

Professor Israel Gilead – CV 2020

Fields of research and teaching

Tort Law, corporations, limitation of civil actions, economic analysis of tort law, bills and notes

Academic degrees

Faculty of Law, Hebrew University

- Professor Emeritus 2012
- Full Professor 2002
- Bora Laskin Chair in Law 1998
- Associate Professor 1996
- Senior Lecturer 1992
- Lecturer 1984

Other

- Full Professor , Academic Center of La and Science, head of advanced legal studies, 2012 -
- Senior Lecturer (with tenure), Faculty of Law, Haifa U. 1991 - 1992

Academic positions

- Member of the Israel's Council of Higher Education, head of the committee in charge of social sciences, law and business administration, 2016 –
- Dean, Faculty of Law, Hebrew University 1999-2002
- Vice Dean, Faculty of Law, Hebrew University 1993-1996
- Member of the (Tenure) Appointment Committee –

Humanities and Social Sciences, Hebrew University 2006 – 2008

- Head of the Israeli Universities Admission Committee 2004 – 2007
- Head of executive Committee, National Institute

For Testing and Evaluation (psychometric tests) 2007 – 2013

- Chairperson and member of various subcommittees
of the Council of Higher Education 2002 – present
- Member and Head of various academic disciplinary bodies 1985 -

Law reform committees and related activities

Member of the committee established by the Attorney General to review the law of liability for “wrongful life”, 2011

- Drafting the 2005 Law regulating the tort immunity of public officials
- Drafting the chapters on Tort Law and Tort Remedies in the proposed 2011 draft of the Israeli Civil Code
- -Drafting the new Limitation of Civil Actions Law which is part of the proposed Civil Code
- Member of the Codification Committee on Israeli Private
Law - headed by Chief Justice Barak. 1996 - 2005
- Member of the Law Reform Committee on the Israeli Law
of Torts - headed by Chief Justice Barak. 1994-2005
- Member and principal researcher of the Law Reform Committee on the
of Limitation of Actions - headed by Chief Justice Barak 1992-1995

International affiliations

- Member of the European Group on Tort Law (EGTL)
Co-leading two projects of the Group on Proportional Liability
And Prescription 1999 - present

- Member of the European Center of Tort and Insurance Law (ECTIL) 1999 – present
- Member of the American Law Institute 2004 - present

Statutory and Public Commissions

- Member of a Public Committee established by the Ministry of Justice to recommend ways of coping with the "Wrongful Life" dilemma 2011-2012
- Member of a statutory commission appointed by Israeli Government to appoint Directors to the nationalized pension funds 2003 - 2008
- Member of a statutory commission established to propose criteria for assisting victims of a building collapse disaster 2002

Parliamentary Committees

- Participating as an expert in meetings, on various issues, of the parliamentary Constitution, Law & Justice committee and the Education Committee
2001 - present

Boards of Directors

- Director at Harel Insurance and Finance group 2012 – present
Head of the Audit, Risk Management and Remuneration Committees.
- Director at Bank Leumi – head of its Audit Committee and Procedure Committee and member of various committees 2005 - 2011
- Member of other boards of directors and of investment committees of financial bodies 1987 - 2005

Books

1. **Tort Law: Limits of Liability**" (Sacher Institute - the Hebrew University (2012) (1,500 p.) (Hebrew, 2 Volumes) .
2. **Tort Law: Israel** in The International Encyclopedia of Laws, Kluwer Law International, 2003) 300 pages (2003).

Edited Books

3. **The Law of Prescription; Analytical and Comparative Perspectives** (Intersentia, (2020)
4. **Proportional Liability** (I. Gilead, M. Green, B. Koach eds., De Gruyter, 2013)
5. **Classification of Private Law: Bases of Liability and Remedies** (C. Fassberg, I. Gilead eds., Sacher Institute, The Hebrew University, 2003).
6. **Developments in Austrian and Israeli Private Law** (H. Hausmaninger, H. Kozoil, A.M. Rabello, I. Gilead – eds., Springer, 1999
- 7.

Articles in Edited Journals

8. "Simplifying Complexities if Negligence Law – A Joint Academic/Judicial Proposal" 10 *Journal of European Tort Law* 207 - 256 (2019).
9. "Positive Externalities and the Economics of Proximate Cause" **Washington Lee Law Review** (forthcoming 2017).
10. "Models of Negligence – The Debate in Israel's Supreme Court" 8 **Journal of European Tort Law** 317 (2017) 1.
11. "Cause of Action in limitation of Civil Actions: 9 **Sha'arey Mishpat** 9 (2016).
12. Review article on the Research Handbook on the Economics of Torts, 6 **Journal of European Tort Law** 317 (2015).
13. On Models of Negligence: Part B" **Mishpatin on Line** (2014) (Hebrew)
14. "On Models of Negligence" 7 **Mishpatin on Line** 1 (2014) (Hebrew)
15. "On the Proper Scope of Legal Causation in Negligence Law" 29 **Bar-Ilan Law Studies** 169 (2013) (Hebrew).

16. "Human Rights in Tort Law and in Contract law - the Quiet Revolution" (with D. Barak-Erez) 8 **Kiryat Mishpat** (2009) (Hebrew).
17. "Tort Law in Chief Justice Barak judgments" in Barak's Book (**Mishpatim**) 487 (2009) (Hebrew).
18. "Rejoinder: The New Law of Limitation of Civil Actions" 36 **Mishpatim** (2007) 855 (Hebrew).
19. "Comments on the Tort Provisions in the Proposed new Civil Code" 36 **Mishpatim** 761 (2007) (Hebrew).
20. "The 'Lost Years' – Compensating Dependents – a Note on the *Atinger* decision" 4 **Alei Mishpat** 47 (2005) (Hebrew).
21. "Expanding Tort Liability through Causation - A Critical Analysis" 34 **Mishpatim** 385 (2004) (Hebrew).
22. Non-Consensual Liability of a Contractual Party: Contract, Negligence, Both or In-Between?" 3 **Theoretical Inquiries in Law** 511(2002).
23. "Judging the Judges?" 3 **Alei Mishpat** 255 (2002) (Hebrew).
24. "The Evidential Loss Doctrine: Has the Burden of Proof been Rebutted"? 30 **Mishpatim** 317 (2000) (Hebrew).
25. "Signature on a Bill - Authorization" 29 **Mishpatim** 263 (1998) (Hebrew).
26. "Tort Law and Internalization: The Gap Between Private Loss and Social Cost" 17 **Int. Rev. Law & Econ.** 589 (1997).
27. "On Presumptive Liability, Rationality and Intuition in Determining the Scope of Liability for Negligence", 26 **Mishpatim** 295 (1995) (Hebrew).
28. "Tort Liability of Public Authorities and Public Officials" (Part II), 3 **Mishpat Umimshal** 55 (1995) (Hebrew).
29. "The Evolution of Israeli Tort Law from its Common Law Origins", **European Legal Tradition and Israel** 523 (A.M. Rabello ed., Jerusalem, 1994).
30. "Tort Liability of Public Authorities and Public Officials" (Part I), 2 **Mishpat Umimshal** 339 (1994) (Hebrew).
31. "On the Deduction of Income Tax from the Award of Lost Earnings to Road Accident Victims" 24 **Mishpatim** 593 (1994) (Hebrew).
32. "On the Conformity of Liability and Insurance Aspects of Road Accidents Victims Compensation Arrangement" 23 **Mishpatim** 389 (1994) (Hebrew).
33. "On the Limits of Efficient Deterrence in Tort Law" 22 **Mishpatim** 421(1993) (Hebrew).
34. "Myocardial Infarction as a Work Accident" 40 **Hapraklit** 241 (1992) (with A. Sever) (Hebrew).
35. "You Shall Honor the Aged" 22 **Mishpatim** 233 (1992) (Hebrew).

36. "Issues in the Law of Torts" 24 Israel L.R. 651 (1990).
37. "Strict Product Liability, Defective Products (Liability) Law 1980", 8 Bar-Ilan Law Stud. 179 (1990) (Hebrew).
38. "The Law of Limitations: A Proposal for Statutory Reform in Israel Tort Law", (Part II) 19 Mishpatim 369 (1990) (Hebrew).
39. "The Law of Limitations: A Proposal for Statutory Reform in Israel Tort Law", (Part I) 19 Mishpatim 81 (1989) (Hebrew).
40. "On the Elements of Negligence in Israel's Law of Tort", 14 Tel Aviv U.L.R. 319 (1989) (Hebrew).
41. "Limitation of Actions and Prescription: Guidelines for Reform in Israel Land Law" 18 Mishpatim 177 (1988) (Hebrew).
42. "On the Interrelation Between the Factual and the Normative Aspects of Negligence" 15 Mishpatim 446 (1986) (Hebrew)
43. "Limitation of Actions and Latent Diseases", 14 Mishpatim (1985) (Hebrew).
44. "Coase Theorem, Competitive Market and Product Liability Law" 20 Israel L.R. 39 (1985).
45. "B. Ackerman, Reconstructing American Law", 20 Israel L.R. 581 (1985) (book review).
46. "Rethinking Causation in Israel Tort Law" 14 Mishpatim 15 (1984) (Hebrew).
47. "On Linkage and Revaluation" 15 Israel L.R. 79 (1980).
48. "The Meaning of the Expression 'Accused' in sec. 2(2) of the Law of Extradition" 8 Mishpatim 302 (1977) (Hebrew).

Articles in Edited Books

49. "Directors' and Officers' liability in Israel" in **Directors and Officers' Liability** (DE GRUYTER 2018) 207-248.
50. "Liability of Public Authorities in Israel" in **The Liability of Public Authorities in a Comparative Perspective** (K. Oliphant ed., 2016) 225.
51. "Product Liability in Israel" in **European Product Liability** (P. Machnikowski ed. 2016)
52. "On the different meanings of foreseeability in negligence law" in festschrift for Advocate General Prof. Dr. Jaap Spier (2016).
53. "Three Models of Negligence" in Festschrift for Prof. Johann Neethling (2015)
54. "Proportional Liability – general report" in **Proportional Liability** (I. Gilead, M. Green, B. Koach eds., 1 – 67 (De Gruyter,2013).
55. "Israeli Report on Proportional liability" in **Proportional Liability** (I. Gilead, M. Green, B. Koach eds., 183 – 198 (De Gruyter,2013).
56. " Introduction to Economic Analysis of Loss Division" in **Aggregation and Divisibility of Damage**" 449 (K. Oliphant ed., Springer, 2009).
57. " Aggregation and divisibility of damage in Israeli Tort Law" in **Aggregation and Divisibility of Damage**" 255 (K. Oliphant ed., Springer, 2009).
58. " Economic Analysis of Prescription in Tort Law" in **Tort and Insurance Law Yearbook: European Tort Law 2007** (H, Koziol and B. Steininger eds, Springer, 2008).
59. "Limitation of Civil Actions" in **The Draft Civil Code for Israel in Comparative Perspective** (Kurt Siehr & Reinhard Zimmerman eds.) 192 (2008).
60. ""Harm Screening Under Negligence Law" in **Emerging Issues in Tort Law** (J. Neyers, E. Chamberlain & S.G.A. Pitel eds., Hart Publishing) 251 (2007).
61. Daphne Barak-Erez and Israel Gilead "Human Rights in Private Law: The Israeli Case" in **Human Rights and the Private Sphere – A Comparative Study**_ 252 (Routledge-Cavendish, Dawn Oliver and Jorg Fedtke eds., 2007).
62. "On the Justifications of Strict Liability" in **European Tort Law 2004** 28 (Helmut Koziol & Barbara .C. Steininger eds., 2005).
63. "Israeli Report on Fault" in **Unification of Tort Law: Fault** 129 (P. Widmer, ed., Kluwer, 2005).
64. " Israeli Report on Multiple Tortfeasors" in **Unification of Tort Law: Multiple Tortfeasors** 103 (H. Rogers, ed., Kluwer, 2004).
65. "Israeli Report on Contributory Negligence" in **Unification of Tort Law: Contributory Negligence** 139 (U. Magnus, M. Martin-Casalas, eds., Kluwer, 2003).

66. "Israeli Report on Liability for Damage Caused by Others" in **Unification of Tort Law: Vicarious Liability** 139 (J. Spier, ed, Kluwer, 2003).
67. "Liability and Insurance in Cases of Damage caused by Terrorist Attacks – Economic Analysis" 238 (B.A, Koch, ed., Springer, 2003).
68. "Tort Liability of Public Authorities and Public Servants in Israeli Tort Law" – in **Tort Liability of Public Authorities in Comparative Perspective** 499 (D. Fairgrieve, M. Andenas, J. Bell eds., - British Institute of International and Comparative Law, 2002).
69. "Israeli Report on Strict Liability" in **Unification of Tort Law: Strict Liability** 183 (B.A. Koch and H. Koziol eds., Kluwer, 2002).
70. "Non-Pecuniary Loss – The Israeli Report" in **Damages for Non-Pecuniary Loss in a Comparative Perspective** 297 (W.V. H. Rogers ed., Springer, 2001).
71. "Causation, Risk and 'Evidential Loss'" in **Development in Austrian and Israeli Private Law** 187 (H. Hausmaninger, H. Kozoil, A.M. Rabello, I. Gilead – eds., Springer , 1999).
72. "Economic Loss", **Israel Reports to the XV International Congress of Comparative Law** 79 (M.A. Rabello ed., Sacher Institute, Hebrew University, 1999).
73. National Report on the Israeli Law of Limitation of Civil Actions Submitted to the 14th Congress of the International Academy of Comparative Law, Athens Greece, 1994. Published in **Extinctive Prescription** 207 (E.H. Hondius, ed., Kluwer, 1995). Also published in a compilation of Israeli Reports to the 14th Congress by Sacher Institute, 75-105.

Other Publications

"The Law of Torts" - An entry in the New Hebrew Encyclopedia (forthcoming 2021)

"Defamation Law" - -An entry in the New Hebrew Encyclopedia (forthcoming 2021)

Contributions to various Festschrifts and articles in Israeli newspapers

Doctoral Dissertation

Economic Analysis of Tort Law and the Defective Product Liability Law 1980. Approved 1984.

\