ISRAELI LEGAL HISTORY
Professor Assaf Likhovski  Monday and Wednesday 13:40-14:50
UCLA School of Law  Room 3473
Spring 2010

COURSE DESCRIPTION
Israel, like the United States, is a settler society whose establishment was inspired by utopian ideology but was also based on war and violence. Like the United States, Israel is an imperfect democracy, committed to notions of equality yet also divided along class and ethnic lines. In both Israel and the United States law plays a major role in shaping identity, framing political discourse and mediating (and also sometimes exacerbating) social conflicts. In what ways do law and society interact in Israel and what can Americans learn from the Israeli experience? This course will seek to answer these questions by exploring the history of Israeli law. After an introductory section containing a brief overview of Israeli history and a general introduction to legal history, the course will focus on two distinct periods: the British Mandate and the first two decades after Israeli independence. Law will be used as a prism through which major debates about the history of the Israeli state and Israeli society will be analyzed. Among the topics that will be discussed are the reception of English law after the British conquest, law and national identity, varieties of legal pluralism, post-independence legal change and continuity, formalism and rights discourse, the role of law in ethnic, class and gender conflicts and in shaping historical memory (with special emphasis on the Holocaust). No prior knowledge of the history of Israel or its law is assumed.

EXAMINATION AND GRADING
Grades will be based on class participation and a take-home exam (on the week which begins on March 15).

GENERAL ADMINISTRATION
I have an office hour on Wednesdays 15:00-16:00 and by appointment. My office is room 3437. You should feel free to call (310-267-4583) or to e-mail me (likhovski@law.ucla.edu) with specific questions.

READING ASSIGNMENTS
The dates appearing in the syllabus are tentative, and may change.

Reading List:
1. Jan. 4+Jan. 6: The Arab Israeli Conflict


2. Jan 11+Jan. 13: Israeli Society


3. Jan. 20: Israeli Legal History


4. Jan 25: Late Ottoman Law


5. Jan 27+Feb.1: The Reception of English Law


6. Feb 3+Feb. 8: National Identity and Legal Pluralism


Aref el-Aref, Bedouin Law Love and Legend (Jerusalem: Cosmos, 1944), 20-37.

7. Feb. 10+Feb. 16 (makeup): Legal Culture


Declaration of Israel's Independence 1948 (available at http://avalon.law.yale.edu/20th_century/israel.asp)


H.C. 10/49 Zeev v. Acting District Commissioner of the Urban Area of Tel Aviv, 1 *Selected Judgments of the Supreme Court of Israel* 68-74.

H.C. 73/53 Kol Ha’am Co. Ltd. V. Ministry of the Interior, 1 *Selected Judgments of the Supreme Court of Israel* 90, 91-99, 115-121.


10. Mar. 1+Mar. 3: Class, Gender and Religious Conflicts
Ron Harris, "Legitimizing the Imprisonment of Poor Debtors: Lawyers, Legislators, Judges" in HMLS, 217-241, 256-263.


11. Mar. 8: Law and Memory


12. Mar. 10: Legal Thought
Assaf Likhovski, “Colonialism, Nationalism and Legal Education: The Case of Mandatory Palestine,” in HLMS, 75-87.