

DAPHNA LEWINSOHN-ZAMIR
CURRICULUM VITA
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Personal Details

Date of Birth: February 9, 1963, Israel

Family Status: Married with two daughters

Home Address: 39 Midbar Sinai St., Jerusalem 9780539, Israel

Office Address: Law Faculty, The Hebrew University of Jerusalem, Mount Scopus,
Jerusalem 91905

Tel: (Home) +972-2-5823845; (Office) +972-2-5882577/28

Fax: +972-2-5829002

E-mail: daphna.lewinsohn-zamir@mail.huji.ac.il

Higher Education

1. 1986 – LL.B. *cum laude*, Law Faculty, Hebrew University of Jerusalem;
2. 1994 – LL.D. (Doctor of Law), *summa cum laude*, Hebrew University of Jerusalem. Subject of doctoral thesis: “Uncompensated Injuries to Land Caused by Actions of Planning Authorities”, under the supervision of Prof. Joshua Weisman.

Academic Appointments at the Hebrew University

1. 1985-1989 – Research Assistant to Prof. Guido Tedeschi, Law Faculty, Hebrew University of Jerusalem;
2. 1987-1990 – Teaching and Research Assistant to Prof. Joshua Weisman, Law Faculty, Hebrew University of Jerusalem;
3. 1991-1994 – Assistant Teacher, Law Faculty, Hebrew University of Jerusalem;
4. 1994 – Appointed Lecturer, Law Faculty, Hebrew University of Jerusalem;
5. 1999 – Senior Lecturer, Law Faculty, Hebrew University of Jerusalem;
6. 2000 – Appointed to the Louis Marshall Chair in Environmental Law;
7. 2004 – Associate Professor, Law Faculty, Hebrew University of Jerusalem;
8. 2009 – Full Professor.

Additional Activities at the Hebrew University

1. 1999-2009 – Member of the Awards and Fellowships Committee (2006-2009, Chair of the committee);
2. 1999-2000 – Faculty Advisor to *Mishpatim*, the Students’ Law Review;
3. 2000-2001, 2006-2009 – Member of the Library Committee;
4. 2001-2005 – Officer in charge of Students’ Disciplinary Proceedings;
5. 2003-2004, 2007-2011 – Member of the Academic Committee of the Sacher Institute for Legislative Research and Comparative Law;
6. 2003-2004, 2008-2011 – Member of the Executive Board of the Sacher Institute for Legislative Research and Comparative Law;

7. 2006-2012 – Member of the Teaching Committee of the Law Faculty;
8. 2007-2009 – Member of Doctoral Research Fellows Committee of the Law Faculty;
9. 2006-2017 – Member of the Screening Committee of the Business Administration School;
10. 2007-2017 – Member of the Academic Board of the Magnes Press (the academic publishing house of the Hebrew University);
11. 2008-2009 – Prosecutor in sexual harassment cases, Hebrew University;
12. 2012-2013 – Member of the Academic Committee of the University's Authority for Research Students;
13. 2012-2015 – Member of the University Committee for Appointments of Professors of the Practice;
14. 2008-2012 – Member of the University Committee for Promotions in the Humanities and Social Sciences;
15. 2012-2015 – Chair of the University Committee for Promotions in the Humanities and Social Sciences;
16. 2015-2017 – Member of the Standing Committee of the Hebrew University;
17. 2015-2017 – Member of the Academic Policy Committee of the Hebrew University;
18. 2015-2017 – Member of the Honorary Doctorate Committee of the Hebrew University;
19. 2015-2017 – Member of the Appointments Committee of the Law Faculty;
20. 2015-2017 – Member of the Senate of the Hebrew University;
21. 2017-2018 – Chair of the Appointments Committee of the Law Faculty.

Academic Appointments Outside of the Hebrew University

1. 1990-1991 – Visiting Researcher, Harvard Law School;
2. 1996-1997 – Visiting Scholar, Yale Law School;
3. 1997-2013 – Teaching at the Academic Center for Law & Business;
4. 2005-2006 – Global Visiting Professor of Law, New York University School of Law;
5. 2010 – Visiting Professor of Law, Georgetown University Law School;
6. 2011, 2013, 2016 (Fall Semester) – Visiting Professor, Center for Transnational Legal Studies, London;
7. 2013 (Fall Semester) – Teaching at the Interdisciplinary Center Herzliya (IDC);
8. 2015 (Spring Semester) – Visiting Professor of Law, New York Law School.

Additional Activities

1. 1985-1986 – Member of the editorial board of “Mishpatim”, the Students Law Review, Law Faculty, Hebrew University of Jerusalem;
2. 1985-1986 – Law clerk of Justice Dov Levin, The Supreme Court of Israel;
3. 1986-1987 – Law clerk in the Department of Constitutional and Administrative Law, Attorney General's Office, Ministry of Justice, Jerusalem (under the supervision of Uzi Vogelmann and Menni Mazuz);

4. 1987 – Member of the Israeli Bar;
5. 1990, 1993-2006 – Participation in the discussions of the Commission for the Codification of Private Law, Ministry of Justice, headed by Chief Justice, Prof. Aharon Barak;
6. 2000-2008 – Member of the Advisory Academic Committee of the Land Use Research Institute;
7. 2001-2003 – Co-editor of the “Israel Law Review”;
8. 2004 – Member of the editorial board of the “Israel Law Review”;
9. 2008-2011 – Member of the Council and Executive Committee of the Open University;
10. 2009-2011, 2013-2014, 2015-2017 – Member of the promotion committee of the Academic Center for Law and Business;
11. 2009-2011 – Chair and Co-Founder of the Israeli Association for Private Law;
12. 2012-2017 – Member of the Academic Committee of the Rothschild Fellowships in the Humanities and Social Sciences;
13. 2015-2017 – Member of the Academic Council of the Center for Transnational Studies;
14. Over the years I have been both a member and Chair of the Israel Science Foundation (ISF) Evaluation Committee of grant proposals in law.

Teaching Activities

A. Doctoral Students

1. 2002-2009 – Asaf Rentsler (Use Variances in Planning Law. Degree completed);
2. 2003-2010 – Amir Kaminetsky (Long Term Leases. Degree completed);
3. 2003-2009 – Ofer Tur-Sinai (Cumulative Innovation in Patent Law. Degree completed);
4. 2003-2008 – Shlomit Yanisky-Ravid (Property Rights in Employees’ Inventions and Creations. Degree completed);
5. 2008-2014 – Ronit Levine-Schnur (Agreements between Municipalities and Private Entrepreneurs as Means for Cities’ Development. Degree completed).

B. LL.M Students

7. 2003-2005 – Ori Shwartz (Inalienability of Social Security Benefits. Degree completed *cum laude*);
8. 2007-2008 – Ronit Levine-Schnur (First Registration of Land. Degree completed *cum laude*).

C. Course Subjects

1. Property Law (compulsory course, LL.B);
2. Planning and Building Law (seminar, LL.B, LL.M);
3. Property Law: Practical and Theoretical Aspects (elective course, LL.B, LL.M);
4. Theories of Property Law (seminar, LL.B, LL.M);

5. Advanced Property Law (elective course, LL.B, LL.M);
6. Urban Planning: Comparative and Theoretical Aspects (elective course, LL.B, LL.M);
7. Selected Topics in Land Use Law: Theoretical, Comparative and International Perspectives (elective course, LL.B).

External Research Grants

1. 1996-1999 – The Israel Science Foundation (ISF) (Grant # 816/96), “Conservation of Buildings and Landscapes”, \$ 15,000.
2. 2016-2019 – The Israel Science Foundation (ISF) (Grant #128/16), “The Identifiability Effect and the Law: Theoretical and Experimental Perspectives”, 450,000 NIS.

Awards and Fellowships

1. 1986 – The Rector Prize for excellence in university studies;
2. 1986 – The Composers' and Authors' Society Jubilee Prize (for the article on Fair Use in copyright);
3. 1988 – The Dr. Leo Edelstein Prize;
4. 1988 – The Sarah Wolf Prize for an outstanding student in the fields of Law and Physical Chemistry;
5. 1988 – Scholarship from the Suss fund of the Hebrew University;
6. 1989/90 – Scholarship from the Morris Pulver Scholarship Fund, Canada;
7. 1989 – The Moshe Duchan Prize (for the article on protection of inventions);
8. 1989 – The George Weber prize for the most excellent article published in “Mishpatim” or in Israel Law Review in 1989/90 (for the article on protection of inventions);
9. 1990/1 – Fulbright Graduate Student Award, from the US-Israel Educational Foundation (for advanced studies at Harvard Law School);
10. 1991-1994 – Grant from the Council for Higher Education for outstanding doctoral students in the Humanities, Social Sciences and Law;
11. 1994/5 – Scholarship from the Birk Fund;
12. 1995 – First Prize from the Aharon & Moshe Ben-Shemesh Foundation (for the Doctoral thesis);
13. 1995 – The Bernard M. Bloomfield Prize in the Humanities, Social Sciences and Law (for the Doctoral thesis);
14. 1995 – The Zeltner Prize for Young Scholar;
15. 1996/97 – Rothschild Fellowship for Advanced Studies at Yale Law School;
16. 1999 – The Hebrew University President’s Prize for the Excellent Young Scholar, named after Yoram Ben Porat;
17. 2017 – The Zeltner Prize for Senior Scholar.

Select Presentations in Conferences and Invited Lectures

1. **2001, Columbia Law School** – International Conference on Classification of Private Law: Bases of Liability and Remedies. Lecture titled “The Choice Between Property Rules and Liability Rules Revisited: Critical Observations from Behavioral Studies”;
2. **2004, Haifa Law School** – International Conference on 200 Years to the Code Civil: From the Code Napoleon to the New European Principles of Contracts and to Israeli Civil Codification. Lecture titled “Israeli Codification and the *Numerus Clausus* Principle in Property”;
3. **2005, New York University Law School** – Presentation in the Faculty Seminar. Article titled “In Defense of Redistribution Through Private Law”;
4. **2006, Hebrew University of Jerusalem** – Conference on “The Draft Civil Code: A Critical Analysis”. Lecture titled “The Civil Codification – Select Issues in Property Conflicts”;
5. **2007, Hebrew University of Jerusalem** – International Conference in Honor of Judge Richard Posner. Lecture titled “In Defense of Redistribution Through Private Law”;
6. **2007, Bar-Ilan Law School** – Presentation in the Faculty Seminar. Article titled “More is Not Always Better than Less – An Exploration in Property Law”;
7. **2007, Colorado Law School** – International Property Works in Progress Conference. Presentation titled “More is Not Always Better than Less – An Exploration in Property Law”;
8. **2008, Tel-Aviv Faculty of Law** – Presentation in the Private Law Faculty Seminar. Article titled “Identifying Intense Preferences”;
9. **2008, Colorado Law School** – International Property Works in Progress Conference. Presentation titled “Identifying Intense Preferences”;
10. **2008, Cornell Law School** – Presentation in the Faculty Seminar. Article titled “Identifying Intense Preferences”;
11. **2008, Interdisciplinary Center Herzliya (IDC)** – Presentation in the Faculty Seminar. Article titled “Identifying Intense Preferences”;
12. **2009, Colorado Law School** – International Property Works in Progress Conference. Presentation titled “Assessing Outcomes”;
13. **2009, Hebrew University Law Faculty** – Presentation in the Faculty Seminar. Article titled “Beyond the Bottom Line: The Complexity of Outcome Assessment”;
14. **2009, Tel-Aviv Faculty of Law** – Presentation in the Law & Economics Workshop. Article titled “Beyond the Bottom Line: The Complexity of Outcome Assessment”;
15. **2009, Haifa Law School** – International Conference on “Behavioral Analysis of Law: Markets, Institutions and Contracts”. Presentation titled “Beyond the Bottom Line: The Complexity of Outcome Assessment”;

16. **2010, Center for Rationality and Interactive Decision theory** – Presentation titled “Beyond the Bottom Line: The Complexity of Outcome Assessment”;
17. **2010, New York Law School** – Presentation in the Faculty Workshop. Presentation titled “Outcomes”;
18. **2010, Georgetown Law Center** – Presentation in the Faculty Workshop. Presentation titled “Beyond the Bottom Line: The Complexity of Outcome Assessment”;
19. **2010, Georgetown Law Center** – Presentation in the First Annual Conference of the Association for Law, Property and Society. Presentation titled : “Restoration versus Consolation: The Advantages of In-Kind Redress”;
20. **2010, NYU Law School** – Presentation in the Property Law and Theory Workshop. Paper titled: “The Thing Itself: The Preference for In-Kind Over Monetary Redress”;
21. **2010, UCLA Law School** – Presentation in the Faculty Workshop. Paper titled: “The Thing Itself: The Preference for In-Kind Over Monetary Redress”;
22. **2010, Yale Law School** – Presentation in the fifth annual Conference of the Society for Empirical Legal Studies (CELS). Paper titled: “The Thing Itself: The Preference for In-Kind Over Monetary Redress”;
23. **2011, Krakow, Poland** – Presentation in the 29th Seminar on the New Institutional Economics. Paper titled: “The Questionable Efficiency of the Efficient Breach Doctrine”;
24. **2011, Law and Economics Workshop, Hebrew University** – Paper titled: “In-Kind Remedies, Monetary Redress and Undercompensation”;
25. **2012, Sapir College of Law** – Presentation in the Faculty Seminar. Paper titled: “In-Kind Remedies, Monetary Redress and Undercompensation”;
28. **2012, Center for Transnational Legal Studies, London** – Presentation in the Legal Theory and Practice Colloquium. Paper titled: “In-Kind Remedies, Monetary Redress and Undercompensation”;
29. **2012, Fordham Law School, New York City** – International Property Works in Progress Conference. Paper titled: “Indirect Remedies in Private Law”;
30. **2012, Tel-Aviv University** – Presentation in the Private Law Workshop. Paper titled: “Indirect Remedies in Private Law”;
31. **2013, Academia Sinica, Taipei** – Presentation in the fifth Law and Economic Analysis Conference. Paper titled: “What Behavioral Studies Can Teach Jurists about Possession and Vice Versa”;
32. **2013, Center for Transnational Legal Studies, London** – presentation in the Legal Theory Colloquium. Paper titled: “Indirect Remedies in Private Law”;
33. **2014, Interdisciplinary Center Hertzlia** – Presentation in the Faculty Seminar. Paper titled: “Indirect Remedies in Private Law”;
34. **2014, University of Amsterdam** – Presentation in the Private Law Theory Seminar Series. Paper titled: “Indirect Remedies in Private Law”;

35. **2014, George Mason University** – Presentation in the Property Law and Theory Colloquium. Paper titled: “The Importance of Being Earnest: On Two Notions of Internalization”;
36. **2014, Hebrew University of Jerusalem** – Presentation in the Private and Commercial Law Workshop. Paper titled: “It's Now or Never! Using Deadlines as Nudges”;
37. **2014, London** – Presentation in Notre Dame Law School's Program on Law and Market Behavior. Paper titled: “It's Now or Never! Using Deadlines as Nudges”;
38. **2014, Aix-en-Provence** – Presentation in the 31st European Association of Law and Economics Conference. Paper titled: “The Importance of Being Earnest: Two Notions of Internalization”;
39. **2015, Columbia Law School** – Presentation in the 25th American Law and Economics Association Conference. Paper titled: “It's Now or Never! Using Deadlines as Nudges”;
40. **2015, Hebrew University of Jerusalem** – Presentation in the Private and Commercial Law Workshop. Paper titled: “The Identifiability Effect and Lawmaking”;
41. **2015, Tel-Aviv University** – Presentation in the Private Law Workshop. Paper titled: “The Identifiability Effect and Lawmaking”;
42. **2016, Center for Transnational Legal Studies, London** – Presentation in the Transnational Law Colloquium. Paper titled: “Law and Identifiability”;
43. **2016, Bar Ilan University** – Presentation in the International Conference on Deliberative vs. Non-Deliberative Choice and Public Policy. Paper titled: “Law and Identifiability”;
44. **2017, Berlin** – A joint Conference on Law and Economics, of the German and Israeli Academies of Sciences and the Humanities. Paper titled: “The Enforcement of Legal Norms: Insights from Behavioral Economics”;
45. **2017, Sienna** – Conference in Memory of Prof. Guido Tedeschi. Paper titled: “Indirect Remedies in Private Law”.

List of Publications

I Doctoral Thesis

“Uncompensated Injuries to Land Caused by Actions of Planning Authorities”, under the supervision of Prof. Joshua Weisman, 1994 (book # 2).

II Books

1. **Breach of Statutory Duty**, 2nd ed, in *The Law of Civil Wrongs – The Particular Torts*, G. Tedeschi, ed. (The Harry and Michael Sacher Institute for Legislative Research and Comparative Law, Jerusalem, 1989) 96 pp., in Hebrew;
2. **Injuries to Land Caused by Planning Authorities** (The Harry and Michael Sacher Institute for Legislative Research and Comparative Law, Jerusalem, 1994) 542 pp., in Hebrew. Chapter on “Expropriation of Land Without Compensation” reprinted in *Land Law in Israel: Between Private and Public*, H. Dagan ed., (Ramat Publishing Co., Tel-Aviv, 1999) 139-188;

III Edited Books

3. *Essays in Honor of Joshua Weisman* (Co-Edited with Shalom Lerner, The Harry and Michael Sacher Institute for Legislative Research and Comparative Law, Jerusalem, 2002) 604 pp., in Hebrew.

IV Chapters in Books

1. “Indirect Injury to Land Caused by Plans – Transferring the Burden of Compensation from the Public Sector to the Private Sector”, in *Essays in Memory of Professor Guido Tedeschi* (I. Englard, A. Barak, M.A. Rabello & G. Shalev, eds., The Harry and Michael Sacher Institute for Legislative Research and Comparative Law, Jerusalem, 1995) 361-400 (in Hebrew);
2. “Constitutional Protection of Property Rights and Expropriation Law”, in *Developments in European, Italian and Israeli Law* 101-112 (A.M. Rabello & A. Zanotti eds., giuffre` editore, 2001);
3. “Constitutional Protection of Property in Land and the Law of Expropriation”, in *Essays in Honour of Joshua Weisman* 375-405 (The Harry and Michael Sacher Institute for Legislative Research and Comparative Law, Jerusalem, 2002, in Hebrew);
4. “The Curtailment of the Claim of Adverse Possession in Land – A Critical Analysis”, in *Essays in Memory of Professor Menashe Shava Book* 181-204 (A. Barak & D. Friedmann eds., Ramot Publishing Co., Tel-Aviv, 2006, in Hebrew);

5. "Advocating the Protection of Entitlements through Property Rules", in *Daniel Friedmann Book* 197-219 (N. Cohen & O. Grosskopf eds., Nevo Publishing Co., 2008, in Hebrew);
6. "Indirect Remedies in Private Law", in *Essays on Law in Honour of Avigdor V. Levontin* 281-315 (C. Wasserstein-Fassberg, B. Medina & J. Weisman eds., 2013, in Hebrew);
7. "Behavioral Law and Economics of Property Law: Achievements and Challenges", in *The Oxford Handbook of Behavioral Economics and the Law* 377-404 (E. Zamir & D. Teichman eds., Oxford University Press, 2014);
8. "What Behavioral Studies Can Teach Jurists about Possession and Vice Versa", in *Law and Economics of Possession* 128-148 (Yun-chien Chang ed., Cambridge University Press, 2015).

V Articles

9. "The Defense of Fair Use in Copyright", 16 *Mishpatim* (The Students' Law Review of the Hebrew University) 430-461 (1987, in Hebrew);
10. "Economic Considerations in the Protection of Inventions", 19 *Mishpatim* 143-184 (1989, in Hebrew);
11. "Transplantation from Living Body: Experience and Problems in Israel", 38 *HaPraklit* (Israeli Bar's Law Journal) 300-306 (1989, in Hebrew);
12. "Development Agreements and Conditions in Building Permits – A Substitute for Formal Planning Processes?" 28 *Israel Law Review* 57-135 (1994);
13. "Compensation for Injuries to Land Caused by Planning Authorities: Towards a Comprehensive Theory", 46 *University of Toronto Law Journal* 47-127 (1996);
14. "The 'Conservation Game': The Possibility of Voluntary Cooperation in Preserving Buildings of Cultural Importance", 20 *Harvard Journal of Law and Public Policy* 733-789 (1997);
15. "Consumer Preferences, Citizen Preferences, and the Provision of Public Goods", 108 *Yale Law Journal* 377-406 (1998);
16. "On the Protection of Landowners from Harsh Effects of Partial Expropriations", 30 *Mishpatim* 377-392 (1999, in Hebrew);
17. "Distributive Implications of Buildings' Preservation, The Appropriate Compensation Rules, and Transferable Development Rights", 31 *Mishpatim* 11-96 (2000, in Hebrew);
18. "Contemporary Property Law Scholarship: A Comment", 2 *Theoretical Inquiries in Law* 97-105 (2001);
19. "The Choice Between Property Rules and Liability Rules Revisited: Critical Observations from Behavioral Studies", 80 *Texas Law Review* 219-260 (2001); Reprinted in *Classification of Private Law: Bases of Liability and Remedies* (C. Wasserstein Fassberg & I. Gilead eds.) 105-157 (2003);
20. "Reparcellation Plans as a Means to Frustrate the Right to Reclaim Expropriated Land", 26 *Tel Aviv University Law Review* 985-1009 (2003);

21. “The Objectivity of Well-Being and the Objectives of Property Law”, 78 *New York University Law Review* 1669-1754 (2003);
22. “The Impact of Economic Theory on the Israeli Case Law on Property”, 39 *Israel Law Review* 5-38 (2006);
23. “The Civil Codification – Select Issues in Property Conflicts”, 36 *Mishpatim*, 663-691 (2006, in Hebrew);
24. “In Defense of Redistribution Through Private Law”, 91 *Minnesota Law Review* 326-397 (2006);
25. “More is Not Always Better than Less – An Exploration in Property Law”, 92 *Minnesota Law Review* 634-713 (2008);
26. “Identifying Intense Preferences”, 94 *Cornell Law Review* 1391-1458 (2009);
27. “The Questionable Efficiency of the Efficient Breach Doctrine”, 168 *Journal of Institutional and Theoretical Economics* 5-26 (2012);
28. “Taking Outcomes Seriously”, 2012 *Utah Law Review* 861-902;
29. “Can't Buy Me Love: Monetary versus In-Kind Remedies”, 2013 *University of Illinois Law Review* 151-194;
30. “Do the Right Thing: Indirect Remedies in Private Law”, 94 *Boston University Law Review* 55-103 (2014);
31. “The Importance of Being Earnest: Two Notions of Internalization”, 65 *University of Toronto Law Journal* 37-84 (2015);
32. “It’s Now or Never! Using Deadlines as Nudges”, *Law & Social Inquiry* (2016, 35 pp., with Eyal Zamir & Ilana Ritov);
33. “Law and Identifiability”, 92 *Indiana Law Journal* 505-555 (2017); (with Ilana Ritov & Tehila Kogut).

Work in Progress

1. “The Psychology of Property Law” (with Stephanie Stern; the book is under contract with NYU press);
2. “The Curse of Success”.