

PROF. YIFAT BITTON

GENERAL DESCRIPTION

- * President, Achva Academic College of Education and Science (October 2020).
- * Legal academic and social activist, specializing in gender equality and tort law.
- * Shortlisted twice for Israel's Supreme Court, 2016, 2017.
- * Ph.D. The Hebrew University; LLM, Yale University Law School (all Honors); Visiting researcher (Harvard University, Fulbright Fellow, 2005).
- * Director and head of Audit Committee on the Advisory Committee of Israel's Central Bank (ret.).
- * Co-chair, Pro Bono Program, Israeli Bar Association.
- * Founder, Director and chair of Tmura Center and other civil society non-profits.
- * Awarded myriad prizes, honors and awards for significant contribution to Israeli society.
- * High public profile as publicist, contributor, (former) columnist, radio host.

EDUCATION

Yale Law School, LL.M., 2009 (with Honors)

Harvard Law School, Visiting Researcher, 2004-2005

The Hebrew University of Jerusalem Law School, Ph.D., 2004

- Dissertation: Re-reading Tort Law from an Egalitarian Perspective
- LL.M, *magna cum laude*, 1997-1999
- LL.B., *magna cum laude*, Dean's Honor Roll, 1992-1996

ACADEMIC AFFILIATIONS & TEACHING EXPERIENCE (SELECTED)

President, **Achva Academic College of Education and Science** (October 2020).

Associate Professor, **School of Law, College of Management**, Israel, 2009-present:

Tenured lecturer – 2012

Professor – 2016

Visiting Faculty, **New York University**, NY, 2018-2019:

Adjunct Professor, **The Hebrew University School of Law**, 2001-present:

Affiliated Transnational Visiting Professor, **Peking University School of Transnational Law**, China, 2009-2014

Assistant Professor, Shaarey Mishpat College of Law, Israel, 2006-2009

Academic Nominations & Responsibilities (selected)

President's Council for Gender Equality, College of Management, 2017-2019

Ethical Code Committee Senior Member, College of Management, 2012-2016

Co-Chair for Promoting Equality, School of Law, College of Management, 2012-present.

Founder and Manager, Legal Clinics, Ono Academic Center's Law School.

PUBLIC ASSOCIATIONS AND NOMINATIONS

- | | |
|-------------|---|
| 2018 | The Israeli Social Security Institute – A Corporate Governance Reform. Head of research team, writing a report handed to the Social Security Institute's national managerial board and to the minister of welfare. |
| 2017-2018 | Member, Managerial Board & head of Audit Committee, Israel's Central Bank . |
| 2016 | Senior Member, Committee on Updating Academic Education in Israel (issued an extensive report in 2016), Israeli Student Association . |
| 2016 – 2019 | Co-chair, Israeli Bar Association's Pro-Bono Program . |

- 2014 -2018 Director, head of Audit Committee and member of Finance Committee,
Israel's Petroleum and Energy Infrastructure LTD.
- 2014 – 2015 Member, The Estates Committee, **Ministry of Justice**, Israel.
-

RESEARCH GROUPS

- 2014 – 2017 **National Coordinator**, European Cooperation of Science and Technology (COST) on “Femicide.” Appointed by the COST Member Countries and in charge of accepting the Action Memorandum of Understanding of the nomination process for the Domain Committee and Management Committee members, as well as providing information and support to national research communities.
- 2013 - 2016 **Fellow**, research group, the Shohat Institute: “Reconstructing Liberalism for a shared good”. Research group led by Prof. Menny Moutner (Former Dean, School of Law, Tel-Aviv University) and Prof. Nissim Mizrahi (Dean, Sociology Department, Tel-Aviv University).

RESEARCH GRANTS (ABOVE 50,000 IS)

- 2018 Israeli Insurance Association – Compensatory Biases: A Quantitative Analysis of Accident Law's Compensation Scheme (70,000 IS).
- 2018 The Israeli Science Fund (ISF, Named under Dr. Yofi Tirosh, submitted jointly) – Adjudicating beyond Discrimination's Intuitive Wrongs: Towards Court Integration of Contemporary Understanding of Discrimination (around 450,000 IS)
- 2018 Israel Institute's Annual Conference Grant, Princeton University.

LECTURING IN PROFESSIONAL TRAININGS

- 2006 – present Lecturer, Judges' Professional Training Institute, Ministry of Justice, Israel.
- 2006 – present Lecturer, Legal Officials' Professional Training Institute, Ministry of Justice, Israel.
- 2003 – present Lecturer, Israeli Bar Association – Professional Training Program
- 2010 – 2011 Consultant, the Legal Aid Program, Ministry of Justice, Israel.

NON-GOVERNMENTAL ORGANIZATIONS

- 2006 - present Co-founder and chair, “**Tmura Antidiscrimination Legal Center**”. The center uses both tort law litigation and public lobbying methods aimed at eliminating discrimination and human rights violations in Israel, especially those based on identity features, such as gender, nationality, ethnicity etc.
- 2018-2019 Board member and the criteria committee member, **IMPACT!, an FIDF affiliated organization** for higher education for soldiers from the periphery.
- 2003 - 2006 Co-founder and co-chair, “**Noga Center**” – **The Legal Center for Crime Victims**.
- 2002 - 2004 Board member, “**Itach**” – **Women Lawyers for Social Justice**. The organization addresses strategically the rights of women from the social, economic and geographic periphery of Israel.

- 2006 - present Board Member and Chair of Social Justice Committee, **The New Israel Fund**. The fund advances civil rights and social justice for all Israelis.
- 2008 - present Member, **World Justice Project Forum**. The forum has been founded at Vienna, July 2008, and is an international multidisciplinary initiative of the ABA and the UN, aimed at strengthening the rule of law worldwide, using the Rule of Law Index parameter as its signature tool. The recent forum members' gathering and deliberation was held in The Hague, July 2013.

HONORS, AWARDS, AND FELLOWSHIPS

- Nominee, Shortlist, Israeli Supreme Court candidates, 2018
- Nominee, Shortlist, Israeli Supreme Court candidates, 2017
- Fellow, The Max Planck Institute for Comparative Public Law & International Law, Heidelberg, Germany, July 2016
- The Aliance **Prize for Education and Social Change**, 2016
- The Ministry of Social Equality Award for Organizations Fighting Violence against Women, 2016
- "Honoris Causa" Award, the Israeli Bar Association, 2015.
- The Edmond J. Safra Award for Excellence and Contribution to Israeli Society, 2015
- Nominates Forbes' 50 Most Influential Women in Israel, 2015.
- The Bernice Tennenbaum Prize for innovative emerging scholar, The Hdassah Foundation, 2014
- The Human Rights Activist Award, The London Human Rights Annual Dinner, 2014
- Emile Zola Cathedral for Human Rights, research scholarship, 2012-2013; 2013-2014
- Prize for Israeli Feminist Leadership, 2013 (Dafna Izraeli Fund)
- Named one of Israel's 50 most influential social-change women leaders, 2013, by Israel's most important feminist website, Saloona. See http://saloona.co.il/blog/מאבקים-חברתיים/?utm_source=facebook&utm_medium=social&utm_campaign=ongoinghttp://saloona.co.il/blog/מאבקים-חברתיים/?utm_source=facebook&utm_medium=social&utm_campaign=ongoing
- Cegla Prize for Junior faculty best research article in Israel, 2011 (Tel-Aviv University Law Faculty)
- Lillian Goldman Scholarship for Distinguished Women, Yale Law School (2008-2009)
- Fulbright's international scholar's scholarship and fellowship (2004-2005)
- International Safra Educational Foundation for outstanding post-doctoral student scholarship and fellowship (2004-2005)
- Sylvan Cohen award for post-doctoral students, The Hebrew University (2004)
- Tedeschi award for distinguished researcher in private law, The Hebrew University (2003)
- *Minerva Center for Human Rights Scholarship and Fellowship* for outstanding researched, The Hebrew University of Jerusalem (2001-2003)
- Alice Shalvi Scholarship for Practical Legal Studies, Department of Women's Studies, The Hebrew University of Jerusalem (2001-2002)
- Israeli Academic Women Association Scholarship (2001-2002)

- Certificate of Distinction in Teaching, The Hebrew University of Jerusalem Law School (One for each of the following academic years: 2003, 2004)
-

MAJOR PUBLICATIONS

Articles

- *The Foreseeability of Rape - Sharon P. v. Arman Rewritten FEMINIST JUDGEMENTS: REWRITTEN TORTS OPINIONS* (MARTHA CHAMALLAS & LUCINDA FINELY EDS., forthcoming, 2020)
- *Her Voice Shall Not be Heard: The Damages Quantification Challenge in the Kol Barama Gender Exclusion Case* (with Yofi Tirosch), *LAW & BUSINESS* (Forthcoming, 2020) [Hebrew]
- “‘The Perfect Murder’: An Exploratory Study of Staged Homicide Scenes and Concealed Femicide” (with Hava Dayan), *THE BRITISH JOURNAL OF CRIMINOLOGY* azz015, <https://doi.org/10.1093/bjc/azz015> (May 14th, 2019)
- *(Injured) Mom there's Only One: The Construction of Motherhood in Prenatal Torts*, 103 *SOCIAL SECURITY REVIEW* 1 (2018) [Hebrew]
- *Three Pillars of Liberalism and One Falling Equality*, 16 *WORK, SOCIETY AND LAW* 92 (2018) [Hebrew]
- *Strictly Relational Duties for Strictly Random Victims and the Need to Let Go When You Have Nothing to Hold on to – Discussion of John Gardner’s Book FROM PERSONAL LIFE TO PRIVATE LAW*, *JERUSALEM REVIEW OF LEGAL STUDIES*, jlx004, 1 (2017)
<https://academic.oup.com/jrls/article/doi/10.1093/jrls/jlx004/4430796/Strictly-Relational-Duties-for-Strictly-Random?guestAccessKey=f8e1adde-4a55-4128-8450-a9f8b3edbc6e>
- *Teaching Torts without Causing Damage*, 9 *MAASEI MISHPAT* 195 (2017)

https://law.tau.ac.il/sites/law.tau.ac.il/files/media_server/law_heb/Maasei_Mishpat/Volume_I/%D7%91%D7%99%D7%98%D7%95%D7%9F.pdf

- *Between Privatization and the Private: Transforming the Torts Condition alongside Political Conditions*, 40 IYUNEY MISHPAT 493 (2017) [Hebrew]
- *Using Capitalist Torts' Sword to Kill King Capitalism?* 11 Din Udvarim 17 (2017) [Hebrew]
- *Discriminatory Religious Practices, Compensatory H(wo)uman Rights Laws: Suspensions and Exclusions in Remediating Feminine Suffering*, 14 SEATTLE J. SOC. JUST. 1-60 (2016)
- "A Woman of Valor" Goes to Court: Tort Suits as a Tool for Social Change in Multicultural Regimes (with Ella Glass), 31 ISRAELI STUDIES Review 107-127 (2016)
- *The Differences between Men's and Women's Monetary Valuation of Crime Avoidance Behavior* (with Tal Shavit), 10 FEMINIST CRIMINOLOGY 115-137 (2015)
<http://journals.sagepub.com/doi/abs/10.1177/1557085115571932>
- *Discrimination Based on Sameness, Not Difference: Re-Reading the Israeli Case for Discrimination*, 12 JOURNAL OF HATE STUDIES 177-236 (2015)
- *Palestinian Mizrahi Feminism*, 55 ISRAELI AFFAIR JOURNAL 61 (2014)
- *Transformative Feminist Approach to Tort Law: Exposing, Changing, Expanding - the Israeli Case*, 25 HASTINGS WOMEN'S LAW JOURNAL 221 (2014)
<http://static.squarespace.com/static/52090c00e4b0734e32dca796/t/53ef15dfe4b042bb7cb5acbb/1408177631756/YIFAT.pdf>
- *The Dream and Its Construction: Mizrahi-Arab Cooperation to Combat Discrimination*, 4 JOURNAL OF LEVANTINE STUDIES 174 (2014)
http://www.levantine-journal.org/NetisUtils/srvrutil_getPDF.aspx/1NJfUT/JIs%204.1_Dock_Bitton%20.pdf

- *Pregnancy is no disease?: Channeling pregnancy and labor harms down the Birth Canal*, 29 MECHKAREY MISHPAT 107 (2013) (Bar-Ilan University)¹ [Hebrew].
- *Harm and Punishment: The Tortious-Criminal Systems' intersection in Representing Victims of Sexual Crimes*, 36 IYUNEY MISHPAT (Tel-Aviv University) 657 (2013) [Hebrew].
- *Finally, Our Own Brown! (?)*, 45(2) ISRAEL LAW REVIEW 267 (2012)http://journals.cambridge.org/download.php?file=%2F48047_F5DC8ED8D1E4B1FB15605E559EAD834A_journals_ISR_IS_R45_02_S0021223712000052a.pdf&cover=Y&code=ae32eafb01c6050613924f0d065b8fde
- *Mizrahis and Law: Absence as Existence* 41 MISHPATIM (Hebrew University LR)² 315 (2012) (awarded **Cegla prize for best Israeli legal article**, 2011)
<http://www.nevo.co.il/books/%D7%9B%D7%AA%D7%91%D7%99%20%D7%A2%D7%AA/%D7%9B%D7%AA%D7%91%D7%99%20%D7%A2%D7%AA/%D7%9E%D7%A9%D7%A4%D7%98%D7%99%D7%9D/%D7%9B%D7%A8%D7%9A%20%D7%9E%D7%90/mishpatim-41-3-455.pdf>
- *The Features and Virtues of Discrimination*, 4 MA'ASEY MISHPAT LR 75 (2011) (Tel-Aviv University) [Hebrew]
http://www.law.tau.ac.il/Heb/_Uploads/dbsAttachedFiles/biton.pdf
- *Feminist Contribution to Tort Law Analysis: Exposure, Expansion, Elevation* 17 HAMISHPAT 63 (College of Management LR, 2011) [Hebrew] http://hamishpat.colman.ac.il/Files.ashx?file=06_2011/04-YifatBitton.pdf&objid=763&nsid=294&lcid=1037&boneid=12654
- *Liability of Bias: A Comparative Study of Gender-Related Interests in Negligence Law*, 2010 ANNUAL SURVEY OF INTERNATIONAL & COMPARATIVE LAW 63 (2010)
<HTTP://DIGITALCOMMONS.LAW.GGU.EDU/CGI/VIEWCONTENT.CGI?ARTICLE=1140&CONTEXT=ANNLSURVEY>
- *Wishing for Discrimination? A Comparative Gaze on Categorization, Racism and the Law*, 2 SORTUZ: ONATI JOURNAL OF EMERGENT SOCIO-LEGAL STUDIES 39 (2008)
<http://sortuz.org/content/pdfs2008/3%20yifat.pdf>
- *Bringing Power Relations within the Scope of Negligence Liability*, 37 MISHPATIM (Hebrew University LR) 145 (2008)
- *The Limits of Equality and the Virtues of Discrimination*, 2006 MICH. ST. LAW REV. 593 (2006)

¹ Ranked fourth in Israeli legal scholarship publications.

² Ranked first in Israeli legal scholarship publications.

http://tmura.org.il/the_limits_of_equality_and_the_virtues_of_discrimination.pdf

- *The Price of Tears* in READINGS IN LAW, GENDER AND FEMINISM 233 (DAPHNE BARAK-EREZ, YIFAT BITTON, DANA PUGATCH & SHLOMIT YANISKY-RAVID EDS., 2007) [Hebrew]
- *Dignity Aches: Compensating Constitutional Harms*, 9 MISHPAT UMIMSHAL (Haifa University LR)³ 137 (2005) [Hebrew]
[http://weblaw.haifa.ac.il/he/Journals/lawGov/Volume9A/-%20כרד%20ט\(1\)יפעת%20ביטון%20בזכ-%20כאבים%20באזור%20הכבוד%20פיצוי%20בגין%20פגיעה%20בזכות%20חוקתית.pdf](http://weblaw.haifa.ac.il/he/Journals/lawGov/Volume9A/-%20כרד%20ט(1)יפעת%20ביטון%20בזכ-%20כאבים%20באזור%20הכבוד%20פיצוי%20בגין%20פגיעה%20בזכות%20חוקתית.pdf)
- *Feminine Matters, Feminist Analysis and the Dangerous Gap between Them*, 28 IYUNEY MISHPAT (Tel-Aviv University LR)⁴ 871 (2005) [Hebrew]
- *Feminine Life-Experience and the Foreseeability of Harm*, 33 MISHPATIM (Hebrew University LR) 585 (2003) [Hebrew]
- *The Effect of "Basic-Law: Human Dignity and Liberty of the Person" on the Legal Rights of Homosexual Couples*, 2 KIRYAT HAMISHPAT LR 401 (2001) [Hebrew]

Chapters in Books

- *Feminist Struggle, Capitalist Tool: Possible?*, in CAPITALISM AND GENDER: FEMINIST ISSUES IN THE MARKET CULTURE 84-105 (Yofi Tirosh et al. eds., 2017) [Hebrew]
- *Reclaiming Power? Tort Claims of Women Victims of Sexual Violence*, in TRENDS AND ISSUES IN VICTIMOLOGY 130 (Natti Ronel, K. Jaishankar, Moshe Benshimon eds.) (2008)
http://books.google.co.il/books?id=Cf3Odmcw2psC&pg=PA130&pg=PA130&dq=Reclaiming+Power?+Tort+Claims+of+Women+Victims+of+Sexual+Violence&source=bl&ots=H_FDWOCl-P&sig=CtTKdgHCGAKFAoDr6QfHIHGrzPA&hl=en#v=onepage&q=Reclaiming%20Power%3F%20Tort%20Claims%20of%20Women%20Victims%20of%20Sexual%20Violence&f=false
- *Public Hierarchy – Private Harm: Negotiating Divorce within Judaism*, in (RE)INTERPRETATIONS: THE SHAPES OF JUSTICE IN WOMEN'S EXPERIENCE 61 (Laurel S. Peterson and Lisa Dresdner eds., 2008)

Books

- READINGS IN LAW, GENDER AND FEMINISM (Daphne Barak-Erez, Yifat Bitton, Dana Pugatch & Shlomit Yanisky-Ravid, eds., 2007), (co-editor, co-introduction writer) [Hebrew]

WORK IN PROGRESS

- "Femicide in Israel", a book written with femicide experts, Prof. Shalva Weil (Hebrew University) and Dr. Hava Dayan (Haifa University).
- "Compensating for Silencing: Remediating Religion-Based Exclusion in Israel" (with Dr. Yofi Tirosh).

³ Ranked third in Israeli legal scholarship publications.

⁴ Ranked second in Israeli legal scholarship publications.

- “Therapeutic Anger”: qualitative research analysis of the effect compensation has on unresolved emotions (jointly with Dr. Yael Enav, Stanford University Psychology Department)

CONFERENCES AND PRESENTATIONS (SELECTED)

Kenote Speaker

- *An Overview of Israeli Discrimination and Denial*, Mizrahi Legal Studies Conference, **Harvard Law School**, Dec. 2019.

Speaker

- *The Price of Women’s Exclusion – A Challenge*, ICON’s Annual Constitutional Law Conference, IDC, 2018
- *Negligence and Discrimination*, *Legal Philosophy Workshop Conference*, College University of London, 2017
- *The Yemenite Children Affair, Historical Dialogue and Recourse*, Columbia University, 2017
- *Systemic Victims and Negligent Blameworthiness*, Legal Philosophy Workshop, University College of London, 2017
- *Rethinking Ethnic Boundaries and Israeli Law*, LAS annual conference, Mexico City, 2017
- *It Takes Two to Tango: on the Forefront and Frontiers of Torts and Human Rights*, ALIC Distinguished Scholar Annual Lecture, Hawaii University Law School (invited), 2016
- *Discriminatory Religious Practices and Hu(wo)man Rights Suspension tactics in Remediating Feminine Suffering through Tort Law*, Public Law in an Uncertain World, International Society of Public Law (ICON·S) New York, 2015
- *Tipping the Scales and Tort Claims*, 4th Color of Violence Conference, Chicago, 2014
- *Feminist Overview of Israel’s Gender-Segregation Practices*, Drexel Law School (invited), 2014
- *Religious Discrimination Secular Justice*, Religion as a Social Force, The Association for Sociology of Religion, San Francisco, 2014
- *Discrimination Based on Sameness, Not Difference*, The Pursuit of Justice Conference, The Hate Institute, Gonzaga University, Washington, 2013
- *Public Nuisance, Private Harm: Law & Economics Analysis of the “Female Fear”*, MLEA Annual Conference of Law and Economics, Washington University School of Law, Center on Law, Innovation, and Economic Growth, 2012
- *Rebellious Lawyering of Tort Law: Social Change through Private Law*, The Annual Rebellious Lawyering Conference, Yale Law School, 2011
- *Triadic Intersectionality and Representation Strategies*, Intersectionality & Critical Race Theory Conference, UCLA, 2010
- *Education and Multicultural Toleration*, Canadian Law & Society Association, Montreal, 2010
- *Discrimination Based on Sameness, Not Difference*, Forum on Multidisciplinary Research, Yale Law School, 2008
- *The Limits of Equality and the Virtues of Discrimination*, Seminar on Groups, Diversity and the Law, Yale Law School, 2008

- *Reshaping the Israeli-Palestinian Conflict from a Mizrahi Legal Perspective*, Seminar, Harvard Law School, 2007
- *Public Hierarchy, Private Harm*, Crossroads-Debating Women's Rights, Racism and Religion Conference, University of Oslo, 2005 (invited)
- *The Limits of Equality and the Virtues of Discrimination*, S.J.D. Colloquium, Harvard Law School, 2005
- *Dignity aches*, Minerva Center for Human Rights Annual Conference, Hebrew University, 2004 (invited)

LEGAL EXPERIENCE

* **Supreme Court of Israel**, Honorable Justice Mishael Cheshin, 1996-1997, Clerkship

* **Tmura, The Antidiscrimination Legal Clinical Center, 2006-present: Director**

Head Litigator and Strategic Manager of cases brought before all court levels, whereby unprecedented tort law claims are used to eliminate and compensate for gender and ethnic/national-origin-based discrimination and human rights violations. The work also included leading and mentoring two lawyers, one intern, a spokeswoman and 16 law students, through a law clinic.