

ACTIVITIES REPORT FOR JUNE 2018– MAY 2019:
ICON-S ISRAELI CHAPTER

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Overview

As in previous years, we are happy to announce that we maintained our central place in the Israeli public law community, a place that we hold ever since our foundation in 2014. This year, more than ever, we were a conceptual academic house for many scholars that hold different perspectives, and at different points in their careers. We are proud to say that our role in developing Israel's public law was significant, as we stayed updated and responsive to the legal and political reality on the one hand and initiated principled and long-term initiatives on the other hand.

In our last reports we emphasized the need to be a meaningful voice in the Israeli academic arena. Government attempts to advance legislation that is seen by many as not being in line with basic values of constitutionalism and equality have become more sweeping and more common. The peak was during the coalition negotiations in May 2019, when the intended coalition parties expressed support for a constitutional overhaul that would drastically weaken the power and authority of the Supreme Court, as well as of other important constitutional gatekeepers. This attempt has been put on hold when Prime Minister Netanyahu failed to form a coalition and new elections were called for September 2019, but the political atmosphere leaves the impression that this would not be the last attempt of this kind. With this background, The ICON-S Israeli branch existence is useful and even necessary. Amidst a heated and often populist public discussion our ICON-S-IL blog remained a haven for reasoned and rational debate that gave place to many voices and opinions. The Blog also served as the hosting platform for a wide (and very inclusive) petition objecting to the suggested overhaul which brought together scholars with a variety of ideological and theoretical views.

During the last year we focused on two main goals: The first is to preserve our status as the leading public law association for the academic community in Israel through

academic conferences and publications. The second is to open the conversation to a wider audience, mainly through our academic blog and Facebook group, both of which consist of a diverse audience, while maintaining the academic nature of our activities. As we will elaborate below, we are happy to say that we achieved these two important goals and became a leading actor in the public law field.

Our main activities over the past year are detailed below.

The fourth annual ICON-S-IL conference – (11–12.3.2019)

This year was the fifth year that we held the ICON-S-IL annual conference. Much like the previous ICON-S Israel annual conferences, this conference maintained the status of the leading public law researchers' event (although the conference attracted researchers from many other parallel academic fields, such as public policy, government and political science, history and sociology). As in previous years, the ICON-S-IL board nominated one of the law faculties to assume responsibility for hosting, steering, and organizing the conference. Our model gives full discretion to the host institution, while providing academic and administrative support from the chapter. This year the conference was hosted by the Haim Stricks School of Law at the College of Management Academic Studies (in Rishon Le-Zion). The academic committee of the conference included Prof. Orna Ben-Naftali, Prof. Suzie Navot and Dr. Roy Peled.

This year the conference encompassed 20 panels, in a broad set of issues, all of which concerned Israeli public law, including topics such as: the democratic backsliding, Israeli nationality, the challenges of globalization to public law, constitutional theories, using class actions to deal with discrimination, the administrative state, community inclusion and exclusion, the public interest in private law, interpretive culture and more. The conference had a lively and wide participation of scholars, judges, practitioners and students.

The rich plenaries included three special sessions. The first was the opening ceremony, named “Speech & Silence” that placed in its heart the issue of civil disobedience through Lars Kraume's outstanding film “The Silent Revolution”, accompanied by a discussion regarding questions like the power and importance of civil engagement. The second was a special lunch panel that dealt with the core question “How should we teach constitutional law”, in light of Prof. Daniel Friedman's (former Minister of Justice) new

book about Israel's law and politics. The third was the closing session, hosting three former Ministers of Justice, dealing with their opinions regarding Israel's foundational legal and constitutional questions and their application to Israel's current affairs.

We are glad to say that the conference won great compliments: for its academic and cultural plenaries and its wonderful organization. We wish to thank Prof. Orna Ben-Naftali, Prof. Suzie Navot and Dr. Roy Peled for an outstanding management and steering of the conference. The link for the conference's full program (Hebrew):

https://www.colman.ac.il/sites/default/files/toctnia_icons.pdf

Young scholars' community

Last year we planned to nurture a young scholars' community. This year we took the first and important step: As part of the ICON-S 5th annual conference, we dedicated a special panel for young scholars future careers. We had an open and sharing conversation with 5 promising young researchers that recently received their PhD. The young researchers have been integrated successfully in different positions (Public sector, private sector, academy, research institutes and university law clinics). Each of the young scholars talked about his/her academic career as a Ph.D. candidate and the way he/she got to their current positions. Afterwards we held an open conversation between the panel participants and the audience. Many of them left the panel with the impression that a public law Ph.D. is only the beginning, and the career choices are much more diverse than initially thought.

International workshop on Democratic Backsliding and Human Rights

On January 2nd & 3rd The College of Law and Business, in cooperation with the Israel Democracy Institute and ICON-S-IL hosted the 14th International Human Rights Researchers' Workshop: Democratic Backsliding and Human Rights. The workshop, organized by Prof. Gila Stopler, Prof. Iddo Porat and Prof. Yuval Shany, had a comprehensive and detailed program covering the main issues surrounding the workshop theme. The workshop's international nature enabled mutual comparative learning and rich discussion throughout the two days of the workshop. Papers from the conference

will be published in a special issue of the journal Law and Ethics of Human Rights after double blind peer review.

For the plenary (English): <https://clb.ac.il/%D7%9B%D7%A0%D7%A1-copy/>

A local ICON-S Blog

Our [ICON-S-IL Blog](#) is one of our most influential activities. We created the Blog in order to serve as an “academic intellectual Hyde Park”. After two years of operating the Blog, we are proud to say that today it is much more than that. Our Blog hosts the leading constitutional law, administrative law and international public law scholars, as well as some of the promising young scholars.

The blog's credo is inclusiveness, professionalism and relevance. Senior researches write response-posts to junior researches; our theme-posts maintain a variety of views; and we expose our audience to a range of opinions all the while maintaining a high level of professionalism in all blog posts. Due to the rapidity of on-line publication, and thanks to our writers' swiftness, we were able to offer quick and yet reasoned responses to new rulings and other developments, several weeks (sometimes days) after their occurrence.

These qualities – as well as the preservation of the blog's academic nature – turned our blog to one of Israel's leading law blogs. We enjoy hundreds of views each and every week. In the past few months we even became a popular academic tool, as six different law schools (that we know of) refer their students to our posts as a learning-aid for the regular reading materials.

Aside from our usual weekly posts, this autumn we published an important and broad symposium on Israel's new Basic Law: Israel – The Nation State of the Jewish People and the suggestions to enact an override clause in the Basic Laws. The symposium hosted many of the leading scholars in the Israeli constitutional field: Dr. Aviad Bakshi, Prof. Gad Barzilai, Prof. Eyal Benvenisti, Prof. Amichai Cohen, Prof. Aeyal Gross, Adv. Hassan Jabareen, Prof. Tsvi Kahana, Dr. Doreen Lustig, Prof. Suzie Navot, Dr. Meital Pinto, Dr. Yaniv Roznai and Prof. Gila Stopler.

Prof. Aeyal Gross was also the symposium special co-editor. For an overview of the symposium in English see: <https://blog-iacl-aidc.org/2019-posts/2019/3/28/basic-law->

[nation-and-occupation-in-israel-part-1](https://blog-iacl-aicd.org/2019-posts/2019/3/30/basic-law-nation-and-occupation-in-israel-part-1) (part 1) <https://blog-iacl-aicd.org/2019-posts/2019/3/30/basic-law-nation-and-occupation-in-israel-part-2> (part 2)

Facebook group:

As a part of our efforts to stay updated, and to enable an impartial and open debate, we operate a vivid ICON-S-IL Facebook group. The group holds three main activities: posts from our blog that many times open a new discussion in the post's comments; Invitations for academic conferences and seminars; and Independent private posts on issues that might interest the group members. The group now includes more than 200 members.

The Group page: <https://www.facebook.com/groups/1558921144347059/?ref=bookmarks>

Looking ahead:

There are three topics which we hope to further develop in the next year:

1. Maintaining ICON-S-IL research status: Our annual conference, special issue conferences and workshop, our blog – all of these made ICON-S-IL the leading researchers' platform in the public law field in Israel. Posts from our blog have already been quoted in Supreme Court rulings and in full-length academic publications and our blog has become an academic must-read, and we want to preserve and further enhance that status.
2. Young academy: the special young researches panel ads to the lively participation of young scholars in the ICON-S-IL Blog. In future years we wish to further develop that young researchers' community and broaden it.
3. Developing ICON-S on-line platforms: After witnessing how important is the everyday civil and academic involvement in the State's current legal and political affairs, we intend to continue to put a lot of efforts into our on-line platforms. These enable us to stay tuned and responsive. In today's political and public climate, we find these qualities to be especially important and directly linked to our academic work.