



**Minerva Center for the Rule of Law
under Extreme Conditions**

Minerva Center for the Rule of Law under Extreme Conditions

Annual report 2022

Haifa and Hamburg, April 2023

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In accordance with the contract between the Minerva Stiftung Gesellschaft für die Forschung m.b.h. and the University of Haifa, we present this report, which covers the Center's activities for 2022.

1. Personnel and framework of activity

In 2022 The Minerva team included:

- Eight (8) PIs: Prof. Eli Salzberger, Prof. Gad Barzilai, Dr. Itaman Mann, Prof. Amnon Reichman and Prof. Deborah Shmueli from the University of Haifa; Prof. Stefan Voight, Prof. Stefan Oeter and Prof. Anne van Aaken from the University of Hamburg, with the participation of Prof. Florian Jessberger who moved from the University of Hamburg to Humboldt University in Berlin.

- Thirteen (13) young researchers:

Six (6) post-doctoral researchers: Dr. Assaf Mond (2022), Dr. Hadeel Abu Husein and Dr. Talia Diskin (selected for a second year) and three new post doctoral researchers that were selected for 2022-2023: Guy Shalev, Ben Bornstein and Limor Yehuda. Ben is expecting his PhD diploma to be approved in the next few months, so he is considered a "researcher" until he receives his degree.

Seven (7) research fellows, of which four were nominated in 2021-2022: Prof. Mohammed Wattad and three of our past post docs: Dr. Ronnen Ben Arie, Dr. Shelly Aviv-Yeini and Dr. Rottem Rosenberg Rubins. Three other fellows joined in 2022-23: Sharon Yadin (a research fellow in the Law faculty), Dr. Danielle Zaychik (from the Emergency Readiness Center) and Dr. Ido Rosenzweig - who is working also as the Director of Cyber, Belligerencies and Terrorism Research and coordinator of young researchers workshops and forum. Ido recently received his doctorate and thus was nominated as a formal research fellow.

- One academic coordinator - Dr. Michal Ben-Gal, working part-time as researcher, administrator and website manager.

- One administrative assistant - Eran Beit Halachmi.

- two to four research assistants, depending on project needs.

Details regarding the team is available in our website under [“People”](#).

In addition, the Center hosted a young researcher: Sarah Butterfield from New York, who works with Itamar (and Yael Berda) on “Gaza as Paradigm: Transnational Governance, International Law, and Rightlessness” (see workshop in December)

The Center is located in the Terrace (“Madrega”) building at the University of Haifa, room 1013. Center activities include: 1) research initiated by the principal investigators; 2) support for research projects and related activities conducted by external researchers, including graduate students, post-doctoral and established researchers; and 3) conferences, workshops and round tables, supporting and complementing the research activities of the PIs and post-docs, and further developing a research community with connections to policy and decision-makers in relevant fields.

The Israeli-based Center team meets every two weeks on Wednesdays during semesters. A Young Researchers Forum is held in the mornings, during which the post-doc and additional young researchers meet to discuss their “work in progress”. Prior to each meeting, one of the young researchers distributes a draft of his/her work, which is presented and discussed among the group. A seminar talk is held in the afternoons, usually given by one of the members of the Center’s community or by a scholar who has received support from the Center. Some of the seminar talks are with the Emergency Readiness Center. The lectures are open to the public and most of them are streamlined on [Facebook](#), as well as recorded and uploaded to [YouTube](#) (reaching several thousand viewers).

The Israeli PIs hold separate meetings to discuss substantive as well as administrative aspects of the Center’s operation. In 2022, The University improved the ventilation system in the Center and we resumed our face-to face physical meetings. We hope that COVID-19 is behind us.

2. PI Initiated Research

I. National Research and Knowledge Center for Emergency Preparedness

As was reported in previous annual reports, the National Knowledge and Research Center for Emergency Readiness (the Emergency Readiness Center) was established in January 2018 by the Israel Ministry of Science and Technology and the National Emergency Management Authority (NEMA) of the Ministry of Defense, following a competitive process which was led by the Minerva team in cooperation with key researchers from the Hebrew University and the Technion. The Center operates in integrative parallel to the Minerva Center for RLUeC.

Led by Prof. Deborah Shmueli (Center Head) and Dr. Michal Ben Gal (research coordinator), the Center includes a team of 90 researchers consisting of 8 disciplinary research groups. The Law group is led by Prof. Eli Saltzberger, with Prof. Gad Barzilai and Prof. Amnon Reichman as members of group. The Center received 3,000,000 NIS in 2018-2020 and additional 700,000 NIS were granted for the Center by the Israeli Ministry of Science and Technology for 2021. The Law group (Minerva) initiates research and submits research proposals with other researchers at the Emergency Readiness Center.

In 2022 Minerva Center PIs and affiliates were engaged in five research projects in cooperation with the Emergency Center's framework:

1. "The day after COVID-19" Learning from Others' Disasters? A Comparative Study of SARS/MERS and COVID-19 Responses in Five Polities

The ability to successfully manage disasters is a function of the extent to which lessons are learned from prior experience. This research focus on the extent to which lessons from SARS/MERS have been learned and implemented during the first wave of COVID-19, and the extent to which the source affects governance learning: from a polity's own experience in previous episodes of the same disaster type; from the experience of other polities with regard to the same disaster type; or by cross-hazard learning - transferring lessons learned from experience with other types of disasters. To assess

which types of governance learning occurred we analyzed the experience of four East Asian polities that were previously affected by SARS/MERS: South Korea, Taiwan, Singapore and Hong-Kong. Their experience is compared with that of Israel. Having faced other emergencies but not a pandemic, Israel could have potentially learned from its experience with other emergencies, or from the experience of others with regard to pandemics before the onset of COVID-19. We find that governance learning occurred in the polities that experienced either SARS or MERS, but not cross-hazard or cross-polity learning. The consequences in the 5 polities at the end of the first six months of Covid-19, reflected by the numbers of infected and deaths, on one hand, and by the level of disruption to normal life, on the other, verifies these findings. Research insights point to the importance of modifying governance structures to establish effective emergency institutions and necessary legislation as critical preparation for future unknown emergencies. Findings from this research were published in:

Feitelson, E., Plaut, P., Salzberger, E., Shmueli, D., Altshuler, A., Amir, S. and Ben Gal, M., 2022. "Learning from Others' Disasters? A Comparative Study of SARS/MERS and COVID-19 Responses in Five Polities", *International Journal of Disaster Risk Reduction*, Vol. 74, 102913, <https://doi.org/10.1016/j.ijdrr.2022.102913>

2. Can Wellbeing Effects of COVID-19 be Mitigated Amidst and Economic Crisis

Analyses of the effects of COVID-19 tend to focus on the health and economic implications of the pandemic. Yet, it is clear that there are wider effects, such as effects on social relations, stress, livelihood and effects on the environment. As is increasingly recognized, the GDP per capita is an insufficient measure to assess the state of countries and citizens within them (Stiglitz et al., 2009). Hence well-being is increasingly promoted as measures to assess the state of countries and citizens, and as a basis for policy decision-making. In particular, the OECD (2017) advanced a set of 39 indicators for well-being. Similarly, since 2016, the Israeli CBS (Central Bureau of Statistics) has published a yearly report of "Quality of life, sustainability and resilience", based on 114 criteria in 11 fields (employment, personal safety, health, housing and infrastructure, education and skills, civic engagement and governance, environment, personal and social welfare, material standard of living, leisure, culture and community and information technologies).

This research, led by Prof. Eran Feitelson, from the Hebrew University in Jerusalem

and Prof. Pnina Plaut from the Technion, with Prof. Deborah Shmueli, Prof. Eli Salzberger, Dr. Alex Altshuler and Dr. Michal Ben Gal from the University of Haifa, aims to identify the well-being criteria that are influenced by and influence the Coronavirus crisis, analyze these effects in the Israeli arena, identify policy measures that may have a positive influence on well-being, and suggest “policy packages” that may reduce negative impacts and enable a better quality of life alongside the virus. The first part of the study was conducted in collaboration with IIASA (International Institute for Applied Systems Analysis) as part of the agreement between the Government of Israel and IIASA, in which the possible effects of aiding systems analysis were identified. Findings from this research were published in:

Feitelson, E., Plaut, P., Salzberger, E., Shmueli, D., Altshuler, A., Ben Gal, M., Israel, F., Rein-Sapir, Y., Zaychek, D., 2022. "The Effects of COVID-19 on Wellbeing: evidence from Israel", *Sustainability*, Special Issue "Economic and Social Consequences of the COVID-19 Pandemic", Vol. 14, 3750. <https://doi.org/10.3390/su14073750>

3. Evaluating the Success of Local Authorities in Israel in Minimizing the Impact of COVID-19

This research (undertaken by Prof. Itai Beeri, Dr. Nufar Avni, Dr. Danielle Zeichik and Yonat Rein) aims to understand the success of municipal governments in Israel in minimizing the impact of the COVID-19 epidemic at the local level. After defining measures of success, the research aims to identify the factors - primarily the policies implemented, management, and cooperative efforts - that allowed municipalities to be successful in minimizing the impact of the pandemic in their towns and cities. These factors, as well as policy recommendations for both the central government and local governments, were identified and detailed. A final report was sent to all relevant Israeli government ministries and was presented in a Zoom webinar which is available on-line on the Emergency Center YouTube channel (90 views as of January 2023).

4. Managing the COVID-19 Epidemic Locally: A birds' eye view of the challenges faced by local governments, local responses, and the differential local needs of municipalities in Israel

This research (carried out by Dr. Danielle Zeichik) aims to describe the experience

of local governments managing the COVID-19 epidemic, with a focus on five key areas: crisis management, public obedience, law enforcement, vaccinations, and cooperation with other agencies and organizations. The research surveys local governments in Israel about the challenges and approaches taken with regards to these topics, with the goal of identifying differences between localities and understanding how to better tailor policies and central government support to effectively serve local interests.

5. Literature review and summary of national plans and programs for mitigating outcomes of heat waves

As part of its mission, the emergency Center aims to give real-time response to questions by NEMA, government ministries, elected officials, NGOs and other stakeholders. In 2022, after the heat wave that swept Europe in July and California in September, as well as flooding in a few parts in the world, NEMA asked for a short review on plans and programs to mitigate the outcomes of both heat waves and floods. A report in Hebrew on heat waves is under final review, and a report on floods is underway. Dr. Danielle Zeichik is leading this effort with Prof. Deborah Shmueli.

An overview of the Center is available on its website: <http://muchanut.haifa.ac.il>.

Outlines of research at the Center is available on its website: <http://muchanut.haifa.ac.il>

>> [Center Research](#)

II. Only sovereignty? Global emergencies between domestic and international law

Prof. Gad Barzilai and Dr. Rottem Rosenberg Rubins

This research, examines the role of international law in providing nation-states with global norms that would assist them in preserving democracy amid emergencies, thus mitigating the threat of a worldwide democratic decline. This examination is held on two levels. First, it discusses three classic models for coping with emergencies in constitutional democracies, arguing that all three are characterized by a “methodological nationalism” that limits them from considering international law norms in their responses

to crises and disasters. Second, it examines the question on the level of positive law, demonstrating that while international law – particularly International Human Rights Law (IHRL) – may potentially provide nation-states with a legal model for adapting to emergencies, this potential is substantially limited. Three main problems restrict this potential: the weak formal support that democracy as a regime type receives under international law; the fragile democratic and constitutional features of international organizations; and the vagueness and unenforceability of certain IHRL norms designed to constrain state power during emergencies. Thus, the conclusion is that the substantial weight given to national sovereignty under IHRL causes it to mirror the methodological nationalism of the classic models and to reproduce some hazardous tendencies that domestic legal regimes exhibit when coping with emergencies.

The research findings will be published in:

Rottem Rosenberg-Rubins & Gad Barzilai, 'Only Sovereignty? Global emergencies between domestic and international law' (forthcoming: *Cornell International Law Journal*)

3. Research Projects and Researchers Selected for Support

3.1. Post-doctoral Researchers

Our post-doctoral researchers are the core of the Center.

In 2021-2022 the Center sponsored eight (7) post-doctoral researchers, and hosted one researcher and seven research fellows:

[Omri Grinberg](#) continued his fellowship for the second year (October 2020 - September 2022), [Gil Rothschild Elyassi](#), [Assaf Mond](#), [Hadeel Abu Husein](#) and [Talia Diskin](#) joined him in 2021-2022 (October 2021-September 2022). In October 2022 we continued Hadeel and Talia's fellowship for another year (Gil Rothschild Elyassi was appointed as a tenure track lecturer at the University of Haifa Faculty of Law) and selected two new post-doc fellows: [Limor Yehuda](#) and [Guy Shalev](#). In addition, we added [Ben Bornstein](#) to the team as a researcher, assuming he receive his PhD during 2022-23 and will become a post-doc fellow.

Four of our post-docs from previous years ([Shelly Aviv Yeini](#), [Rottem Rosenberg Rubins](#), [Robert Neufeld](#) and [Ronnen Ben Arie](#)) continue their affiliation with us as research fellows. In addition, [Mohammed Wattad](#) who joined the team in 2020 continues with us, and in 2022, [Sharon Yadin](#) joined as well, with [Danielle Zaychik](#) who is a post-doc at the Emergency Center and became affiliated with the Minerva Center.

Following are details about research projects of the post-docs and researchers at the Center.

2021-2022 Academic Year Post-docs

(detailed research descriptions were presented in 2021 annual report)

a) Dr. Omri Grinberg

Omri ended his affiliation at the Center in September 2022. In 2021-2022 academic year, Omri was engaged in two projects: 1. a study carried with Dr. Yael Berda (Hebrew University and Harvard University) about the **changes in Israel's bureaucracy**

and practices regulating Palestinians' permits to travel and work in Israel, due to COVID-19. Specifically, they examined what these changes can explain about the history of Israel's most persistent policy: disallowing West Bank and Gaza Palestinians from spending the night within Israel.

2. Identifying and building a **comparative framework for understanding how human rights NGOs' methodologies of testimony collection developed.** Through establishing contacts in different institutions and organizations, and conducting research in and with them, Omri gathered data from a set of historical cases and geo-political contexts, allowing him to engage in a comparative analysis of how NGOs gained, or failed to gain, influence in political and legal halls, in nation-states and diplomatic non-state institutions, and in local and transnational media. Combining interpretive literary tools and 'big-data' processing, this newly developed element of his research is based on the hypothesis that human rights' actors (mainly NGOs) methods of data collection, advocacy and representation, are predominantly unable to distinguish themselves from the actors they aim to critique and challenge. When they do, the work of NGOs has otherwise rarely achieved accomplishments.

In addition, Omri was engaged this year with colleagues in editing a volume titled: **ReFiguring Global Challenges: Literary and Cinematic Explorations of War, Inequality, and Migration.** A short description of the publication follows:

In June 2018, a group of international scholars gathered in the Teleborg Castle, Sweden, with the support of the Linnaeus University Centre for Concurrences in Colonial and Postcolonial Studies. Together with the director, Johan Höglund, they fostered a very rich and informative conversation on current and cogent global challenges. The wide-ranging cross-disciplinary discussions focused on what they identified as the most worrisome challenges for today's world: the resurrection of geographical and intellectual borders, the rise of populism in the West and beyond, and the realization that current geopolitical relations are still deeply informed by the long history of colonialism.

The volume gathers some of the most interesting essays from the discussions, especially selected for their innovative investigation of how literature, film, and visual art contribute

to reconfiguring and reframing shifts in the postcolonial condition. Ranging over topics such as artistic and media migrant subjectivities, memory and nostalgia, postcolonial witnessing, violence and displaced bodies, these essays try out varied theoretical concepts and instruments in seeking to articulate how the present postcolonial condition involves issues of representation, power-relations, story-telling, networking, and human and the non-human subjects traversing borders and boundaries. The goal of this volume is to perform a cross-genre inquiry that uses, questions and invents tools and concepts of postcolonial theory and criticism in the study of texts, written and visual, and in the engagement with current global conflicts and boundary work.

The book will be published as:

Minervini, Amanda, Amelie Bjorck, Omri Grinberg, and Amrita Ghosh (editors). *ReFiguring Global Challenges: Literary and Cinematic Explorations of War, Inequality, and Migration*. Leiden: Brill.

b) Dr. Gil Rothschild

Gil ended his affiliation at the Center in September 2022. In 2021-22, after publishing his project on “datatification of law”¹ he was working with colleagues on **Enactment of Spatial Racism in Routine Policing**. This project shows how routine policing is conscripted into the project of maintaining and reproducing spatial racism in urban settings through an intersecting set of macro-level processes and micro-interactional practices. The analysis of ethnographic interviews conducted with over 40 police officers during 20 ride-alongs in the Western United States identifies person- and place-specific heuristic classifications that police officers rely on to manage routine encounters. Findings show that officers use membership categorization devices to sort people and places in the city into distinct categories (e.g., nice places, normal people, the projects, and people in the projects), which, in turn, prefigure different orientations to action at the start of

¹ Rothschild Elyassi, Gil. “The Datafication of Law: How Technology Encodes Carceral Power and Affects Judicial Practice in the United States.” *Law & Social Inquiry* 47, no. 1 (2022): 55-94

and throughout their encounters with the public. The findings provide an empirical basis for thinking of professional police knowledge as encoding systemic racism in routine policing, rather than being a break from it. This project was accepted for publication in *City and Community*, 2023.

c) Dr. Assaf Mond

Assaf was a post-doc at the Center until September 2022 and he is now a research fellow. In 2022 Assaf was working on a manuscript based on his PhD, tentatively titled: *The Changing Urban Space of Great-War London, 1914-1918*. In addition he was working on *Theorizing the Production of Space in Times of Crisis*:

Theorizing the Production of Space in Times of Crisis (Inbal Ofer & Assaf Mond)

"Curiously, space is a stranger to customary political reflection. Political thought and the representations which it elaborates remain 'up in the air', with only an abstract relation with the soil and even the national territory [...]."

The above citation, taken from Lefebvre's work on the State (*De l'État*), reflects the importance of spatial analysis to any discussion on the formation and consolidation of power relations within modern states. In the time in which Lefebvre wrote these words, they also reflected a difficulty to engage with space, as a meaningful analytical category, within most disciplines. This tendency was reversed in the past decade mostly through the work of scholars such as Neil Brenner, Stuart Elden and Mark Purcell, who employed Lefebvre's spatial analysis from the perspective of both geography and political theory. In the field of history, space, while often referred to, is still looked upon more as a container of social relations than as an element, which constitutes and is being constituted by them. The introduction to the special section provides a theoretical framework for historicizing the production of space. Employing the works of the above-mentioned authors, it focuses on the constitution of power relations, and the mechanisms of alienation and of resistance, through space and time.

In 2022 Assaf submitted four papers for publication, two of which to the *Journal of Urban History*, one to *Jewish Culture and History* and one to the Hebrew journal

“History”. All four were accepted for publication.

d) Dr. Hadeel Abu Husein

Hadeel began her post-doc fellowship at the Center in October 2021 and continues her fellowship for a second year in 2022-2023. In 2022, Hadeel developed her research: “Constructed Isolation of Palestinian Arab Israeli Citizens from Civil and Political Life in Israel”, focusing on land & housing rights as a case study. The broader question of the research is exclusion and inclusion, in particular, the exclusion of the Arab Palestinian population struggling within the daily aspect of their life and the embossed discrimination starting from the land question and their housing rights as starting point.

She has two articles under review. The first article is ‘Jerusalem as a Unique Case, Legal Aspects of International Law’ (submitted to South African Journal on Human Rights & International Law); the second is “Geography of Power and the Law” (submitted to Third World Approaches to International Law Review). Currently, she is working on another project dealing with expanding the power of security agencies as a challenge for democratic norms under extreme conditions such as the pandemic, hoping to complete it during the fellowship.

Hadeel’s book: '[The Struggle for Land and Legitimacy of Palestinians under Israeli Law, Architecture of Exclusion](#), Routledge was just published in May 2023, as well as her article: 'The Revolutionary Role of Constitutional Courts in The Middle East and North Africa Region, Morocco and Jordan as Contemporary Examples', in: Martin Belov (ed.) [Courts and Judicial Activism under Crisis Conditions](#): Policy Making in a Time of Illiberalism and Emergency Constitutionalism.

Hadeel continues her research on the constructed isolation of Palestinian Arab Israeli citizens from civil and political life in Israel, focusing on the use of legal methods to prevent them from achieving equality in housing rights. It sets out to interrogate the status of Palestinian Arab citizens of Israel and the residents of East Jerusalem as a community dependent on Israel’s politics and economy. In particular, focusing on housing rights and evictions as an example of systemic housing rights violations, reflective of the

embedded housing discrimination. Hence, she points to the institutional, segregated and ethnocentric land regime, preferring the one dominant group, and marginalizing the other groups. The aim is to understand this complex process and from there guarantee equal social rights for all citizens.

e). Dr. Talia Diskin

Talia began her post-doc fellowship at the Center in October 2021 and continues her fellowship for a second year in 2022-2023. In 2022 Talia continued her research on the ways legal issues were portrayed and presented to children in the Yishuv (the organized Jewish community in the Land of Israel) and the Israeli state. One issue she is exploring is the presentation of legal issues related to the Holocaust in children's texts. Another part of her research is based on analysis of periodicals for children published in the 50s by marginal political parties and their contribution to the legal education of children and youth. An additional path she's taking examines the presentation of Israel's constitutional turns in Children's weeklies.

Talia's book "The Law and the Child" (in Hebrew) was published in 2022 (and presented at an event at the Minerva Center in January 2023). During her time at the Minerva Center (2021-2022) Talia has published five papers, submitted two for publication (accepted), and is working on four others, as well as on an edited volume on the Holocaust and Education.

2022-2023 academic year post-docs

f). Dr. Guy Shalev

Hospitals as Frontlines: Palestinian Physicians and the Politics of Recognition on the Pandemic Frontlines in Israel

Guy Shalev was chosen by the Center PIs as a post-doc fellow for 2022-2023 academic year. Guy's research is concerned with medicine's ethical framework of benevolence, universality, and political neutrality and how it affects social dynamics in

the extreme political conditions of Israel/Palestine. He considers the Israeli space of medical practice as exceptional, not because it is politically neutral, but rather because its perception as such enables different modes of imagining, enforcing, resisting, and reinscribing colonial politics. Guy's book manuscript, "Medicine and the Politics of Neutrality: The Professional and Political Lives of Palestinian Physicians in Israel" (in preparation) is based on an NSF-funded 22-months of ethnographic research, including fieldwork in two hospitals and an analysis of over 100 in-depth interviews and media content. It demonstrates how Palestinian physicians navigate a delicate balance between ideals of medical neutrality and expressions of suspicion and hostility on the part of Jewish patients and colleagues.

Guy's interest in medicine's eminent ethical framework and professional capital and its role in political structures also drives his current two major projects. The first project, entitled *Doctors and the State*, addresses the moments when medical doctors and doctors' organizations respond to state-led political agendas as agents of ethical standards, torture, humanitarianism, and personhood. Funded by the Dan David Young Researcher Fellowship in Bioethics, he studies the case of the struggle against the force-feeding of hunger-striking Palestinian prisoners in Israel. He looks into various solidarity networks of physicians in the power struggle between medical professionals and the Israeli state and examined doctors' call for conscientious objection and the moral and political justifications they employed. He analyzes the acts of three networks of doctors: (1) the Israeli Medical Association, which invoked ideas of universal medical ethics and global networks of professional solidarity in resistance to force-feeding; (2) Civil society organizations, led by Physicians for Human Rights–Israel, which advocated for prisoners' political rights; and (3) Palestinian physicians with Israeli citizenship who resisted in national solidarity with their non-citizen compatriots. A rare case of physicians' participation in the highly politicized Israeli 'security discourse,' these three solidarity networks gained different degrees of legitimacy in the public sphere. Guy shows how medical ethics, the ethos of medical neutrality, and ideas of humanistic medicine played a role in forming and mobilizing professional solidarities.

The second project, entitled *Hospitals as Frontlines*, is a collaborative study based in the UK and Israel and is in preliminary stages. Together with Dr. Gry Wester from King's College London, they examine the increased visibility of minority health care workers during the COVID-19 pandemic in relation to discourses of exclusion in British and Israeli societies, and the possibilities and limitations of the medical sphere as a political arena for advocating and enacting social change. The Israel-based research was also funded by the Truman Institute.

In Israel, when the pandemic threat became imminent, leaders and commentators used militaristic jargon to address the “war on corona” and the “heroes” on the medical frontlines. But since a fifth of Israel’s healthcare workers are Palestinian citizens, Israeli heroism took on a new face. This research-in-progress includes interviews with Palestinian physicians and political activists, and media analysis. The study considers the experiences and perspectives of Palestinian physicians in moments of health crisis and in light of unprecedented visibility as Palestinians in the Jewish-Israeli public. Particularly, in the context of public campaigns that seized upon this increased visibility to challenge the marginalization of Palestinians by featuring Palestinian doctors saving Israeli lives. This visibility highlighted the limitations of the recognition of the Palestinian minority in Israel and the potential and constraints of the medical field as an arena for a politics of recognition.

In addition to these two projects, together with Dr. Nadeem Karkabi of the University of Haifa and Dr. Carolin Müller of the Hebrew University, Guy is currently in the process of applying for an EC Horizon grant as a partner in a multinational team with researchers from Spain, Hungary, the UK, Denmark, Turkey, Germany, and the Czech Republic. This project proposes a comprehensive comparative analysis of structural racism and discrimination in varied national contexts.

g). Limor Yehuda**Theorizing Transition in Intractable Conflict: From Violence and Subjugation to Parity and Cooperation in Israel/Palestine.**

Limor was chosen by the Center PIs for 2022-23 academic year. In her research she aims to add to existing understandings regarding transitional processes from conflict and domination to peaceful arrangements of power-sharing. Based on an overview of socio-legal processes in Israel/Palestine during the last two decades, she seeks to identify those processes that increase, or may increase, the likelihood of parity and cooperation in the local context and those that may decrease them.

In recent years a new paradigm for resolving the Israeli-Palestinian conflict has been consolidated in the academic literature and within civil society discourse. The new paradigm is based on power-sharing arrangements — in the form of a confederation between two independent and sovereign states or through a bi-national (consociational and/or federal) state. While power-sharing arrangements are usually viewed as a pragmatic solution for group conflicts, they also play a substantial role in remedying injustices in such places: first, as they can address group-based inequalities and political marginalization; second, as they provide an institutional framework within which ex-rival groups can participate and negotiate in a context of non-domination. Thus, power-sharing arrangements should be viewed not only as a pragmatic tool for ending violent group-based conflicts but also as an integral element of justice in political transitions.

According to the proponents of the new paradigm, power-sharing arrangements are a promising framework for addressing root causes and root injustices of the Israeli-Palestinian conflict that cannot be addressed within the traditional two-state solution. However, existing accounts consider the conditions in Israel/Palestine as unlikely to facilitate the adoption of power-sharing arrangements, either within a bi-national state or within a confederation of two-states.

Main factors for this appraisal include the extreme imbalance of power between the national groups and the cleavages of nationality, language and religion which reinforce rather than crosscut. Although the appraisal seems sound, it does not fully

account for the mixed internal/external nature of the conflict, and especially does not explore the ways in which social, economic and legal processes, among the national and international political elites, social mobilisers or grassroots, may change the background conditions and support parity and cooperation in Israel/Palestine.

3.2 Other Researchers

h). Ben Bornstein

Making the Victim of Terrorism: Contested meanings and cultural shifts in the emergences of a new social category

Ben's proposal was also chosen for support in the framework of 2022-2023 academic year, but as Ben has not yet received his PhD, he is regarded as a "researcher" at the Center. In his research Ben intends to compare the Israeli legislative processes since the 2000`s on the issue of compensating and supporting victims of terrorism with equivalent efforts in North America and Europe.

i). Danielle Zaychik

Managing the COVID-19 Epidemic Locally: A bird's eye view of the challenges faced by local governments, local responses, and the differential local needs of municipalities in Israel

Danielle is a post-doc researcher at the National Knowledge and Research Center for Emergency Readiness. Her research aims to describe the experience of local governments managing the COVID-19 epidemic, with a focus on five key areas: crisis management, public obedience, law enforcement, vaccinations, and cooperation with other agencies and organizations. The research surveys local governments in Israel about the challenges and approaches taken with regards to these topics, with the goal of identifying differences between localities and understanding how to better tailor policies and central government support to effectively serve local interests.

3.3. External Research Funded by the Center

In the framework of our 2022 Call for Proposals, 12 projects were selected for (partial) funding:

Seed money (5 projects):

a). Gbeke Adenuga: Local Governments' Peace Building Committees and Farmers-Pastoralists Conflicts in South-West Nigeria

Much has been written and said about farmers-pastoralists conflicts in Nigeria given the colossal loss of lives and property that have attended the conflicts. Many perspectives, including climate change and its management, resource control, ethnic and religious divides, governments' responses in terms of policies, roles of security agencies, activities of farmers and pastoralists, interventions by non-governmental bodies, etc. have been examined to provide viable and long-lasting solutions to the conflicts with little or no obvious success to its management. However, the light of research has not been beamed on the roles played and to be played by a vital institution of government, which is the Peace and Security Committee of every Local Government in Nigeria.

Nigeria is a federal state with three levels of government which are the Federal, State and Local Governments. While there are debates on the scope and powers of these three levels of government, there is a consensus in the literature that the Local Government is the key level of government given its proximity to the people. It is the government at the grassroots and such is expected to have more knowledge on the people residing in its locality than all other levels of government. It is also expected that the Local Government has more impact on events in its sphere of jurisdiction than the other levels of government.

A major feature of the Local Government system in Nigeria is its uniformity. All Local Governments have the same structure of authority and administration and to this end, similar committees exist in all of them. A major committee is the Peace and Security Committee which is saddled with the task of discussing security issues and recommending policy options for crisis management and peace building in the Local Government Area. The Committee is headed by the Executive Chairman and comprises of key officials in the

Local Government and representatives of major security agencies including the Army, Nigeria Police Force and Nigeria Security and Civil Defence Corps and registered vigilantes groups. Representatives of the traditional institutions also form the core of the Committee. Given the plurality of the Nigerian state, the Committee also has as part of its membership representatives of major ethnic and religious groups in the Local Government Area.

Premised on the importance of Local Governments and the scope of membership and duties of their Peace and Security Committees, there seems to be a lacuna in the literature on the management of farmers-pastoralists conflicts in Nigeria. This is because more research focus is on states and federal governments' management strategies of the conflicts than on the interventions by the government nearest to the conflict events. Thus, the main thrust of this study is to examine the roles the Local Governments, through their Peace and Security Committees, have played in managing the conflicts. Beyond this objective, research attention would also be given to the challenges and prospects of these committees in managing the conflicts.

The focus of the research would be on South West Nigeria. The scope is determined by about three related factors. First, South West Nigeria is primarily agrarian in economy as farming is a major occupation of the people living in this geo-political zone. This fact has made the geo-political zone a major theater of conflicts between farmers and pastoralists in the country. Second, as opposed to other geo-political zones with high incidences of herders-farmers crisis such as North Central, North East and North West Nigeria, there is a sharp and clear ethnic divide between pastoralists, who are mostly of the Fulani/Hausa ethnic group, and farmers who are predominantly Yoruba. This also brings in a religious dimension as assumptions see Christianity to be more predominant in Nigeria's South than in the Northern part of the country. Third, farmers-pastoralists crisis have also been the major reason for the clamour to the right of self-determination in South West Nigeria.

The study would adopt the descriptive survey method and would triangulate data between primary and secondary sources. Primary data would be sourced from interview

sessions with key members of the Peace and Security Committees in the six identified Local Governments. Four Focus Group Discussions would also be held comprising Local government administrators, farmers, pastoralists, and representatives of ethnic and religious groups in each Local Government Area. Secondary data would be sourced from books, journal articles, newspapers and magazines and online sources, especially from the ACLED database. While descriptive statistics would be employed to analyse primary data, content analysis would be the major analytical tool for secondary sources.

This study is expected to play a major role in the peace building process between farmers and pastoralists in South West Nigeria and by extension in Nigeria in general. Farmers-pastoralists conflicts in the country have become one of the most significant crisis in terms of loss of lives and property in the international community.

b). Jaroslaw Kantorowicz: The micro-foundations of emergency constitutions

This research proposal builds on a cross-country comparative work on emergency constitutions by Christian Bjørnskov and Stefan Voigt who in a series of studies treat the emergency constitutions as both explanandum and explanans. Besides tracing key trends in the evolution of emergency constitutions, Bjørnskov and Voigt's research also provides crucial lessons as to how emergency constitutions, captured through an index of emergency powers, are related to declaring a state of emergency and under what conditions emergency powers are used. The ambition of the present proposal is to complement this important line of research by introducing a new level of analysis in examining emergency constitutions, namely an individual level. The overarching research questions, constituting the two pillars of this project, are as follows:

(1) What are citizens' preferences over the design of emergency constitutions?

What is an ideal (optimal) design of the emergency constitution from the point of view of the public?

(2) To what extent is the public support for declaring a state of emergency affected by the features of emergency constitutions and other contextual factors of declaring a state of emergency?

By turning the optics and focusing on public preferences towards emergency constitutions, this project investigates the so-called micro-foundations of emergency constitutions. The focus on citizens should be no controversial assuming that citizens are an ultimate source of legitimacy of state power. As such, this project also reflects the recent developments in the field of constitutional political economy, which increasingly shifts its empirical attention to study citizens' preferences and perceptions.

The goal of the first pillar of this research is to establish an ideal (optimal) design of emergency constitution from the point of view of the public, to measure the importance attached to various aspects/dimensions of such design and to examine trade-offs among the dimensions of emergency constitution. The aim of the second pillar is to study the conditions which make the public more or less supportive of state of emergency declarations.

c. Anastasia Litina and Eftichios Sartzetakis: Stable Climatic Conditions as a Resource Curse in the Era of Climate Change

The aim of the proposed research project is to examine, both theoretically and empirically, whether, as impacts of climate change intensify, a phenomenon similar to natural resource curse is unfolding in countries that have historically had favourable climatic conditions. In particular, we propose to test the hypothesis that countries which have experienced favourable climatic conditions in the past suffer more severe damages from climate change associated extreme weather events, relative to countries exposed to rapid weather changes in the past. The explanation that we will test is that the former countries were less keen in preparing to address adverse climatic conditions and as a result developed inferior institutions and more importantly infrastructure, relative to the latter countries. Since extreme weather events attributed to climate change, such as heatwaves, droughts and hurricanes, are becoming continuously more frequent and severe¹ and they affect all countries in unpredictable patterns, countries that are less prepared suffer higher damages both economically and in terms of human losses.

The term resource curse, in its current use, describes the paradox where some

countries that are rich in non-renewable natural resources such as oil and minerals, manifest worst economic outcomes compared to countries that have fewer resources. The literature offers many explanations, the most prominent of which are the lower quality of institutions and the specialization in the resource sector, suppressing economic activity in other sectors, becoming vulnerable to declines in commodity prices and ultimately damaging economic growth.

This study aims to test whether a similar paradox exists when we consider as “resource rich” a country experiencing good climatic conditions, perceived as stable climate throughout history. Our effort will be founded on the abundant resources of data on past climatic conditions and annual, as well as quarterly data about mean temperature all over the globe. Based on these data we will first define what we will term as climate-rich countries, in reference to the resource-rich countries. Then, we will test whether these climate-rich countries, experience higher degree of destruction from the extreme weather events related to climate change over the last few decades. Finally, we will test whether higher damages can be attributed to the fact that the climate-rich countries have not developed in the past the necessary institutions and infrastructure to respond to extreme weather events.

It should be clarified that we do not argue that climate change consequences are more severe for the resource-rich countries. On the contrary, these random and scattered impacts of climate change are an important element of our identification strategy, precisely as they can hit any country in an unpredictable manner. What we will attempt to establish is that the climate-rich countries suffer higher damages relative to non-climate-rich countries facing similar extreme weather events, because they have not been historically prepared for these shocks. In doing so we will control for additional confounders that can also explain why some countries are more severely hit by disasters, such as e.g., their degree of development or the type of shock. Netting out the effect of potential confounders will allow use to shed light on our hypothesized mechanism.

d). Orli Oren-Kolbinger: The Role of Tax Courts During Economic Crises

Economic crises are a given and inevitable part of the economy. The world is currently living through such a crisis due to the Covid-19 global pandemic. As part of their efforts to stabilize the economy during crises, governments implement fiscal policy through the tax and transfer systems. Given the inherent substitutability between the degree of accuracy of the more traditional fiscal stabilizers and their complexity, i.e., the cost of their design and application, their implementation is not flawless.

Tax courts can also serve as fiscal stabilizers during economic crises because judicial decisions in tax disputes carry fiscal implications. However, this stabilization potential has not received much attention in the literature. The proposed research project will focus on the following question: do tax courts consider the non-legal objective of economic stabilization as they decide in tax disputes during economic crises? To answer this question, I will analyze, using quantitative empirical methods, judicial decisions made by U.S. Tax Court judges and Israeli District Court judges leading to and following the 2008 Great Recession and the leading to and during the various phases of the ongoing Covid-19 crisis.

e). Angelina Stanojoska, Ice Ilijevski and Kire Babanoski: Exploring Individual Drivers of Violent Extremism in North Macedonia through Life-course Trajectories

Criminological analysis of violent extremism includes several criminological theories, such as the subcultural theory (Pisiou, 2015), the rational choice theory (Perry & Hasisi, 2015), the control and learning theory (LaFree et al., 2018), and the situational action theory (Bouhana & Wilkstrom, 2010). After the Paris attacks in 2015, there has been increased interest among criminologists to “understand life experiences and biographies” of individuals who have been engaged in violent extremism (Walklate & Mythen, 2016: 343). The most acceptable theory for such type of research is the life-course perspective.

Developmental and life-course theories focus on the development of antisocial behavior through an individual’s life and various types of factors that change stability and changes in behavior (Brown, 2013). The development of criminal (antisocial, deviant)

behavior is explained through the idea of trajectory, which is defined “as a set of developmental sequences that describe the unfolding of a behavior over time” (Brown, 2013: 423). Another important part is the risk factors, which are related to the onset, escalation, variety or generalization, and the desistance from any type of deviant/criminal behavior. Causes of antisocial behavior can vary across different phases of the individual’s life-course trajectory.

Sampson and Laub (1993) explain the importance of bonds (family, school, work, higher education) in the prevention of criminal and deviant activities. Every time some of these social bonds are weakened, the possibilities for engaging in criminal activities are higher. Closely to McAdam’s (1986) individuals in adolescence and emerging adulthood are freed from informal social control and are available for influence by peers or other types of role models (McGloin, 2009). The weakening of social controls (Roy, 2017) and affiliation with specific social networks (Nesser et al., 2016) increases the likelihood of young people’s engagement in violent (Islamic) extremism.

Building upon the components of this theory, the research will focus on exploring and understanding the violent extremism in the Republic of North Macedonia through the extremists’ life experiences.

The Republic of North Macedonia has a specific geo-strategic and geo-political central location on the Balkan Peninsula. Through its territory, especially, through the valley of the Vardar River, passes the so-called "Balkan Route" - a route used by arms, drugs, and human smugglers (Dimovski et al., 2013). Refugees/migrants also used this route to the great extent in the recent refugee crisis. During the crisis, it is believed that many radicalized people who are supporters of or who have previously participated in terrorist activities have passed through this route. The President of the country, as well as the Minister of Interior in 2016, emphasized that the terrorist attacks across Europe, which shook the whole world, brought with them fear and danger to every citizen living in Europe. Many foreign fighters from the battlefields in Syria and Iraq are fleeing across Europe as refugees and migrants. In that vein, some individuals or entire groups of extremists have passed through countries along the Western Balkans route, in addition

to refugees and economic migrants. The involvement of several foreign fighters in the terrorist attacks in Brussels, Paris, London, and Istanbul between 2015 and 2017 only confirmed the risk and danger to the states from these individuals. The Republic of North Macedonia is no exception because as a central point in the Balkans it is a key link in the route of movement of migrants. So far, it was not a target for terrorist acts, but a ground for the spread of radicalization, recruitment of extremists, and logistic support for sending them on the battlefields. The confirmation for this came from the National Committee for Combating Violent Extremism and Counter-Terrorism, the Ministry of Interior, and the Directorate of Security and Counterintelligence in 2018, which have estimated that at least 156 citizens of the Republic of North Macedonia traveled to join terrorist groups in Syria and Iraq. Of that number, 35 were killed, approximately 38 remained on the battlefields, and 83 returned back to North Macedonia. Research on religious radicalism in North Macedonia and the Western Balkans, conducted by Columbia University in New York, has shown that North Macedonia's capital Skopje is between the five cities where most of the volunteers who went to fight for ISIS and Al Qaeda come from.

Having in mind this, North Macedonia, due to plenty of socio-economic (neighborhood, turbulent past, mixed ethnic and religious composition of the population, political polarization, economic situation, etc.) in a combination with the individual factors (belonging, isolation, bullying, loneliness, disconnection, grief, self-esteem, need for attention etc), there is a fertile ground for radicalization and spread of extremist ideology. In several raids in the last period (August 2015, July, and August 2016), national security forces have uncovered cells in which young people, mainly from the capital, have been radicalized and prevented from traveling to foreign battlefields and fighting for terrorist ideology, as well as extremists preparing to carry out specific terrorist acts in the country. By 2018, 25 persons have been convicted for attempt or participation in a foreign army, police, paramilitary, or parapolice formations, and sentenced to prison. The Terrorism and Foreign Fighters Database, developed by the Balkan Investigative Reporting Network (<https://terorizam.detektor.ba>), shows that 18 persons from North Macedonia were convicted of going to fight in the conflicts in Syria, from 2010 until the

end of 2020.

So far, in North Macedonia, cannot be found scientific research or study that explores the biographies of the extremists enough deeper to understand their minds and what pushed them into radicalization. Some civil society organizations, within the framework of externally funded projects, have conducted general research on various aspects of violent extremism and radicalization that lead to terrorism, and, recently, the focus has been put more on foreign terrorist fighters' returnees. But, while examining the factors that influence these phenomena, they only scratch on the surface, without investigating deeper and taking into account the biographies and life experiences of individuals who were engaged in violent extremism and radicalized.

Therefore, the proposed research should contribute to the identification and explanation of the life-course trajectories of incarcerated individuals who've been violent extremists and radicalized, and to more successful identification of latent "new" targets who could be radicalized. It will utilize a set of life-course criminological tools (Carlsson et al. 2019) to explore individual-level experiences, motives, and drivers for engagement in violent extremism in late adolescence and emerging adulthood. The research explores intricate intersections of biography, social context, and life-course contingent dynamics of both group- and self-narratives as a useful approach to understand why, how, and when people come to engage in such behaviours. The engagement in a violent extremist group in the study will be checked through a series of three steps: (1) a weakening of immediate, informal social controls, (2) an interaction with individuals in proximity to the group, and (3) a phase of meaning-making in relation to the group and one's identity, resulting in an individual willing and capable of engaging in the group's activities, including the use of violence. Also, it could help to exploratory identify potential push factors that exist in the country and pull factors that emerge during radicalization and in the extremist countries. Research should also explore broader perspectives on sources of vulnerability, covering them both from an individual and community perspective. This type of research will contribute to understanding the violent extremism and radicalization process and possibly will open future discussions about opportunities, challenges, and dynamics of

measures and activities, related to the prevention and suppression of violent extremism and radicalization in North Macedonia.

The main goal of this research will be to draw the life-course trajectories of individuals who have been engaged in violent extremism and have been radicalized. In that way, the reasons and triggers for which they accepted to radicalize and decided to join extremist groups will be better understood in the Macedonian context and possibly contribute to understanding this phenomenon in a broader context, such as the Western Balkans area (Albania, Bosna and Herzegovina, Kosovo, Montenegro, Serbia).

At the same time, identifying the life-course trajectories could also help in detecting and mapping push factors in North Macedonia related to violent extremism, radicalization, and terrorism. Such exploration could serve as a solid ground for updating the national strategy on preventing violent extremism by proposing relevant measures and activities to target the young people and prevent them from leaving the country and traveling to foreign battlefields.

Finally, the research will present findings and conclusions with recommendations to help the state authorities in the process of identifying potential areas and models of radicalization, and also, potential vulnerable groups, thus creating approaches for early warning and prevention, as well as de-radicalization.

On-going research (5 projects):

f). Seun Bamidele: Insurgency Peace: The Continuing Dialogue on Civilian Joint Task Force and Counter-Insurgency Operations in Borno State, North-Eastern Region of Nigeria

The research focuses on the security challenges posed by Boko Haram insurgency in northeastern Nigeria vis-à-vis the glaring underperformance of the military in dealing with the insurgency. The military's various operational and organisational challenges, especially regarding intelligence and hardware, in the face of escalating insurgency has led to the growth of a civilian movement, the Civilian Joint Task Force (CJTF), popularly

known as 'Durza Ka'. Government's recognition of CJTF has evoked public debate in the terrorised community and the nation, raising fundamental questions on the wisdom of engaging untrained civilians in counter-insurgency warfare. One of the concerns is that civilian involvement could jeopardise the role of the military. Another strand of the debate recognises the role of local community-led security efforts in managing the peculiar security challenges of the immediate environment. Many believe that local security groups are better equipped to identify the enemy, know the terrain better and have better intelligence-gathering capabilities than the military. Scholars' attention has been predominantly directed at political, military and other law enforcement-related approaches. However, the decision by the military to incorporate CJTF in counter-insurgency operations has opened new thinking on security issues that supports community self-defense and civilian-military synergies. The aim of this research is to investigate the role of an unconventional, community-based security component in military counter-insurgency operations, and to assess how the civilian component has fared in Borno State. The study will investigate the group's potential as a useful counter-insurgency measure, using David Galula's counter-insurgency theory to analyse the group's actions and to contest the dualistic understanding of conventional vs unconventional local peacebuilding approaches. The research adopts a qualitative, ethnographic methodology, locating the research in the context of global development and security discourse. The study aims to establish the value of the CJTF counter-insurgency group, to position unconventional local counter-insurgency movements as a viable complement to conventional methods, and to proffer clues on how security initiatives may more successfully combat Islamic insurgency in Nigeria.

g). Nergis Canefe: The post-Arab Spring Fate of un-Orthodox Religious Minorities in Middle Eastern States: The Slow-growing Epidemic of Statelessness

This project will provide a critical analysis of the patterns of displacement affecting unorthodox religious minorities in the Middle East with a particular focus on the post-Arab Spring era. Minority communities in the Middle East have been the most susceptible

groups to successive waves of turbulence engulfing the region since the Second World War. Many of the minority communities suffered displacement that resulted from mass political violence and socioeconomic loss, to the point that some virtually vanished from the region. This is although historically, the Middle East has been home to a multiplicity of religious communities and followers of different faiths. Despite the long-term presence of religious minorities in Muslim-majority countries, beginning about some time in the nineteenth and early twentieth centuries, non-Muslim and unorthodox religious communities were treated as threatening minorities and experienced various forms of formal and informal exclusion due to their beliefs and communal identities.

The revolutionary upheavals since 2011 have prompted further chaos and fear for the minority communities and reinforced the resurgence of Islamic fundamentalism throughout the region. Based on the use of historical sources as well as first-hand interviews with select leaders of the diaspora communities who escaped from the Middle East, this project will examine the question of ethnic, sectarian and religious minorities' problematized relationship with the majority in the Middle East. Looking at the gradual exodus of the Copts in Egypt, the Druze and Middle Eastern Christians in Syria and Iraq, the Zaydis in Yemen and the Suryanis and Alevis in Turkey, it is apt to posit that the post-2011 Middle East has witnessed an increasing politicization of religious authority across the Middle East and in particular negatively affecting unorthodox faith communities, chronically leading to creation of conditions of de facto statelessness. Unfolding political and social developments, along with steadily shifting stance of the state vis-à-vis these religious communities have propelled these communities to seek refuge first within and then across national borders in both Sunni and Shi'a majority societies.

Across the Middle East, the ramifications of the 2011 Arab uprisings continue to unfold along multiple international and domestic dimensions. Except in Tunisia, across the Middle East, what optimistically started as the Arab Spring has ushered in either civil wars—in Libya, Syria, and Yemen—or, after some turmoil, a reassertion of authoritarian rule as it happened in Egypt and Bahrain. Iraq, which had been the scene to a bloody civil war after the 2003 invasion and occupation by the United States and allies, was also

thrown into further chaos as the ripple effects of the 2011 uprisings reached into its borders. Amidst the ensuing turmoil across the region, unorthodox and minority religious communities were profoundly affected. A number of the smaller communities, the most notable of which includes the Yezidis in northern Iraq, bore the brunt of the brutalities of war. Particularly in times of instability and crisis for the community, or even during less chaotic periods, the liaisons with the state in general and with the society at large often became disrupted, affecting these communities' access to economic and political resources as well as their physical safety and security. This project will set the context for the articulation of a framework for the study of the future fate of unorthodox religious communities in the region, with particular emphasis on the epidemic-like nature of statelessness marking their experiences.

h). Tyler Wentzell: The legal and operational history of Canada's use of emergency measures and the military in domestic operations

Tyler Wentzell is an SJD student at the University of Toronto Faculty of Law, a serving military officer, a licensed barrister and solicitor, and a historian. His dissertation examines the legal and operational history of Canada's use of emergency measures and the military in domestic operations: from “strike-breaking” and sectarian riot confrontation to its use by the federal government to re-assert control in times of insurrection or to establish control on the state's periphery.

This research is concerned with how the Canadian state pivoted to confront developing threats, such as the perceived threat of Soviet-sponsored communism in the 1930s and 1940s, the post-Second World War emergence of a military role in natural disaster response (an understudied evolution that has become more pressing in the face of COVID-19 and climate-change related natural disasters), and the evolving confrontations between the state and First Nations sovereignty advocates. Although this research focuses on Canada, it will be valuable to an international audience as it takes a comparative (particularly examining how and why the “Canadian approach” has diverged from parent state Great Britain) and in using Jutta Brunnée and Stephen J. Toope's

interactional accounting of how international law has impacted Canada's rule of law project.

i). José Ignacio Hernández: Restoring the Rule of Law in Fragile States and Conflict-affected Situation: The Venezuelan Case

This ongoing research is aimed to analyze the rule of law in Venezuela, a fragile state with weak institutions that have been coopted by informal and criminal organizations. Specifically, the support is requested to compile current data describing Venezuela's collapse. The research is framed on the role of Constitutional Law in fragile states and conflict-affected situations.

Since the end of the Cold War, the political science has analyzed the failed state concept. Later on, Rotberg's studies demonstrated that the concept does not reflect only extreme cases of collapsed states but a gradation of failures that could be present in different situations and contexts. Consequently, more than a binomial between strong and failed states, the interest is to understand the causes that could lead to failures in the state capacity under the broader concept of *fragile states*.

Legal studies do not always consider the fragility of the state. On the contrary, the legal approach tends to presuppose the state capacity. The outcome is a formalistic approach -has happened in Latin America- that does not capture that the state capacity is a core element in understanding how the rule of law is enforced.

To analyze the impact of the state capacity over legal institutions, scholars from the political sciences have developed the concept of "institutional fragility". This fragility results in "areas of limited statehood" in which informal governance mechanisms could arise to fulfill the tasks that the fragile state cannot enforce. As a result, the Constitutional Law became a failed one because the formal institutions could not be implemented.

Precisely, Latin America has been considered a state of big but weak countries. The fragility of the Latin American countries could be explained as an outcome of its historical origins, resulting in "paper leviathans.

Venezuela is a unique case within the region because its capacity has dramatically

collapsed. Between 1999 and 2013, the authoritarian-populist leader of Venezuela, President Hugo Chávez, conducted a slow-motion process to dismantle the rule of law, destroying the market mechanisms and the oil production -the primary source of export currencies the country. After Chávez's death, the then Vice President Nicolás Maduro was elected in a rigged ballot. Maduro continued the predatory policies, notably after the opposition won the 2015 parliamentary election. Maduro conducted systematic human rights violations to preserve power, aggravating the economic and social crisis that degenerated in 2017 into a complex humanitarian emergency.

One of the symptoms of that crisis is the gross domestic product collapse, estimated at 80% -comparable only with countries that faced war. As for 2017, it was also clear that the predatory policies, together with the systematic human rights violations, have hindered the capacity of the Venezuelan state.

According to the Fragile State Index, the state capacity of Venezuela has been dramatically collapsing since 2013. Also, Venezuela has been included in the States of Fragility prepared by the OECD. In that sense, there are three relevant consequences of that collapse: (i) the massive crisis of refugees and migrants, (ii) the breakdown of the monopoly of the force with irregular military groups and organized crime, and (iii) the transnational corruption.

The Venezuela case helps to understand that a fragile state is not a state without capacity but a state with limited capacity that can only be used selectively. In that sense, the collapse of the Venezuelan state has facilitated the emergence of criminal ruling elites organized by Maduro. Those elites are taking advantage of the areas of limited statehood to favor informal economic activities that encourage criminal behaviors, like money laundering. Also, those elites have advanced in systematic human rights violations and other tools of informational autocracy. In addition, the fragility of the state has favored alliances with criminal and terrorist organizations.

How can the rule of law be restored in Venezuela? The traditional formal approach of reinstating the rule of law through a new constitutional and legal framework is insufficient. The binding constraint in Venezuela is not the flawed legal framework but

the fragility of the state. Reinstating the rule of law, thus, will require rebuilding the state capacity.

Venezuela is the poster child of the complex problems related to the rule of law under extreme conditions, including elements of national security, as well as man-made disasters that have triggered a humanitarian migration crisis and an ongoing complex humanitarian emergency. Also, the Venezuela collapse is an example of how fragile states create transnational security threats from the global kleptocracy in connection with criminal organizations.

Since 2017 I've been researching the Venezuela collapse from the perspective of the rule of law. That ongoing research will benefit from the support of the Minerva Center, mainly to compile the current data that illustrate the degree of collapse in Venezuela, considering its translational effects. With the theoretical framework that I've developed regarding the Venezuelan failed Constitutional Law, that data will help to have a precise diagnostic of the Venezuelan crisis from the rule of law perspective.

Database

k). Haim Abraham, Gilat Bachar and Mark Lattimer: IDF Inflicted Harms and Civilian Compensation Claims Before Civilian Courts – Interactive Database

This project mobilizes academic knowledge to influence and shape states' policies regarding civilian compensation during armed conflicts by creating a testimonial of civilian injuries in the West Bank and the Gaza Strip. In doing so, this project will establish a first-of-its-kind testimonial source in Hebrew, Arabic, and English, as well as a dataset for future comparative analyses of civilians' right to compensation for losses sustained in warfare.

Databases that document violations of the law of war and the losses suffered by civilians during combat are highly important to the facilitation of reparations and reconciliation. Telling individual stories gives voice to vulnerable populations, and aggregating these stories in a single resource allows the scope and character of the loss

that armed conflict inflicts on a community to become apparent. Having a clear account of the wrongs committed during war is key to holding those responsible accountable, and accountability and reparations are cardinal to reconciliation between those who suffered the wrongful loss and those who inflicted it.

Moreover, a recent ruling by the International Court of Justice (ICJ) in the case of *Armed Activities on the Territory of the Congo (Democratic Republic of the Congo v. Uganda)*, the ICJ established a new and significant principal on how compensation for losses that are inflicted during warfare and belligerent occupation can and should be established and valued. The Court relied heavily on information from credible and independent sources to establish that international law was violated, and that losses were inflicted in the process, on civilians and the environment. These sources included, *inter alia*, data that was collected and reported by UN bodies and NGOs. The ICJ further commented on the particular difficulty in gathering reliable data on the character and scope of losses inflicted during warfare, especially if the conflict has taken place over a prolonged period of time, or that many years have passed since its inflicted. This case is but a recent example that demonstrates that in order to support reparation efforts aimed at securing the rights of civilians in conflict zones we must pay particular attention to the availability of reliable documentation of infringements of civilians' rights. When such information exists, there is greater ability to invoke legal principals that can see rights-violators held accountable, both through legal proceedings and by exerting political pressure on wrongdoers.

In the context of reparation for losses civilians sustain during armed conflict, Israel offers a unique perspective. The number of cases in which Israeli courts examine the question of state liability in tort law for losses it has inflicted during combat exceeds the combined cases of Australia, Canada, United Kingdom, and the United States. The Israeli cases offer a unique insight into legal institutional approaches to urban warfare and counter-terrorism, as well as to attitudes towards prolonged conflict over time. Yet, as Israeli cases are in Hebrew and mostly not translated, the ability of NGOs, practitioners, and public officials to access this resource is limited. Furthermore, existing NGO databases

that document infringement of civilians' rights by the IDF either focus on narrow and distinct topics (such as Adallah's land expropriation database), or are too broad to serve as a helpful guide on civilians' compensation claims (such as B'Tselem's apartheid map).

Our project will remedy this deficit by creating an interactive dataset on violations of civilians' rights during combatant activities. The dataset will be made available in English, Arabic, and Hebrew through an interactive online map, documenting over 400 Israeli court cases in which civilians (of different nationalities) were injured by Israeli security forces in the Gaza Strip and the West Bank have sought compensation under tort law. As such, the information provided by the dataset will not only be comprehensive, extending beyond the current reach of the datasets provided by Israeli NGOs which focus on Palestinian civilians, but it will also be highly reliable and probative for academics, practitioners, and activists.

The project builds on the academic investigators' previous empirical and legal research on the protection of civilians' rights during armed conflict and combines it with Ceasefire's policy-oriented and public engagement expertise in monitoring of violations of international humanitarian law or human rights. Dr Haim Abraham (UCL) and Prof Gilat Bachar (Villanova) will lead a research team to classify existing data on civilian tort claims against Israeli security forces, enhance this resource with new data from cases not covered by previous research, and translate the data from Hebrew to English and Arabic. The research team will collaborate with Ceasfire's web-development team to create an interactive map in a dedicated website that will provide the basis for engaging policy stakeholders and members of the public on these key issues of accountability and redress for violations of civilian rights during armed conflict. Ceasefire's experience and expertise can ensure maximization of the data's impact.

4. Conferences, Workshops and other Events

2022 Conferences and workshops

January 17-19, 2022 (part 1): [Hate Speech – International Workshops: Haifa and Berlin](#)

May 18, 2022: Annual Conference of the Israel Political Science Association: Government Crises; [Session on Crises, Emergencies and Government](#) (in Hebrew)

September 20, 2022: [The War in Ukraine: The Rule of Law under Extreme Conditions](#)

October 18-19, 2022 (part 2): [Hate Speech – International Workshops: Haifa and Berlin](#)

November 15, 16, 21 and 23, 2022: The 5th Young Researchers Workshop on Terrorism and Belligerency: [“The Warfare of Tomorrow”](#)

December 13, 2022: [Gaza as Paradigm: Transnational Governance, International Law, and Rightlessness](#)

December 19, 2022: [Information and Analysis Session on the Initiatives of the Forthcoming Government in Israel, Related to Israel’s Constitutional Order, the Rule of Law, and Israel Public Legal Institutions](#)

2022 Bi-weekly seminar (SeMinerva)

January 12, 2022: Rawia Aburabia: [Trapped Across Borders: Palestinian Women from the West Bank and Gaza in Polygamous Marriage in Israel](#)

March 9, 2022: David Manheim: [Avoiding the Next \(Intentional\) Pandemic: Israel and the Biological Weapons Convention](#)

March 23, 2022: Assaf Mond: [What to Expect When You’re Expecting Civil Rights: Thoughts on Urban History, Production of Space, and Law](#)

April 6, 2022: Gil Rothschild Elyassi: [“Other than the projects, you stay professional”:](#) [Between institutional racism and routine policing](#)

May 25, 2022: Talia Diskin: [A Law of Our Own: Legal Consciousness and Moral Conscience in Children’s Weeklies During Israel’s First Decade](#)

June 1st, 2022: Yagil Levi and Ofra Ben Ishai: Armed with Legitimacy (in Hebrew)
[חמושים בלגיטימציה: הצדקות לאלימות הצבאית בחברה בישראל](#)

June 15, 2022: Eli Salzberger and Robert Neufeld: [Emergency Management in Israel](#) (in Hebrew)

November 2, 2022: Angelina Stanojoska, Ice Ilijevski, and Kire Babanoski: [Exploring Individual](#)

[Drivers of Violent Extremism in North Macedonia through Life-Course Trajectories](#)

November 9, 2022: Uri Yanay: [Maintaining Public Resilience in the Wake of Wars and Terrorist Attacks: Caring for Victims, their Families and Survivors](#) (in Hebrew)

November 23, 2022: Hendrik Bruins: [Thinking the Unthinkable: A New Era – Implications for Emergency Preparedness Planning](#) (With Emergency Center, in zoom, in Hebrew)

October 26, 2022: Marco Longobardo: [The Extraterritorial Duty to Prevent Genocide at the Time of the Aggression against Ukraine: Open Questions 15 Years after the Bosnia v Serbia Case](#)

November 2, 2022: Angelina Stanojoska, Ice Ilijevski, and Kire Babanoski: [Exploring Individual Drivers of Violent Extremism in North Macedonia through Life-Course Trajectories](#)

November 30, 2022: Emanuel Gross: [What is Manifestly Illegal Order – Giva'ti A trial](#) (in Hebrew)

December 7, 2022: Talia Levanon, Israel Trauma Coalition: [Resilience Centers](#) (With Emergency Center, in zoom, in Hebrew)

December 14, 2022: Tehila Kalagi: [Minority populations and health policies during the Corona crisis: research and insights into the future](#) (With Emergency Center, in zoom, in Hebrew)

December 21, 2022: Klaas Eller: [Infrastructural Perspectives on Global Commerce under Covid-19: Towards a Resilient Governance of Supply Chains](#)

December 28, 2022: [Shaul Chorev: Israel's Maritime Domain Blindness](#) (With Emergency Center, in zoom, in Hebrew)

5. Social Media: Website, Facebook, Twitter, YouTube and Podcast

The renovated Center's website: <https://minervaxtremelaw.haifa.ac.il> is updated with all Center activities, people and research. We transferred all the materials from the old website to the new one, which includes now all the Center data from 2014 to this day: [People](#), [Events](#), [Research](#), [Young Researchers Workshops](#) and more.

The [Facebook](#) and [Twitter](#) pages remains the same - with relevant items posted, such as upcoming events at the Center, other academic events and media coverage of extreme conditions from which legal issues arise. Most Facebook and Twitter items also appear on the website, including [current media reports related to law and extreme conditions](#).

Most of the lectures at the Center are streamlined or recorded, edited and uploaded to [the Center's YouTube channel](#). The website is maintained by Dr. Michal Ben-Gal, with some technical help; Facebook and Twitter are maintained by Ido Rosenzweig and Michal. All recordings and editing are done by Ido and Michal.

The YouTube channel has 204 subscribers. In 2022 we had around 4,000 views in the channel viewing around 300 hours of broadcast.

Our podcast: [What are YOU going to do with THAT?](#), produced by Ido Rosenzweig, Danni Reches, has 60 episodes, some of which were interviews with senior scholars, advising younger scholars.

6. Publications and Submissions

I. Publications – 2022

Abu Husein, Hadeel. "The revolutionary role of constitutional courts in Morocco and Jordan as a contemporary example from the MENA region, Judicial activism and emergency constitutionalism" in: Martin Belov (ed.) *Courts and Judicial Activism under Crisis Conditions: Policy Making in a Time of Illiberalism and Emergency Constitutionalism*. Routledge (2022)

Aviv Yeini, Shelly. "The Persistent Objector Doctrine: Identifying Contradictions", 22 *Chicago Journal of International Law* (2022)

Aviv Yeini, Shelly. "Iron Dome and the Interception of Jus ad Bellum Proportionality", 13 *Harvard National Security Journal* (2022)

Azarova, Valentina, Brown Danson, Amanda, and **Mann, Itamar**. "The Enforced Disappearance of Migrants Fortress (North) America". *Boston University International Law* 40 (1) (spring 2022) P. 133

Bjørnskov, Christian, Stefan Voigt, and Mahdi Khesali. "Unconstitutional states of emergency." *The Journal of Legal Studies* 51, no. 2 (2022): 455-481

Burzlaff, Jan, Roth, John K., Weinke, Annette, **Mann, Itamar** and Dirk Moses A. "Security, genocide, and the holocaust: a forum." *Holocaust Studies* (2022): 1-24.

Diskin, Talia. *The Law and the Child: Legal and Social Discourse in Children's Journalism in Israel's First Decade* [Hebrew], The Ben Gurion Institute and Berg Institute (2022) [A book, Hebrew].

דיסקין, טליה. לשון החוק ושפת הילדים, משפט וחברה בעיתונות הילדים בעשור הראשון למדינת ישראל. מכון בן גוריון והמכון למשפט והיסטוריה (2022)

Diskin, Talia, Intuitive law for the children: a legal historical perspective on educator Janusz Korczak's thought and practice, *Paedagogica Historica*, (2022)

DOI:[10.1080/00309230.2022.2122849](https://doi.org/10.1080/00309230.2022.2122849)

Diskin, Talia. "“Women wisdom” after Shoshana Persitz: Educator and Legislator” [*Dapim*, 77, May 2022, Hebrew].

דיסקין, טליה. חוכמת נשים על פי שושנה פרסיץ, אשת חינוך בעלת חזון ומחוקקת פורצת דרך. דפים, חוברת 77 (מאי 2022)

Rothschild Elyassi, Gil. “The Datafication of Law: How Technology Encodes Carceral Power and Affects Judicial Practice in the United States.” *Law & Social Inquiry* 47, no. 1 (2022): 55-94.

Feitelson, Eran, Plaut, Pnina, Salzberger, Eli, Shmueli, Deborah, Altshuler, Alex, Amir, Smadar and Ben Gal, Michal. "Learning from Others' Disasters? A Comparative Study of SARS/MERS and COVID-19 Responses in Five Polities", *International Journal of Disaster Risk Reduction*, Vol. 74, 102913, (2022) <https://doi.org/10.1016/j.ijdrr.2022.102913>

Feitelson, Eran, Plaut, Pnina, Salzberger, Eli, Shmueli, Deborah, Altshuler, Alex, Ben Gal, Michal, Israel, Fabian, Rein-Sapir, Yonat and Zaychek, Danielle. "The Effects of COVID-19 on Wellbeing: evidence from Israel", *Sustainability*, Special Issue "Economic and Social Consequences of the COVID-19 Pandemic", Vol. 14, 3750. (2022) <https://doi.org/10.3390/su14073750>

Jeßberger, Florian and Geneuss, Julia (eds.), “The Russian Aggression and the War in Ukraine”, Symposium in the *Journal of International Criminal Justice*, Oxford University Press, Oxford 2022, Issue 20/4.

Jeßberger, Florian, Steinl, Leonie and Mehta, Kalika (eds.), *International Criminal Justice – A Counter-Hegemonic Project?* T.M.C. Asser Press/Springer, 2022.

Jeßberger, Florian, Vormbaum, Moritz and Burghardt, Boris (eds.) *Strafrecht und Systemunrecht*, Festschrift für Gerhard Werle zum 70. Geburtstag, Mohr Siebeck, 2022. [Criminal Law and State Crime, Festschrift for Gerhard Werle on the Occasion of his 70th Birthday]

Jeßberger, Florian, and Leonie Steinl. "Strategic litigation in international criminal justice: Facilitating a view from within." *Journal of International Criminal Justice* 20, no. 2 (2022): 379-401

Jeßberger, Florian. “Die Krisen des Völkerstrafrechts”, in: F. Jeßberger, M. Vormbaum, B.

Burghardt (eds), *Strafrecht und Systemunrecht*, Festschrift für Gerhard Werle zum 70. Geburtstag, Mohr Siebeck, (2022), 145. [The Crises of International Criminal Law]

Kuhli, Milan, **Jeßberger, Florian** and Baur, Alexander (eds.), *Korruption – Demokratie – Strafrecht, Ein Rechtsvergleich zwischen Brasilien und Deutschland*, Mohr Siebeck, 2022. [Corruption and Democracy in Brasil and Germany]

Mann, Itamar, (with Lihi Yona), "The Executors: Mizrahis and Sovereign Violence in Israel", *Mishpat Umimshal* (2022) (Hebrew)

יונה, ליהי ומן, איתמר. "המוציאים לפועל-מזרחים ואלימות ריבונית בישראל" משפט וממשל כ"ג-תשפ"ב-59-110

Mann, Itamar, and Mourão Permoser, Julia. "Floating sanctuaries: The ethics of search and rescue at sea." *Migration Studies* 10, no. 3 (2022): 442-463.

Mond, Assaf, "Alexandra Palace: A Concentration Camp in the Heart of London". In Rotem Kowner and Iris Rachamimov (eds.) *Out of Line, Out of Place: A Global and Local History of World War I Internments*, Cornell University Press, 2022. pp. 92-117.

Pacholska, Magda). Military Artificial Intelligence and the Principle of Distinction: A State Responsibility Perspective. *Israel Law Review*, 1-21. (2022)

doi:10.1017/S0021223722000188

<https://www.cambridge.org/core/journals/israel-law-review/article/military-artificial-intelligence-and-the-principle-of-distinction-a-state-responsibility-perspective/972D0662B1207C14656D5128B7B139FA>

Rosenberg Rubins, Rottem. Crimmigration and the 'Paradox of Exclusion', *Oxford Journal of Legal Studies*, 42, no. 1 (2022): 266-297. <https://doi.org/10.1093/ojls/ggab025>

Salzberger, Eli. Israel's Emergency Doctrine, Institutions and Legal Framework, or lack of. in German in: Adam, K-M und Kropf, G. J. (Hrsg.). (in Berarbeitung). *Führung in Zeiten der Krise – Katastrophenvorsorge und zivile Krisenbewältigung: deutsch-israelische Erfahrungen, Einsichten und Praktiken*, (2022) Nomos Verlag. (publication on German. English version is available here)

Sharon, Ori. (2021). To be or not to be: State Extinction through Climate Change. *Environmental Law*, 51(4), 1041-1083.

Schmid Ursula Kirstin, Kümpel, Anna Sophie and Rieger Diana. How social media users perceive different forms of online hate speech: A qualitative multi-method study. *New Media & Society*. May 2022. <https://doi.org/10.1177/14614448221091185>

Tauber, Neta and Mann, Itamar. "No Person is an Island: Necessity and Solidarity from Covid-19 to the Climate Crisis" *Mishpat UMimshal* (2022) (Hebrew)

טאובר, נטע ומן, איתמר. "אין אדם שהוא אי": צורך וערבות הדדית ממשבר הקורונה למשבר האקלים.
משפט וממשל כ"ד (2) (2022) ע' 525-541

II. Publications Forthcoming (including those already published in 2023 at the time of writing this report)

Abu Husein, Hadeel. *The struggle for Land and Legitimacy of Palestinians under Israeli law', Architecture of Exclusion*, Routledge (2023) ISBN 9781032151250

Ben-Yishai, Ayelet. *Genres of Emergency: Crisis and Continuity in Indian Writing in English* Oxford University Press (February 2023)

Jeßberger, Florian. "Eine kurze Geschichte der Verfolgung von Völkerrechtsverbrechen in Deutschland", in: W. Kaleck und P. Kroker (Hrsg.), *Folter in Syrien vor Gericht*, 2023, [Short History of the Prosecution of Crimes under International Law in Germany]

Jones, Nikki, Brown, Kenly, Duran, Eduardo Bautista, Heitz, Kaily, Kelekay, Jasmine, **Rothschild Elyassi, Gil** and Raymond, Geoffrey. "'Other than the Projects, You Stay Professional': 'Colorblind' Cops and the Enactment of Spatial Racism in Routine Policing." *City & Community* 22, no. 1 (2023): 3-21.

Jeßberger, Florian and Epik, Aziz (eds.), *20 Jahre Völkerstrafgesetzbuch*, Nomos, 2023 [Twenty Years German Code of Crimes Against International Law]

Jeßberger, Florian et al. (eds.), *Domesticating International Criminal Justice, Italian and German Perspectives*, Routledge, 2023.

Keady-Tabbal, Niamh, and Itamar Mann. "Weaponizing rescue: Law and the materiality of migration management in the Aegean." *Leiden Journal of International Law* 36, no. 1 (2023): 61-82.

Mond, Assaf, "The Greater Game": Professional Football and Urban Communities in London during the First World War" Submitted to *History* (Hebrew, expected to be published in August 23)

Mond, Assaf, "From "The Kumkum" to Erich Maria Remarque: A Year in the Life of Avigdor Hameiri" (expected to be published in *Jewish Culture and History*)

Mond, Assaf, "The Housing Project of Well Hall Garden Suburb and the Production of Spaces in First World War Britain (expected to be published in *Journal of Urban History*)

Mond, Assaf, "Introduction: Theorizing the Production of Space in Times of Crisis (expected to be published in *Journal of Urban History*)

Rosenberg-Rubins, Rottem. *Crimmigration under International Protection: Constructing Criminal Law as Governmentality*. Taylor & Francis, 2023.

Rosenberg Rubins, Rottem. "Three Wrongs Don't Make a Right: on the Near Impossibility of Post-conviction Forensic Testing in Israel", in *Wrongful Convictions, Barriers to Exoneration: Comparative Perspectives* (Working title; forthcoming: Routledge).

Rottem Rosenberg-Rubins & Gad Barzilai, 'Only Sovereignty? Global emergencies between domestic and international law' (forthcoming: *Cornell International Law Journal*)

Rosenberg Rubins, Rottem, "Financial punishment following amendment 113 to the criminal code" (Accepted for publication in *HaPraclit* 2023) (with Efrat Fink) [Hebrew].

פינק, אפרת ורוזנברג-רובינס, רתם. "רכיבי הענישה הכלכליים - בעקבות תיקון 113 לחוק העונשין" (עתיד להתפרסם בכתב העת הפרקליטי)

III. Publications Submitted for Review

Abu Husein, Hadeel, "Jerusalem as Unique Case, Legal Aspects of International law" (submitted to *South African Journal on Human Rights & international law*)

Abu Husein, Hadeel, "Geography of Power and the Law" (submitted to *Third World Approaches to International Law Review*).

Diskin, Talia, "Legal Socialization in Israeli Education System through Reading Materials: A Lacking Discourse with Pinch of Hope (submitted to *Israel Affairs*)

Diskin, Talia, "Intuitive Law for the Children: A Legal Historical Perspective on Educator Janusz Korczak's Thought and Practice" (submitted to *Paedagogica Historica*)

Rosenberg-Rubins, Rottem & Barzilai, Gad. "Only Sovereignty? Global emergencies between domestic and international law" (Accepted for publication in: *Cornell International Law Journal*)

IV. Proposals Submitted

I. To the Minerva Stiftung

Proposal for Small project: Young Researchers **International Workshops on "The Human Dimension of Warfare" 2023 Project proposal for the internationalization of Minerva Centers:** International Workshops on "The Warfare of Tomorrow" 2022 (submitted January 2022, granted with 20,000 EUR in March 2022). Workshop was held November 13-24, 2022 (See [webpage here](#))

New Minerva Center – "Legal Fragmentation and Pluralism" (Submitted August 2, 2022, not accepted)

II. To other sources

Barriers to the Adoption of Climate Change Technologies – submitted to the Ministry of Innovation, Science and Technology Fund for research grants, March 2, 2022 (not granted)

A multidisciplinary evaluation study on the effectiveness of the activity of Resilience Centers in Israel - submitted to the committee headed by the Ministry of Welfare (not granted)

Resilience and Special Development Indicators for the Israeli Local arena (submitted with Tefen Management Consulting Firm to the Prime Minister Office, August, 2022, **Accepted**)

Regulatory and Policy Frameworks for a Mid and Long-term Recovery after a Major Earthquake (submitted to the Ministry of Innovation, Science and Technology and the National Emergency Management Authority, **Accepted**)

7. Research Plan for 2023-2024

The combined impacts which COVID-19 had on the rule of law confronted with the new Israeli government's current attempt to overthrow the Israeli state-based legal institutions present threats to the essence of the rule of law itself. All the Israeli Center PIs are involved together with other Israeli academics in the defense of liberal democracy in Israel and joined the Law Professors Forum for Democracy (<https://www.lawprofsforum.org/en>). As a Center, we will conduct academic discourse on general theoretical issues, questions of boundaries, and the roles of different sectors in effecting the crisis. Assuming that we are successful in blocking the attempted coup d'état, we will focus on how to use the overwhelming public outcry as a positive platform for advancing the rule of law in Israel.

We are planning to research and discuss the following:

General theoretical issues

- The proposed legal 'coup d'état' and the Israeli social contract
- The risk of a meltdown when civil society counters state institutions
- Liberal democracy, beyond the nation-state
- Is the solution legal, or only political?

Empirical issues

- Analysis of the socio-political societal fragmentation – Jews vs Palestinians, Secular Jews vs religious, Mizrachis vs Ashkenazis...
- The Arab sector – what are the implications of the current crisis on Palestinian Israelis?
- The day after the 'overthrow/reform', what are the legal implications - internally and internationally?
- Psychological impacts / implications on well-being
How do different sectors experience the events?

Boundaries issues:

- Beyond consent – what is legitimate?
- What are/should be the boundaries to politics?
- When (if) is it legitimate to break the law?

Roles issues:

- What is the role of the legal discourse?

- Legal professionals – what can and can't they do?
- What is the role of the rule of law in this situation? What is its contribution and what are its limitations?
- The role of the academy (education, basis for democratic society)
- The role of different sectors/populations in the discourse – Arabs, Jewish settlers in the territories, development towns, youth movements (Scouts, Bney Akiva, Shomer Tsair, Bney Hamoshavim...), secular and religious populations

Positive thinking:

- How to come out of the turmoil?
- Crisis opportunities (short and long term)
- How to widen the scope of issues while negotiating legal reforms?
- What is consensus and how can it be reached? What should be the leading principles?
- What can be accepted/agreed as legitimate/good checks and balances?
- How to create coalitions? Facilitate dialogue with others

I. Ongoing PI Initiated Research

Israeli PIs were granted two research projects initiated in 2023:

Resilience and Spatial Development Indicators for Israel and implementation on the Israeli communities adjacent to Gaza (Deborah Shmueli, Michal Ben Gal, Efrat Mishor, Danielle Zaychik)

Regulatory and Policy Frameworks for a Mid and Long-term Recovery after a Major Earthquake (Deborah Shmueli, Eli Salzberger, Amnon Reichman)

Although chronologically recovery occurs after a disaster hits, recovery and rehabilitation planning should take place before disaster strikes in order to increase resilience and provide a solid and comprehensive framework for event-specific agility. This research outlines steps necessary to improve the legal, policy and regulatory basis for the mid- to long-term recovery and rehabilitation after an earthquake in Israel. To achieve this goal, the study begins by analyzing likely recovery challenges and establishes benchmarks for recovery based on the Israeli context and international experience. This stage will examine the regulatory structure, the processes in place, and the relevant stakeholders. This is followed by an in-depth case study of New Zealand's experience during the recovery from the 2011 Christchurch and subsequent major earthquakes, including regulatory, policy and institutional changes that have been made throughout the recovery process. Finally, after performing an empirical analysis of existing Israeli policy and regulatory frameworks for recovery, we make recommendations based on the benchmarks and New Zealand's experience for improving Israel's regulatory framework and creating a plan for long-term recovery. Qualitative analysis - particularly, textual

analysis of government documents and in-depth interviews with experts and decision-makers - are used throughout the study. The study's recommendations will be immediately applicable to policymakers at all levels of government. The project concludes by opening a regional (Israel, Cyprus, Greece) conversation about recovery aspirations.

II. Planned conferences and workshops

In light of the Israeli crisis we intend to have two events in cooperation with the Haifa Center for German and European Studies (HCGES), one of which already took place at the time of writing this report on March 16, 2023: [Shrinking spaces for criticism of Israel in Germany](#), the other on Global populism: Sources and Effects in comparative perspective, which is planned for June. In addition we plan to cooperate with several other Minerva Centers and organize a conference and young researchers workshop on "Resistance" in historical, contemporary and theoretical perspectives. In 2023 we plan to conduct public events, bringing people for short talks reflecting the unfolding situation. In addition, we plan to conduct a survey to analyze the population's attitudes about the legal overthrow/reform and its effects on wellbeing.

Thanks to a generous grant from the Minerva Stiftung, we will also conduct a young/early career workshop on the Human Dimension of Warfare (planned for November).

III. On-going Seminars

In 2023 bi-weekly seminar talks will continue. The lectures will be given by our post-docs, supported researchers and others. The lectures will be announced in advance to wide audiences, both academic and practitioners, and [on our website](#).

As we were finalizing this report, we learned of the passing on of our dear PI and colleague – Prof. Gad Barzilai. We will cherish his memory and continue to work in Gadi's spirit.