

RAISING THE BAR

Twenty-five Years of Strengthening Human Rights in Israel

*In Honor of Professor Herman Schwartz
On the occasion of the 25th anniversary of the
Israel-U.S. Civil Liberties Law Program*

Published by



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Table of Contents

Introduction, Professor Naomi Chazan	1
A Tribute to Professor Herman Schwartz and the Civil Liberties Law Program	3
Combining Theory and Practice: The Israel-U.S. Civil Liberties Law Program	5
The New Israel Fund: Leading Israel's Social Change Movement...	9
About the Washington College of Law.....	12
Professor Herman Schwartz	14
Dr. Neta Ziv Interviews Professor Herman Schwartz.....	17
In Memoriam: Boaz Oren, z"l	29
Law Fellows in Action: Selected Achievements	33
Graduates of the Civil Liberties Law Program: Then and Now	37
Donors to the Civil Liberties Law Program.....	126

Introduction

Twenty-five years ago, Israeli public sensitivity to human rights and civil liberties was in its infancy. The first civil rights organizations had only just begun to establish a place in the public arena and there was virtually no legislation protecting basic human rights in the country. The Civil Liberties Law Program has proven to be a major force in altering this picture and in bringing questions of individual freedoms and collective rights to the center of public debate and action in the country.

The graduates of the Civil Liberties Law Program have been involved in virtually every single achievement in the area of human rights and social justice in Israel in recent decades. They have been preeminent in altering how Israelis approach their own rights and those of other groups in their midst. They have carved out new ways of dealing with difference and promoting equality. They have been instrumental in advocating changes in legislation that have protected increasingly broad groups of Israelis. They have played a key role in successfully challenging High Court decisions. And, along with those they have trained and influenced, they have contributed enormously to how Israelis view themselves and others. Even though the challenges to social justice and human rights today are still daunting, the prospects of overcoming these multiple obstacles are markedly better due to the skills, commitment and real achievements of this pioneering generation of civil liberties law fellows.

The success of the Civil Liberties Law Program is testimony to the qualitative difference that a substantive, sustained partnership between Jews in Israel and abroad can make. The commitment to a just Israel - steeped in the values of justice, equality, tolerance and respect for the other - has guided the work of the New Israel Fund in general and the

Civil Liberties Law Program in particular. It is the dedication of all those involved - the initiators, the funders, the participants and the beneficiaries, which is celebrated in these pages. This is also the occasion to reaffirm our commitment to the cause of a just Israel, one which affords each and every citizen of the country human dignity and full civil equality.

Naomi Chazan

A handwritten signature in blue ink, reading "Naomi Chazan". The signature is fluid and cursive, with the first name "Naomi" written in a larger, more prominent script than the last name "Chazan".

President, Board of Directors
New Israel Fund

A Tribute to Professor Herman Schwartz and the Civil Liberties Law Program

Shalom Chaverim:

We at NIF have been celebrating anniversaries in recent years -- times marking great achievement as well as longevity: 25 years for NIF itself, 25 years for Shatil, and now 25 years for the Civil Liberties Law Program. These are always occasions to take pride in what has been done and to rededicate ourselves to the work that remains to be done, and this anniversary of the program is no exception.

The Civil Liberties Law Program is perhaps the most notable of the long list of important contributions that NIF has made to civil society in Israel, because of its unique leverage and multiplier effect. The lawyers trained through the program have gone on to have an impact in virtually every corner of Israeli society.

Many people have had a hand in the program's success, but this is a case in which one person can be recognized and honored for the special role he has played. Of course I refer to the man whose guiding spirit in the United States brought the program into being, nurtured it, and keeps it vibrant to this moment -- my dear friend, Professor Herman Schwartz. Herman, thank you for everything. You have done so much for social justice in the United States, Israel, and around the world, but I think it is safe to say that the Civil Liberties Law Program stands out among all of your wonderful work.

What a difference the program has made! It has made a special mark on the character of human and civil rights law and practice in Israel. It has built a generation of human and civil rights lawyers in Israel, and has worked hard and

successfully to ensure that these are lawyers with a three-dimensional diversity that fully reflects the face of Israeli society. Most important, the program has made a concrete, positive difference in the lives of thousands of Israeli citizens.

It would be nice if we could say the job is done. But of course the work of social justice is never done. So, if my hope in some ideal world would be that the Civil Liberties Law Program could go out of business, the hope I can express more realistically is that the program will make as much of the difference in the next 25 years as it has made in the past 25. Congratulations to all who have been part of this magnificent effort!

Sincerely,
Peter Edelman

A handwritten signature in dark ink that reads "Peter Edelman". The signature is written in a cursive, flowing style with a large initial 'P'.

Past President, Board of Directors
New Israel Fund

Combining Theory and Practice: The Israel-U.S. Civil Liberties Law Program

The New Israel Fund and the Washington College of Law of the American University in Washington, D.C. established the Israel-U.S. Civil Liberties Law Program in 1984, under the leadership and guidance of Professor Herman Schwartz. In the succeeding years, the program has become a leading force in Israel's progressive legal and non-profit community, with graduates now working on diverse aspects of human and civil rights advocacy. The Civil Liberties Law Program offers two years of academic and professional experience to Israeli lawyers specializing in civil rights advocacy. The program's hallmark is the intensive exposure it provides to both the theory and practice of civil rights law.

Participating attorneys spend one year in the United States, obtaining a Master's in Civil Rights Law (LL.M.) and serving as interns with American public interest groups such as the American Civil Liberties Union, Human Rights' Watch, the Council on American Islamic Relations, and the Mental Health Law Project. The law fellows then return to Israel, where they spend their second year working full-time at Israeli public interest organizations, with stipends from the New Israel Fund. Recent fellows have interned at a wide range of organizations, including: The Association for Civil Rights in Israel; Adalah - The Legal Center for Arab Minority Rights; The Israel Religious Action Center; NIF's own training and organizational consulting center, SHATIL, and others.

Program Structure and Selection of Fellows

Selection of participants is a highly competitive and rigorous process. The criteria include:

- Proven commitment to human and civil rights, and social justice

- Proven leadership skills, and capacity to initiate and implement new initiatives
- Strong analytical capacities, people skills and litigation skills
- Eloquence and full proficiency in writing (in Hebrew and English)
- High academic achievements
- An understanding of Israeli society and ability to analyze, both legally and structurally, major challenges to human and civil rights in Israel
- Ability to successfully deal with challenges and difficulties
- Ability to represent NIF well to foreign audiences
- Flexibility, and the ability to perform multiple tasks simultaneously

The call for applications is advertised annually in Hebrew, Arabic, and Russian, on the NIF Israel website and other media. The applications are reviewed by a selection committee chaired by Yehudit Karp, former Deputy Attorney General of Israel. Other members of the selection committee include attorneys and legal scholars from both Israel and the United States. Selected candidates are interviewed by staff and the finalists are then interviewed by the program steering committee. One participant each year is an Arab citizen of Israel, and one a Jewish Israeli with a special effort to select a representative from a minority group.

The First Year

Participants are enrolled as candidates for the LL.M in Civil Rights Law at the Washington College of Law of the American University. The LL.M program provides an unparalleled opportunity for Israeli attorneys to broaden their knowledge of civil rights law through focused reading and discussion about American traditions of legal advocacy. An especially formative experience for Israeli fellows is their exposure to

American attitudes and assumptions regarding individual rights, especially with respect to minority/majority problems. Fellows also have the opportunity to pursue specializations, such as environmental law and women's rights law, which are largely unavailable in Israeli institutions of higher learning.

The other important component of the first year program is the internship, (part-time during the academic year and full-time during the summer) which exposes fellows to the sophisticated advocacy strategies utilized by America's foremost civil rights institutions. The practical experience of working in a system where there are literally hundreds of legal advocacy organizations simply cannot be duplicated in Israel today, even with the recent flowering of social change organizations.

The Second Year

A truly distinguishing component of the program is the stipend granted to Israeli NGOs in order to hire a returning law fellow. The Israeli NGO benefits from having a highly-trained lawyer work in their office, subsidized by the program for a year. The fellows, meanwhile, have an immediate opportunity to adapt the models and strategies they have observed in the United States to the Israeli context. In some cases, this process involves focusing attention on well-known but neglected issues. In other cases, it may require challenging conventional norms and assumptions that have long been taken for granted -- thereby encouraging open debate on issues such as the rights of Israel's Arab citizens, battered women, and the institutionalization of the physically and mentally disabled.

Achievements

During its 25 year history, the Civil Liberties Law Program has had a far reaching and cumulative impact. Alumni of the program today occupy senior positions in nearly all Israeli organizations engaged in the practice of human rights law. Through the application of the theories and practices they learned in the program, alumni have affected legislation, policy and practice in diverse areas of Israeli life, and have influenced legal education in Israel -- most notably by establishing and playing ongoing roles in law clinics at each of the country's five major law schools. Finally, many program graduates exert a continuing influence on the profession by involvement of clerks and attorneys from firms or organizations with which they are affiliated in their public interest work.

The New Israel Fund: Leading Israel's Social Change Movement

For thirty years, NIF has fought for social justice and equality for all Israelis. We believe that Israel can live up to its founders' vision of a state that ensures complete equality of social and political rights to all its inhabitants, without regard to religion, race or gender.

Widely credited with building Israel's progressive civil society from scratch, we have provided more than \$200 million to more than 800 cutting-edge organizations since our inception. Through our action arm, SHATIL, we mentor, train and lead Israeli civil society in an ongoing struggle to empower the underprivileged. We fight inequality, injustice and extremism because we understand that justice is the precondition for a successful democracy – and the only lasting road to peace.

The NIF family has achieved precedent-setting legislative and court victories, and has placed critical social issues on Israel's public agenda. Unlike other foundations, we fund activists and advocacy, on the premise that assisting people fighting for their own rights is the best guarantee of a democratic and equitable society. NIF grantees work in three core areas:

- **Civil and Human Rights:** NIF's mission is simply to advance equality for all Israelis. Flagship NIF grantees such as *B'Tselem* and the *Association for Civil Rights in Israel* have won court battles on issues ranging from the prohibition of torture in civilian interrogations to changes in the route of the separation fence to respect humanitarian concerns. Other grantees work on issues ranging from land use to women's, LGBT and minority rights. More and more, we build and lead coalitions that

challenge Israel's elites, from the Supreme Court to the Knesset to local municipalities.

- **Social and Economic Justice:** As a nation with many disadvantaged minority groups, from citizen Arabs to Ethiopians to Mizrachim, Israel has a special responsibility to uphold its founders' vision and traditional Jewish values of fairness and equality. From the poor Bedouin of the Negev to the neglected development towns, the NIF family organizes the underprivileged to gain their rights and make their voices heard. NIF grantees have defeated a punitive national welfare-to-work plan, organized civil society in the North to demand fair compensation for the ravages of the Second Lebanon War, and are now the leading voice demanding support for civil society organizations endangered by the global economic crisis.
- **Religious Pluralism and Tolerance:** NIF has long been a principal supporter of a pluralistic and tolerant Israeli culture that includes diverse approaches to Judaism and Jewish identity. NIF works to challenge the Orthodox monopoly on religious observance and establish civil law and respect for secular, Reform, Conservative and other Jews in Israel. We are winning incremental victories on conversion, civil marriage and other lifecycle issues, as well as empowering Orthodox women to achieve equality within their communities.

Through SHATIL, the Empowerment and Training Center for Social Change Organizations, NIF provides grantees and other social change organizations hands-on assistance and training in the basics of nonprofit management. Widely regarded as one of the world's most successful capacity-building organizations, and now formally recognized by the U.N.,

SHATIL regularly originates, discovers and disseminates best practices to Israel's growing NGO sector.

The New Israel Fund also partners with other philanthropists in joint initiatives, including a multiyear program funded by the Ford Foundation to promote peace and social justice in Israel. Another joint program, the Green Environment Fund, is the first funding collaboration in Israel to protect and preserve the environment.

Headquartered in Washington, DC, the New Israel Fund employs 35 people in the United States, Canada and the UK as well as more than 100 staffers in five Israeli offices.

About the Washington College of Law

The Washington College of Law of the American University in Washington, D.C. prides itself as being a microcosm of the world in which its graduates will practice their profession. The Washington College of Law (WCL) equips students in unique ways to navigate and succeed in a world that “has become essentially borderless, where economic, political, and social changes require innovative legal analysis and solutions.” WCL provides an excellent legal education in all areas of the law, and has renowned programs in experiential learning (clinics and externships), international law, law and government, intellectual property, business, and gender.

The LL.M program in International Legal Studies, in which our fellows participate, is one of the first truly international programs and rated among the top five international law LL.M programs in the United States.

A program over 25 years old and still growing, the International Legal Studies Program (ILSP) was established in 1980 in response to a growing demand for lawyers trained in international law. With over 142 students from 53 countries, the International Legal Studies Program at the American University Washington College of Law is one of the most intellectually and culturally diverse programs in the nation. The program incorporates a rich array of international law courses and seminars, experiential learning, and special events which allow our students to interact and network with esteemed faculty, international attorneys, diplomats, business leaders, and policy makers.

WCL’s recognized 24 full-time faculty members and 40 adjunct faculty members are leading practitioners in their field. The diverse faculty members have established strong

alliances with various international, governmental, and nongovernmental organizations such as the World Bank, the World Wildlife Fund, the United Nations, the Robert F. Kennedy Center for Human Rights, the Inter-American Development Bank and regional organizations such as Central and East European Law Initiative (CEELI).



**Professor
Herman Schwartz
Founder of the Civil Liberties Law Program**

Herman Schwartz is a professor at the Washington College of Law at American University, Washington, D.C. Throughout a long career in academia, publishing and community service, he has focused his attention and the world's on issues of civil rights and civil liberties as they have played out in courts and prisons across the globe. He has worked with the United Nations, the human rights advocacy group Helsinki Watch, the U.S.-Israel Civil Liberties Law Program (which he founded), the ACLU Prison Project (which he founded), Washington College of Law's Human Rights Center and other organizations.

Professor Schwartz's special interest in recent years has been the emerging democracies of Eastern Europe. He has served as an adviser to numerous Central and Eastern European nations, as well as former Soviet Union nations, on constitutional and human rights reform. Recently, he was invited to comment and advise on constitutional reform in Afghanistan, Iraq and several African countries. He also co-chaired a project on transitional justice in emerging

democracies. He is currently a member of the Executive Committee of the Board of the Open Society Institute Justice Initiative.

Current work includes hunger issues and particularly the expansion of programs for school children during the summer. Professor Schwartz formerly chaired the National Law Center on Homelessness and Poverty, and has developed a course in which students work with national and local public interest organizations that deal with poverty issues. He is also continuing to pursue a lifelong interest in the operations of America's courts, and frequently is called upon to analyze and write about Supreme Court decisions.

From 1963 to 1976, Professor Schwartz was seriously involved in studying and monitoring New York State's criminal justice system. During the tragic inmate uprising at Attica State Prison in 1971, he served as the first intermediary between the prisoners and the prison administration, and represented numerous prisoners thereafter, founded the ACLU Prison Project and argued two cases in the Supreme Court relating to prisoners' rights. Throughout the 1960's and 1970's, he was active in civil rights and civil liberties litigation and advocacy, serving as chief counsel in school desegregation cases in the North and the South. He also served as the ACLU expert on the law and policy of electronic surveillance and the author of numerous studies of the operation of the wiretap laws.

Professor Schwartz has authored three books: *Right-Wing Justice: The Conservative Campaign to Take over the Courts* (May 2004), *The Struggle for Constitutional Justice in Post-Communist Europe* (1999) and *Packing the Courts: The Conservative Campaign to Rewrite the Constitution* (1988); edited and contributed to *The Rehnquist Court: Judicial*

Activism on the Right (2002), and *The Burger Years Rights and Wrongs in the Supreme Court 1969-1986* (1987). In addition, he has written numerous reports, articles, chapters and scholarly papers.

His work on the frontiers of civil rights and civil liberties has been recognized with such honors as a Citation of Appreciation by the Common Council of the City of Buffalo, an American Jewish Congress - Washington Capital area award, the William Conable Award for Civil Rights, the Citizens Counsel for Human Rights Award and The ACLU-Niagara Frontier Award for Civil Liberties.

Professor Schwartz earned his B.A. from Harvard University, *magna cum laude*, and his J.D. degree from Harvard Law School, *magna cum laude*. For most of his professional career he has been a professor of law. He has also served in state and federal government, including service as Chief Counsel of the Senate Antitrust Subcommittee, and Chief Counsel for Revenue Sharing, U.S. Treasury.

**Dr. Neta Ziv Interviews
Professor Herman Schwartz,
Founder and Mentor of the Israel-U.S.
Civil Liberties Law Program¹**

November, 2008

There is so much human suffering in the world. Attorneys all over the world must take part in trying to address these problems.

-Professor Herman Schwartz

Introduction

I first met Professor Herman Schwartz in 1985, when I arrived in the United States as the second beneficiary of the New Israel Fund's Civil Liberties Law Program. At the time, I was a beginning young lawyer at the Association for Civil Rights in Israel. There were almost no attorneys in Israel then, who worked full-time for non-profit organizations. I felt pretty lonely. I had to explain the career I had chosen for myself to those around me, to justify myself, and to answer questions such as "Why did you choose such a non-prestigious job? You graduated from law school with honors!" I had no one to consult with or to share my experiences, and I had to explain to myself and to the world what a "public interest lawyer" is. Truthfully, I myself did not fully understand my own choice.

¹ The interview was conducted by telephone with Professor Schwartz in Washington, DC on November 26, 2008. It was published in *Ma'asai Mishpat*, vol.no.2 (2009).

Herman, and the program, opened up a new world for me. The year I spent in Washington—the academic studies, and particularly the field work in human rights organizations—changed my life. I felt that I was part of a proud and powerful community of legal professionals with clear commitments. I was enthralled. I have no doubt that I had found my place to this day. With a lot more experience, and another 25 years older, I am still enthralled, excited, angry, teaching, litigating, writing and proud to be part of the professional group that began to take shape in Israel 25 years ago and that continues to change the face of society to this day.

I would like to thank Professor Herman Schwartz, the New Israel Fund and American University, which have given me and many others the wonderful opportunity to participate in the Civil Liberties Law Program.

-Neta Ziv

The Civil Liberties Law Program

Herman, can you review the history of the program, and especially how the idea was born? Were there any existing similar models for a program of this type?

The idea of founding the program came to me when I visited Israel for the first time in 1983, on an academic tour organized by B'nai B'rith. I wanted to exchange views with individuals who were in a similar line of work to mine in the US, people engaged in the defense of civil rights and civil liberties. To my astonishment I discovered that only a few individuals were engaged in this: Ruth Gavison and Kenneth Mann, and also ACRI, which had only a part-time lawyer on staff. That's all, more or less.

This gave me the idea of initiating a project to create a legal infrastructure for the advancement of public goals in the field of civil liberties in Israel. I figured that the best way to do this would be to bring two or three attorneys to the US every year so that they could learn the fundamentals of public interest law. They would then return to Israel for another year, during which they would work in an Israeli human rights organization in order to apply the knowledge they acquired in the US. The idea was to include academic studies in the program, but that the program would focus mainly on the practice of law through internships in several of the non-profit organizations in and around Washington, D.C.

What were the first steps you took to set up the program? Was it easy to persuade the other partners—the New Israel Fund and the law school at American University in Washington, D.C.? What was their initial reaction to the idea?

After my visit to Israel I returned to the United States and raised the idea with the former Dean of the Law School, Thomas Buergenthal (currently a member of the International Court of Justice in The Hague). Thomas welcomed the idea and agreed to allot one scholarship a year, equal to the cost of tuition. Several Israeli judges and lawyers with whom I discussed the idea, such as Haim Cohen, Itzhak Zamir, and Gideon Hausner, expressed their support.

Where did the funding come from? How did the New Israel Fund get involved?

It was difficult to raise funds for the program. The connection with the New Israel Fund began when I met with the former director, Jonathan Jacoby. He put me in touch with Philip Warburg, who at the time was a student at Harvard. Warburg agreed to donate \$20,000 to the program. This initial financing, together with the tuition exemption for one of the

fellows, put us on our feet and enabled us to send the first fellow, Yehoshua Schoffman, currently deputy attorney-general, to Washington. At the time Yehoshua was serving as ACRI's legal advisor.

The collaboration between the New Israel Fund and the law school at American University in Washington began at the outset. We agreed that the Israelis would be responsible for selecting the fellows and for running the Israeli part of the project, while the year in Washington would be the responsibility of the American partners. Nevertheless, there was one condition I stipulated in advance: that every year there be at least one female fellow. This condition was canceled a few years ago when it became clear that there is no shortage of female lawyers.

Yes, I know. I was the first woman to benefit from this wonderful stipulation.

Honestly, I did not think that the program would last more than five years, or ten years at the most.

What do you think are the program's major accomplishments?

Generally speaking, the program created a large group of professional attorneys who specialize in using the law for social change in Israel, something that had not existed in the past. It also laid the infrastructure for a new way of practicing the profession and for new job opportunities. Public interest law has changed the professional discourse in Israel by infusing it with ideological commitment. In addition, new public interest organizations have been founded in Israel, many of them by program alumni.

There are several organizations of which I am particularly proud. At the top of the list is Adalah, the first legal

organization in Israel dedicated to protecting the rights of the Arab minority. Many of our Arab graduates spent their second year at Adalah, and quite a few remained at the organization for several years or even more. These include not only Hassan Jabareen, the organization's founder, but also Yousuf Jabareen, Murad El-Sana, Sawsan Zahar, Jamil Dakwar, Gadir Nikola, and others. [Former] Supreme Court

There are several organizations of which I am particularly proud. At the top of the list is Adallah, the first legal organization in Israel dedicated to protecting the rights of the Arab minority.

Justice Aharon Barak told to me at the time that in his opinion Adalah had substantially improved the quality of the legal representation of the Arab minority in Israel. I think that it would be no exaggeration to say that the program has created a large and skilled group of Palestinian-Israeli lawyers who work on behalf of human rights. Adalah's attorneys do outstanding work, and in my opinion this organization constitutes one of the program's leading accomplishments.

I am also very happy that the program pushed for the establishment of women's networks to promote public goals and for the practice of law with a feminist agenda. As noted, we conditioned the program on the selection of at least one female fellow every year, and the results are obvious. You, Neta, are at the forefront of feminist lawyers in Israel. Tamar Morag is today among the leading children's rights lawyers in Israel, along with Tali Gal. Suhad Hamoud is a leader in the campaign for Arab women's rights, along with Sawsan Zahar. Dana Myrtenbaum, an expert in the global trade in human beings and particularly in the trafficking in women, created an innovative leadership program for Arab and Jewish women. Karin Elharar is one of the leaders of the campaigns

run by the Center for Human Rights for Persons with Disabilities, and runs a legal clinic at Bar-Ilan University that assists women with emotional disabilities. The list goes on.

Another important result of the program was the establishment of the Public Defender's Office in Israel. One of the earliest graduates of the program, Moshe Hacoheh, currently the chief public defender in the Jerusalem District, was a moving force in the establishment of this body in Israel, together with Professor Kenneth Mann and Magistrates' Court Judge Dana Marshak-Marom, who is also an alumna of the program. Other noteworthy activities are the legal advocacy on behalf of the LGBT community, spearheaded by Dan Yakir, the head legal counsel at ACRI; the defense of the rights of the elderly, led by Israel Doron; and of course the legal department of ACRI, whose expansion has relied to a large extent on the fellows who returned from Washington in order to work there. These have included Adam Fish, Gila Stopler, Ilan Saban, Muhammad Dahla, and many others.

Was there any period that was particularly difficult for the program?

Not really. From my standpoint, there have been no difficult periods during the program. Of course, the New Israel Fund had to raise money for the program, and sometimes this was not easy, but over the years other foundations have also begun supporting the program. In the mid-1980s, the law school began funding tuition for a second fellow as well, so that the school's participation currently amounts to almost \$50,000 a year. Aside from this, a few years ago the Open Society Institute agreed to finance a Palestinian-Israeli fellow.

How do you envision the program's future, in light of its impressive successes in creating the field of public interest law as a leading and enduring domain in Israel today?

It is true that today the practice of advancing public goals in Israel is well entrenched and that the added value of program graduates is no longer as great as it was during the program's initial years. Nevertheless, the New Israel Fund and Washington College of Law are not interested in ending the program, since it still embodies the potential for a contribution to legal work on behalf of public interests in Israel. Perhaps we should steer the program in new directions. To date, socioeconomic rights and legal action related to poverty have not been a high priority on the fellows' list of interests, and I hope that this situation will change since there is a need for it. Last year, Itzik Dassa, the founder of Tebeka, was the first Ethiopian attorney to join the program. However, we still lack satisfactory representation from other immigrant communities.

From your perspective, did the program produce any unanticipated results?

I did not foresee that so many graduates would engage in expanding the field of public interest and social change law...I thought that the most that could be expected would be for them to continue practicing their profession while engaging in pro bono activities as part of their private practice.

Certainly. I didn't foresee that so many graduates would engage in expanding the field of public interest and social change law, in part by the establishment of new organizations by the graduates. I thought that the most that could be

expected would be for them to continue practicing their profession while engaging in pro bono activities as part of

their private practice. This did indeed occur to some extent, but many individuals established new and innovative organizations and projects. Quite a few alumni have become university lecturers and, like you, both teach and continue to work to advance public interests. My conclusion is clear: if you provide brilliant and energetic people with the right opportunity to spread their wings, they will do so. And they really did so—it happened.

Any disappointments?

Well, I had hoped that when the time came Arab and Jewish lawyers would set up a joint human rights organization that would bring the two legal communities together. This has not yet happened, but I'm still hopeful. I also hoped that program graduates would set up a strong professional network, a sort of alumni association. This also has not yet happened. It may be that for now graduates of the program are only part of the fabric of the legal practice for the advancement of public interests in Israel and that they identify themselves as part of a broader professional community, not necessarily as a group of program graduates.

Law and Social Change

The volume of Ma'asei Mishpat, the Tel Aviv University Journal of Law and Social Change, in which this interview appears also includes Ruth Gavison's critical review of the new edition of The Hollow Hope. This is an important book by Gerald Rosenberg in which he expresses skepticism about the influence of the courts as a major tool for achieving social change. Where would you position yourself in this discussion, and what is your feeling about the "rights critique" discourse in general?

These topics are too complex for me to give a fitting reply as part of this conversation, but I will make a few comments on

the matter. I think Rosenberg interprets the role of the courts incorrectly. No one ever thought that courts and litigation are the only—or even the primary—way to effect significant social change.

Litigation can be used to remove certain obstacles, to impose some changes, to raise issues for public discussion, to achieve exposure, and to mobilize people on behalf of a cause. Everyone who has engaged in litigation on behalf of social change—and I myself engaged in litigation for many years about prison reform and eliminating racial segregation in the schools—knows how difficult it is to accomplish even the tiniest bit of progress.

You may be victorious on a specific legal issue but the main thing is the relief [for the client], and this often runs into stubborn and systematic disruption and delays. In addition, most judges do not like these cases. They are not interested in running schools and prisons, they don't want the official who has been appointed by the court to report back to them that the decision they made has not been implemented, and they are not willing to run the risk of being attacked by members of their community.

When we won these cases, it often happened through roundabout methods such as information that we discovered by means of requests for the disclosure of documents, and then we used the media to publicize the story that had not been told. This is one way in which litigation operates. Many of our victories did produce big changes, such as in the areas of voting rights, prisoners' rights, and job discrimination, although some of the victories have dissipated in the meantime due to the conservative trend that has taken hold in US courts in recent years. This may change under President Barack Obama.

It is impossible, therefore, to measure the value of litigation only in relation to immediate and direct success, since there is always resistance following the court's ruling. We don't really believe that we can change society just through the courts, but we can effect significant changes through litigation. The historic decision in *Brown vs. Board of Education*, in 1954, for instance, which outlawed racial segregation in the schools, resonated far beyond the issue of school segregation, despite the fact that in practice—due to legal, economic, social, and other factors—it was not a great success. Nevertheless, within a few years after the decision segregation was eliminated in public parks and swimming pools and people no longer had to sit at the back of the bus.

In other words, the *Brown* case—just like other instances of litigation of this type—made these changes possible. It provided people with the faith, energy, and courage to continue their struggles. It also made several concrete changes and furnished the necessary impetus for legislation that creates a turning point. This is why the role of litigation remains critical, even though we cannot always see its influence in practice.

Public Interest Law Today

How would you evaluate the state of public interest law in the US today, with the end of the Bush administration? What are the main difficulties and dilemmas facing attorneys pursuing social change in the US right now?

The situation is quite complex. On the one hand, there are a large number of lawyers who are committed to civil rights, who are working against the draconian regulations introduced by the government after September 11. We have seen attorneys going to Guantanamo, often at their own

expense, to represent clients. They do this despite numerous difficulties: they need to pay in order to go there; they have to receive security clearance; they are often delayed by the government, which tries to obstruct them; many of them have encountered a lack of trust on the part of their Muslim clients, and some have even been dismissed by their clients. There seems to be an awareness among American attorneys today that they have an obligation to fight for the goal—that the American government may not and must not treat people in such a shocking way.

On the other hand, lawyers are still wrestling with numerous difficulties in the practice of public interest law. For example, severe restrictions are placed on attorneys employed by the Legal Services Corporation [the counterpart of the Public Defender's Office], even if they do not use its funds for the restricted activities. Aside from this, many students cannot allow themselves to work as public interest attorneys because they finish their studies heavily in debt. I hope that some of these limitations will change with the change in administration.

In any event, in many countries outside of the US, the situation continues to be very difficult. There is so much human suffering in the world—genocide, hunger, and indifference to people's suffering. Lawyers all around the world must share in the attempt to cope with these problems.

What is your position regarding attorneys engaged in social change and public interest law who turn to international human rights courts as arenas for legal defense? What challenges are involved in globalization and in the "export" of public interest law strategies outside the United States?

We have seen attempts to introduce the use of American strategies and professional knowledge in this field in other countries. American attorneys are trying to create a reverse process, but without much success to date. The use of international courts is a good example. The time has come to introduce international human rights criteria into American law, along with the use of international human rights courts and tribunals. Unfortunately, the US believes it is the paradigmatic yardstick when it comes to human rights and takes a reserved or hostile approach towards the idea of adopting strategies used by other countries. Some have even tried to forbid judges to consider what is done in other countries, despite the fact that in certain areas human rights are better protected outside of the US. As in other contexts, it is easier for us to export our values than to import the values of others. I hope that this will change, but I am not very optimistic.

In Memoriam: Boaz Oren, z"l
1961 – 2008
Pioneer for Israel's Environment



Boaz Oren, z"l, broke new ground in the field of environmental law in Israel. He understood the importance of the environment in Israel, beginning over 20 years ago, when the subject was considered a luxury for Americans who did not face security problems, through his last days when he continued to work at the Ministry of Justice. Throughout his life, Boaz exemplified the values of civil and human rights, which are the cornerstones of the Civil Liberties Law Program, and the dedication that is so sorely needed to place the environment among Israel's priorities.

Early in his career, Boaz realized that in order to specialize in the field of environmental justice in Israel, he would have to study in the United States. He persuaded the New Israel Fund of the importance of the subject, and became the first Civil Liberties Law Fellow to receive a fellowship in environmental justice under the rubric of civil rights.

In 1991, he traveled to Washington with his wife, Gali, and Shiri, their new baby. His studies at American University were

something new, exciting, and challenging for Boaz. He interned at the *United States Center for International Environmental Law*, where he found great interest in the studies and encounters with legal experts in the field. Muhammad Dahleh, Boaz's colleague and 1991 co-fellow, recalls:

During our fellowship in Washington, Boaz divided his time between his studies and his family. He was an outstanding student and an exemplary family man; gentle, charming and a true friend. I was always able to turn to him to share ideas and ask for his advice, which he provided generously.

The following year, Boaz returned to Israel and undertook an internship at the newly established *Adam Teva V'din: the Israel Union for Environmental Defense*. According to Professor Alon Tal, who served as the organization's director at that time, Boaz brought with him both the benefits of experience, having worked at the fledgling Ministry of Environment, and the international perspective that he had gained as a Civil Liberties Law Fellow studying at American University. Concepts such as “the precautionary principle” and “sustainable development” that had not quite made the journey across the Atlantic were introduced by him as he quickly raised the organization’s collective erudition.

After completing his internship, Boaz returned to work at the Legal Department of the Ministry of Environment, where he was employed prior to the fellowship. In the framework of his work at the Ministry, Boaz drafted numerous laws dealing with the prevention of air and water pollution, the handling of hazardous materials, animal protection, and many other crucial topics. He was active with relevant Knesset

committees and promoted amendments on enforcing the law against factories which pollute the environment.

In parallel, he began to develop the field of environmental law and taught courses that did not previously exist at the law faculties of the Hebrew University and the University of Haifa, and at the environmental engineering faculty of the Technion. A true visionary, Boaz saw great importance in training a new generation of environmental lawyers and in increasing the awareness of future lawyers of the issues of environmental justice.

Boaz's ultimate decision to return to the Ministry of Environment after his fellowship was a reflection of his underlying belief that only through excellence among the civil servants of Israel's government will our country be able to attain the quality of life and environment to which we all aspire.

-Professor Alon Tal

In 1995, Boaz was offered a job at the legal office of the Center for Nuclear Research in Dimona, where he worked for five years and raised awareness of the dangers of the workers' exposure to radiation and poisonous materials. At this time, he and his family moved from Jerusalem to Lehavim to be closer to his work.

In 2000, Boaz was asked to join the Ministry of Justice to help develop its international agreements and international litigation practice. In particular, Boaz built and headed the department responsible for advising the government on international human rights issues, for representing the government in international institutions, and for representing Israel before human rights committees.

According to Dr. Shavit Matias, Deputy Attorney General of the Ministry of Justice, Boaz's friend and colleague:

Boaz brought to the Ministry a breadth of knowledge on environmental issues that he had acquired in Washington DC as a New Israel Fund Civil Liberties Law Fellow, as well as a deep and personal commitment to the principles of human rights. His unique contributions still form the basis of the international work of the Ministry of Justice on these issues today.

Boaz passed away on September 23, 2008, following a brave struggle with cancer. He continued working up to the last weeks of his life - to remain aware and to leave behind a more just Israel which protects its people and its resources through progressive legislation.

Boaz is survived by his wife, Gali, and their three children – Shiri, 18, a soldier in the IDF, Itai, 14, and Yuval, 12.

May his memory be a blessing.

Law Fellows in Action: Selected Achievements

In 1988, **Joshua Schoffman**, the first law fellow (1986), represented Leah Shakdiel in a petition that required the Minister of Religious Affairs to appoint her as the first-ever female member of a local religious council. He also won a case against the Jerusalem Burial Society allowing a family to include English inscription on their late relative's gravestone and represented ACRI in the judgment that **overturned the decision to ban the staging of Yitzhak Laor's anti-occupation play "Ephraim Returns to the Army."** Joshua served as ACRI's legal counsel before becoming Deputy Attorney General.

In 1992, **Avigdor Feldman** (1985 fellow) represented the *Public Committee Against Torture* (NIF grantee) in the Supreme Court judgment that barred the Shin Bet from using even "moderate physical pressure" in the interrogation of suspects. He also represented *New Discourse: Democratic Mizrahi Rainbow* (NIF grantee) and persuaded the High Court to bar the rezoning of farmland for construction purposes. **He founded ACRI's Legal Defense Center** and is today one of Israel's leading private civil rights lawyers.



*Alice Miller with
Naomi Chazan*

In 1995, **Dr. Neta Ziv** (1985 fellow) represented Alice Miller on behalf of ACRI and the *Israel Women's Network* in her **successful Supreme Court petition to force the Israel Air Force to accept women for their pilot's training course.** In 2005, together with **Dan Yakir** (1988 fellow), she represented Israeli-Arab Adel Kaadan on behalf of ACRI in a Supreme Court ruling ordering the

Israel Lands Authority not to allocate land to a body like the Jewish Agency, which leases land to Jews only.

From 2000-07, **Dan Yakir** (1988 fellow) represented the lesbian couple Nicole and Ruti Brenner Kadish in a precedent-setting case which **compelled the Ministry of Interior to register them as same-sex parents of their child.**

Dr. Yuval Karniel (1989 fellow) was a member of the Ostrovsky-Cohen Commission, which was appointed to formulate the **Freedom of Information Law that was enacted by the Knesset** in 1998 and sets out mandatory norms of transparency in public organizations.

Shira Dunevich (1989 fellow) successfully represented Yonatan Danilowitz and challenged El Al's policy of granting free tickets to employees' opposite-sex partners, but not to same-sex partners. **The Israeli Supreme Court held that this policy discriminates on the basis of sexual orientation.**

Muhammad Dahleh (1991 fellow) was involved in a **precedent-setting Supreme Court decision ordering the Israel Defense Forces to move the route of the Security Barrier** because of the humanitarian harm caused to Palestinians separated from their fields and other resources, while arguing that the route did not compromise Israel's security.

Hadas Tagari (1994 fellow) has **won Israeli citizenship for non-Jewish Russian speaking immigrants** whose children live in Israel and formulated a legal amendment, which made the family courts more accessible for Arab women.

As the Founder and Director of *Adalah: The Legal Center for Arab Minority Rights in Israel* (NIF grantee), **Hassan Jabareen**

(1994 fellow) **successfully petitioned the Supreme Court in requiring the State to implement affirmative action methods in the appointment of Arab-Israelis to boards of directors of government companies.** Jabareen is also responsible for the recent ruling in which the disqualification of Arab parties running in Knesset elections by the Central Elections Committee was declared illegal.

Yousef Jabareen (1996 fellow) successfully petitioned the courts to require local governments in mixed (Jewish-Arab) cities to add Arabic to municipal signs and posters. He also **successfully petitioned for the rights of Israeli-Arabs attacked by Jews to receive compensation as victims of terror.**

Bana Shoughry-Badarne (2000 fellow) has been in the forefront of the fight for government recognition for the unrecognized Bedouin villages of the Negev. She represented the unrecognized village of Darjat, which received government recognition in 2004 and has **prevented the demolition of dozens of Bedouin homes** by representing individual homeowners.

As the Director of the Legal Department of the *Israel Religious Action Center* (IRAC- NIF grantee), **Einat Hurvitz** (2002 fellow) has successfully appealed to the Supreme Court on behalf of Jewish immigrant converts in Israel instructing the government to recognize them as Jews. In 2008, she **successfully petitioned the Supreme Court against the Egged Bus Company for refusing to put pictures of female political candidates on buses in Jerusalem.**

Working with *Isha L'Isha: Haifa Feminist Organization*, *Bat Shalom* and *Itach: Women Lawyers for Social Justice* (NIF grantee), **Dana Myrtenbaum** (2004 fellow) lobbied for a law

enacted by the Knesset in 2005 **requiring the government to include women in appointments to peace negotiations teams and determine foreign affairs and security policy committees.** Working with Itach, she has also been highly effective in lobbying for new laws against the trafficking of women.

Sawsan Zaher (2004 fellow) achieved a precedent setting ruling by the Haifa District Court on behalf of three Israeli-



Arab women who had been denied housing in student dormitories even though they came from disadvantaged backgrounds and lived in remote villages. The Court

accepted *Adalah's* claim that the University's criteria for awarding housing was discriminatory because completing military service was a major factor in allocating dormitory accommodation. The ruling has ramifications for similar discrimination against Israeli-Arabs in employment and other areas.

The first-ever Ethiopian-born Israeli lawyer, Yitzhak Dessie (2007 fellow), established *Tebeka: Center for Legal Aid and Advocacy for Ethiopian Jews in Israel* (NIF grantee). He won major

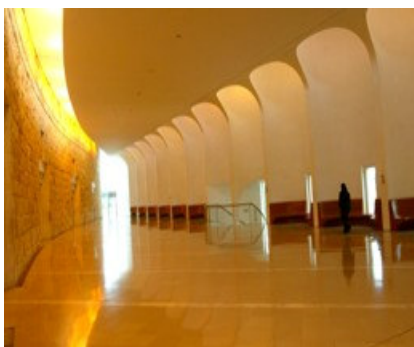


compensation from the Beer Sheva Labor Court for an Ethiopian immigrant woman who was fired from a restaurant when a local rabbi refused to renew the establishment's kashrut certificate if the restaurant continued to employ her.

Graduates of the Civil Liberties Law Program: Then and Now

Introduction

Written by and about the program graduates, the following pages are organized according to the year in which each fellow participated in the program as to highlight the program's progression and cumulative influence on civil and human rights in Israel from 1984 to the present. The New Israel Fund would like to thank all of the law fellows who have taken the time out of their busy schedules to write about their personal and professional lives, share their thoughts and reflections and join us in wishing Professor Herman Schwartz only the best.²



² Graduates of the program were kindly requested to respond to a questionnaire. The responses have been edited and formatted (and in some cases translated) for the purposes of this book. Every effort has been made to maintain original content and intent. Fellows who do not appear in this section of the book were unreachable or did not submit their responses.

***Joshua Schoffman* | 1984**



Today: I am in no hurry to embark on a new career, after the pressure and intensity of my previous positions as Legal Director of ACRI and Deputy Attorney General at the Ministry of Justice. Future plans will probably include involvement with non-profits concerned with social justice, and pursuit of academic interests not related to law.

Much has changed in the 25 years since my law fellowship. My son Tsuri, who was two when I was in Washington DC, is about to graduate from Hebrew University; Hanan, born during the program, is on a post-army trip to South America. My wife, Hava, and I recently joined Hanan in South America, marking my retirement from government service.

Influence of the Civil Liberties Law Program: I decided to study law in the hope of practicing civil rights law in Israel, drawing on the example of the public interest lawyers whose careers I followed while growing up in the United States in the 1960's. At the time, this was largely unrealistic, given that the few human rights organizations in existence did not employ a full-time legal staff. The program turned this hope into reality. By a stroke of luck, I heard about the program shortly after being admitted to the bar. I had the fortune to work as a lawyer for ACRI just as it was expanding its professional staff. After my fellowship ended, I continued to work at ACRI, applying my experience from the year in Washington, as the legal staff grew from one lawyer to a department of ten. I took part in some of the most significant human rights litigation of and in legislative and policy work.

The year in the fascinating city of Washington DC was wonderful - getting a firm background in American constitutional and civil rights law, and working with an amazing group of public interest lawyers at the ACLU and the *Mental Health Law Project*. The high point was the challenge at ACRI, dealing with an increasing volume of legal work and litigating a wide range of cases before the Supreme Court.

Thoughts about the future: I hesitate to make any observations on the future of human rights in Israel. There are too many variables, too many differences between various aspects of human rights protection and promotion. To be sure, the last quarter-decade has seen major changes in the constitutional framework, in the prevalence in Israel of the language of human rights - from the Supreme Court to elementary schools - and in institutions dedicated to the protection of human rights, notably non-profit organizations, law school clinics and governmental agencies. In some areas, these changes have brought significant improvements in human rights while in others the core problems continue and to some extent have been exacerbated. The safeguards, as we have seen, are fragile, and none can be taken for granted.

In appreciation of Professor Herman Schwartz: Throughout these 25 years, I have never ceased to be impressed and amazed how one person, an American Jew living in Washington, imbued with devotion to Israel and to human rights and armed with a vision and with unending energy, has had such a profound effect on the human rights community in Israel. The human rights bar could not have developed in the way it did or as quickly if not for the program that Professor Herman Schwartz envisaged and brought to an ongoing reality. I join with the other fellows in wishing that he continue to see the fruits of his labors, with well deserved pride and satisfaction, for many years in good health.

Neta Ziv | 1985



Today: I am the Director of Clinical Education Programs at the *Buchmann Faculty of Law at Tel Aviv University*. In addition, I serve as a member of the boards of the New Israel Fund and *Itach-Women Lawyers for Social Justice* (NIF grantee). I live in Ramat Hasharon.

Influence of the Civil Liberties Law Program: The program changed my life by setting me on a professional path that I am still following 20 years later. I have been active in non-profit organizations for the last two decades. Without the program, I probably would not have chosen this career track. My internships in civil rights organizations - the *Women's Legal Defense Center* and the ACLU in the United States and the ACRI in Israel - formed the basis of my commitment to this field, and influenced the development of my professional identity as part of the community of public interest lawyers.

Thoughts about the future: There is a need for more and better professional training in the Bar Association and law schools in order to enhance lawyers' commitment to public service and to the protection of human rights.

In appreciation of Professor Herman Schwartz: The Civil Liberties Law Program was a brilliant idea on the part of Professor Schwartz. I feel very proud of my participation in shaping Israel's human rights and public interest law agenda.

Adam Fish | 1986

Today: I am a partner at the law offices of Ben-Ari and Fish in Haifa. The firm employs 14 lawyers working in all areas of the law with an emphasis on higher education and administrative law. The firm is a partner in the *Haim Cohen Justice Center*, the largest private organization providing pro bono legal services in Israel.

Influence of the Civil Liberties Law Program: The program significantly impacted my view on the struggle for human rights. Before participating in the program, I was naïve and full of motivation. I believed that it was possible to reach significant achievements through the courts and I fantasized that one day I would be able to change the rules of the game in an entire field through one ruling. Through the program, I learned that the real struggle is at the heart of the people and it will be achieved through broad efforts to uproot distortions of the public's interest.

Two major experiences from my time in Washington stand out for me. Firstly, prior to my fellowship, I was a harsh critic of the Israeli establishment. However, in the United States, I found myself defending Israel and her methods for coping with the challenge of defending human rights in the face of security crises. I even said that the US was not in a position to teach Israel about human rights under the current circumstances (and this was before 9/11).

Secondly, before traveling to the United States, I was also a harsh critic of the Jewish Orthodox establishment and I harbored anti-religious feelings. During my year in the United States, I became familiar with Conservative and Reform Judaism, which enabled me to see the positive sides of Judaism.

Thoughts about the future: I am very optimistic about the future of human rights in Israel. From a historical perspective, I think that progress is happening quickly. However, there is a significant gap between the legislation, which is often progressive, and its application. I believe this gap is due to a lack of internalization of core values among the general public and the government's understanding of the need to apply these rights.

In appreciation of Professor Herman Schwartz: With over 20 years of perspective since I finished the program, I will always remember Herman as someone who shaped a significant portion of my basic principles. He was always willing to give me advice on issues I confronted during my internships. Additionally, when I was in the United States, I was single and did not know anyone except for Marina Levi, the other law fellow. Herman was a model of hospitality and warmth.

As I look back, I think that the program has greatly shaped the course of human rights in Israel and that it is Herman who has shaped the program. On a personal level and on behalf of all of the program's graduates, we are truly indebted to Herman. Thank you so much.

Marina Levi | 1986

Today: Since 2002, I have worked as a family court judge in the Krayot area. I live in Mitzpe Machmenim, in the Galilee. I am married to Dror (who served at the Israeli Embassy in Washington DC during my fellowship). My two oldest daughters have completed army service after a year of volunteering, my son is serving in a Paratrooper unit, and my two younger daughters are in high school.

Influence of the Civil Liberties Law Program: The program contributed to my personal and professional world views and to my practice of family law. My internships at the *Mental Health Law Project* and the *Women's Legal Defense Fund* in the United States and the *Misgav Association for Community Bridging* in Israel focused on the rights of weaker citizens and minorities, sharpening my approach and providing professional tools. I was able to apply what I learned from the program during my 13 years as a legal advisor to the *Haifa Shelter for Battered Women* as well as at ACRI's Haifa branch, where I initiated a women's rights team and a hotline for women in distress, the first of its kind in Israel, which still operates in collaboration with SHATIL.

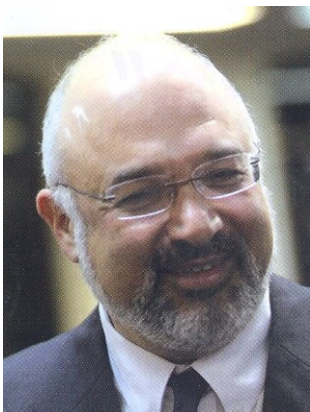
I opened a law practice in Carmiel, in partnership with Israel Doron (1993 law fellow), where part of my work was pro bono. I also served as the legal advisor for Misgav Regional Council and a mediator and have taught mediation.

My experience of citizens' rights gained from the program undoubtedly accompanies my work as a judge. Although 20 years have passed, I recall that period as exceptional. Among the people I met, Professor Arlene Cantor, the world famous advocate of the rights of the mentally ill, stands out, and I am still in contact with her.

Thoughts about the future: The human rights field has expanded and developed over the past 25 years. New fields have been added, including social rights and the environment, and deep change has occurred in women's rights. This has resulted both from legal activity and public sensibilities. There are still many gaps between different population sectors, and inequality in security poses a major challenge. The continuation of the program is essential, in order to develop talented lawyers who will continue to provide leadership and to stabilize our society and quality of life for the next generation.

In appreciation of Professor Herman Schwartz: I vividly recall the personal support we received from the program's "father" - your wisdom, your welcoming smile and your sense of humor. Your door was open at all times for any professional or personal issue or problem. I and my husband, Dror, and my oldest daughter Neta, who were with me in Washington DC, express our deepest gratitude for this wonderful program. We wish you continued strength, health, satisfaction and many more years of blessed activity.

Moshe Hacohen | 1987



Today: I have served as Director of the Jerusalem District Public Defender's Office since being entrusted with establishing the office in 1998. Previously, as a private attorney and teacher, I was active in strategic litigation, lobbying, lecturing, teaching and other public activities which, together with the efforts of many others, helped bring about the enactment of the

Public Defender Statute of 1995 and the creation of a nationwide public defender system funded by the state. I am also Director of the Public Defenders Clinic at the *Academic Center of Law and Business* in Ramat Gan, and a member of the Ethics Committee of the Hadassah University Medical Center, which is in charge of approving clinical trials on humans.

Over the past decade, I have helped create public defender systems in emerging democracies in the FSU. As part of an international team created by the *Open Society Institute Justice Initiative (OSJI)*, I helped advise governments and legislatures on the enactment of new legislation for free legal aid in Lithuania, Moldova and Georgia. Those statutes adopted many ideas from Israeli legislation.

I am married to Ilana and a proud father to my three children.

Influence of the Civil Liberties Law Program: Without the program, I would not be where I am today professionally. The

experience and knowledge I gained enabled me to help set up the public defender system in Israel and become one of its leading members. The program exposed me to cause lawyering and to the world of indigent defense, two spheres of legal practice which were then almost unknown in Israel. My internships at the *Washington DC Public Defender Service* and the *National Prison Project* were specially designed for me, although at that time - as today - indigent defense was not considered a classical human rights issue. I was entrusted by Dean Yitzchak Zamir of the Hebrew University Law School and by Professor Leslie Sebba with the establishment of a public defender clinic at the law faculty as my internship project in Israel, at a time when no public defenders organization existed. Today, some eight such programs are active in law schools across Israel.

Thoughts about the future: Despite the enormous challenges that are facing the human rights community, a very strong body of active human rights and civil rights organizations and law clinics exists today, many sponsored by the New Israel Fund, and staffed by graduates of the program. The law clinics have demonstrated that under any government they will continue to challenge abuses and battle for the rights of those wronged by the system, and hold the government accountable. This gives reason to hope that, despite many difficulties, the situation will improve.

In appreciation of Professor Herman Schwartz: Herman can look back with pride on all of his enormous achievements so far, some of which are reflected today in the activities of graduates of the program. I would like to wish Herman many more years of active contribution to the cause of human and civil rights, justice and fairness, in the United States, in Israel and around the globe!

Tamar Morag | 1987

Today: I am a faculty member at the College of Management Law School, teaching and researching family law, child law, and law and social change. I serve as the Academic Director of *Matters*, the Law School's Society and Law Clinic, and as a consultant at *Haruv*, a leading research and training institute in the field of child abuse and neglect. I am also a member of two public committees: one on child participation in family courts and the second on parents' participation in the educational system.

I am married and have two teenage daughters.

Influence of the Civil Liberties Law Program: The program deeply affected my professional life. I knew that I wanted very much to become involved in the area of child advocacy which, at the time, was a new realm in Israel. The year in Washington DC exposed me to the broad and well developed field of child advocacy in the United States. My encounter and work with the *Children's Defense Fund* (CDF), a powerful and influential organization devoted entirely to lobbying for children, was a formative, exciting and powerful experience. During that year, I also worked with the American ACLU, and the *Street Law Project* at Georgetown University Law School, and the *ACLU Children's Rights Project* in New York.

By fortunate coincidence, I returned to Israel precisely when the National Council for the Child was established. Appointed as the Council's first legal director, I created the *Center for the Child and the Law*. In developing a vision and a set of appropriate goals for the center's legal work, I was able to draw on the knowledge, tools and experience I had acquired during the program. And this was also the case in my promotion of various other legal initiatives.

Thoughts about the Future: I feel ambivalent. On one hand, the scope of human rights activity and the use of law to drive social change have developed tremendously in recent years. The program can claim much of the credit for this. There is a positive and admirable process of maturation in the human rights community which is involved in a complex, critical pursuit while probing the power and limitations of law in advancing changes in human rights. On the other hand, the political standstill and the current trends in Israeli politics and public opinion lead me to feel that the lack of development toward solving the Arab-Israeli conflict may preclude meaningful progress in the advancement of human rights in Israel.

In appreciation of Professor Herman Schwartz: Herman, you are a wonderful, wise, sensitive, and humane person. I am happy to have this opportunity to tell you what a significant role you have played in my life. The help you provided whenever I needed it and your faith in me guided my professional and personal development. Besides what the program taught me about human rights in general and children's rights in particular, you were a model in combining social concern with academic and intellectual depth. I believe that Israeli society is indebted to you for your enormous contribution to changing the nature of the struggle for human rights in Israel.

***Dana Briskman Gomelski* | 1988**



Today: I work at the Department of the State Attorney's Office at the High Court of Justice, representing the State of Israel in petitions brought to the High Court of Justice. I am married with two children: a ten year old son and a five year old daughter.

Influence of the Civil Liberties Law

Program: Prior to participating in the program, I studied toward an LL.M at Harvard Law School, focusing on human rights and civil liberties. I had also been active in ACRI for a number of years before participating in the program. However, despite my background in human rights issues, the program broadened and deepened my knowledge and awareness of human rights issues and significantly influenced my subsequent professional life.

In Washington, I worked at two organizations and was able to learn much about different means of promoting human rights. During my second year of the program, I worked as an attorney at ACRI. I remained there for six years, during which I litigated human rights cases and lobbied the Knesset on human rights issues. The experiences gleaned during the program affect my life to this day. As a state employee, I am very sensitive to issues of human rights and do my utmost to promote them in my areas of responsibility.

Thoughts about the future: As for the future of human rights in Israel, it seems to me that Israeli society is facing very challenging years ahead – due to both economic and security issues. However, I think that today, more so than in the past,

there is a growing awareness of these issues and I hope that, despite the difficulties facing our society, human rights will be honored.

In appreciation of Professor Herman Schwartz: I would like to thank Herman with all my heart for the wonderful program he initiated and brought to realization, and I wish him happiness and health for many years to come.

***Ilan Saban* | 1988**



Today: In 1991, I joined the founding group which established the Faculty of Law at Haifa University. I have been there ever since, teaching public law, minority rights (from a comparative perspective) and a few other courses. Moreover, together with two other law fellows (Yousef Jabareen and Durgham Saif), I am involved in a legal clinic in the faculty, focusing on Arab-Palestinian minority rights.

Influence of the Civil Liberties Law Program: It was at American University that I realized that I am attracted to intellectual reasoning. Thus, in many ways, the program was the juncture at which I made my long-term professional choice. My years in the program seem like a generation ago. I spent them with my dear Gilat (Herman's Hebrew teacher) and with the two other law fellows, Dana Briskman and Dan Yakir, who are still my good friends after all these years. It was my first foreign encounter – meeting (glimpsing) another culture, of American Jews and Gentiles, Arab-Americans and Diaspora Palestinians – an eye-opening experience.

The networking effect is also truly important (and not only from the personal dimension called friendship...). I have close and fruitful professional contacts with literally a dozen law fellows, contacts whose strength derive both from a common social agenda and from our encounter through the program.

Thoughts about the future:

*When I was a child I caught a fleeting glimpse
Out of the corner of my eye
I turned to look but it was gone
I cannot put my finger on it now
The child is grown, the dream is gone
I have become comfortably numb*

-Pink Floyd

Isn't that what has happened to us as a society? A humanistic version of Zionism has always been a complex, ambivalent and fragile dream, but now it seems to be waning towards oblivion. This is a long way of saying that I am pessimistic about the future of human rights in Israel. However, many speak of the "Human Rights Bar" the program has created. Although I advise modesty as to our actual impact on Israeli society, I readily admit that something very meaningful has evolved here. There are people from the program who are already truly prominent, and there are certainly more who will be in the future. Moreover, our cumulative activity has made Israeli society somewhat less painful to quite a few of the 'others' among us.

In appreciation of Professor Herman Schwartz: Thank you, Herman, for what you are – a white haired sage, who had a vision and had the energy, connections and profound wisdom to materialize it, and thanks for your hospitality and warmth.

Dan Yakir | 1988



Today: Since 1995, I have been the legal counsel of ACRI. Over the years, I have worked on a range of human rights issues, specializing in human rights violations in the occupied territories, freedom of speech, and LGBT rights.

Influence of the Civil Liberties Law

Program: Studying freedom of speech with Burt Wechsler and international humanitarian law with Bob Goldman laid the foundations for my subsequent work at ACRI. Working with Art Spitzer at the Washington, D.C. chapter of the ACLU and with Nan Hunter and Bill Rubinstein at the *Lesbian and Gay Rights Project of the ACLU* was enormously inspiring. I learned not only how to litigate cases, to choose clients, and to phrase arguments, but also grew to recognize that the media is an important tool in any fight for social change.

After graduation, I returned to ACRI as a staff attorney at the Tel Aviv branch. I had been active in ACRI as a law student since 1982, but back then ACRI had only 2-3 lawyers (among them Joshua and Neta, the first alumni of the program), and the only way to get a position with ACRI as a lawyer was to return as a law fellow of the program.

Thoughts about the future: On the one hand, human rights rhetoric is now part and parcel of the public discourse in Israel. On the other hand, we are witnessing a wave of racism, anti-democratic bills and curtailment of freedom of speech. The struggle is far from over and a viable human

rights community is needed now more than ever. That is why the continuation of this wonderful program is so important.

In appreciation of Professor Herman Schwartz: The 25th anniversary of the New Israel Fund's Civil Liberties Law Program coincides with the 20th anniversary of my graduation from Washington College of Law. During the academic year of 1988/89 you (Herman) were on sabbatical, which meant that Ilan Saban and I did not have the privilege of studying with you. Nonetheless, you were very present at the law school and went out of your way to help us so as to ensure that we would be able to work as interns in any organization that we chose.

This wonderful program has made a real and lasting impact on the struggle for human rights in Israel, not only by creating a cadre of civil rights lawyers but also by allowing young lawyers to pursue innovative initiatives and to break new ground. It is an important part of your legacy in protecting and promoting human rights all over the world, and, as one of its beneficiaries, I would like to personally thank you for this exceptional program.

***Shira Dunevich* | 1989**



Today: I have had a private law practice since 1991. I have dealt more than a little with human rights issues, mainly in public work aimed at advancing women's rights. Today, I also deal with family law, administrative law, and with matters that strike me as unjust and needing extraordinary legal work to rectify them.

In addition, I represent oppressed women in divorce proceedings against wealthy husbands who control the family's money and do not respect their wives' rights. Similarly, I often deal with administrative matters against the Interior Ministry, primarily on issues connected with Israelis who want to live with foreigners and encounter difficulties.

Influence of the Civil Liberties Law Program: The program enabled me to broaden my horizons in every respect. I delved into areas that no one dealt with 20 years ago in Israel, such as the legal aspects of developments in the field of procreation. Beyond this, on a personal level, studying abroad for a year enabled me to learn a lot about myself, about my ability to deal with a variety of issues.

While in the US, I formed connections with LGBT organizations. That was when the Danilevitch case was being litigated, and I made an effort to cultivate ongoing contacts with the lawyers from these organizations. I benefited from their assistance during the long years of trials, and received updates on developments in the field in real time. It is hard to understand today, but, before the internet era, getting an update was no small matter, and for a precedent-setting case in Israel this was an important contribution in my estimation.

Thoughts about the future: It is difficult to prophesize about the future or human rights. Those who suffer from autism or retardation, but who function relatively well, can be integrated in the regular educational system according to the law. However, despite a series of winning cases before the High Court of Justice, the Ministry of Education continues to violate the law in this matter and ignores the rulings of the High Court. This is a matter which I believe will get a push during the coming year, given that these children deserve every assistance.

In appreciation of Professor Herman Schwartz: I would first of all like to wish Professor Schwartz a long life filled with good health. The program he initiated has contributed much to the development of human rights in Israel. Several lawyers who are graduates of the program work today in the State Comptroller's Office, and, in my opinion, it is precisely there that there should be lawyers who make human rights a priority. Several graduates are identified with a certain organization to which they have devoted their energies and brought about a growing awareness and achievements in that same field. Those who turned to private practice have also brought with them enlightened concepts, faith in the values of equal rights and a broad education that have enabled the achievement of precedent-setting cases. If we examine most of the rulings in the field of human rights in Israel during the past 20 years, we will discover that very many of them were influenced by graduates of the program.

On a personal level, I am deeply grateful to Professor Schwartz. I have no doubt that the studies in Washington shaped the continuation of my professional life and enabled me to choose a vocation that has brought me great professional and personal satisfaction.

Yuval Karniel | 1989



Today: I am a senior lecturer at the School of Communications at the Interdisciplinary College of Herzliya, teaching and researching subjects relating to society, culture and communications with an emphasis on human rights, freedom of speech, freedom of information, and equal representation of minorities in the

media. Recently, I have been involved in establishing the *Movement for Freedom of Information in Israel* and am a council member of the Broadcasting Authority and chair of its Ethics Committee, which recently completed a new ethics code for public broadcasting in Israel.

I am married, have three children and live in Modiin.

Influence of the Civil Liberties Law Program: The program has had a significant impact on my life and my advocacy of freedom of information and ethics in communications. In effect, my work is a natural progression from my participation in the program. For example, my experience with the American Freedom of Information Act led me to push forward similar legislation in Israel (still in progress), while my involvement in media ethics is a progression from my internship with the Israel Press Council.

Like the other law fellows, I have tried to integrate my academic studies with activities which will benefit our society. I feel that this is the main message of the program: higher education, research and broad knowledge of the field as tools for realizing social change.

The program's memorable experiences are too many to describe here. Without a doubt, however, my stay in Washington at such an early stage in my career shaped my world view and future. Upon returning to Israel and working side by side with Professor Yitzhak Zamir, former President of the Israel Press Council, I felt even more acutely the influence of the program.

Thoughts about the future: My thoughts on human rights in Israel are complex and conflicted. On the one hand, there has been significant progress in anchoring important laws pertaining to many rights. However, I have a feeling that there is also a regression in the legal system. Israeli society is struggling, specifically with racism and corruption. We are striving to find new tools to uphold the law, since the Supreme Court as a legal tool is becoming an over-used method. Political movements addressing human rights are not succeeding in reaching out to the general public. We need charismatic leadership (like that of Obama) to remind us of the basic principles of equality and respect for humankind. Under the circumstances, I think it is especially necessary to continue the work of the New Israel Fund and the Law Fellows Program.

In appreciation of Professor Herman Schwartz: In joining this expression of good wishes to Herman, let me say that we are all his children. In my opinion, he is the exemplary model of an academic and an activist combined. He is humane and sensitive, and does not settle for simple research and instruction, but is also a moving force in the struggle for social change. I, like the other law fellows, am doing my best to follow in Herman's footsteps.

Deuel Peli | 1990



Today: I am a partner in an Israeli law firm recently established as a result of a merger, CBLS Law Offices. I am married with four children, one who was born while we were in Washington, DC, and is now about to graduate from high school. I am active with several socio-political causes, but still focus on advocacy and promotion of human rights for people with disabilities.

Influence of the Civil Liberties Law Program: Upon coming back from Washington, I had a very clear vision of what I wanted to achieve in the field of human rights as a legal professional and ever since I have been involved in advocating and promoting human rights, mainly for people with disabilities. The major outcome of my participation in the program was the establishment of *Bizchut: Human Rights Center for People with Disabilities* (NIF grantee). In doing so, I had the privilege of joining hands with another graduate of the program, Neta Ziv, who was at the time the legal advisor of ACRI.

For my spouse, Ruty, the program was very meaningful as well, as she was previously a lawyer only dealing with run-of-the-mill civil matters. After the program, she became a civil rights lawyer, first as the coordinator and legal advisor for the *Legal Aid for Olim Centers* and then the legal adviser for *Community Advocacy* (NIF grantee) in Jerusalem.

During my studies in Washington I had the opportunity to be part of an ecosystem which nurtured anything conducive to the promotion of human rights on an international level. I

met professors who were not only great teachers but role models in their commitment and active participation in promoting human rights. One of them- and an outstanding one as such- was Professor Herman Schwartz. I also consider my internship at the *Mental Health Law Project* in Washington under the tutelage of Ira Burnim, as a transformative experience, which bred in me passion for human rights in general and human rights for people with disabilities in particular.

Thoughts about the future: It is my intention to continue my involvement with defending and promoting human rights in Israel. The situation of human rights in Israel is a constant worry for me. Regretfully, I do not envisage any major change for the better without a major breakthrough in Israel's socio-political status. Nevertheless, work has to be continued non-stop both in order to stem the adverse tide until such a breakthrough is achieved and also in order to alleviate the suffering of as many individuals as possible.

In appreciation of Professor Herman Schwartz: It has been my privilege and honor to study from Professor Schwartz as a teacher and look up to him as a role model both in his passion for human rights and Israel. I wish to see many, many more followers and students of Professor Schwartz working to make Israel and the world a better place. I hope that he realizes the positive contribution he made to all of us and, through us, to Israeli society.

Noya Rimalt | 1991



Today: I am currently a professor of law at the University of Haifa Law School in Israel, where I teach Criminal Law and Feminist Legal Theory. My work examines the intersections of gender, law and feminism in legal theory and practice. I have written articles focusing on such topics as female offenders, women in the military, the conscientious objection of women in the Israeli military, sexual harassment law, images of motherhood in contemporary judicial discourse and gender and multiculturalism. My book, *Legal Feminism from Theory to Practice*, is forthcoming in the Haifa University Press.

Influence of the Civil Liberties Law Program: The year I spent at Washington College of Law pursuing my LLM degree was a transformative one in many respects. I took my first class in Feminist Jurisprudence, learned the basic concepts of American civil liberties law and acquired skills and knowledge that were instrumental in shaping my career first as a civil rights lawyer and later as a feminist law professor.

As part of my second year of the program, I decided not to join an established NGO in Israel, but rather to create an organization that more closely matched my own passions and interests. At the time, clinical education, a common occurrence at most American law schools, did not exist in Israel. Legal education was formal and strictly limited to the theoretical study of court cases and legislation. I therefore believed that clinical education would provide the students

the opportunity to see “law in action” and also to learn how to use the law as an effective tool for social change.

In 1993, I became the founding director of *The Center for Legal Aid in Civil Rights* at Tel Aviv University. This creation proved to be instrumental in the first wave of clinical education in Israel. It also contributed to the expansion of civil right discourse in Israel as the Center was the first civil rights organization that was striving to shift the focus of civil rights work from civil and political rights to social and economic rights. In the six years that I directed the program, we provided legal representation to underprivileged groups in Israeli society such as the mentally ill, Ethiopian immigrants, Palestinians and children. We brought several cases to the Supreme Court raising legal challenges relating to the status of unrecognized rights such as the right to education. In 1999, I joined the Law Faculty of Haifa University and in 2001, I received my JSD from Tel Aviv University.

In appreciation of Professor Herman Schwartz: Throughout the years, I found Herman Schwartz to be first a mentor, a friend and an incredible source of inspiration. The law fellows program that is literally Herman’s own initiative played a significant role in shaping Israeli society and in creating a strong civil rights community that strives to promote greater justice and equality for all under complicated circumstances. The program trained a skilled and dedicated group of people totally committed to the idea of making Israel a better place for all its citizens. The greatest challenge still ahead is how to energize this group of people into political action that can further promote the agenda of justice, equality and human rights and secure the future existence of Israel as a true democratic state.

***Ada R. Shamir-Orvieto* | 1991**



Today: Since 1998, I have been a partner in a boutique law firm, specializing in contract and commercial law. I focus on mediation services in family, civil and commercial cases, and have assisted numerous parties in resolving disputes without recourse to the law courts. I also teach mediation in a course approved and certified by the

Justice Ministry, and train certified mediators in an internship program at Jerusalem Magistrates Court. I serve as an External Director of Hagihon Company, Ltd. - Jerusalem Water and Waste Water Corporation, and as an External Director of Jerusalem Wastewater and Purification Enterprises, Ltd. I was recently appointed to the Women's Council of Jerusalem City Council.

I am married, we have three wonderful children, and we live in Jerusalem.

Influence of the Civil Liberties Law Program: As an attorney and a mediator, I utilize the skills and training I gained, especially in cases referred by the courts to me as a mediator, which involve civil liberties and human rights issues, and as a board member of corporations offering essential services to Jerusalem residents.

The program strengthened my ability to offer balanced solutions to disputes and to assist people in hearing and understanding the other's point of view and needs. Civil liberties and human rights are part of my fundamental Jewish values, on which I was raised. Among my special experiences

of the program were encounters with lawyers from all over the world, including places I had never had direct contact with: Africa, Eastern Europe and Arab countries. Learning about their legal systems and points of view was fascinating. Working with the ACLU and *People for the American Way* enabled me to see how people can cooperate on specific issues, while on others they may be serious adversaries.

In appreciation of Professor Herman Schwartz: I owe you special thanks. I have learned a great deal from you, not only through your courses but also from being exposed to your devotion to civil liberties and human rights. Professor Schwartz, you are not only a formal teacher, you also are a true friend who assisted me during my stay at the American University. You were always there to help, to coach and to listen. I cherish you, and wish you Mazal Tov and, as we say in Hebrew, may you reach the age of 120 with the health of a 20 year old.

Dana Marshak Marom | 1991

Today: Since August 2000, I have been working as a trial court judge in the Juvenile Courts of Tel Aviv and Kfar Saba. I am married to Doron and am the mother of Itamar, age 7, and Nimrod, age 16.

Influence of the Civil Liberties Law Program: Studying in Washington DC was a once in a lifetime experience, and my participation in the program defined my subsequent career. My internship at the *Public Defender Service of Washington, DC* was extremely rewarding. Later, I also had the remarkable opportunity of researching and writing about several other public defenders' offices. My research was published in an Israeli law journal, and I was very proud when this article was used as one of the main information resources during the process of developing the legislation for the Israeli Public Defender Law, and was used to design the model.

When I returned to Israel, I took part in the legislative proceedings of the *Public Defender's Office*, representing indigent defendants. Following this, I was hired by the government to develop this service, and worked as one of the senior managers of the *Public Defender's Office*, which was then based in Tel Aviv. For a year I had my own practice in criminal law, but I feel that my appointment to the bench was a natural step forward, which was also due to my personal development process which began with my participation in the program.

In appreciation of Professor Herman Schwartz: I wish to convey my deep admiration to Herman, who guided me with his wisdom, and succeeded in affecting the lives of so many people around the world with his endless energy and varied activities.

Muhammad Dahleh | 1991



Today: I am co-founder and partner in the law firm of Dahleh, Hammoud and Associates (together with Suhad Hammoud, 2000 law fellow, and five other associates). Although the firm has a very diverse legal practice, it deals largely with cases of human rights violations of

Palestinians in Jerusalem, the West Bank and Gaza. I am also a member of the Steering Committee of the Civil Liberties Law Program and a member of the advisory committee of the Ford – Israel Fund. I am married to Suhad Hammoud (2000 law fellow), and we have four children.

Influence of the Civil Liberties Law Program: The program and the year I spent in Washington DC changed my life drastically. It broadened my horizons and inspired me in many ways related to the human rights struggle in general and to the rights of minorities in particular. It strengthened my belief that social change is possible, and that legal means can play a crucial role in making social change happen.

Thoughts about the future: I cannot imagine the human rights sphere in Israel and the Occupied Palestinian Territories without the role played by the graduates of the program. Unfortunately, the deteriorating human rights situation (especially with regard to Palestinians – in Israel and in the Occupied Palestinian Territories) undermines almost all legal victories achieved in recent years.

In appreciation of Professor Herman Schwartz: Without your initiative, support and help, the program would not have

happened or continued. The graduates, the human rights organizations, the victims of human rights violations, and our entire society owe you a great deal.

Thank you, Herman!



Gidon Bromberg | 1993



Today: I work as the Israeli Director of *EcoPeace/Friends of the Earth Middle East*. *EcoPeace* is a unique regional organization that brings together Jordanian, Palestinian and Israeli environmentalists to promote sustainable development and advance peace efforts in the Middle East. I founded the

organization in 1994 while still completing the law fellowship and I have served as the Israeli director ever since.

Influence of the Civil Liberties Law Program: The law fellowship was an absolutely life changing event. During my studies, I chose to focus on written research on the environmental implications of the Middle East peace process. I came to the key conclusion that environmental issues were missing from the political agenda of the peace negotiations, and that there was a need for environmentalists from the region to get to know each other and perhaps work together.

Prior to returning to Israel for the second year of my fellowship with *Adam Teva V'din*, I negotiated with the former director of the organization to spend ten per cent of my time trying to develop cross border links and cooperation with environmentalists from Israel's neighboring countries. While still in the US, I met with potential funders, trying to interest them in supporting the first gathering of environmental activists from the region. Within three months of my return to Israel, the money was raised, contacts developed and a first meeting was held that led to the establishment of the first ever regional environmental

organization, then involving Egyptians, Jordanians, Palestinians and Israelis.

Thoughts about the future: After 15 years of working on cross border environmental issues, key issues of *EcoPeace* are very much on the political agenda. Still, there remains a great deal more to do. Water issues as a human right are still very much hostage to the lack of progress in the peace process, shared waters are heavily polluted and regional institutional structures dealing with water and the environment are lacking. Yet we remain hopeful that through the dual nature of our work – top down advocacy and bottom up community mobilization - we will continue to see real change on the ground.

In appreciation of Professor Herman Schwartz: Although my trajectory was not that of human rights law, the time I spent with Professor Schwartz, and his commitment to the program and to social change in Israel, were certainly an inspiration. I fondly remember a Thanksgiving dinner held by Professor Schwartz for the law fellows of that year. It was the first Thanksgiving dinner I had ever attended. Professor Schwartz read an address by Abraham Lincoln describing his thanks to the American people as a newly elected president.

Celebrating 25 years of the program, I remain both thankful and honored to have been a fellow of the program and exposed to Professor Schwartz's vision for social change.

Hadas Tagari | 1993



Today: I am a doctoral student at the Bar Ilan Faculty of Law, researching the intersection of family law, human rights, religion and legal reform. In addition, I am a Lecturer in Law, Human Rights and Social Change in the Redzyner School of Law at the Interdisciplinary Center, Herzliya and Sha'arai Mishpat College of Law. I live with my spouse and our two young children in Hod Hasharon.

Influence of the Civil Liberties Law Program: The program was instrumental in broadening my human rights horizons. I particularly enjoyed the opportunity to dedicate myself completely, without distractions, to the study of human rights and related enlightening topics (I recall "Modern Legal Theories" and "Gender and International Human rights" as particularly stimulating), as well as meeting many inspiring people who combine international human rights activism with scholarly pursuits. My internship with the *Women's Legal Defense Fund* also taught me a lot about strategies and avenues for human rights activism.

On another level, the fellowship certainly eased, if not made possible altogether, the opportunity I had to work for ACRI, especially since at the time there were not many opportunities to work as a lawyer in a social change organization. My 10 years at ACRI, a direct continuation of my participation in the program, have given me a great opportunity to work on issues dear to my heart and to make some contributions that I am proud of.

Thoughts about the future: I have ambivalent feelings about the future of human rights in Israel. While it is gratifying to see the amazing development in human rights and social change organizations, and the significant contribution that they have made to the public discourse, legal norms, and often governmental and other practices in Israel, we see many areas in which human rights are severely curtailed and social change processes fail to bring about much needed change. My experiences in recent years as a mother of young children have exposed me both to the education system (or lack thereof) and to a broader segment of the population. These experiences have underlined to me how much more creativity and resources are needed to affect social change.

In appreciation of Professor Herman Schwartz: Whereas my thoughts about the future are a bit gloomy, it has always been for me a great privilege to work and to theorize about human rights and social change issues for many years, primarily as an activist, and, at present, more on the academic side (but surely I will find my way to combine academia and activism in the future). It is therefore such a pleasure to thank Professor Herman Schwartz, who has done so much to enable me and others who took part in the program to develop, each in her or his own unique way, and to advance human rights and environmental justice. It just shows that an inventive and dedicated person really can make a difference. Thank you, Herman.

***Israel (Issi) Doron* | 1993**



Today: I am a senior lecturer in the Gerontology Department and in the School of Social Work at Haifa University, specializing in the rights of the elderly and social policies towards the aging population. In addition, I took part in the creation of Law in the Service of the Elderly and I am the current Chairperson of the

Israeli Association of Gerontology.

I am married to Tal and we have three children – a soldier in the paratroopers unit, a future soldier and a son who just had his Bar Mitzvah. We live in the communal settlement of Gilon in the Galilee (near Carmiel – everyone is welcome to visit when you are in the area).

Influence of the Civil Liberties Law Program: It is no exaggeration to say that the program actually changed my life. As a private lawyer who volunteered and was interested in human rights in the broader sense, I was exposed to the area of rights of the elderly, which turned out to be the focus of my career. Thanks to the program, I am a professional lawyer working to protect the rights of the elderly, about which I am passionate.

My most memorable experience from the program was the internship that I completed at the *Legal Counsel for the Elderly (LCE)*, the legal department of the *American Association of Retired Persons (AARP)*. The organization is well-endowed and experienced and therefore extremely professional. Through the internship, I was exposed to the

rich world of the rights of the elderly and I learned the meaning of being a specialist in this field within the area of human rights.

Thoughts about the future: Looking back, it seems that the human rights discourse has developed quite impressively since the beginning of the program. Looking into the future, I believe that there is room for ample intellectual and professional development in this field and in many areas for future social-legal initiatives. Therefore, in my view, the program is still very relevant.

In appreciation of Professor Herman Schwartz: On a personal note, Herman was a significant personality while I was in Washington DC. He was not only a role model from whom I learned immensely, he became a friend and companion and I was captivated by his warm and embracing personality. I wish him health and many years of action and of contributing to the advancement of human rights in Israel and in the world.

Hassan Jabareen | 1994



Today: I am married to Rina, who I met while in Washington, D.C. Together, we established *Adalah – The Legal Center for Arab Minority Rights*, and later got married. Since the establishment of *Adalah*, Rina has served as the International Advocacy Director. I serve as the organization's General Director and Legal Director. I initiated and taught the first course on

the legal status of Arabs in Israel at the law faculties of Haifa, Hebrew and Tel Aviv Universities, and I am very glad that today this course is taught in almost all of the law schools in Israel.

Influence of the Civil Liberties Law Program: When I started the fellowship in 1994, there was almost no critique on the law in the Israeli legal literature or by the few Israeli human rights organizations, and the law was perceived as neutral and objective. There were almost no critical articles in the Hebrew law journals regarding the rights of the Arabs in Israel. At American University, I was exposed to a wide range of legal literature and theory including the history of slavery, racial discrimination, segregation, and critical legal studies. I interned at the *NAACP Legal Defense Fund* in Washington, DC and found that marginalized groups can formulate and implement their legal agenda independently.

Thoughts about the future: I believe that sometime in the distant future human rights in Israel/Palestine will be respected. Unfortunately, this will come far in the future after a long history of occupation, segregation, national

discrimination, and some forms of apartheid and colonialism in this land and territory.

In appreciation of Professor Herman Schwartz: During my year at American University, I came to Herman's office one day and said that I was interested in pursuing a SJD / PhD in law after finishing my LL.M. His response was: "Who needs another academic. We have a lot of academics. You must make a difference as a human rights lawyer who will serve his people. Go back and establish a legal center for the Arabs in Israel and in this way you will make a difference." I took Herman's advice. I will always see Herman as one of the conceptual founders of *Adalah*. Herman continued to keep in contact with us over the years and we met often in Washington DC or Haifa.

Lately, Herman was seriously involved in our citizenship law case (ban on family unification between Palestinians) before the Israeli Supreme Court. He constituted a group of international lawyers who prepared expert opinions that we filed before the court in 2009.

Herman has always struggled for civil rights and equality for all in the United States and his dream is that those values will be assured here in Israel. I am sure that Herman will continue to deeply influence and be involved with human rights lawyers in Israel. We need him.

Miriam Gitlin | 1994

Today: I came back to the UK in 1996. It was not an easy decision to leave Israel, but family ties brought me back. Fortunately, I have been able to visit on a regular basis. I am married with two children. I work as a lawyer, but, unfortunately, not in the environment sphere. I have remained involved in environmental work “after hours” and, as my children get older, I can devote more time to it. I practice family law and am a member of an organization called *Resolution*, which aims to reach agreements between spouses with as little acrimony as possible. I have also recently become a trustee of a Jewish counseling agency.

Influence of the Civil Liberties Law Program: My year in Washington was an unforgettable experience. It broadened my knowledge of the environmental word and put Israel’s concerns into context. It was fascinating to observe both the positives and the negatives of the American political system. (It was the Clinton/Gringrich era). The people I met were fascinating and I had the good fortune to intern at *Friends of the Earth International* when they were working on projects concerning the World Bank. Many of the criticisms directed at the International Money Fund and the World Bank at that time changed the way those organizations worked. Due to my involvement, *Friends of the Earth* started working on a project in the Middle East and I put them in contact with Gideon Bomberg’s organization *EcoPeace*.

I also had the good fortune to be with fellow Hassan Jabareen. He was not only a lot of fun, but his insights into Palestinian rights were illuminating.

I returned to work with *Adam Teva v’Din* at a time of change within that organization. Part of my job was to coordinate an

international conference of environmental lawyers in conjunction with a Palestinian organization - a difficult and demanding challenge, but ultimately successful.

Thoughts about the future: As I no longer live in Israel, I am not sure how relevant my thoughts are on human rights there. It strikes me, however, that the need to protect human rights and the environment are greater than ever as the division between Palestinians and Israelis increases. The pressure on the environment due to dramatic population growth is of enormous concern. Water and land resources are under ever more pressure and their protection is a prerequisite to peace.

In appreciation of Professor Herman Schwartz: It is not easy to make a difference in this world – especially in the Middle East where ideals often count for more than individual lives or for protection of the land that is so loved and yet so exploited. Professor Schwartz's work has helped produce a cadre of people who can make a difference – both to individuals and to influence the culture of society.

***Dan Liberty* | 1995**



Today: Since 2005, I have served as a full time Administrative Judge of the Detention Review Tribunal which operates under the Law of Entry to Israel.

I am married to Orit. We celebrated our first year of marriage by joining the program. What we did not know was that, against expected medical odds, Orit became pregnant two weeks after the wedding, and our first child was born while we were in the United States. Today, we have three children and live in Givat Shmuel. Amitai was born on Purim, 1996, and we celebrated his Bar Mitzvah this year. Hadas was born in 2003 and is now in the first grade, and at age 18 months Jonathan is already running and dancing.

Influence of the Civil Liberties Law Program: No words can truly describe the enormous effect the program has had on my life - actually, the program is still affecting me. While living a hectic life, I still find myself going back to that miraculous year, remembering the events and the people. In Washington, D.C., I met my colleagues, the human rights fellows Moshe Cohen and Dafna Hacker.

I was the sole environmental rights law fellow. From a professional point of view I could not have asked for more. The field of environmental law in Israel in 1995 was relatively dull and premature. Although within my LLB curriculum at Bar Ilan University I took an elective which included a seminar in environmental law, and I also practiced environmental law as an intern under the guidance of the Legal Advisor to the Ministry of Environment, I knew that this was just not enough. I joined the program as a tabula rasa,

with no fixed environmental legal agenda. The program offered an extensive list of courses, and I decided to develop my understanding of the links between environmental policy and legislation and the commercial trends of the modern world which are associated with global trade and finance.

After returning to Israel, I did litigation work in the field of environmental law with *Adam Teva v'Din (IUED)* and later as a lawyer in private practice. I also served as a senior lecturer on commercial law and environmental law at a number of academic institutes, including Bar Ilan University. Eventually, I decided to join the judiciary. In a unique path, ten years after completing the program, I find myself shifting my attention and legal expertise from the field of environmental law to human rights law.

In appreciation of Professor Herman Schwartz: Herman, I vividly remember the conversations we had on a number of occasions and issues. On a personal level, I learned that the value of friendship has no relation to the time you spend with a person. Sometimes you meet a person for a few minutes, but this short fragment of time is crucial and affects the rest of your life. I remember you daily, along with Ms. Fran Goldman, when I step into the children's room, where a beautiful teddy bear named *Teddy Herman* stands which you brought when Amitai was born in 1996 in Maryland after an extremely difficult delivery. The teddy bear is still with us. So are you, Herman. May God grant you, your wife and all your family a long life, all of the best and just the best.

Dafna Hacker | 1995



Today: I am a lecturer at the Faculty of Law and the Women and Gender Studies Program, Tel Aviv University. In my research and teaching, I focus on the inter-relations between gender, family and the law. I am one of the founders and current board members of *Itach – Women Lawyers for Social Justice* (NIF grantee). I am also a member of the Steering

Committee of the Civil Liberties Law Program.

I am married to Alon and we have two wonderful children – Yasmin and Aviv. Recently, I celebrated my 40th birthday, and on the familial and professional levels I could only wish myself more of the same happiness and satisfaction that I experience these days.

Influence of the Civil Liberties Law Program: The program changed my life forever. I really hated my LL.B studies and decided that if I was not accepted to the Civil Liberties Law Program I would pursue a master's degree in education. The program brought back my faith in legal academia, and my internship at the *Israel Women's Network* proved to me that I will always want to work toward women's rights and empowerment.

The most significant experience I had during my studies was writing my thesis under the supervision of Professor Ann Shalleck. I wrote about the legal status of single and married women in Israel and started, without really being aware of it, my exciting and fruitful journey down the 'law and society' road. The academic freedom I experienced and the support

and positive feedback I received convinced me to do a PhD in sociology and to become a lecturer on family law and feminism.

Another experience I will always remember was meeting the people who donated the funds for my fellowship. I was the first fellow to focus on women's rights, and I was privileged to meet the donors who made it possible. The inspiring Kathleen Peratis hosted the event at her home in New York and I gave a nervous talk on women's rights in Israel, hoping to convince the donors that my fellowship was worth their generosity.

Thoughts about the future: I must admit that since the last elections I am deeply depressed about the future of human rights in Israel. The victory of Avigdor Lieberman signals the victory of racism, fear, and hatred. The return of Benjamin Netanyahu is also the victory of wild capitalism, which I resent strongly. I feel that human rights organizations fail to convince most Israelis to adopt an egalitarian and unified vision for our small and rifted country. I only hope that I will be able to laugh at my pessimism in the future.

In appreciation of Professor Herman Schwartz: I want to thank Professor Herman Schwartz for all that he has done for the program and the human rights movement in Israel. It is impossible to imagine the Israeli human rights' discourse without the contribution of the Law Fellows, and for that we will be eternally indebted to Herman. On a more personal level, I wish to thank Herman and Mary for their hospitality and to thank Herman for all his assistance during my studies—I admire and love you!

Moshe Cohen-Eliya | 1995



Today: I am a Senior Lecturer at the Academic Center for Law and Business at Haifa University Law School and Ramat Gan Law School. I am the founder and editor-in-chief of the *Law and Ethics of Human Rights Journal* (Berkeley Electronic Press). My publications on gender stereotyping, multicultural education, discrimination

against Arabs in Israel, and Israeli Supreme Court decisions on the security barrier propose policies that enhance understanding of human rights. I am married to Iris, with four children: Naomi, Uriya, Eitan, and Assaf.

Influence of the Civil Liberties Law Program: My internships at the *American Civil Liberties Union* (ACLU) and the *Equal Employment Opportunities Commission* (EEOC) and ACRI had a formative effect on my understanding of the tactics and strategies of initiating progressive social change. The program opened my eyes to the promise of academic clinical work and I became involved in incorporating human rights studies into law school curricula. I completed my post-doctorate at Harvard's Human Rights Program. I promoted the establishment of legal clinics to train law students to advance human rights in areas such as anti-discrimination law and the right to education, and helped develop Israel's first law clinic on corporate responsibility.

As a lawyer at ACRI, I appeared before the Supreme Court in major constitutional cases on refugees' rights, privacy rights and defendants' rights in criminal cases, and also the first case in which the Supreme Court struck down a law that violated the Basic Law: Human Dignity and Freedom. I was a founder of *Law in the Service of the Elderly*, and served as an

Academic Advisor on Citizenship Studies in Primary Schools at the Szold Institute in Jerusalem.

Thoughts about the future: I think there is a worrying fragmentation in the human rights movement in Israel, which regrettably seems to duplicate sectarian political conflicts. Though the dramatic rise in the number of non-profit organizations serves the important purposes of bonding and empowerment, it runs the risk that the impartial understanding of human rights as exemplified in the excellent work of ACRI will become marginalized.

In appreciation of Professor Herman Schwartz: Herman, you have come to a point in life when you can relax and look back on your tremendous impact on the human rights movement in Israel. The Civil Liberties Law Program, which you established and which you have led for so many years, is one of the most impressive achievements a person can attain. It has had a dramatic impact on the way many Israelis approach human rights. I am grateful for the chance to have met you and benefit from your enormous experience and knowledge.

Gila Stopler | 1996



Today: I work as a lecturer at the Human Rights Division of the Academic Center of Law and Business, where I teach constitutional law and various human rights courses on subjects such as human rights and social change, women's rights, equality, church-state relations. Prior to pursuing my JSD, I worked as a lawyer for the *Israel Union for Environmental Defense* and for ACRI. In addition to my LL.M from the Washington College of Law, I earned LL.M and JSD degrees from the NYU School of Law. Recently, I have established a human rights portal in which students under my supervision report developments in all areas of human rights law, with a focus on judicial decisions, and which serves as a free access internet data base for human rights issues in Israel.

I am married to Benny and have two boys – Yonatan, 10, and Guy, 7.

Influence of the Civil Liberties Law Program: The program affected my life in two very important ways. First, it enabled me to expand my knowledge on issues of human rights, gain practical experience working for non-profit organizations in Washington DC and, upon my return, to obtain a position as a lawyer at ACRI, which I wanted very much. Second, and perhaps ironically, the program helped me realize that I am much more inclined to academia than I had believed. This led me to pursue another LL.M and a JSD and to enter academia, which is something that initially I had no intention of doing.

An interesting shift in my personal interests occurred during the program and as a result of it. I was sent to Washington on

what may be described as "the feminist ticket," despite the fact that I did not consider women's rights as one of my main interests. However, during the program, and as a result of my work on the issue, this has changed. Today, women's rights is one of my main areas of research.

Thoughts about the future: Although it is hard to be optimistic about the future of human rights in Israel at this particular point in time, one must not lose sight of the fact that the human rights discourse is much more prominent in Israel today than it was a few decades ago. I think that the contribution of the program towards mainstreaming human rights discussions and towards advancing the cause of human rights in Israel cannot be overestimated, and that the dedication of people like Professor Schwartz and of institutions like the New Israel Fund is what lies at the heart of the hope we all have of a better future for human rights in Israel.

In appreciation of Professor Herman Schwartz: Herman, all human beings have dreams, some larger, some smaller, but it is not often that a person has the capability, the energy and the perseverance to take a grand dream, such as changing the face of human rights in Israel, and make it come true. I sincerely believe that this is what you have done and I salute you for it. Through years of relentless hard work you have educated dozens of aspiring human rights lawyers and established a highly impressive, capable and successful network in Israel. I am proud to have been a part of your program, it has changed my life, and I hope that we will all ultimately see it change the life of the nation, too.

Yousef Jabareen | 1996



Today: I am the director of *Dirasat, the Arab Center for Law and Policy*. Founded in 2006 and based in Nazareth, *Dirasat* is a non-profit public policy organization for the advancement of equal rights of Arab-Palestinian citizens, individually and collectively, in Israel. I also teach classes on human rights, minority rights and social change, mainly at the

University of Haifa (including a Clinic on Law and the Rights of the Arab minority) and at Tel Aviv University. I am married and have two children.

Influence of the Civil Liberties Law Program: The program has put many of us on the human rights track for the rest of our lives. It inspired me, shaped my commitments, trained and equipped me with new tools and ideas which are vital in a multicultural society and which offer innovative ways in which I can contribute to my cause. While incorporating a sense of leadership and social responsibility, the program widened my understanding of local human rights issues, placing it within a universal broader human rights struggle for equity, equality and justice.

I enjoyed a mix of experiences that made the two years extremely rewarding for a (then) 24 year-old. Socially, studying with over one hundreds students from tens of countries across the globe was very special. Academically, taking classes with leading human rights scholars, such as Professor Herman Schwartz, Claudio Grossman, Diana Orentlicher, Rick Wilson and Robert Goldman, was very stimulating. Furthermore, gaining exposure to civil rights

discourse and civil rights law in the US was of great professional benefit, providing a comparative perspective and widening my horizons on civil rights protection. Interning for the *Arab-American Anti-Discrimination Committee* (ADC) was an exceptional experience – both personally and professionally. ADC's work on public policy became an inspiration for me to establish an Arab public policy group in Israel several years later.

Thoughts about the future: I am worried. There is a continuing deterioration of human rights standards in Israel and in the Occupied Palestinian Territories. But we cannot afford the luxury of losing hope. Our journey for equality and social justice must continue. History teaches us that these journeys take time. It is a long march to freedom and dignity for all, and this marathon requires patience and perseverance. In the end, we – the human rights community – shall overcome.

In appreciation of Professor Herman Schwartz: Professor Schwartz has been a courageous supporter of all steps throughout my career, starting the first day we met; through my masters and doctoral studies, and most recently in the establishment of *Dirasat*. He has been always a source of inspiration, both as a human rights scholar and activist, and a role model in his deep compassion for civil and human rights and social justice. Knowing him and working with him is an honor. I wish Professor Schwartz good health and continued scholarly work and writing. As I promised him over a decade ago upon my graduation: We will not let you down.

Jasmin Keshet | 1998



Today: I work at *Tebeka: Advocacy for Equality and Justice for Ethiopian Israelis* (NIF grantee) as the legal advisor for public affairs. In an effort to strengthen the community's collective self-esteem and to guarantee their civil rights, *Tebeka* provides legal representation in cases which earmark social change. Cases have been tried in lower courts as well as the Supreme Court and the High Court of Justice.

In addition, I have my own law firm, where I deal with issues of human rights, especially immigration law and issues of civil status.

I live with my spouse and am the mother of lovely two year old twin girls – Yam and Mor. My partner and I did not get married, as there is no freedom of choice in marriage in Israel and the ceremony that we arranged is not acknowledged by the State.

Influence of the Civil Liberties Law Program: The program made clear to me that my career would be devoted to public interest and social law. It was a wonderful experience to study in Washington DC with lawyers from dozens of countries of the world, and to be in touch with students from countries which do not have diplomatic relations with Israel, such as Syria, Lebanon and Pakistan. Living in the United States for almost two years in such a special and international city as Washington DC was a very significant experience for me.

I very much enjoyed my internship at the *Government Accountability Project (GAP)*, which deals with whistleblowers' rights. I had the opportunity to be part of their staff and, thanks to the positive connections that I made, they made the effort to raise funds for my employment at the organization for close to one additional year.

When I returned to Israel, I worked at the *Israel Religious Action Center* (NIF grantee) as the Director of the *Reallocation and Monitoring Project (RAMP)*, and as an Assistant Director General for Legal Issues at *Shvil - Transparency International Israel*. These experiences were very educational and I continue to be in touch with the organizations.

Thoughts about the future: I think that the current situation is not good. Even the Supreme Court is not as courageous as in the past. If human rights are not a main issue on the public agenda very soon (for the population in general and for the government in particular), there will be very dangerous situation in Israel.

In appreciation of Professor Herman Schwartz: I wish you longevity, health, continuation of your important civil action, and satisfaction.

Omri Kaufman | 1998



Today: I am a partner in the litigation department of a private law firm in Tel Aviv. While I specialize in commercial and administrative law, I also head the firm's pro-bono activity with and on behalf of various causes and organizations. This work is sometimes conducted in collaboration with civil right entities such as ACRI and the *Tel Aviv University's Legal Clinics*. I am a board member of both ACRI and the *College for Jewish Pluralism (Meitar)* and have represented them at various symposiums and lecture events. I live with my spouse and three sons in Ramat Hasharon.

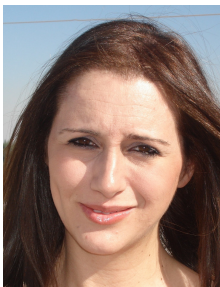
Influence of the Civil Liberties Law Program: The program changed my way of looking at social as well as legal conflicts. The internship during the second year and the friendships made during that period, played a critical role in forming my commitment to the human rights agenda and have affected much of my professional career and my personal life. A major benefit of the program was the opportunity to become a student once again. I was able to enjoy the privilege of focusing on human rights issues while learning from experienced scholars and advocates – both at the American University and the non-profit organizations for which I worked.

On my return to Israel, I worked for ACRI. Although originally I was supposed to work on matters specifically pertaining to religion and state, I ended up participating in ACRI activities in general – and I have no regrets in this regard, since the experience was invaluable.

Thoughts about the future: Given its social, ethnical and political variety, it is most likely that Israel will continue to be a fascinating laboratory for human rights activists as individual thinkers and doers and as groups in the framework of non-profit organizations. The downside, however, of this prediction is that the Israeli experience and development of its human rights movement is likely to be built on the back of human rights violations, misery and pain. As the government withdraws from its commitments in more and more areas of society, despite the larger and graver needs in almost all aspects of civil life, public awareness around the importance of the protection of human rights will no doubt increase simultaneously.

In appreciation of Professor Herman Schwartz: Few can say their lives have made a difference. Fewer still are those who can say they made a difference in the lives of others. Through your wisdom, tremendous experience and creativity, you touched, directly and indirectly, the faith of countless individuals and groups – as if in a never-ending chain. All of them and their ideas will carry your intellectual print forever. I was fortunate enough to be a ‘link’ in this chain, and consider myself lucky to be able to pass on your ‘print’ to others.

***Suhad Hammoud* | 1999**



Today: I am co-founder and partner in the law firm Dahleh, Hammoud and Associates (together with Muhammad Dahleh, 1991 law fellow, and five other associates). Although the firm has a very diverse legal practice, it deals largely with cases of human rights violations of Palestinians in Jerusalem, the West Bank and Gaza, including

petitions to the Supreme Court against the separation wall (the leading case being the Beit Surik case in which the Supreme Court declared 30 Kilometers of the wall around Jerusalem as illegal), land confiscation, residency rights of Palestinians in Jerusalem, prisoners' rights, civil lawsuits against the Israeli army for bodily harm to innocent civilians, and house demolition cases.

I am married to Muhammed Dahleh and have four children (Omar, Bassil, Lour and Razi).

Influence of the Civil Liberties Law Program: The program was a very important intersection in my life. Without it my choices (professional and otherwise) would not have been the same. The year in Washington DC was amazing and enriching. The studies at Washington College of Law were very interesting and fruitful, and the internship at the ACLU and the *Lawyers Committee for Human Rights* (arranged with the kind assistance of Professor Herman Schwartz) were vital for my professional experience and provided me with important tools for my next year in the program - working for *Adalah*. My work at *Adalah* coincided with the October 2000 events, in which 13 Palestinians were killed by the Israeli police force. I had the unique opportunity of working with

Adalah's legal team on different aspects of representing the family victims.

In appreciation of Professor Herman Schwartz: Great and special thanks, appreciation and gratitude go to Herman, who was not only responsible for the program as a whole but was also a close and personal mentor to each graduate. He devoted time and effort to each fellow and had an open door for the fellows regarding all matters. Herman's help did not end after the first year, but continued during the following years through phone calls, e-mails and meetings, with lots of ideas related to career developments and to fostering the human rights cause. Needless to say, Mary Schwartz also took part in making our stay in DC enjoyable. In the many visits that we made to their home, they proved to be great hosts and close friends.

***Tali Gal* | 1999**



Today: I am a post-doctoral researcher at the Hebrew University of Jerusalem, continuing my work on children's rights, child victims and restorative justice. Although I am pursuing a position in academia, I am also involved in activities relating to children's rights, and in promoting the practice of restorative justice in Israel. I live in Aseret, a moshav in southern Israel, with my partner and our two children.

Influence of the Civil Liberties Law Program: First of all, it was one of the most wonderful years of my life! Deepening my knowledge on child victims, writing a thesis and experiencing studies abroad, all helped to make the possibility of pursuing a PhD in Australia become realistic. You could thus say that my academic career was conceived during my participation in the program.

The friendship with Suhad Hammoud (my co-fellow) was very meaningful, if challenging at times. We never missed an opportunity to discuss the tensions between Arabs and Jews in Israel – from very obviously different viewpoints. This relationship opened my eyes in many ways and allowed me to see the other side.

Attending the National Victim Assistance Academy (thanks partly to the support of the New Israel Fund) toward the end of the program's first year, I first heard and learned about restorative justice. I became fascinated by its potential, and this was probably when the idea of pursuing a PhD on restorative justice and child victims was born.

Thoughts about the future: There is a strong, committed, extremely talented group of people who are activists and researchers in the human rights field. Many court, governmental and administrative decisions are affected by the activities of this group, and this will surely continue. There have been numerous developments in recent years regarding the rights of people with disabilities, women, children, victims of crime and defendants. In this regard, Israel is an extremely strong democracy with impressive social capital. However, the bigger picture is still one of a state in a war situation, with consequent widespread human rights violations. Not only are Israeli Arabs routinely discriminated against; the gaps between poor and rich, educated and non-educated, secular and religious, new immigrants and "locals" are so great that it is difficult to talk about a society in which all enjoy the same human rights.

In appreciation of Professor Herman Schwartz: Herman – you have done so much for Israeli society, and so much for me personally during my year of study and ever since. Both you and Mary are very special and have been close to my heart ever since I was in the program. You are my mentors, my "adopted" parents and wise friends. I wish you many more years of productivity, health, humor and new things to learn. You went through many hardships in your life and I hope by now you can sit back, relax, invest in the things that intrigue you most, and enjoy life. I hope this presentation shows you a fraction of the love and admiration so many people here in Israel feel for you.

Banna Shugri Badarne | 2000

Today: In June, 2008, I was appointed Director of the Legal Division of the *Public Committee Against Torture* (NIF grantee). Previously, I worked as a lawyer at ACRI. I also volunteer for the *Working Group for Equal Status Rights* (NIF grantee), specifically in Arab women's personal status rights, and for *Sawa*, an association for the protection of rape and sexual assault victims in the occupied territories and in East Jerusalem. In addition, I am a member of the Steering Committee of the Civil Liberties Law Program.

I am married with two children and live in Jerusalem.

Influence of the Civil Liberties Law Program: I had always intended to study law and work in the area of human rights. My internships were with the *Human Rights Watch (HRW)* and the *Arab-American Anti-Discrimination Committee (ADC)*. The internship at HRW in the Department of Women in the Middle East gave me a wider perspective on the scope of discrimination against women, particularly in regards to their civil and personal status. The experience at ADC gave me the opportunity to compare laws and the realities of racist practices on the ground, especially against Arabs, both in Israel and the United States. The program also helped me to improve my English, which is essential for promoting human rights in Israel at an international level. Without this scholarship, I would not have been able to study for a master's degree abroad, which was a richer and more practical experience than any option available in Israel.

The fellowship took place during a particularly hard time for me personally and "nationally", since I had to part not only from my family but from my partner, whom I married just before I left. Soon after I left Israel the "October events" took

place and one of my husband's cousins was killed. It was very difficult to be away. However, being abroad allowed me to discuss the painful issues and confront them, even from afar.

Thoughts about the future: My thoughts about the future are gloomy and pessimistic, especially considering the recent political developments which leave no doubt about the decline in awareness of the need to protect human rights in Israel and the rights of the Palestinians in particular, whether they are Israeli citizens or residents of the occupied territories. This decline is expressed in legislation, in its implementation and particularly in the unbearable ease with which these violations take place. My concern is that these infringements have already filtered through to areas that are considered classical human rights, such as freedom of expression and freedom of association and are even affecting the activists and defenders of human rights.

In appreciation of Professor Herman Schwartz: I would like to thank Herman for his generosity and hospitality while I was in the United States and I wish him many healthy years.



Dana Myrtenbaum | 2000



Today: Since returning to Israel, I have been working for *Itach-Maaki (Together with You)* - *Women Lawyers for Social Justice* (NIF grantee) at the Haifa branch. I also work at *Isha L'Isha (Woman to Woman)* on the program to educate and train for the implementation of United Nations

Security Council Resolution 1325 which was passed in July, 2005 to "include women from Israel from diverse populations in the official conflict resolution process and in shaping public policy."

I live in Haifa. I am married to Igal and mother to Niv age 7.5 and Ohad age 2.5.

Influence of the Civil Liberties Law Program: The program has enabled me to fulfill my vision of promoting grassroots legal leaders who understand human rights and feminist legal struggles, with enough support to advocate for those whose voices are not heard. At *Itach-Ma'aki*, I have been involved in initiating the *Legal Leaders Program* and the *Legal Feminist Clinic*. The program's seed projects have spawned relationships between women leaders from weak communities and Haifa University law students, with the aim of promoting justice for women and bringing marginalized communities to the legal and public arena. The program also exposes law students to legal (feminist) organizing, and to the creation and conceptualization of true community-based legal practices.

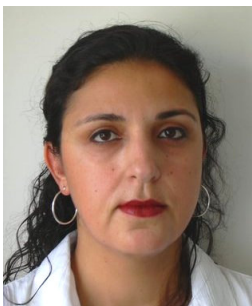
The program made me a political person. It brought me to my own boundaries and allowed me to be radical and avant-garde and not to be afraid to follow my instincts -even if the mainstream (even the non-profit mainstream) says otherwise. The program gave me the courage and peace of mind to truly look to myself and examine what we can do to make the human rights discourse more flexible and applicable to marginalized populations.

At Washington College of Law I was exposed to so much in such a short time. It was one of the most inspiring re-birth experiences that I have had in my life. I interned with *Human Rights Watch* at its Division for Middle East and North Africa, and with the *Protection Project*, which works against global trafficking in persons, especially women and children, at the John Hopkins University.

In appreciation of Professor Herman Schwartz: On a personal level, I remember the first meeting with Professor Schwartz. I was surprised by his interest in my life and adjustment to the United States. He even advised me where Igal (my partner who was studying toward a PhD in music composition) could buy a piano.

Herman, your love, depth of thought, fresh humor and bitterness, your laughter and empathy, your model of true love and partnership between a man and a woman, while accepting each other but still following your hearts and personal paths, has inspired me enormously. Your smiles and big hearty hugs and your belief in me accompany me daily and give me the courage to do the most unexpected and unconventional things in my personal and professional lives. I feel I have been adopted in a way. I am looking forward to dining at the Cosmos Club again.

***Yisraela Goren-Gratzyani* | 2000**



Today: After working for several Israeli human rights non-profit organizations, such as the *Israeli Women's Network*, the *Forum for Freedom of Marriage* and *Yedid*, I decided to take some time out and be a full-time mother, something that I have been doing very joyfully over the past two years. I now have three wonderful children age three, one and a half, and an infant.

Influence of the Civil Liberties Law Program: The two years I spent on the program constitute the most influential period of my life, because of the opportunity it gave me to explore and reformulate my thoughts, my views and my objectives for the future. It is very hard to separate the two years of the program, one from the other, and not see them as an integrated 'whole'. The year I spent in DC was a once in a lifetime, eye-opening and intensive experience – and a never ending “tool-box” for any human rights lawyer. The studies were invaluable, mostly because of the opportunity to interact and have a vivid, dynamic and ongoing dialogue, in and out of the classroom, with other human rights lawyers from so many different countries. Sharing ideas on human rights issues, the boundaries and obstacles in the process of social change, and understanding differences and similarities between these different countries and societies, gave me so many insights and perspectives. And this sharing amongst us continues today.

Also, through Professor Schwartz's help, many of us were able to undertake internships with leading American non-profit organizations, such as the ACLU and the *National Partnership for Women and Families*, where I interned.

Working closely with key people in these organizations was an enormously profound, professional experience. Observing the work and methodology of these organizations and the collaborations they create and maximizing their limited resources was probably the best possible education for anyone interested in working in the non-profit world on human rights. I acquired both tools and confidence towards my work in Israel, where I have tried ever since to implement best practices and lessons learned from that experience.

Thoughts about the future: No one can ignore the profound impact of the program on human rights in Israel over the past twenty-five years. However, despite the many achievements and differences made in the lives of so many there is still much more to do. Especially today, when it seems that our society is becoming increasingly numb and indifferent to situations in which human rights and civil rights are being crushed, it is crucial to keep fighting for change and to awaken Israeli society from its lack of faith that things can change for the better – and not just for the worst.

In appreciation of Professor Herman Schwartz: The program exists thanks to Professor Herman Schwartz and the New Israel Fund and I will always be grateful to both. During the year I spent in DC, Professor Schwartz was always ready to make our professional and academic experience as rewarding as possible and he was very successful in doing so.

Yohanna Lerman | 2000



Today: I have my own law practice in Tel Aviv, specializing in human rights, administrative law, and petitions to the Supreme Court of Justice. My office represents social change, peace and human rights non-profit organizations in legal proceedings, and provides consulting to them on their work. I also work extensively with the Public Defender's Office, representing prisoners with health problems, advocating for the release of Palestinian prisoners without documents, and representing clients in regularizing their status in Israel.

Influence of the Civil Liberties Law Program: The program gave me the tools to realize my chosen path. I acquired skills and knowledge in international human rights law and humanitarian law, essential for my work vis-à-vis human trafficking, the occupation, racism, and human rights violations. Meeting and working with lawyers, social activists and lecturers from around the world, who are active in international human rights and social change, inspired me to believe that change can be achieved through legal channels, both at national and international levels. These encounters reinforced my belief that we are part of an entire community working for change and for the end of the occupation.

Thoughts about the Future: Today, the future of human rights in Israel is shrouded with the darkest clouds ever. The war in Gaza last winter produced a disturbing escalation in the violations of humanitarian law by the Israeli army, some of which could even constitute as war crimes. The Gaza closure has brought about hunger and hardship. And now in Israel we are witness to racist legislative trends and the erosion of the State's commitment to its citizens and their

social rights. Despite this, the strengthening of civil society and the establishment of non-profit organizations aiming to promote political and social human rights in the public and legislative arenas have brought these issues to the center of public discourse and are heightening awareness of the state's obligations towards its citizens among the public, the Knesset and the courts.

In appreciation of Professor Herman Schwartz: Herman – thank you from the bottom of my heart for your love and support during my time in Washington as a law fellow. Your personal support and your wise counsel shaped my future career as a human rights lawyer. Your devotion to the struggle against the violation of human rights in the world, against war and for a more just world is exemplary and inspirational. Your commitment to these goals reminds me – and so many others – that we cannot give up, even in the darkest days. I owe you a debt of gratitude, not only personally, but as an Israeli woman who lives today in a society where the civil fabric is stronger by tenfold thanks to the program that you conceived and created – a program that has trained cadres of lawyers who today lead the struggle for political and social human rights in Israel and work as a broad network of colleagues who support each other in order to achieve a better society.

Gadeer Nicola | 2001



Today: I am working as a lawyer at the Human Rights Clinic of the Faculty of Law in Tel Aviv University, and as the legal advisor for *Sawt El-Amel (Laborer's Voice-* NIF grantee) in Nazareth.

Influence of the Civil Liberties Law Program: The program was an enriching experience, both academically and socially. It gave me an international perspective on human rights law, as well as a close encounter with members of minorities and human rights activists from all over the world.

I started working at *Adalah, the Legal Center for the Arab Minority Rights in Israel*, when I was in my third year of law school, and afterwards as a lawyer when I joined the program. Joining the program at that stage was an important step towards building my career as a human rights lawyer.

Thoughts about the future: It seems that human rights are going through one of their darkest hours in Israel, in light of the recent developments, starting with the war in Gaza and the ongoing occupation, through the right-wing government, and ending with the racist legislative proposals in the Knesset against the Palestinian citizens in Israel. The global economic crisis and its local effects add more fuel to the fire. This is the time for human rights activists to strive against this overwhelming stream of racism, discrimination and injustice.

In appreciation of Professor Herman Schwartz: One cannot talk about the program without mentioning Professor

Herman Schwartz. Being the major engine behind launching the program, he should be proud of the success it has achieved over the years. The program's 25th anniversary is the most appropriate opportunity to thank him for his role.

***Durgham Saif* | 2002**

Today: I am an attorney and faculty member at the Law Clinic for the Arab Minority at Haifa University. My work includes supervising and managing the practical work of law students and running the weekly clinical seminar of the program. In addition, I am responsible for an array of human rights cases and issues, including the right to education, rights for people with disabilities, the right to housing, the right to land and the right to equality. I do litigation work, mainly at the Israeli Supreme Court and administrative tribunals, in addition to preparing legal briefs and memorandum. I also organize discussion panels and academic conferences on human rights.

Influence of the Civil Liberties Law Program: On a theoretical level, the program enabled me to become more familiar with American and international human rights legal theory and philosophy. On a practical level, the program gave me the courage to plan a new human rights organization. In 2005, a group of Arab human rights activists and I initiated the *Karamah Organization for Human Rights*, based in Nazareth. *Karamah's* main goal is to promote social, economic and cultural rights for the Palestinian minority in Israel.

Personally, the program provided me with a very wide perspective on human rights issues and gave me the confidence to struggle for the rights of the Palestinian citizens of Israel and for social change. I interned at *Washington Lawyers for Human Rights*, where I became more familiar with human rights activities in the United States. I had the chance to be in direct contact with Americans, to exchange ideas and thoughts, and to explore the human rights movements in the US since the civil rights movement during the early fifties and its impact on human

rights discourse. This experience enabled me to distinguish between the American people and the American government's policies regarding the Palestinian issue.

Thoughts about the future: Sadly, racism in Israel is not an embarrassment any more. The dominant political discourse in Israel excludes the Palestinian existence. I think that the gap between theory and practice will grow and the gap between Palestinians and Jews will become more extreme. Herman once suggested to me that the Palestinian citizens should struggle for their rights through civil disobedience. However, the Israeli political system is not mature enough for such a struggle. The human rights situation in Israel is also affected by the general political situation in the region, which means peace with the Palestinians in the occupied territories. However, the Israeli leaders and the majority of the Israeli people are not willing to make a real peace. Human rights are in great jeopardy. I am afraid that we, human rights defenders, must act as "Don Quixotes" in the current reality.

In appreciation of Professor Herman Schwartz: Herman was my professor, my supervisor and, most of all, my friend. He gave me the feeling that he will always be there for me. The program is one of his brilliant initiatives. I wish Herman happiness, health and peace of mind. I wish that Herman would be elected Prime Minister of Israel, only then would things change!

***Einat Hurvitz* | 2002**

Today: I am working as the Director of the Legal Department and Public Policy at the *Israel Religious Action Center* (NIF grantee), the legal and political arm of the Israeli Reform movement. IRAC is a social change organization working for equality, religious pluralism and social justice. I lead IRAC's legal team, working to promote the egalitarian allocation of public resources to all streams of Judaism and to all minority groups, to promote gender equality, and to break the Jewish Orthodox monopoly over public and private life in Israel.

Additionally, I am a long time member and volunteer of *Amnesty International*. I held different lay leadership positions in the Israeli section before my fellowship year, and, following my fellowship, I became a board member, and served as Chairperson of the Board for some time. In these roles I was able to lead the section's strategic planning process, which redefined our work methods and issues.

I am married, have one lovely daughter and live in Jerusalem.

Influence of the Civil Liberties Law Program: My year of studies at the Washington College of Law was a very significant and fulfilling experience. I was able to enhance my theoretical base in human rights and discovered new and exciting areas of human rights and political thought that enriched my thoughts about my work in Israel. I enjoyed my work at the two social change organizations where I interned. As an intern for *People for the American Way*, I witnessed intensive advocacy work and learned new and sophisticated ways of shaping and promoting social change messages to the public and to decision makers. I also enjoyed my internship with the *National Council of American Indians*, since it gave me first hand knowledge about the issues that

the American Indian society is grappling with as a minority group who has a unique legal status in the different states. At that time I already considered what project to advance upon my return for the second year of the fellowship in Israel, and I decided that the issue of Arab-Palestinian minority rights is one that I would like to advance.

After completing my LL.M, I rejoined IRAC, and initiated a new project called the *Civic Equality Resource Allocation Monitoring Project*, whose goal is to promote the equality of the Arab citizens of Israel through legal battles for equal government resource allocations and fighting racism in Israeli public institutions. This was the first time that my organization, which represents a Jewish religious stream, took on work for the direct benefit of another excluded minority, and I am happy to have been part of that change in course.

Thoughts about the future: Today, I think that one of the main challenges of the human rights community is to battle the growing racism and discrimination against the Arab-Palestinian citizens of Israel. The democratic values and institutions in Israel are dangerously eroding, and I believe that the human rights and social change organizations have a very important role to play in promoting education for democracy and human rights and fighting for the humane and just character of Israel.

In appreciation of Professor Herman Schwartz: Professor Schwartz's contribution to Israeli society is immeasurable, since the web of organizations where the law fellows, cultivated by Professor Schwartz, play leading roles is the most significant group of organizations presented with this task.

Sawsan Zaher | 2003



Today: I have been working as a staff attorney at *Adalah, the Legal Center for Arab Minority Rights in Israel*, since August 2005, specializing in social and economic rights. In addition, I have had the opportunity to be part of the legal team working on one of the most important and hotly debated cases in Israel, related to the constitutionality of the Citizenship and Entry into Israel Law of 2003. In this regard, I would like to express my gratitude to Professor Schwartz, who assisted *Adalah* by coordinating the submission of professional opinions from international experts in citizenship and constitutional law.

Influence of the Civil Liberties Law Program: The program has had a major, substantive impact on my life, both professionally and personally. It brought about my transformation from a social activist for women's rights to a professional lawyer working on human rights in general and women's rights in particular. It took my political and social beliefs in gender and human rights to a new and more empowered level, grounded in theoretical knowledge and critique. The program had an immense effect on my personal life because of the diverse people I met. Among them are those who became close friends to this day.

The most enriching experiences of my first year in the program grew out of comparative research into human rights; networking with organizations working on women's rights; and cultural interactions with colleagues from around the world. During the second year, establishing the legal

department for Arab women's rights in the feminist organization *Kayan* (NIF grantee) was undoubtedly of major significance for me, in that I acquired organizational and legal experience in working in civil society organizations in Israel. This constituted an important step toward becoming a lawyer at *Adalah*, and the handling of wide-ranging cases in the field of human rights.

Thoughts about the future: The future of human rights, particularly the rights of the Arab minority and the status of human rights defenders in Israel, is unclear and does not bode well. Major transformations on the political and legal levels, especially with the recent passing of new, restrictive laws on human rights and the threat to the independent status of the judiciary, jeopardize the future of human rights and oblige human rights organizations to reconsider their strategies. Nevertheless, my hope for positive change is a constant factor encouraging me to continue my work.

In appreciation of Professor Herman Schwartz: Without Professor Schwartz, this program would not have got off the ground or sustained itself over the past 25 years. Herman has always provided encouragement, support and warm friendship to the law fellows. His persistence in empowering us, guiding us during our first year, and connecting each one of us with relevant personnel in our respective fields of human rights has played a major role in shaping us professionally and shaping our personal perspectives as human rights lawyers. I wish that he continues this major role with the future fellows. Most important of all, I wish him good health.

Karine Elharrar | 2005



Today: I am single and live in Tel Aviv. I run the legal clinics of the Law Faculty of Bar-Ilan University and I am the Director of the *Disability Rights Clinic*. I am also a member of the Legal Aid Committee of the Bar Association and coordinate the association's Forum for Social Organizations. In addition,

I have volunteered for the *Movement to Fight Poverty's Heart of Justice Project* for the past ten years.

Influence of the Civil Liberties Law Program: The program represents a professional jump start and an unforgettable experience on just about every level. On the professional level, I was privileged to study at an excellent university and to be exposed to the work of influential and important organizations. Similarly, I feel that I also gained a great deal from the program on a personal level. This was the first time that I experienced complete independence, which enabled me to discover new strengths.

One of the most amazing experiences I was privileged to have was my internship at the *American Association of People with Disabilities*. I gave a lecture at the House of Representatives for congressional aides on health rights in Israel. There are no words to describe my feelings on that day. This is one example, and there are many more, that emphasize the exposure to influential organizations and people that I gained from the program.

As soon as I returned to Israel I began my second scholarship at the *Disability Rights Clinic* at Bar-Ilan University. During

this year I found myself applying standards that I absorbed during my internship at rights organizations in Washington. At the end of my scholarship, I was employed full-time at the *Disability Rights Clinic* at Bar-Ilan and, today, three years after my return to Israel, I am the head of the legal clinics at Bar-Ilan University.

Thoughts about the future: Human rights in Israel is no longer a dirty word. It is no longer possible to boast that human and civil rights are a given without a struggle at any time, but I definitely think that there has been progress in this issue in terms of public awareness and its implementation.

In appreciation of Professor Herman Schwartz: Today, as we celebrate the 25th anniversary of the founding of the program, I would like to thank you from the bottom of my heart for everything you have done and continue to do to ensure the success of the program. I especially want to thank you for all the personal help you gave me whenever I needed it. I will never forget my first year in Washington. I absorbed important and interesting content, met amazing people, and was exposed to the work of organizations. Of course, all of this happened mainly due to your gracious help. You always conducted an open-door policy, listened with great patience, and always gave good advice.

I want to wish you many more years of blessed activity, in which you will continue to guide generations of jurists who will influence and fashion Israeli society, just as you have done for the past 25 years.

Hisham Chabaita | 2005

Today: I am married and living in Jaffa. I currently work at the Clinical Human Rights Program at Tel Aviv University. I am active in public activities aiming to promote and protect the rights of the Palestinian minority in Jaffa and some of these cases are handled by the clinic.

Influence of the Civil Liberties Law Program: The program was very important for me professionally. After working as a civil rights lawyer for ten years, my participation in the program enhanced my professional experience and my theoretical background. It also provided me with the practical experience of living in another country. I interned at two NGO's in Washington where I worked in the areas of African American rights and asylum rights. As a lawyer who works on minority rights in Israel, it was very useful and enriching to learn first-hand about the practices of these NGO's, their strategies and their challenges.

Thoughts about the future: I am very pessimistic about the future of human rights in Israel, mainly with regard to the rights of the Palestinian minority in Israel. I feel that there is a very negative trend and it does not seem to be a temporary situation. It also seems that the legal strategy that was the main strategy used in the last years to promote human rights has failed and no other strategy has replaced it.

In appreciation of Professor Herman Schwartz: My experience in this program was very successful thanks to the support of Professor Herman Schwartz, his breadth of experience, his useful advice and his relations with most of the NGO's in Washington, D.C.

Morad El Sana | 2006

Today: I am Director of the Naqab office of *Adalah: The Legal Center for Arab Minority Rights in Israel*. I am married to Abeer and have two children, Amer and Ghaith.

Influence of the Civil Liberties Law Program: The program improved my professional skills in international human rights law, and gave me a broad view of the international human rights situation around the world. In addition, it connected me with other human rights activists and human rights organizations.

Thoughts about the future: I am not optimistic about the future of human rights in Israel. During last nine years, human rights have been abused by the State and the Knesset, and the courts could not protect even basic human rights such as the right to family unification and housing rights. Furthermore, human rights organizations are shrinking instead of expanding.

In appreciation of Professor Herman Schwartz: Professor Schwartz, I wish you much health and continuing work in the human rights and academic fields.

Gil Gan-Mor | 2006



Today: I am working as an attorney at ACRI. I joined ACRI in 2007 in the framework of the program, and I am responsible for spearheading a new project promoting the right to adequate housing. I am also responsible for promoting social and economic rights for Bedouin communities in the unrecognized villages of the Negev. I live with my partner in Tel Aviv.

Influence of the Civil Liberties Law Program: The program has helped me to expand my legal education on human rights, and explore new areas of interest. Thanks to the program, I have managed to start a new project at ACRI on the right to adequate housing, and to promote a subject that is critical to tens of thousands of Israelis.

I will always be grateful for the opportunity to meet so many human rights lawyers and activists from all over the world. *The Seminar on Gender Perspectives Across the World* gave me the rare opportunity to meet with feminist leaders from Kenya, Pakistan, Syria, Brazil and other countries. It was one of the best experiences I had during my studies.

Thoughts about the future: Israelis are witnessing major changes regarding Israel's social and economic structure. Privatization is seen as the answer to every thing, including housing, education and health services, leaving the poor without basic rights. The labor market has dramatically changed, leaving more and more workers with fewer and fewer rights. The current housing policy brings more and

more Israelis closer to becoming homeless. The gaps between the rich and the poor are alarming. Human rights organizations must put more effort into combating these processes and promoting social and economic rights for all.

In appreciation of Professor Herman Schwartz: Herman, your devotion to human rights and social justice is inspiring. So many achievements. So many people have been protected from coercion thanks to you. Your vision has changed not only the United States but also Israel. I am proud to be part of the program that you founded. It is not difficult to see that this program has seriously influenced Israeli society. One only has to look at our vivid civil society and our impressive organizations that are promoting human rights and social justice. I hope that, 25 years since the founding of the program, you can feel proud of what you have created.

I especially enjoyed taking part in your seminar on social justice. It helped me understand how much can be done on this subject. I am trying to use the tools I learned from your seminar in my work to secure the right to adequate housing and prevent homelessness in Israel.

I wish you all the best and thank you for all you have done for this program in the last 25 years.

Majd Bader | 2007



Today: I am back in the holy land completing my second year of the program as an intern at the *Public Committee against Torture in Israel* (NIF grantee). Unhappily, I will tell you that we have a lot of work to do. Part of my responsibilities includes visiting the prisoners, mainly the political Palestinian prisoners in the Israeli prisons, and obtaining their testimonies. I have met many interesting people through these meetings. The other part of my work is similar to those of other colleagues in the human rights field - filing complaints to the authorities and preparing petitions to the Israeli judicial system. However, the real news is that Manar and I will be getting married in September, 2009.

Influence of the Civil Liberties Law Program: Now, after A few months (even though this period is not enough), I would like to admit that the program in general and the atmosphere in particular gave me a broad perspective about the situation in my father's land and how to promote human rights in this place. Participating in the program enabled me to explore the situation from a distance and without the daily stress of living in this small and nervous place. In addition, I was able to make comparisons with other places based on the rich interactive experience with students from all over the world and from informative and impressive professors. Regardless of being more optimistic or pessimistic, this was an eye opening experience.

Thoughts about the future: On one hand, I see a strong civil society that, in my humble view, should reconsider some of its strategies and adopt new ones to deal effectively with the challenges that lie ahead, since some of strategies that have been adopted failed to bring sufficient results. On the other hand, I see a very dark period of time coming, in which the Israeli authorities and, sadly, Israeli society, will fall deeper into human rights violations.

In appreciation of Professor Herman Schwartz: Let me wish you and your lovely wife good health. May you enjoy your time whenever and wherever and continue in your way as usual, trying to defend and promote human rights. Professor Schwartz, thank you for your help and I hope to catch up with you far a small talk soon. I would love it if you could make it to my wedding in al-Jaleel!

Rachel Idelevich | 2008



Today: I am an LL.M candidate completing the first year of the program, and am interning at the *Lawyers' Committee for Civil Rights* and at the *Employment Discrimination Project*, which challenges all forms of racial, ethnic, and sexual discrimination in both private and governmental

workplaces. My summer internship will be undertaken at the *Protection Project*, a human rights research institute established to address the issue of human trafficking. The institute focuses on assistance in drafting model anti-trafficking legislation; identification of victims of trafficking through research and data collection in countries throughout the world; and publication of reports and legal data documentation around the world. I am married and the mother of a 14 month-old baby boy.

Influence of the Civil Liberties Law Program: Beyond the curriculum itself, the most powerful experience for me to date is the acquaintance formed with Palestinian students and my participation in a Palestinian-Jewish dialogue group.

Thoughts about the future: Overall, my participation in the program has reinforced my belief that Israel is one of the strongest democracies, not only in the Middle East but also in comparison with western societies, including the US. I believe that the major obstacle to Israel's democratic development - and its future in terms of human rights - is the military occupation. This is my intended area of focus during my internship in Israel.

In appreciation of Professor Herman Schwartz: I want to thank Professor Schwartz for creating this wonderful and intellectually challenging program.

Rawia Aburabia | 2008



Today: I am about to complete the first year of the program in Washington DC. In my second year, I plan to work for ACRI. I will deal mainly with legal issues relating to the Palestinian minority in Israel. I represented the *Negev Coexistence Forum for Civil Equality* at the seventh session of the United Nations Permanent Forum on Indigenous Issues (May 2009). My topic for presentation was land rights and Arab minority human rights in the Negev. I will continue my internship at *Human Rights Watch* in Washington DC, where I am working on the “off the map” report. The report deals with land and housing rights of the Bedouin community in Israel. I remain highly active in women’s rights, and wrote a thesis on polygamy among the Palestinian Bedouin of the Negev.

Influence of the Civil Liberties Law Program: The program has helped me to explore my identity as a Palestinian woman far more extensively, and has impacted my political views and my future path as an activist. I realized, during this year, the importance of international advocacy in the context of Palestinian citizens of Israel. On the basis of this first year alone, I can say that studying in Washington DC and interning at *Human Rights Watch* has afforded me significant experience.

I was in Washington DC during a historical period in which the first African-American president was elected. It made me realize that in my lifetime it is – and will continue to be – almost impossible for the equivalent to happen with a

Palestinian Israeli citizen. In my view, this is one of the biggest challenges for a real democracy: to have the possibility of a dream come true. This experience has increased my commitment to the struggle for full equal rights for the Palestinians citizens of Israel – without any compromises.

Thoughts about the Future: In a time of increasing radicalism and political deterioration, there is so much more that needs to be achieved. The challenges for the human rights community in Israel become harder and all the more complicated. We will have to continue to grapple with issues such as a Jewish and democratic state versus the state of Israel as an ethnocratic state. The occupied territories and the settlements pose other challenging issues with which we will have to contend.

In appreciation of Professor Herman Schwartz: I would like to thank Professor Schwartz deeply for his tremendous efforts and work for the success of this program. I think that Professor Schwartz's vision and commitment to the program is a model for us all as lawyers and civil rights activists. I had a very interesting dialogue with Professor Schwartz about the tension between the Jewish and democratic components of the State of Israel. I appreciate his liberal views on tolerance for the narrative of the other. I wish him health and many more years of giving.

While the following law fellows were unavailable for comment, their contribution to civil and human rights in Israel is not forgotten.

Avigdor Feldman | 1985

Usamah Halabi | 1990

Tawfiq Jabareen | 1991

Carole Younes | 1993

Jamil Dakwar | 1997

Marwan Dalal | 1998

Netta Amar-Shiff | 2001

Nidal Abed El Gafer | 2004

Hisham Chabaita | 2005

Yltzhak Dessie | 2007

Carmit Shai | 2009

Jubran Abir | 2009

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