Whittier Law School Presents

For Australian Law Students

A Unique Study Opportunity Unit in

Israel:
Religion, Terrorism, and Law in the Middle East
@ Bar-Ilan University
Ramat Gan (Tel Aviv) Israel

The Western Wall at Dawn in the Jewish Quarter with Al-Aksa Mosque in Background

Church in the Christian Quarter
RELIGION, TERRORISM AND LAW
IN THE MODERN MIDDLE EAST

The unit will consist of three components, with 12 hours class time being devoted to each component. Classes will take place between the 2 July and 13 July (inclusive) 2006. [Note that there will also be a welcoming dinner on the 30th June included as part of your tuition fees, but is not compulsory to attend.]

DESCRIPTION OF THE CONTENT

Component 1: State and Religion in Comparative Perspective – Prof. Gidon Shapir, Bar-Ilan University, Israel

This component examines the relationship between the state and religion in various legal systems. Particular emphasis will be placed on the role of religion and religious institutions in the legal system and legal structures of the State of Israel. The course will examine how Israel, created as a state for the Jewish people, has handled the tensions between maintaining Israel as a state with a Jewish identity and at the same time a liberal democracy. As we will see, over the past several years once latent disagreements over matters of religion and state have become a major source of political and cultural tensions in Israeli society. There will be a conceptual analysis and presentation of various models for the legal role of religion in various national legal systems, including models found in states based upon Christianity and Islam.

Component 2: Law in the New Middle East – Prof. Hallie Ludsin, Attorney and Human Rights Advocate, Jerusalem, Israel

This course examines the legal aspects of the two most prominent political challenges currently facing the Middle East: the Israeli-Palestinian peace process and the current situation in post-Saddam Hussein Iraq. This course will cover topics such as the legal status of the Palestinian Authority and of the different agreements between the Palestinians and Israelis; the Special Tribunal in Iraq, including the trial of Saddam Hussein and his cohorts, and constitutionalism in post-conflict Middle East. The course will feature guest lecturers and discussants.

Component 3: Human Rights In the Age of Terrorism - Associate Professor Sam Garkawe, Southern Cross University, School of Law and Justice, Australia

This course focuses on the tension between the needs of protecting human rights guarantees of individuals and the protection of national security in the age of terrorism. The course analyzes what actions can a state legitimately take when confronted with serious threats of terrorism, including: 1) the use of physical force to extract information that might lead to the saving of innocent lives; 2) constructing physical barriers as a means to respond to terrorism and its possible effect on daily life; 3) engaging in “targeted assassinations” of people planning and organizing terrorism; and 4) detention of suspected terrorists without giving them recourse to the courts. Specific decisions covered in the course will include: the Torture decision and the Security Wall decision of the Supreme Court of Israel; the Security Wall decision of the International Court of Justice; and the trilogy of cases recently issued by the United States Supreme Court with respect to Guantanamo Bay [Rasul v. Al Odah] and individuals held as “enemy combatants” [Hamdi and Padilla]. Anti-terrorist legislation in Israel and laws issued in the United States in the aftermath of 9/11 may also be examined.
SCHEDULE FOR BOTH WEEKS – all classes will be held at Bar-Ilan University, Tel Aviv, Israel unless otherwise indicated.

Sundays 10.00 am-Noon Component 1
1 pm-3 pm Component 3

Mondays 10.00 am-Noon Component 3
1 pm-3 pm Component 2

Tuesdays 10.00 am-Noon Component 3
1 pm-3 pm Component 1

Wednesdays 10 am-Noon Component 1
1 pm-3 pm Component 2

Thursdays 9 am-11 am Component 2 (taught at the City Hotel conference room)

Fridays Free

Some legal tours (one in Tel Aviv and one in Jerusalem) and lectures by relevant experts in the field will also be part of the program.

Assessment for those students wishing to gain credit as an LLB elective:

There will be three items of assessment covering each of the three components of the unit. Each item of assessment will be worth equal marks.

- For the ‘Law in the New Middle East’ component there will be an ‘in-class’ exam on or around the 13 July 2006
- For the ‘Human Rights In the Age of Terrorism’ component, there will be a ‘take-home’ exam (24 hours) given out in the last class on 11 July 2006
- For the ‘State and Religion in Comparative Perspective’, there will be research assignments/papers of 1,500-2,000 words due on 15 September 2006

COST: US$ 1,000, includes tuition, all scheduled legal tours and lectures and a welcoming dinner on 30 June. Accommodation and travel to Israel is extra. However, accommodation at reasonable rates is available and we will put you in touch with fellow students if you wish to share a room in order to save costs.

For further details, visit www.law.whittier.edu/israel or contact the Australian Director of the Program, Associate Professor Sam Garkawe, Southern Cross University, at sgarkawe@scu.edu.au or (02) 66203103.