

**SELECTED JUDGMENTS
of the
SUPREME COURT
OF ISRAEL**

Special Volume

***EDITED BY*
Asher Felix Landau**



Selected Judgments Of The Supreme Court Of Israel Special Volume

Simon N. Herman



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Palestine and Israel John B. Quigley, 1990 The dispute over Palestine between the Palestinian Arabs and the Israelis is one of the most volatile and intractable conflicts in the world today Palestine and Israel examines the history of this battle from the perspective of international law and it argues that a long term solution to the conflict must protect legitimate interests to remain viable an element the author believes has so far been seriously neglected This extensively documented work details the complex politics and agonizing struggles that have characterized the clash between Jews and Arabs examining in depth the competing claims to Palestine and the extent to which legitimate interests remain to be fulfilled Beginning with the early Zionist settlement in Palestine that rose from the effort by Jews to escape long standing discrimination in Europe Qigley investigates the origins of the dispute including the British occupation of Palestine the British Mandate and the involvement of the United Nations He examines the 1948 War the establishment of Israel and explores the legal and political status of Jews there After a detailed analysis of the 1967 War and Israel s occupation of the West Bank and Gaza Strip he concludes with recommendations for resolving the conflict including discussions of the responsibility of other states for the persisting injustice the role of other states in settling the dispute and steps to a possible solution

The Genocide Convention John Quigley, 2016-03-09 The Genocide Convention explores the question of whether the law and genocide law in particular can prevent mass atrocities The volume explains how genocide came to be accepted as a legal norm and analyzes the intent required for this categorization The work also discusses individual suits against states for genocide and finally explores the utility of genocide as a legal concept

Selected Judgements by the Supreme Court of Israel Israel. Bet ha-mishpa'el ha-'elyon, 1971

The Case for Palestine John B. Quigley, 2005 A history of the conflict between Israel and the Palestinians from the perspective of international law that examines the extent to which legitimate interests remain to be fulfilled

Selected Judgments of the Supreme Court of Israel Asher Felix Landau, 2023-07-28 Is Judaism a religion or a nationality Can a person claim Jewish nationality and at the same time no religion Does conversion from Judaism prevent an individual from emigrating to Israel under the Law of Return These questions were recently considered by the Israeli Supreme Court and the judgments rendered are translated in this volume Palestinian and Israeli statutes concerning immigration nationalization and registration are interpreted by the judges

Israel Yearbook on Human Rights, Volume 16 (1986) Yoram Dinstein, 2020-10-26

Jewish Law in Legal History and the Modern World Bernard S. Jackson, 1980-01-01

A Multicultural Entrapment Michael Karayanni, 2020-12-17 The religion and state debate in Israel has overlooked the Palestinian Arab religious communities and their members focusing almost exclusively on Jewish religious institutions and norms and Jewish majority members Because religion and state debates in many other countries are defined largely by minority religions issues the debate in Israel is anomalous Michael Karayanni advances a legal matrix that explains this anomaly by referencing specific constitutional values At the same time

he also takes a critical look at these values and presents the argument that what might be seen as liberal and multicultural is at its core just as illiberal and coercive In making this argument *A Multicultural Entrapment* suggests a set of multicultural qualifications by which one should judge whether a group based accommodation is of a multicultural nature *Sovereignty and Religious Freedom* Simon Rabinovitch, 2024-11-26 A comparative legal history of Jewish sovereignty and religious freedom illuminating the surprising ways that collective and individual rights have evolved over the past two centuries It is a common assumption that in Israel Jews have sovereignty and in most other places where Jews live today they have religious freedom instead As Simon Rabinovitch shows in this original work the situation is much more complicated Jews today possess different kinds of legal rights in states around the world some stem from religious freedom protections and others evolved from a longer history of Jewish autonomy By comparing conflicts between Jewish collective and individual rights in courts and laws across the globe from the French Revolution to today this book provides a nuanced legal history of Jewish sovereignty and religious freedom Rabinovitch weaves key themes in Jewish legal history with the individual stories of litigants exploring ideas about citizenship and belonging who is a Jew what makes a Jewish family and how to define Jewish space He uses recent court cases to explore problems of conflicting rights and then situates each case in a wider historical context This unique comparative history creates a global picture of modern legal development in which Jews continue to use the law to carve out surprising forms of sovereignty *In Search of Israel* Michael Brenner, 2018-03-13 A major new history of the century long debate over what a Jewish state should be Many Zionists who advocated the creation of a Jewish state envisioned a nation like any other Yet for Israel's founders the state that emerged against all odds in 1948 was anything but ordinary Born from the ashes of genocide and a long history of suffering Israel was conceived to be unique a model society and the heart of a prosperous new Middle East It is this paradox says historian Michael Brenner the Jewish people's wish for a homeland both normal and exceptional that shapes Israel's ongoing struggle to define itself and secure a place among nations *In Search of Israel* is a major new history of this struggle from the late nineteenth century to our time When Theodor Herzl convened the First Zionist Congress in 1897 no single solution to the problem of normalizing the Jewish people emerged Herzl proposed a secular liberal New Society that would be home to Jews and non Jews alike East European Zionists advocated the renewal of the Hebrew language and the creation of a distinct Jewish culture Socialists imagined a society of workers collectives and farm settlements The Orthodox dreamt of a society based on the laws of Jewish scripture The stage was set for a clash of Zionist dreams and Israeli realities that continues today Seventy years after its founding Israel has achieved much but for a state widely viewed as either a paragon or a pariah Brenner argues the goal of becoming a state like any other remains elusive If the Jews were the archetypal other in history ironically Israel which so much wanted to avoid the stamp of otherness has become the Jew among the nations *Israel* Gregory S. Mahler, 2018-04-27 This title was first published in 2000 The International Library of Politics and Comparative Government brings together in one series

the most significant journal articles to appear in the field of comparative politics in the last twenty five years It makes accessible to teachers researchers and students an extensive range of essays which provide an indispensable basis for understanding both the established conceptual terrain and the new ground being broken in the fast changing field of comparative political analysis A number of acknowledged experts have been invited to act as editors for the series They preface each volume with an introductory essay in which they review the basis for the selection of articles and suggest future directions of research and investigation in the subject area An invaluable resource for all those working in the field of comparative government and politics

The Unchosen Ones Jannis Panagiotidis,2019-08-28 This fascinating original well researched and persuasively argued work examines the phenomenon of co ethnic migration in Israel and Germany Sebastian Conrad author of *What Is Global History* Co ethnic migration happens when migrants seek admission to a country based on their purported ethnicity or nationality being the same as the country of destination In *The Unchosen Ones* social historian Jannis Panagiotidis looks at legislation and implementation regarding co ethnic migration in Germany and Israel This study focuses on individual cases ranging from after the Second World War to after the fall of the Berlin Wall where migrants were not allowed to enter the country they sought to make their home These rejections confound notions of an open door or a return to the homeland and present contrasting ideas of descent culture blood and race Questions of historical origins immigrant selection and screening and national belonging are deeply ambiguous complicating migration even in nations that are purported to be ethnically homogenous Through highly original and illuminating analysis Panagiotidis shows that migration is never a simple matter of moving from place to place *JEWISH LAW ANNUAL 1978* Bernard S. Jackson,1978

Law and Government in Israel Gideon Doron,Arye Naor,Assaf Meydani,2013-10-31 While most current studies on law and politics in Israel focus on the legal aspects of public policymaking within the courts this book explores the relationship between law and government from a positive perspective That is to say that the question asked is how the political relationships between the three branches of government affect public policy and hence social outcomes The eleven contributors to this volume concentrate on Israel from theoretical comparative and critical approaches and hence the analysis presented could as well be applied to other polities This book was published as a special issue of *Israel Affairs*

Nation State and Immigration Professor Anita Shapira,Yedidia Z. Stern,Alexander Yakobson,2014-11-01 For the last two centuries the nation state has posed a formidable challenge to multinational empires It has served as a base for modernisation secularisation and democratisation and also for the formation of totalitarian regimes Today the nation state faces challenges from multiple directions National minorities demand self determination while religious forces challenge secular governments and global migration movements undermine the cultural uniformity once considered essential for the formation and preservation of nation states This is the third of a three volume set detailed below which addresses key challenges facing the contemporary nation state from a global perspective but with special emphasis on the Middle East and

Israel Publication reflects research conducted under the auspices of The Israel Democracy Institute's Nation State Project which analyses Israel's complex reality in which a Jewish majority contends with an Arab minority ultra Orthodox religious forces reject the authority of the nation state and an immigrant society exhibits substantial cultural and ethnic variance Volume III explores the cultural social and political effects of immigration on the contemporary nation state its character cohesion and possible future as well as on contemporary liberal democracy Contributions deal with such issues as different liberal approaches to the issue of immigration and immigrant integration nation building narratives and their implications for immigrants and minorities citizenship tests and integration policy in the United States and in Europe as well as Israel's Law of Return and the debate about it and other aspects of immigration policy The Jewish Law Annual Bernard S. Jackson, 2023-08-28 Volume 15 of The Jewish Law Annual adds to the growing list of articles on Jewish law that have been published in volumes 1-14 of this series providing English speaking readers with scholarly material meeting the highest academic standards The volume contains six articles diverse in their scope and focus encompassing legal historical textual comparative and conceptual analysis as well as a survey of recent literature and a chronicle of cases of interest Among the topics covered are lying in rabbinical court proceedings unjust enrichment can a witness serve as judge in the same case Caro's Shulham Arukh volume Maimonides Mishne Torah in the Yemenite community the New Jersey eruv wards **Jewish Law Association Studies**, 2000 Vols 1-2 consist of proceedings of the 1st 2nd International Congress of the Jewish Law Association **Apple of Gold** Gary Jeffrey Jacobsohn, 2017-03-14 By comparing the constitutional systems of Israel and the United States Gary Jacobsohn provides a new view of the essentials of constitutionalism itself a balanced picture that would have been impossible to achieve by focusing on any one polity Abraham Lincoln in likening the Declaration of Independence to the Biblical apple of gold and the Constitution to its picture of silver illuminated the connections in the United States between political ideas and constitutional government Jacobsohn applies Lincoln's insight to the Israeli experience to develop a deeper understanding of the relationship between political culture and constitutionalism and the limits and possibilities for constitutional transplantation Originally published in 1993 The Princeton Legacy Library uses the latest print on demand technology to again make available previously out of print books from the distinguished backlist of Princeton University Press These editions preserve the original texts of these important books while presenting them in durable paperback and hardcover editions The goal of the Princeton Legacy Library is to vastly increase access to the rich scholarly heritage found in the thousands of books published by Princeton University Press since its founding in 1905 **Israel Yearbook on Human Rights, Volume 26 (1996)** Yoram Dinstein, Fania Domb, 2020-10-26 The Israel Yearbook on Human Rights an annual published under the auspices of the Faculty of Law of Tel Aviv University since 1971 is devoted to publishing studies by distinguished scholars in Israel and other countries on human rights in peace and war with particular emphasis on problems relevant to the State of Israel and the Jewish people The Yearbook also incorporates documentary materials

relating to Israel and the Administered Areas which are not otherwise available in English including summaries of judicial decisions compilations of legislative enactments and military proclamations Volume 26 contains amongst others articles on The Essence of Democracy Democracy in International Relations The Threats to Democracy and Democracy in Israel and the Palestinian Authority

Constitutional Secularism in an Age of Religious Revival Susanna Mancini, Michel Rosenfeld, 2014-01-30

The global movement of culture and religion has brought about a serious challenge to traditional constitutional secularism This challenge comes in the form of a political and institutional struggle against secular constitutionalism and a two pronged assault on the very legitimacy and viability of the concept On the one hand constitutional secularism has been attacked as inherently hostile rather than neutral toward religion and on the other hand constitutional secularism has been criticized as inevitably favouring one religion or set of religions over others The contributors to this book come from a variety of different disciplines including law anthropology history philosophy and political theory They provide accounts of and explanations for present predicaments critiques of contemporary institutional political and cultural arrangements justifications and practices and suggestions with a view to overcoming or circumventing several of the seemingly intractable or insurmountable current controversies and deadlocks The book is separated in to five parts Part I provides theoretical perspectives on the present day conflicts between secularism and religion Part II focuses on the relationship between religion secularism and the public sphere Part III examines the nexus between religion secularism and women s equality Part IV concentrates on religious perspectives on constraints on and accommodations of religion within the precincts of the liberal state Finally Part V zeroes in on conflicts between religion and secularism in specific contexts namely education and freedom of speech

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