Dr. Joshua Segev

Associate Professor Netanya Academic College School of Law Netanya 42365, ISRAEL

Office: +972-9-860-7839 Fax: +972-9-884-4439 Mobile: +972-50-878-6723 Email: segejosh@netanya.ac.il

Higher Education

- 2001-2003: S.J.D., University of Virginia School of Law.
- 2000-2001: LL.M., University of Virginia School of Law.
- 1995-1999: LL.B., magna cum laude, Faculty of Law, Tel Aviv University.

Academic Ranks

- 2012-present: Senior Lecturer, Netanya Academic College, School of Law.
- 2005-2012: Lecturer, Netanya Academic College, School of Law.
- 2003-2005: Tutor, Netanya Academic College, School of Law.

Visiting Positions

- 2003-present: Bar-Ilan University, Faculty of Law, Visiting Lecturer.
- 2005-2010: The College of Management, School of Law, Visiting Lecturer.
- 2007-2008: Haifa University, Faculty of Law, Visiting Lecturer.
- 2007-2008: Interdisciplinary Center Herzliya, School of Law, Visiting Lecturer.
- 2003-2008: Tel Aviv University, Faculty of Law, Visiting Lecturer.

Fellowships and Distinctions

- 2005, 2012, 2013, 2014: Outstanding Lecturer, Netanya Academic College, School of Law.
- 2005: Outstanding Visiting Lecturer, Tel Aviv University, Faculty of Law.
- 2000-2003: Netanya Academic College, School of Law Scholarship.
- 2000-2002: Fulbright Visiting Scholar in residence as doctoral student, University of Virginia School of Law.
- 2000-2001: University of Virginia School of Law Foundation Scholarship.
- 1999: Award to Associate Editor, Tel-Aviv University Law Review.

Editorial Board Membership

- 2007-2012: Editor-in-Chief, NETANYA ACADEMIC COLLEGE LAW REVIEW, vol. 6, 7, 8.
- 2006: Associate Editor, NETANYA ACADEMIC COLLEGE LAW REVIEW, vol. 5.
- 1999-2000: Associate Editor, Tel-Aviv University Law Review, vol. 23.
- 1998-1999: Associate Editor, ISRAEL YEARBOOK ON LABOR LAW, vol. 7.

Fields of Teaching and Research

- Constitutional Law.
- Philosophy of Law.
- Administrative law.
- Comparative Law.

Selected Lectures and Presentations

- 2021: Webinar on Prof. Ilya Somin's book: "Free to Move: Foot Voting, Migration, and Political Freedom", the Israel Law & Liberty Forum.
- 2020: Webinar with Judge Neomi Rao, United States Court of Appeals, District of Columbia Circuit, the Israel Law & Liberty Forum.
- 2019: "Judicial Populism", Symposium on Populism & Policy: Global Trends and Democratic Governance, The Israel Democracy Institute, Jerusalem.
- 2017: "The United States Supreme Court as a Babysitter", Eight Annual Constitutional Law Colloquium, Loyola University Chicago.
- 2017: "The Babysitter", Symposium on the Supreme Court, Politics and Reform, Pepperdine University School of Law with Ariel L. Bendor.
- 2016: "The Fiduciary Theory of Judging", Symposium on The Role of the Judge in the Anglo-American Tradition, Faulkner University, Thomas Goode Jones School of Law.
- 2016: "Judges and Sausages", Icon-s 2016, The International Society of Public Law, Berlin.
- 2016: Loyola University Chicago, Seven Annual Constitutional Law Colloquium.
- 2015: "How Was Judicial Supremacy Achieved in Israel? Radicalism, Rights Talk and the Constitutional Revolution", Icon-s 2015, The International Society of Public Law, NYU School of Law.
- 2015: "Israel's Magna Carta", Symposium on 800 Years of Magna Carta: Aspects and Implications, Netanya Academic School of Law (organizer).
- 2015: "Basic Law: Referendum: A Mini-Revolution?", College of Law & Business, Ramat-Gan.
- 2014: "The Constitutional Revolution", Symposium on Revolutions and Constitutions, the Department of Political Science, Tel-Aviv University.
- 2012: "The Role of the High Court of Justice" Symposium in Honor of Judge Ayala Procaccia: A Judge in Conflicting Society, Interdisciplinary Center (IDC) Herzliya.
- 2011: "The Increase in Rights Talks by the Constitutional Revolution", Symposium on Twenty Years to the Rights Revolution, Hebrew University Faculty of Law, Tel-Aviv University Faculty of Law & Interdisciplinary Center (IDC) Herzliya.
- 2011: "Justifying Judicial Review", Symposium on Israeli Constitutional Law in the Making: Comparative and Global Perspective, Bar-Ilan University Faculty of Law, Tel-Aviv University Faculty of Law & Interdisciplinary Center (IDC) Herzliya.
- 2010: "Justice in the enforcement of HCJ's Decisions", Symposium on the Immanuel Decision, Bar-Ilan University Faculty of Law.
- 2010: "Judicial Review of Military Actions", Netanya Academic College School of Law (organizer).
- 2009: "The Rise of the Constitutional Discourse in the Criminal Justice System", Violence: Headlines and Reality, Haifa University.

- 2008: "On the Constitutional Right to Receive Medical Services", Netanya Academic College School of Law (organizer).
- 2008: "Freedom of Speech: Liability for Speech", Symposium on Freedom of Speech, Ono Academic College School of Law & Columbia University Law School.
- 2008: "Relief in the Interest of Justice", The International Project on Judicial Independence, Hebrew University Faculty of Law & Cambridge University.
- 2007: "The Standing and Justicability Doctrines: Recent Developments" The Proposals to Reform the Standing and Justiciability Doctrines, Hebrew University Faculty of Law.
- 2007: "The Role and Nature of the Constitution in the Israeli Society", A Constitution for the State of Israel, Beit Morasha of Jerusalem, Center for Jewish Studies and Leadership.

List of Publications

Publications marked with * were published after the Senior Lecturer rank.

Books

In Hebrew

Editor

1. * FIDUCIARY DUTIES IN THE ISRAELI LAW (2016) – coedited with Ruth Plato-Shinar.

Articles

In English

- 1. * Live from the Supreme Court at the Age of Corona: The United States & Israel, (in preparation).
- 2. * The Roberts Court, State Courts, and States Constitutions: Judicial Role Shopping, 30 JOURNAL OF LAW & POLICY (forthcoming 2022) coauthored with Ariel L. Bendor.
- 3. * The Decline of Habeas Corpus in Israel, 42 PACE LAW REVIEW (forthcoming 2021) coauthored with Israel Zvi Gilat.
- 4. * The Standing Doctrine: What Went Wrong?, in OXFORD HANDBOOK OF THE ISRAELI CONSTITUTION (Aharon Barak, Barak Medina & Yaniv Roznai editors, forthcoming 2022).
- 5. * Detaining Unlawful Enemy Combatants in Israel: A Matter of Misinterpretation?, in Constitutionalism Under Extreme Conditions 121 (Richard Albert & Yaniv Roznai eds., Springer Publishing, 2020).
- 6. * The Supreme Court as a Babysitter: Modeling Zubik v. Burwell and Trump v. International Refugee Assistance Project Rights, 2018 MICHIGAN STATE L. REV. 373 (2018) coauthored with Ariel L. Bendor.
- 7. * The (Unified?) Fiduciary Theory of Judging: Hedgehogs, Foxes, and Chameleons, 8 Faulkner L. Rev. 73 (2016).
- 8. * Justifying Judicial Review: On the Changing Methodology of the Israeli Supreme Court, in ISRAEL'S CONSTITUTIONAL LAW IN THE MAKING 105 (Gideon Sapir, Daphene Barak-Erez & Aharon Barak eds., 2013).
- 9. Who Needs a Constitution? In Defense of Non-Decision Constitution-Making Tactic in Israel, 70 Albany L. Rev. 409 (2007).
- 10. The Changing Role of the Israeli Supreme Court and the Question of Legitimacy, 20 Temple International & Comparative L. J. 1 (2006).

In Hebrew

- 11. * Reinventing the Supreme Court, in THE HIGH COURT OF JUSTICE AND HAREDIM (Haim Zicherman & Gideon Sapir eds., forthcoming 2022).
- 12. * A Fiduciary Theory of Judging, in FIDUCIARY DUTIES IN ISRAELI LAW 279 (Ruth Plato-Shinar & Joshua Segev eds., 2016).
- 13. * What Happened to Habeas Corpus in Israel?, 22 HAMISHPAT 195 (2016) coauthored with Israel Zvi Gilat.
- 14. * Rights Talk After the Constitutional Revolution: Did the Constitutional Revolution Improve the Protection of Rights in Israel?, 17 LAW & BUSINESS: IDC LAW REVIEW 235 (2014).
- 15. Relief in the Interest of Justice: Two Models of an Unconventional Functional Authority, 7 Kiryat Hamishpat 63 (2008).
- 16. Was it a Dream or Reality: Justice Cheshin on the Knesset Constituent Authority, 6 NETANYA ACADEMIC COLLEGE LAW REVIEW 461 (2008).
- 17. The High Court of Justice in the Service of Justice: The Lost Tradition, 12 Hamishpat 439 (2007).
- 18. In Defense of the Traditional Right of Standing, 49 HAPRAKLIT 499 (2006).
- 19. Why Israel does not and will not have a Constitution?, 5 NETANYA ACADEMIC COLLEGE LAW REVIEW (2006).
- 20. The Normative Dilemma of Judicial Review in Israel: A Reexamination, 3 Netanya Academic College L. Rev. 303 (2003-2004).
- 21. Meaning & Violence From Institutional Arrangements to Personal Responsibility (from the Landaue Commission Report to the Ruling in the Case of the Public against Torture in Israel) 10 ISRAEL JOURNAL OF CRIMINAL JUSTICE 157 (2001).

Selected Professional and Public Service

- 2019-present: Legal Commentator, "Israel Hayom" daily newspaper.
- 2019-present: Member of the Advisory Committee of the Israel Law & Liberty Forum.
- 2018-2019: Lecturer, the Tikva Fund.
- 2000-2001: Research Assistant, Prof. John Norton Moore, The Rule of Law.
- 2001: Research Assistant, Prof. Michael J. Klarman, Constitutional Law.
- 1999: Shimron, Molho, Persky & Co. Tel-Aviv, Israel, Apprenticeship.
- 1998-1999: Research Assistant, Prof. Ruth Ben-Israel.
- 1997-1999: Counsel for the Defense for the Students' Union of Tel-Aviv University.