New books in The Law Library

January 2022
Economic inequality is the defining issue of our time. In the United States, the wealth share of the top 1% has risen from 25% in the late 1970s to around 40% today. The percentage of children earning more than their parents has fallen from 90% in the 1940s to around 50% today. In *Combating Inequality*, leading economists, many of them current or former policymakers, bring good news: we have the tools to reverse the rise in inequality. In their discussions, they consider which of these tools are the most effective at doing so.

The contributors express widespread agreement that we need to aim policies at economic inequality itself; deregulation and economic stimulus will not do the job. No longer does anyone ask, in relation to expanded social programs, “Can we pay for it?” And most believe that US taxes will have to rise—although they debate whether the progressivity should focus on the revenue side or the expenditure side, through broad-based taxes like the VAT or through a wealth tax aimed at the very top of the income scale. They also consider the philosophical aspects of inequality—whether it is bad in itself or because of its consequences; the risks and benefits of more radical interventions to change the nature of production and trade; and future policy directions.

Coronavirus and the Law in Europe

*Coronavirus and the Law in Europe* is probably the largest academic publication on the impact of pandemics on the law. This academic endeavour is a joint, collaborative effort to structure the recent and ongoing legal developments into a coherent and pan-European overview on coronavirus and the law. It covers practically all European countries and legal disciplines and comprises contributions from more than 80 highly reputed European academics and practitioners.

Air Transport and Pandemic Law: Legal, Regulatory, Ethical and Economic Issues

The book discusses legal, ethical, economic and trade aspects of the Pandemic as it affects air transport. It commences with the chronology of the virus spread and examines the various facets of human existential perspectives affected by the pandemic. Following this background is an evaluation of the effect on trade and economics, as well as the legal and regulatory structure concerning communicable diseases applicable to air transport. There is also a detailed discussion on legal liabilities and responsibilities of the State, airlines, airports and public both collectively and individually in coping with the pandemic against the backdrop of public health and the law. The Conclusion contains various recommendations on proactive measures that could be taken to ensure the establishment of a credible and effective legal and regulatory system to combat future pandemics.

The Forgotten Fundamental Freedoms of the Charter

Among the fundamental freedoms guaranteed by section 2 of the Charter, only a few have been paid significant attention. The others—freedom of conscience, thought, belief, opinion, the press, other media of communication, peaceful assembly, and association—have been largely forgotten to date. What do these freedoms protect? Why are they “fundamental” to a liberal democracy, and how might they be realized? And what do we still need to learn about the meaning of freedom generally?

These questions and more are examined throughout this collection of essays, breaking new ground for human rights discourse in Canada and beyond and exploring the rich potential of the Charter’s “forgotten freedoms”. A recurring theme throughout is that these freedoms must not simply be “remembered”. If Canada is to be the free and democratic society contemplated by the Charter, these freedoms must also live and breathe within our constitutional practice.

The papers first discuss the jurisprudential background of the Charter and then the common themes and connections between different forgotten freedoms. The volume then analyzes in depth each of the fundamental freedoms. Also included is an appendix outlining the history of section 2 of the Charter and resulting sources, as well as comparative provisions in international human rights instruments, that may be used for further research.

Justifying Private Rights

Many of the most influential contributions to private law scholarship in the latter part of the twentieth century go beyond purely doctrinal accounts of private law. A distinctive feature of these analyses is that they straddle the divide between legal philosophy, on the one hand, and the sort of traditional doctrinal analysis applied by the courts, on the other. The essays contained in this collection continue in this tradition. The collection is divided into two parts. The essays contained in the first part consider the nature of, and justification for, private rights generally. The essays in the second part address the justification for particular private law rights and doctrines. Offering insightful and innovative analyses, this collection will appeal to scholars in all fields of private law and legal theory.

Judicial Dis-appointments: Judicial Appointments Reform and the Rise of European Judicial Independence

In 2009 and 2010, the European Court of Justice and the European Court of Human Rights underwent significant reforms to their respective judicial appointments processes. Though very different judicial institutions, they adopted very similar - and rather remarkable - reforms: each would now make use of an expert panel of judicial notables to vet the candidates proposed to sit in Luxembourg or Strasbourg. Once established, these two vetting panels then followed with actions no less extraordinary: they each immediately took to rejecting a sizable percentage of the judicial candidates proposed by the Member State governments.

What had happened? Why would the Member States of the European Union and of the Council of Europe, which had established judicial appointments processes that all but ensured themselves the unfettered power to designate their preferred judges to the European courts, and who had zealously maintained and exercised that power over the course of some fifty years, suddenly decide to undermine their own capacity to continue to do so?

This book sets out to solve this mystery. Its point of departure is that it would be a mistake to view the 2009-2010 establishment of the two vetting panels in isolation from other European judicial developments.

Nudge: The Final Edition

Since the original publication of *Nudge* more than a decade ago, the title has entered the vocabulary of businesspeople, policy makers, engaged citizens, and consumers everywhere. The book has given rise to more than 400 “nudge units” in governments around the world and countless groups of behavioral scientists in every part of the economy. It has taught us how to use thoughtful “choice architecture”—a concept the authors invented—to help us make better decisions for ourselves, our families, and our society.

Now, the authors have rewritten the book from cover to cover, making use of their experiences in and out of government over the past dozen years as well as an explosion of new research in numerous academic disciplines. To commit themselves to never undertaking this daunting task again, they are calling this the “final edition.” It offers a wealth of new insights, for both its avowed fans and newcomers to the field, about a wide variety of issues that we face in our daily lives—COVID-19, health, personal finance, retirement savings, credit card debt, home mortgages, medical care, organ donation, climate change, and “sludge” (paperwork and other nuisances we don’t want, and that keep us from getting what we do want)—all while honoring one of the cardinal rules of nudging: make it fun!

Policing Global Regions: The Legal Context of Transnational Law Enforcement Cooperation

This book provides a stocktake and comparative socio-legal analysis of law enforcement cooperation strategies in four different regions of the world: the European Union (EU), North America, Greater China and Australasia.

The work analyses law enforcement cooperation mechanisms within the socio-legal framework of global normmaking. The strategies addressed range from legal frameworks facilitating cooperation to formal and informal police networks and cooperation practices. The study also takes into account crime-specific engagement, for example campaigns focusing on drug crimes, terrorism, financial crime, kidnappings and other offences. It explores challenges in policing practice and human rights protection in each region that could be countered by existing strategies in another. As regions usually develop more advanced cooperation mechanisms than exist at a global scale, strategies found in the former could help find solutions for the latter.

To map existing strategies and assess their impact on both human rights and policing practice this study relies on an assessment of the primary and secondary literature sources in each region as well as interviews with practitioners ranging from senior police officers to prosecutors, government officials, customs and military staff.

The Discovery of the Fact

The Discovery of the Fact draws on expertise from lawyers, historians of philosophy, and scholars of classical studies and ancient history, to take a very modern perspective on an underexplored but essential domain of ancient legal history. Everyone is familiar with courts as adjudicators of facts. But legal institutions also played an essential role in the emergence of the notion of the fact, and contributed in a vital way to commonplace understandings of what is knowable and what is not. These issues have a particular importance in ancient Greece and Rome, the first western societies in which state law and state institutions of dispute resolution visibly play a decisive role in ordinary social and economic relations. The Discovery of the Fact investigates, historically and comparatively, the relationships among the law, legal institutions, and the boundaries of knowledge in classical Greece and Rome. Societies wanted citizens to conform to the law, but how could this be insured? On what foundation did ancient courts and institutions base their decisions, and how did they represent the reasoning behind their decisions when announcing them? Slaves were owned like things, and yet they had minds that ancients conceded were essentially unknowable. What was to be done? And where has the boundary been drawn between questions of law and questions of fact when designing processes of dispute resolution?

Criminalising Medical Malpractice: A Comparative Perspective

The criminalisation of healthcare malpractice has become a highly topical and somewhat controversial question in recent years. Studies have demonstrated that in England and Wales, the trend towards holding healthcare professionals to account for malpractice is rapidly growing, abolishing the deference doctors enjoyed decades ago. The changing attitude of judges to claims for clinical negligence has been well documented. The role of the criminal process in England and Wales has been less fully analysed with the criminal law playing a very limited role until recently in the regulation of poor healthcare practice. In contrast, in France, the criminal process has for a long time been invoked more readily to respond to cases of healthcare malpractice, which involved even mere errors. This book compares English and French criminal law responses to healthcare malpractice and considers what lessons the French model can provide for potential reform in England and elsewhere. The book takes the HIV-contaminated blood episode as a primary example of the different approaches France and England have in dealing with healthcare malpractice. Kazarian emphasises the impact of rules of substantive criminal law and criminal procedure on the way in which healthcare malpractice is criminalised in a given country. This book explores the key lessons to be drawn on whether the criminal process is an appropriate means to respond to instances of healthcare malpractice. It proposes that features of French criminal law and criminal procedure might be useful to counteract healthcare malpractice.

Rethinking Self-defence: the ‘Ancient Right’s’ Rationale Disentangled
This book advances the self-defence discussion by introducing a value-centric dialogue and providing an account of the underlying values providing the rationale for self-defence. The book offers valuable insights not only into the public's perception of what a 'right' or 'just' outcome is, but also, and for the purposes of the instant enquiry more importantly, into the emphasis legal systems place (and should place) on the relative importance of the defender and the attacker's respective rights to autonomy and non-interference. These differences in emphasis, in turn, yield very different real-world outcomes. By understanding the value-based decision-grounds, the author argues that we can avoid the hidden normativity and false dichotomies characterising the self-defence debate and, instead, focus on a more fulsome and explicit discussion over the core values a society can (and should) accept as potential self-defence decision-grounds.
Federal Income Taxation of Corporations and Partnerships

New to the Sixth Edition:

*The text has been updated to reflect the 2017 Tax Cut and Jobs Act.

*The chapter on taxable acquisitions has been modified to be more complete yet easier to understand.

*The chapter on tax-free acquisitive reorganizations has been modified to include more problems as well as a section on the substance-over-form doctrine.

*The Partnership Taxation presentation has been updated to include integration with new bonus depreciation rules, modernization of section 751(b), elimination of technical terminations, and expansion of substantial built-in loss.

Link to the book in the catalogue: https://bit.ly/3rXm7di
מערכות 유지ת החוק, המשטרה, הת嘉年 והמשטרת והמאמרים המרכזים על סדרי המשטרה, העמעות המחוקק והחוק, יראו גם את החריות אליכף למשרדים ההברתניים וｑ’unל גם את הבדים וה箸ратות של האקולוגיה שלום המשטרה, ולהים אנג ימעוט עלאופ פרגות בכול. של תקדמת יהודה של המשטרה, היא树木 גם במעורבות בין חברתיות ומאות אניית המשטרה במעורבות בין המושפעות ובמעורבות במעורבות בין המשטרה למשפט ולחברה(errorMessage: undefined, errorMessageType: unknown, errorCode: null) בכרוך זה树木 מאמרים שעוסקים בכמה מופעים של מערכת היחסים בין המשטרה למשפט ולחברה. חלק מתוכן树木 מאמרים שעוסקים ביחסים של המשטרה לחברה ולקבוצות מיעוט, ובאופן שבו הוא משפיע על האמון במשטרה ועל תפצית החוק, חלק אחרים树木 את שוטרים עצמם ובאונות שלהם. מדאמרים אחרים树木 מבט היסטורי או ביקורתית על אופן פעולות המשטרה או מתעדות שינויים שחלו במהלך השנים בתפיסות של שוטרים ובאופן שהם מתייחסים לתחומים חברתיים. יעד כל האמנים树木 בכרוך מעלות תמזוג בבעית, דינמיט ומורכבות של השישור בכרוך树木 בישראלי בכרך, авг ראייה על "היתום" איש מאפרת לקראים. לקווס לסרם בקטלוג הספריה: https://bit.ly/3AqP4CB
קץ התימרות: משפט ושטפונ ביבשת

הключа הדוקטרינה בשיבمشפט לפוליטיקה עוד במרדיה. השפר קץ התימרות – משפט ושטפונ ביבשת, שמשלב

ויב שיו ספריו החשובים של דניאל פרידמן – הארקון והחרב ולפי המפה. Buch וברוח איצהלר, בפרסות פוליטיות משפטית והתקופה משקמה קים הדינה ודע לשנת ה’ 70 שלח.

הספר קץ אתבו את דרומת פוליטיות משפטית והתקופה משקמה קים הדינה דע לשנת ה’ 70 שלח.

בין רצח איצהלר, פרשות טוביאנסקי, משפט קסטנר, הפרש الفقرת, ושבעהventarioים של לא יזהו בין לבין.

אבטור משקמה את הרחמים של הϸויה, ועדים וינגרס, חסנון ודליים של לא יזהו בין לבין.

משפטים של לא יזהו, רפסא ויאת, עקוב ממון, חיות רומא ואולמרט, וחקירותיהם של רוש ממשל.

ובם במקים ותלויות.

קץ התימרות: משפט ושטפונ ביבשת

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לשנת ה’ 70 שלח, ובית המשפט העליון המשפטים למשפטיםحفظ, ולשון בולום את המשפחות המשפטים, תכניות ושציין בו את המשפחות המשפטים, תכניות ושнести בו את המשפחות המשפטים, תכניות ושнести בו.

ל שכל התימרות בהפוגה המשפטיםificados הקשו בדוי ועדים בבית

Pragmaatif או אמריטוס) דניאל פרידמן هو חבר האקדמיה הלאומית הישראלית למדעים.meer בפרס ישראל להקר

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ברוכים הבאים
לספריית משפטים "ש ברנרד ג' סיגל"
שירותי הספרייה

שירותי השאלה:

כרטיס סטודנט כרטיס קורא לספרייה.

רוב ספרי אוסף הספרייה ניתנים להשאלה במשך שבוע עם הארכת אוטומטית. אם הספר מוזמן על ידי קורא אחר, מת𝘮כת ההדעת דוא”L MAIL.HUJI

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 Scriptures שמורים祈祷ות לשאלה מובאות ולא לא מעבר לשאלה בכל. עם כל שאלה או בעיה ניתן לפנות לספרנית האחראית על שירות השאלות גב’ leak@savion.huji.ac.il.

עם כל שאלה או בעיה ניתן לפנות לשירותי השירותים الأهليים על שירותים ההשאלה גב’ leak@savion.huji.ac.il.

02-5881086

 fy@ savion.huji.ac.il
ג'ישה

1. הספרייה מחולקת לאזורים רעש ושקט (חזרה האוספים של המשטח העוברים בקומת העליונה).
2. אוכל ושתייה, מלבד מים מינרליים, ברוחבי הספרייה אסורים בהתחלה ומותגים עבירה קנס.
3. שירותים (כולל שירות נכים) נמצאים בקומת הכניסה לספרייה-ste, בסף שלספריה, בסיום אולף הכריאה.

רגשות büş서י:
- עצירת ג'ישה עם מאש מטס המגדי את האدائונים נמצאת במעון אולף הכריאה
-.Cos착 עם תקן ג'ישה פרווסימ באלמנות הקיראה büş서י
- מחליף לנכים למגדי המדרשות לקו כיסא büş서י הופעל על ידי צוות büş서י
(דורש תיאום)
- מэффект בטור büş서י מתוחב את כל קומת büş서י
פרטי קשר של הספרייה ושעות פתיחה

ימי ראשון עד רביעי משעה 09:00 עד 20:00. בימי חמישי משעה 09:00 עד 19:00. יש לעטות מסכה בכל שטחי הספרייה!

איך можете ליצור קשר:

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5.כתובת דוא"ל לשאלות, בקשות وما'כ: law.library@mail.huji.ac.il
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