

Dr. Tamar Hostovsky Brandes
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EMPLOYMENT

School of Law, Ono Academic College

Kiryat Ono, Israel

October 2009-Present
Senior Lecturer (Associate Professor)
LL.M Program Manager

Areas of Teaching: Constitutional Law, International law, Theories of Rights
Areas of Research: Relationship Between International Law and Constitutional Law,
Comparative Constitutional Law, Public Law and Political Theory.

Columbia University School of Law

New York, NY

Fall 2018
Short Term International Visiting Professor

IDC Herzliya School of Law

Herzliya, Israel

Spring 2018
Adjunct Lectuer

Course: International Law

Department of Political Science, Tel-Aviv University

Tel-Aviv, Israel

Adjunct Lecturer, Executive Program for Diplomacy and Security Studies, March 2012-
October 2013

Course: International Law

School of Law, Tel-Aviv University

Tel-Aviv, Israel

Adjunct Lecturer, October 2009-June 2011

Course: Minorities in Liberal Societies: Multiculturalism and Group Rights

Schulte Roth & Zabel LLP
York

New York, New

Associate, Business Transactions Department, January 2006 – May 2008

M.s. Program in Global Affairs, New York University
York

New York, New

Adjunct Professor, May 2005 – March 2007

Courses: International Human Rights, International Law, International Dispute Settlement,
Contemporary Issues in World Affairs: A Legal Perspective

EDUCATION

Columbia University School of Law

New York, New York

J.S.D., received February 2009

Finkelstein Fellow 2003-2004

Dissertation topic: Language Rights and Language Loyalties

Dissertation Advisor: Professor George Fletcher

Columbia University School of Law

New York, New York

LL.M., Harlan Fiske Stone Scholar, received May 2003

Tel-Aviv University School of Law

Tel-Aviv, Israel

LL.B., Magna Cum Laude, received March 2001

Associate Editor: *Plilim* – the Interdisciplinary Journal of Law and Culture

PUBLICATIONS

1. The Status of International Law in the Occupied Palestinian Territories, *INTERNATIONAL JOURNAL OF CONSTITUTIONAL LAW*, (forthcoming)
2. Basic Law: Israel as the Nation State of the Jewish People: Implications for Equality, Self-Determination and Social Solidarity, *MINNESOTA JOURNAL OF INTERNATIONAL LAW* (forthcoming)
3. Democratic Erosion, Populist Constitutionalism, and the Unconstitutional Constitutional Amendment Doctrine, *LAW AND ETHICS OF HUMAN RIGHTS*, (forthcoming) (with Yaniv Roznai)
4. When Equality is on Both Sides of the Scales: The European Court of Human Rights' Case Law Regarding the Muslim Headscarf (*LAW AND BUSINESS*, special volume in honor of Natan Lerner, forthcoming), (Hebrew, peer-reviewed).
5. International Law in Domestic Courts in an Era of Populism 17(2) *INTERNATIONAL JOURNAL OF CONSTITUTIONAL LAW* 576 (2019)
6. On the Relationship Between International Human Rights Law and Constitutional Law in Israel, 31(3) *MECHKAREI MISHPAT* (2018) (Law Studies, Bar-Ilan University), (Hebrew, peer-reviewed).
7. International Law and the Legislation Process in Israel, 11 *CHUKIM* 125 (2018) (Laws, the Hebrew University) (Hebrew, peer-reviewed).
8. Law, Citizenship and Social Solidarity: Israel's "Loyalty-Citizenship" Laws as a Test Case, 6(1) *POLITICS, GROUPS AND IDENTITIES* 39 (2018).
9. "No Citizenship Without Loyalty": on Loyalty, Citizenship and Social Solidarity in Israel *HAMERHAV HAZIBURI* (The Public Sphere, Tel-Aviv University, 2016) (published also as "Citizenship, Loyalty and Social Solidarity: The Loyalty Discourse

in Israel and the Legitimatization of Discrimination" in *CONDITIONAL CITIZENSHIP* (Van Leer and University of Haifa Press, 2016))

10. Human Dignity as a Central Pillar in Constitutional Rights Jurisprudence in Israel: Definitions and Parameters, in *INTERNATIONAL CONSTITUTIONAL LAW IN THE MAKING* (Sapir, Barak-Erez & Barak ed., Hart Publishing, 2013)
11. Controlling the Execution of a Security Council Mandate to Use Force: Does the Council Need a Lawyer? 36 *FORDHAM INTERNATIONAL LAW JOURNAL* 657 (2013) (with Ariel Zemach).
12. Separate and Different: Single-Sex Education and the Quest for Equality, 45(2) *ISRAEL LAW REVIEW* 235 (peer-reviewed, 2012).
13. Between Vowels and Values: Education in Religious Communities, 1 *JOURNAL OF LAW, RELIGION AND STATE* 117 (peer-reviewed, 2012).
14. Rethinking Equality: National Identity and Language Rights in the United States, 15 *TEXAS HISPANIC JOURNAL OF LAW AND POLICY* 7 (2009).
15. The Voice of the People: Language and State in Israel, in *THE MULTICULTURAL CHALLENGE IN ISRAEL* (Avi Sagi and Ohad Nachtomi ed., 2009).
16. Book Review: Muhammad Hasan Amara and Abd Al-Rahman Mar'i. Language Educational Policy: The Arab Minority in Israel 4(4) *LANGUAGE POLICY* 198 (2005).

WORK-IN-PROGRESS

1. Bribery of Foreign Public Officials – The Case of Israel (solicited book chapter, Bruylant's Transnational Law of Anti-Corruption))
2. Israel's Legal System (solicited book chapter for Routledge Handbook on Contemporary Israel)
3. Solidarity as a Constitutional Value (work-in-progress)
4. Measuring the Move from Commitment to Compliance: The Case of International Human Rights Law in Israeli Courts (work-in-progress, with Natalie Davidson)
5. Law, Language and Constitutional Identity (book proposal, with Meital Pinto)

LEGAL BLOGS

What Difference Does it Make to Fully Annex the Quasi-Annexed Occupied Territories? *Verfassungsblog*, September 24, 2019, <https://verfassungsblog.de/what-difference-does-it-make-to-fully-annex-the-quasi-annexed-occupied-territories/>

Freedom to Grieve: On the Israeli Supreme Court Decision of Combatants for Peace v. Minister of Defense, *Lawfare*, July 11, 2019 (with Idit Shafran-Gittleman), <https://www.lawfareblog.com/freedom-grieve-israeli-supreme-court-decision-combatants-peace-v-minister-defense>

Israel's Nation-State Basic Law: What Now for Equality, Self Determination and Social Solidarity? *Verfassungsblog*, November 9, 2018 <https://verfassungsblog.de/israels-nation-state-law-what-now-for-equality-self-determination-and-social-solidarity/>

The Israeli Supreme Court's Decision in Tziam v. the Prime Minister, *Lawfare*, September 24, 2018 (with Idit Shafran Gittleman), <https://www.lawfareblog.com/israeli-supreme-courts-decision-tziam-v-prime-minister>

The Status of International Law in Supreme Court Decisions Concerning the Occupied Territories: The Past Decade, *ICON-S-IL Blog*, July 28 2017, <https://israeliconstitutionalism.wordpress.com/2017/07/29/מעמד-המשפט-הבינלאומי-בפסיקת-בית-המשפט/>

CONFERENCES AND INVITED LECTURES (partial list, last five years)

“The State of Emergency in Israel – Between Domestic and International Law”, *A Normal State which is not Normal, the Eight's Decade of the State of Emergency in Israel*, the Minerva Center for the Study of Law under Extreme Conditions, June 30, 2019 Haifa University

“International Human Rights Law in Israeli Courts: A Longitude Study”, *Empirical Study of Public Law and Human Rights*, The Hebrew University of Jerusalem, June 27, 2019

“International Law in Domestic Courts in an Era of Populism”, *International Law Workshop, TAU*, June 12, 2019, Tel-Aviv, Israel

“Democratic Decay in Israel”, *ICON-s Israel Fifth Annual Conference*, March 12, 2019, College of Management, Rishon LeZion, Israel

“An Effective National Human Rights Institution for Israel?”, *Designing an Effective National Human Rights Institution: Israeli and International Perspectives*, The Hebrew University of Jerusalem, January 7, 2019

“Democratic Erosion, Populist Constitutionalism and the Unconstitutional Constitutional Amendments Doctrine” (with Yaniv Roznai), *International Workshop on Democratic Backsliding*, the Center for Law and Business, January 1-2, 2019.

“Bribery of Foreign Public Officials: The Importance of Moral Arguments”, *The Transnationalization of Anti-Corruption Law*, December 6-7 2018, Sciences Po, Paris

“The Politics of Populist Constitutionalism: The Case of the Israeli Nation State Law”, October 10, 2018, *Center for the Study of Law and Culture, Columbia Law School, New York, NY*

After Israel’s Nation-State Law: Where is Equality, Self-Determination, and National Solidarity?” October 9, 2018, *NYLS, New York, NY*

“International Law in Domestic Courts in an Era of Populism”, *Identity, Security, Democracy: Challenges for Public Law, ICON-S Annual Conference, June 25-27, 2018, Hong Kong*

The Right to Religious Exemptions: Conscientious Objection, Religious Accommodations and Social Solidarity, *The 10th World Congress of Constitutional Law, June 18-22, Seoul, South Korea*

Building a 21st Century Bill of Rights: The Role of International Human Rights Law in the Interpretation of Domestic Bills of Rights, *WG Hart Workshop 2018: Building a 21st Century Bill of Rights, June 11-12, 2018, London, UK*

“The Status of International Law in the Decisions of the Israeli Supreme Court Concerning the Occupied Territories”, January 17, 2018, *Association for the Promotion of International Humanitarian Law, IDC, Israel*

“How Courts Respond to Populism: The Declining Status of International Law in the Decisions of the Israeli Supreme Court Concerning the Occupied Territories”, *Public Law and the New Populism Conference, September 15-16, 2017, NYU School of Law.*

“The Status of International Law in the Decisions of the Israel Supreme Court Concerning the Occupied Territories: is the Golden Age Over?”, *Courts, Power and Public Law, ICON-s Annual Conference, July 5-7, 2017, University of Copenhagen*

“1967-2017: Law and 50 years of Belligerent Occupation”, *International Conference on Constitutional Dilemmas, June 29th, 2017, Djanogly Hall, Konrad Adenauer Conference, Center, Mishkenot Sha'ananim, Jerusalem.*

“On Loyalty”, *Rethinking the Essences: Honoring George P. Fletcher, June 5th-6th, 2017, Ono Academic College.*

“The Status of International Law in the Decisions of the Israel Supreme Court Concerning the Occupied Territories”, *Amnesty International (Israel Branch) Annual Meeting, June 2ed, 2017, Tel-Aviv*

“International Law and the Legislation Process in Israel”, *Unlimited Legislator? The Limitations of the Legislator and Limits of Legislation, May 28, 2017, The Interdisciplinary Center Herzliya*

“The Declining Status of International Law in Israel’s Supreme Court’s Rulings Concerning the Occupied Territories”, *50 Years after 1967: Evaluating the Past, Present and Future of the Law of Belligerent Occupation, May 22-May 23, 2017, Tel-Aviv University.*

“International Law in the Supreme Court of Israel”, *ICON-s Israel Third Annual Conference*, March 30, 2017, *Bar Ilan University*

“The Loyalty Discourse in Israel”, *Conditional Citizenship?*, March 27, 2017, *Haifa University*

“Israel’s Supreme Court’s Case Law on House Demolitions – Examining the Normative Framework”, *The Annual Conference of the Israeli Association of Public Law*, December 1-3, 2016, *Zichron Yaacov*

“When Dignity and Equality Collide: The Right to Be Recognized as Unique”, *The Future of Human Dignity*, October 11-13, 2016, *University of Utrecht*.

“The Status of Israel's Arab-Palestinian Citizens Following the Case of Ornan v. Ministry of the Interior”, *Integration and Equality between Jews and Arabs in Israel: Higher Education and Representation as a Key to Multiculturalism*, July 14, 2016. *Ono Academic College*.

“Identity and Social Solidarity: The Supreme Court of Israel and the Denied Israeli Nation”, *Borders, Otherness and Public Law*, *ICON-s Annual Conference*, June 17-19, 2016, *Humboldt University*.

“Law, Citizenship and Social Solidarity: The Supreme Court of Israel and the Denied Israeli Nation”, *ICON-s Israel Second Annual Conference*, May 19, 2016, *The Hebrew University of Jerusalem*

“Can Legislation Foster Social Solidarity?” *Israeli Association of Law and Society Annual Conference*, January 26, 2016, *The Hebrew University of Jerusalem*

“Citizenship, Loyalty and Social Solidarity”, *Public Law in an Uncertain World*, *ICON-s Annual Conference*, July 1-3, 2015, *New York University*

“Human Rights in Israel: Between Domestic and International Law”, May 14, 2015, *The Academic Center of Law and Business, Ramat Gan*

“Separate and Different: Does Single-Sex Education Violate Equality?”, *Fair Play: New Venues for Equality*, July 28, 2014, *Ono Academic College*

ADDITIONAL INFORMATION

Member of UNODC Expert Group on **Anti-Corruption**. Participated in UNODC EGM, Draft E4J Modules on Anti-Corruption Expert Meeting, Oxford, 2-4 April, 2019

Member of the research group on **Equality**, *the Israel Democracy Institute* – November 2016-2017.

Member of the research group on **Solidarity**, *the Edmond J. Safra Center for Ethics, Tel-Aviv University*, 2016-2017

Member of the research group on **Conditional Citizenship**, *the Van Leer Institute*, 2012-2013.

Judge, Philip C. Jessup International Law Moot Court Competition, Israel National Rounds, 2018

Israeli Bar, admitted

New York State Bar, admitted