

NIR KEDAR – C.V.

ACADEMIC APPOINTMENTS

- **BAR-ILAN UNIVERSITY, FACULTY OF LAW,**
Ramat-Gan, Israel (on leave 2013-2017)
Associate Professor of Law and Legal History,
2000 – Present
Fields of interest:
Modern Legal History, Israeli history, Comparative Law, Political and
Legal Theory.
- Visiting professor at Heidelberg University & Hochschule für Jüdische
Studien Heidelberg; University of Piemonte Orientale.
- **Sapir Academic College School of Law Dean** 2013 - 2017

EDUCATION

- **HARVARD LAW SCHOOL,** Cambridge, Massachusetts.
S.J.D. 2000 in Legal History.
Graduate Fellow, 1999.
- LL.M. (waived), 1997.
Recipient of the Fulbright Doctoral Student Fellowships 1996-98.
- TEL-AVIV UNIVERSITY, FACULTY OF HUMANITIES,**
Tel-Aviv, Israel.
 - B.A in History, with distinction, *Summa Cum Laude*, 1994.
Ranked number 1 in the history department.
Honors: 1992-1993 – Dean's List.
 - **TEL-AVIV UNIVERSITY, FACULTY OF LAW,** Tel-Aviv, Israel.
LL.B. with distinction, *Magna Cum Laude*, 1994.

LEGAL EXPERIENCE

- ***THE HON. CHIEF JUSTICE PROF. AHARON BARAK, PRESIDENT OF THE ISRAEL SUPREME COURT.***

Jerusalem, Israel.

Law Clerk. 1995 - 96.

Nir Kedar – List of Publications

I. Books

A. Books Authored

1. Nir Kedar, *Ben-Gurion and the Founding of Israeli Democracy*, accepted for publication, Indiana University Press 2017.
2. Nir Kedar, *Blue and White Law: Identity and Law in Israel, A Century-Long Polemic*, Beg-Gurion University Press, The Open University of Israel Press and Tel Aviv University Press 2017 (Hebrew).
3. Nir Kedar, *Should Jewish Identity be Anchored in Israeli Law?* Jerusalem: The Israel Democracy Institute: 2015 (Hebrew).
4. Nir Kedar, *Ben-Gurion and the Constitution* (Hebrew) Bar-Ilan University Press & Dvir Press, 2015.
5. Avi Bareli and Nir Kedar, *Israeli Republicanism*, Israel Democracy Institute 2011 (Hebrew).
6. Nir Kedar, *Mamlakhtiyut: David Ben-Gurion Civic Thought*, Ben-Gurion University Press & Yad Ben-Zvi 2009. (in Hebrew)
 - The book won the Shapiro Prize for Best Book on Israel for 2009 from the International Association for Israel Studies.

B. Books Co-Authored & Edited

1. Yedidia Z. Stern, Benjamin Brown, Kalman Neuman, Gideon Katz & Nir Kedar, *When Judaism Meets the State*, Tel Aviv: Yedioth Ahronoth & The Israeli Democracy Institute 2015 (Hebrew).

II. Articles

A. In English

1. Nir Kedar, "A Scholar, Teacher, Judge, and Jurist in a Mixed Jurisdiction: The Case of Aharon Barak," 62 *Loyola Law Review* (2016), pp. 659-689.
2. Nir Kedar, "I'm in the East but my Law is from the West: The East-West Dilemma in Israeli Mixed Legal System," in Vernon Palmer (ed.), *Mixed Legal Systems, East and West*, Farnham: Ashgate 2015, pp. 141-150.
3. Nir Kedar, "Ben-Gurion and the Place of Judaism in Israel," *Journal of Israeli History* 32:2 (2013) pp. 157-174.
4. Nir Kedar, "'We Need the Messiah so that He May Not Come' On David Ben-Gurion's Use of Messianic Language," *Israel Affairs* 19 (2013), pp. 393-409.
5. Nir Kedar, "The Roots of Ben-Gurion's Opposition to a Written Constitution," *Journal of Modern Jewish Studies* 12 (2013) pp 1-16 (first article of the year).
6. Nir Kedar, "Democracy and Judicial Autonomy in Israel's Early Years," 15.1 *Israel Studies* (2010), pp. 25-46.
7. Nir Kedar, "A Civilian Commander in Chief: Ben-Gurion's *Mamlakhtiyut*, the Army and the Law," 14:2 *Israel Affairs* (2008), 202-217.
8. Nir Kedar, "Law, Culture and Civil Codification in a Mixed Legal System," 22 *Canadian Journal of Law and Society* (2007) 177-195.
9. Nir Kedar, "Jewish Republicanism," 26:2 *Journal of Israeli History* (2007) 179-199.
10. Nir Kedar, "Israeli Law as a *Lieu de mémoire (et d'oubli)*: Remembering and Forgetting Jewish Law in Modern Israel," in Oliver Drupbacher *et al.*

(eds.), *Erinnern und Vergessen / Remember and Forget*, Munich:

Meidenbauer Verlag, 2007, p. 196-229.

11. Nir Kedar, "The Political Origins of the Modern Legal Paradoxes," in Oren Perez & Gunther Teubner (eds.) *Paradoxes and Inconsistencies in Law* (London: Hart, 2005), 101-119.

12. Nir Kedar, "Ben-Gurion's Mamlakhtiyut: Etymological and Theoretical Roots," *7.2 Israel Studies* (2002) 117-133.

B. In Hebrew

1. Gideon Katz & Nir Kedar, "The Jewishness of the Jewish State in the Eyes of Jewish Secular Intellectuals," in Yedidia Z. Stern, Benjamin Brown, Kalman Neuman, Gideon Katz & Nir Kedar, *When Judaism Meets the State*, Tel Aviv: Yedioth Ahronoth & The Israeli Democracy Institute 2015, pp. 423-506.

2. Nir Kedar, "The Centrality of Law in Israeli History: On the Historiography of Israeli Law and its Contribution to Israel Studies," *Cathedra* 150 (January 2014), pp. 155-180.

3. Nir Kedar, "The Legal-Constitutional Status of the Political Parties during Israel First Years of Statehood," in *Politics in Wartime: Studies on the Civilian Society during the Israeli War of Independence*, edited by Mordechai Bar-On and Meir Hazan, Jerusalem: Yad Ben-Zvi 2014, pp. 39-53.

4. Nir Kedar, "Israeli Democracy, the Rule of Law and Judicial Independence in the First Years of the State," in: *In the Democratic Way: On the Historical Sources of the Israeli Democracy*, edited by Allon Gal (Goldberg), Gershon Bacon, Moshe Lissak and Pnina Morag-Talmon,

Sde-Boker: Ben-Gurion Research Institute for the Study of Israel and Zionism, 2012, pp. 528-560.

5. Gideon Katz & Nir Kedar, "Judaism from the Perspective of Secular Israeli Intellectuals," 14 *Democratic Culture* (2012), pp. 93-152 (in English and Hebrew).
6. Nir Kedar, "The Israeli Early Voting System Battle: A Story of Democracy, Civic Culture and Law," 33.3 *Tel Aviv University Law Review* (2011) pp. 555-591
7. Nir Kedar, "The Rule of Law and the Sovereign State," in Ilan Rahum (ed.) *Back to Politics: The Modern State, Nationalism and Sovereignty and*, Jerusalem: Shazar Center 2009, pp. 305-328.
8. Nir Kedar, "The Cultural Roots of Civil Codification in Israel," 7 *Law & Business* (2007), 169-201.
9. Nir Kedar, "New Perspectives on the Foundation of the Israeli Legal System," 11 *Israel* (2007) 1-30.
10. Nir Kedar, "Equality and Partnership in Ben-Gurion's Political Thought in the 1950s and 1960s," in *Society and Economy in Israel* (T. Friling, D. Gutwein & A Bareli eds., Sde-Boker: Ben-Gurion University Press & Jerusalem: Yad Ben Zvi, 2005), p. 741-771.
11. Nir Kedar, "The Educating Legal Formalism of the Early Israeli Supreme Court," 22 *B.I.U. L. Rev.* (2005) 385-423.
12. Nir Kedar, "The Republicanism of the Ben-Gurion and the Early Israeli Justices," 14 *Yiunim Bitkumat Yisrael* (2004) 131-151.
13. Nir Kedar, "Ben-Gurion and the Sephardi Judge," 19 *B.I.U. L. Rev.* (2002), 515-540.

14. Nir Kedar, "Interpretive Revolution: The Rise of Purposive Interpretation in Israeli Law," 26(2) *T.A.U. L. Rev.* (2002) 737-772.

III. Book Reviews

1. Édouard de Laboulaye, *De la méthode historique en jurisprudence et de son avenir* / Jean-Luis Halpérin, *De la méthode historique en sciences juridiques et de son avenir* (Daloz 2013) in *Comparative Legal History* 2.2 (2014), pp. 359-362.
2. Menahem Mautner, *Law and the Culture of Israel*, in *Journal of Israeli History* 32:2 (2013) pp. 286-290.
3. Assaf Likhovski, *Law and Identity in Mandatory Palestine*, in *Cathedra* 129 (2008) pp. 171-174 (in Hebrew).
4. Colin Schindler, *The Triumph of Military Zionism: Nationalism and the Origins of the Israeli Right*, in *Shofar - An Interdisciplinary Journal of Jewish Studies* 26:4 (2008), pp. 163-165.
5. Lauren Benton, *Law and Colonial Cultures: Legal Regimes in World History, 1400-1900*, in 18 *Canadian Journal of Law and Society* (2003) pp. 163-166.
6. Joseph Raz, *Value, Respect and Attachment*, in 17 *Canadian Journal of Law and Society* (2002), p. 170-173.

IV. Other Publications in English & German

1. [Nir Kedar, "On the Dangers of Enshrining National Character in the Law," Marginalia, The Los Angeles Review of Books, March 6 2015](http://marginalia.lareviewofbooks.org/dangers-enshrining-national-character-law-nir-kedar/)
(<http://marginalia.lareviewofbooks.org/dangers-enshrining-national-character-law-nir-kedar/>);

2. Nir Kedar, "Staatsräson," in *Enzyklopädie jüdischer Geschichte und Kultur*, vol. 5, Stuttgart: J.B. Metzler 2015, pp. 571-576.