Mishpat Ivri: Past, Present and Future
100 Year Anniversary of the Establishment of the “Mishpat Ivri Society” in Moscow

Jewish Law Association
20th International Conference
Moscow State University Law School, Moscow

July 23–26, 2018
The Organizing Committee:
Prof. Alexander Golichenkov, Dean, MSU
Prof. Arye Edrei, TAU
Prof. Andrey Sherstobitov, MSU
Prof. Natalia Kozlova, MSU
Ms. Evgenia Krukova, MSU
Dr. Haim Ben-Yakov, TAU
Dr. Anton Kanevskiy, ISL RAS
Prof. Phillip Lieberman, JLA
Dr. Amos Israel, SAC

The Academic Committee:
Prof. Arye Edrei, TAU
Prof. Shaul Stampfer, (emeritus) HU
Prof. Gayane Davidyan, MSU
Prof. Olga Dyuzheva, MSU
Prof. Assaf Likhovski, TAU
Dr. Yifat Monnikendam, TAU
Dr. Anton Kanevskiy, ISL RAS
Dr. Amos Israel, SAC
Prof. Suzanne Last-Stone, YU
Prof. Phillip Lieberman, JLA
Dr. Shay Wozner, TAU

Conference Supported By:
The Buchmann Faculty of Law, TAU | Euro-Asian Jewish Congress | The Jewish Law Association | The Zimin Foundation, TAU | The Friends Association of TAU | Eliyahu Foundation Program for Instruction and Research In Mishpat Ivri, supported by the Koschitzky Family | Embassy of the State of Israel in Moscow | The Center for the Study of Law and Religion, Emory University School of Law | David Berg Foundation Institute for Law and History, The Buchmann Faculty of Law, TAU |

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Monday, July 23
14:00–15:00  Lunch

15:00–16:30  Preliminary Session: Jews and Judaism in the Russian Empire
Moderator: Prof. Gayane Davidyan

Dr. Evgeniya Abakomava: Recognition of Jewish Judicial Autonomy in the Russian Empire: XVIII- Early XIX century

Dr. Anton Kanevskiy: The Place of Halakha in the Legal System of the Russian Empire

Dr. Levi Cooper: Russian Clothing Decrees: Fashioning the Hasidic Haberdashery

17:00–19:00  Ceremonial Opening Session
Chair: Prof. Arye Edrei

Greetings:
Prof. Alexander Golichenkov, Dean of the Law School Moscow State University, Chair of the Environmental and Land Law, Meritorious Scientist of the Russian Federation

Prof. Gideon Libson, JLA Honorary President

Keynote Lectures:
Prof. Assaf Likhovski: Moscow 1917-Moscow 2018: Looking Back at One Hundred Years of Jewish Law Scholarship

Prof. Haim Shapira: Israeli Law and Jewish Law: Human Dignity (Kevod Ha-adam and Kevod Ha-briyot)

19:00–20:00  Dinner
Tuesday, July 24

8:00  Breakfast

9:00–11:00  Characteristic of Legal Thinking in Jewish Law
Parallel sessions in Hebrew and English

2a. English Session
Moderator: Prof. Benjamin Brown

Dr. Stephan Wendehorst: Jewish Law and Jewish Courts in the Holy Roman Empire. An Example of Collaborative and Contested Legal Pluralism

Prof. Yair Lorberbaum: Rules and Reasons in the Jurisprudence of the Israeli Supreme Court and in Modern Jewish Law (Halakhah)

Dr. Yaron Unger: "The Holy One, Blessed Be He, Desires Only Faithfulness" - The Riddle of Fiduciary Duties in Jewish Law

Prof. Evgeniya Kalinina & Prof. Vera Romanovskaya: Conceptual Ideas of Jewish Theory and their Impact on International and Internal Political and Legal Thought

2b. Hebrew Session
Moderator: Lilac Torgeman

Prof. Avinoam Rosenak: Jewish and Western Values, Limits for Integration: Intermarriage as Test Case

Prof. Menachem Katz: Categorizing Types of Theft in Jewish Law and their Moral and Legal Significance

Prof. Mordechai Sabato: Concerning the Change Introduced by Rabbi Akiva in the List of Relatives who are Disqualified to Give Testimony

Prof. Ron S. Kleinman: Adjudication According to Civil Laws – How Much Room for Discretion Do Rabbinical Judges Have?

11:00–11:30  Break

11:30–13:30  Russia, Judaism and Jewish Law
Sponsored by CSLR Emory University School of Law
Moderator: Dr. Levi Cooper

Prof. Motti Zalkin: The Emergence of Hebraic Public and Professional Discourse in Early 20th Century Russia

Prof. Michael J. Broyde: Understanding the Last Great Posek of the Russian Empire: The Methodology & Jurisprudence of Rabbi Yechiel Michel Epstein (Aruch HaShulchan)

Dr. Konstantin Andreev: Limitations on Jewish Religious Practices in Modern Russia Jurisprudence

Prof. Yehuda Brandes: Communist Russia in Halakhic Discourse (Heb.)

13:30–18:30  Sightseeing Tour of Moscow (lunch included)

19:00–21:00  Dinner and Session at the Choral Synagogue of Moscow

4. Back to the Beginning: The Choral Synagogue and the Mishpat Ivri Society
Sponsored by the Eliyahu Foundation at TAU, supported by the Koschitzky Family
Moderator: Prof. Shahar Lifshitz
Welcome and Greetings: Deputy Chief Rabbi of Moscow Eliezer Reichman

Prof. Amihai Radzyner: From Moscow to Jerusalem: The Rise and Decline of Hevrat ha-Mishpat ha-Ivri

Dr. Anatoly Kleimenov: Moscow Jewish Legal Experience: 100 years perspective

21:30–22:30  Meeting of JLA Business Committee (at the hotel).
Wednesday, July 25

8:00  Breakfast

9:00–11:00  5. Roundtable: Jewish Law in the State of Israel – The Principal Question

Moderator: Prof. Suzanne Last-Stone

Prof. Nir Kedar: Hebrew Law and the Jewishness of the Law in Israel
Prof. Shahar Lifshitz: The Liberal Argument for Incorporating Jewish Law in the Law of the State
Dr. Amos Israel: The Need for (a Richer) Mishpat Ivri

11:00–11:30  Break


6a. Criminal Law
Sponsored by the Taubenschlag Institute of Criminal Law, TAU
Moderator: Dr. Shay Wozner

Dr. Ya’acov Habba: Can Jewish Criminal Law Apply in Israel (Heb.)
Prof. Hanina Ben Menahem: Donkey's Burial as Punishment in Jewish Law (Heb.)
Dr. Iris Brown: Shaming Punishments (Heb.)
Rabbi Dr. David Fine: The Value of Life as Political Polemic in Ancient Jewish Law (Eng.)

6b. Family Law
Moderator: Prof. Olga Dyuzheva

Prof. Benny Shmueli: Private Law vs. Jewish Law: Civil Strategies Based on Israeli Solutions to Combat the Phenomenon of Refusal to Divorce in the Jewish Sector
Dr. Michael Wygoda: The Recent Supreme Court Ruling on Child Support
Rabbi Dr. Shlomo E Glicksberg, Treatment of Get Refusal in the Rabbinical Court of Johannesburg

13:30–14:15  Lunch

14:15–16:15  7. Plenary Session: Perspectives on Jewish Law Scholarship
Sponsored by David Berg Foundation Institute for Law and History, TAU
Moderator: Prof. David Rabban

Prof. Steven Wiil: Embodiment, Genre, and Appropriation in the Longue Durée of Jewish Law
Prof. Benjamin Brown: The Contribution of Jewish Thought to the Research of Jewish Law
Prof. Gideon Libson: Law and Reality: The Case of Jewish Law and Islamic Law
Prof. Yuval Sinai: Jewish Legal Research and Tort Law

16:15  Transfer to the Hotel
18:30  Tour of the Jewish Museum

19:30–22:00  Gala Evening at the Jewish Museum
Celebrating 100 years of Mishpat Ivri, Moscow 1917-2018

Moderator: Dr. Haim Ben Yakov, Senior Executive for Regional Development and Public Affairs, TAU

Greetings: Prof. Joseph Klafter, President, Tel Aviv University
Mr. Alexander Konovalov, Minister of Justice of the Russian Federation
Mr. Viktor Vekselberg, President of the Friends Association of TAU
Mr. Gary Koren, Israeli Ambassador to Russia
Hon. Justice Prof. Daphne Barak-Erez: Jewish Texts and Legal Discourse
Prof. Arye Edrei: Can Mishpat Ivri be Jewish Law?
Thursday, July 26

8:00 Breakfast

9:00–11:00 9a. Jewish Law in Israel: Parallels Meet (English Session)

Moderator: Adv. Yardena Cope-Joseph

Dr. Hila Ben Eliyahu: Disappearing Law: Reconciliation and Jewish Law

Dr. Alim Ulbashev: Jewish law and the Principle of Equality: Is Compromise Possible? (Reflecting on the Israeli Experience)

Dr. Denis Primakov: Jewish Identity in Israeli Law: From Rejection to Acceptance

9b. Jewish Law in Israel: Parallels Meet (Hebrew session)

Moderator: Prof. Itay Lipschits

Dr. Yaacov Shapira: Jewish Law and the Critique of the Rabbinic Establishment

Dr. Zvi Stampfer: The Concept of Affirmative Action in Jewish Law as a Source of Inspiration for Israeli Law

Dr. Menachem (Mario) Klein: Applying Jewish Law in the Ruling of Modern Israeli Courts from the Viewpoint of a Trial Court Judge

Dr. Malka Katz: The Roles of Ashkenazic and Sephardic Halakhic Literature in Shaping Mishpat Ivri

11:00–11:30 Break

11:30–13:30 10a. Law and Theory (Parallel Sessions)

10a. Jewish Law in Russia - Between Theory and Practice

Moderator: Dr. Anatoly Kleimenov

Oleg Khokhlov: Rabbinical Courts and Modern Russian Arbitration Procedure

Commentator: Dayan Israel Barenbaum

Prof. Leib Moscovitz: Hypotheticals in the Halakhic Thought of R. Chaim Soloveitchik

Dr. Shay Wozner: Legal Thinking at the Lithuanian Yeshivoth

10b. Jewish Law and Legal Theory

Moderator: Prof. Hanina Ben Menahem

Prof. Itay Lipschutz: Majority Principle in Jewish Law: Majority and Probability (Rov vs. Histabrut)

Dr. Michael Baris: 'Up in the Air': Shifts in Maimonides’ Conceptualization of Doubt

Prof. Ari Marcelo Solon: Jewish Law and Socialism in Hans Kelsen

Prof. Itzhak Brand: The Separation Between "Religious" and "Legal" in Jewish Law: A Study of the Poskim Literature (Heb.)

13:30 Lunch

Farewell
Participants

Dr. Abakomava Evgeniya – The Russian Presidential Academy of National Economy and Public Administration

Prof. Andreev Konstantin – The Russian Presidential Academy of National Economy and Public Administration

Hon. Justice Prof. Barak-Erez Daphne – Israel Supreme Court

Dayan Barenbaum Israel – Rabbinate of Russia

Dr. Baris Michael – Sha’arei Madda Umishpat: Academic Center for Law and Science, Israel

Prof. Batnitzky Leora – Chair, Department of Religion, Princeton University, USA

Dr. Ben Ellyahu Hila – Faculty of Law, Bar-Ilan University, Israel

Prof. Ben Menahem Hanina – Faculty of Law, Hebrew University, Israel

Prof. Brand Itzhak – Faculty of Law, Bar-Ilan University, Israel

Prof. Rabbi Brandes Yehuda – President of Herzog Academic College, Gush Etzion and Jerusalem, Israel

Prof. Brown Benjamin – Department of Jewish Thought, Hebrew University, Israel

Dr. Brown Iris – Ono Academic College, Israel

Prof. Broyde Michael J. – Emory University Law School and Center for the Study of Law and Religion, USA

Dr. Cooper Levi – Ben-Gurion University of the Negev, Israel

Adv. Cope-Yossef Yardena – Israel Ministry of Justice

Prof. Davidyan Gayane – Moscow State University Law School, Russia

Prof. Dyuzheva Olga – Moscow State University Law School, Russia

Prof. Edrei Arye – The Buchmann Faculty of Law, Tel Aviv University, Israel

Rabbi Dr. Fine David – Abraham Geiger College, Berlin, Germany

Rabbi Dr. Glicksberg Shlomo E. – Yeshiva College, Johannesburg, South Africa

Dr. Habba Ya’acov – Vice Dean, Faculty of Law, Bar-Ilan University, Israel

Dr. Israel-Vleeschhouwer Amos – School of Law, Sapir Academic College, Israel

Prof. Kalinina Evgenia – Faculty of Law, Lobachevsky State University of Nizhny Novgorod, Russia

Dr. Kanevskiy Anton – The Institute of State and Law (ISL) of the Russian Academy of Sciences (RAS)

Dr. Katz Malka – David Yellin Academic College of Education and Herzog College, Israel

Prof. Katz Menachem – The Friedberg Manuscripts Society & Hemdat Hadarom College, Israel

Prof. Kedar Nir – Faculty of Law, Bar-Ilan University, Israel

Khokhlov Oleg – Goltzblat BLP, Russia

Prof. Klafter Joseph – President, Tel Aviv University, Israel

Prof. Kleiman Ron S. – School of Law, Ono Academic College, Israel

Dr. Kleimenov Anatoly – Mekler & Partners, Russia

Senior Judge Dr. Klein Menachem (Mario) – Magistrates’ Court, Tel Aviv – Jaffa, Lecturer Bar-Ilan University, Israel

Prof. Libson Gideon – Faculty of Law, Hebrew University and Zefat Academic College Law School, Israel

Prof. Lifshitz Shachar – Former Dean, Faculty of Law, Bar-Ilan University, Israel

Prof. Likhovski Assaf – The Buchmann Faculty of Law, Tel Aviv University, Israel

Prof. Lipschutz Itay – Ramat Gan College of Law and Business, Israel

Prof. Lorberbaum Yair – Faculty of Law, Bar-Ilan University, Israel

Prof. Moscovitz Leib – Department of Talmud, Bar-Ilan University, Israel

Dr. Primakov Denis – The Russian Foreign Trade Academy, Moscow, Russia

Prof. Rabban David – School of Law, The University of Texas at Austin, USA

Prof. Radzyner Amihai – Faculty of Law, Bar-Ilan University, Israel

Rabbi Reichman Eliezer – Deputy Chief Rabbi of Moscow

Prof. Romanovskaya Vera – Faculty of Law, Lobachevsky State University of Nizhny Novgorod, Russia

Prof. Rosenak Avinoam – The Melton Centre for Jewish Education and the Dep. for Jewish Thought, Hebrew University, and The Van Leer Institute, Israel

Prof. Sabato Mordecai – School of Basic Jewish Studies, Bar-Ilan University, Israel

Prof. Sinai Yuval – President of Orot Israel College and Professor of Law, Netanya College, Israel
Prof. Shapira Haim – Faculty of Law, Bar-Ilan University, Israel
Dr. Shapira Yaacov – Israel Ministry of Justice
Prof. Shmueli Benny – Faculty of Law, Bar-Ilan University, Israel
Prof. Solon Ari Marcelo – Faculty of Law, University of São Paulo (FADUSP), Brazil
Dr. Stampfer Zvi – Hebrew University and Orot Israel college, Israel
Prof. Stone Suzanne – Cardozo Law School, NY, and Tel Aviv University Faculty of Law, Israel
Torgeman Lilac – Bar-Ilan University and David Yellin Academic College of Education, Israel
Colonel (Ret.) Yoel Tsur – Military Court Judge, Retired Lecturer of Law: HU, TAU and BIU, Israel

Dr. Ulbashev Alim – Moscow State University Law School, Russia
Dr. Unger Yaron, Adv. – Superior (Legislation and legal research) Legal department, The Knesset, Israel
Dr. Wygoda Michael – The Department of Jewish Law, The Ministry of Justice, Israel
Prof. Wilf Steven – Law School University of Connecticut, USA
Dr. Wendehorst Stephan – University of Vienna, Austria
Dr. Wozner Shay – The Buchmann Faculty of Law, Tel Aviv University, Israel
Prof. Zalkin Motti – Jewish History Department, Ben-Gurion University of the Negev, Israel