

# Law and culture in Israel at the threshold of the twenty-first century

Free public lecture

## Professor Menachem Mautner, Tel Aviv University

Three far-reaching changes were recorded in the jurisprudence of the Supreme Court of Israel during the 1980s and 1990s. First, a rise of sweeping judicial activism. Second, the rise of a new style of reasoning that exposes the normative and distributive dimensions of law (a shift from 'legal formalism' to 'value-laden jurisprudence'). Third, a shift in the perception of the Supreme Court's role from an institution whose function is to settle disputes to a political institution that participates in determining the values applying in the country and in allocating the material resources available for distribution.

These changes can be understood in the context of the decline of the political and cultural hegemony of the Labor movement at the end of the 1970s. As this hegemony declined, two social groups were offering Israel a comprehensive cultural vision for the next decades: a secular-liberal group that aims at strengthening Israel's affiliation with the West, and a religious group that aims at strengthening Israel's affiliation with Jewish heritage and law.

The Supreme Court, which since Israel's inception had been the state institution most closely identified with the project of promoting liberalism in the country's political culture, cooperated with the former group in its struggle against the latter: the Court turned itself into an important arena for the cultural-political activities of the secular-liberal group.

**Date:** 6 pm, Monday 18 August 2008

**Venue:** Monash University  
Law Chambers,  
472 Bourke Street  
Melbourne

**RSVP:** Essential.  
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## Speaker profile



**Professor Menachem Mautner** is the Daniel Rubinstein Chair, Professor of Comparative Civil Law and Jurisprudence and former Dean of the Tel Aviv University, Faculty of Law. He received his LLB, magna cum laude, and LLM, summa cum laude, from Tel Aviv University, Faculty of Law, and an LLM and a JSD from Yale Law School. Professor Mautner has been a visiting

professor at Michigan Law School, NYU Law School, Cardiff Law School and Harvard Law School.

Professor Mautner is the author of 'The Decline of Formalism and the Rise of Values in Israeli Law' and 'On Legal Education'. He has edited several books, including 'Multiculturalism in a Democratic and Jewish State' and 'Distributive Justice in Israel'.

This lecture is proudly presented by **Monash University Law School** together with the **Australian Centre for Jewish Civilisation in the Faculty of Arts**.

