "Judicial Constitution-Making in a Divided Society - The Israeli Case"CONSEQUENTIAL COURTS: NEW JUDICIAL ROLES IN GLOBAL PERSPECTIVE ,(Robert Kagan, Diana Kapiszewsk & Gordon Silverstein (eds.)), Cambridge University Press (forthcoming)(2013)
* "Judicial Non-Dependence: Operational Closure, Cognitive Openness and the Underlying Rationale of The Provincial Judges Reference – The Israeli Perspective"JUDICIAL INDEPENDENCE IN CONTEXT 438-464,(Adam Dodek and Lorne Sossin (eds.)) Irwin Law, Canada(2010)
* "Criminalizing Religiously Offensive Satire: Free Speech, Human Dignity, and Comparative Law"EXTREME SPEECH AND DEMOCRACY 331-354,(Ivan Hare and James Weinstein (eds.)) Oxford University Press(2009)
* "Property Rights, Public Policy and the Limits of the Legal Power to Discriminate"HUMAN RIGHTS IN PRIVATE LAW,245-280, (D. Friedman & D. Barak-Erez (eds.)), Oxford: Hart Publishing(2001)
* "The Israeli Discourse on Torture: Political, Legal and International Aspects"with T. Kahana, TORTURE AS TORT: COMPARATIVE PERSPECTIVES ON THE DEVELOPMENT OF TRANSNATIONAL HUMAN RIGHTS LITIGATION,(C. Scott, ed.), 631-658, Oxford: Hart Publishing (Hebrew)(2001)

Other

* "When is Transparency Too Transparent"?Proceedings of Contemporary Challenges to the Scope of the Right of Access to Information: Drawing the Line between the Public, the Private & the Personal – Is a Common Standard Emerging? ,(Soderton University, Stockholm, Sweden)(2010)
* "The Burden on the Judicial System – Comparative Caseload Analysis of 17 States"עם רענן סוליציאנו-קינן וערן ויגודה-גדות,Published by the Manager of the Israeli Courts (Hebrew)(2008)
* "The Democratic Balance",Globes 27.1.2003(2003)
* "This Is Not The Way To Build A Constitution",35 Orech Hadin 42-43 (Feb. 2003) (Hebrew)(2003)
* "Israeli judges look to Canada for constitutional guidance", The Canadian Jewish News B48-49, (5.9.2002)(2002)
* "Formal Legal Pluralism",Bita'on Oniversitat Haifa 18-20 (Autumn 2002) (Hebrew)(2002)