

INTRODUCTION

Issue 52(3) of the *Israel Law Review* contains important new scholarship on international and human rights law.

François Delerue's 'Reinterpretation or Contestation of International Law in Cyberspace?' was first presented at the ESIL Research Forum on International Law in Times of Disorder and Contestation, which took place at the Hebrew University of Jerusalem between 28 February and 1 March 2018. Delerue studies the process of reinterpretation and contestation of some key norms of international law in the field. He provides particular reference to the aftermath of the 2016–17 meeting of the United Nations Group of Governmental Experts (UN GGE) on Developments in the Field of Information and Telecommunications in the Context of International Security.

'Constitutionalism and Anti-Privatisation Strikes: Introducing an Eclectic Model', by Lilach Litor, examines two main approaches to constitutionalism regarding anti-privatisation strikes: the economic approach and the collective approach. Litor advocates an eclectic model, which merges the two approaches. Drawing on New Institutional Economics, the eclectic model offers a theory for a partial and restrained constitutionalism. Litor proposes the application of a constitutional right to strike against privatisation when it reduces transaction costs and advances efficiency and economic goals for the public benefit.

This issue also includes the proceedings of an international expert workshop, 'Recognition in the Context of the Israeli-Palestinian Conflict', held at the Hebrew University of Jerusalem in November 2018. The workshop addressed matters such as recognition of Palestinian statehood, recognition of Jerusalem as Israel's capital and recognition of Israel's character as a Jewish state, as well as the consequences of non-recognition.

Our two final items both concern books.

'East West Street: Then and Now' is the title of the Lionel Cohen Lecture given by Professor Philippe Sands QC at the Hebrew University of Jerusalem's Faculty of Law in May 2019. The title draws its name from Sands' best-selling book *East West Street*, published in 2016, on the origins of the concepts of genocide and crimes against humanity.

Hassan Jabareen's review essay, 'The Paradigm of Originalism: Israeli Constitutional Law and Legal Thought', refers to the edited volume by Gideon Sapir, Daphne Barak-Erez and Aharon Barak, *Israeli Constitutional Law in the Making* (Hart Publishing 2013). It challenges three main claims about originalism in American legal thought. The essay first questions the assumption that American originalism is the paradigmatic case in theory and in practice. It then confronts the normative justification that originalism ensures democracy based on the rule of law. Third, the essay interrogates the dichotomy between living constitutionalism and originalism regarding the use of history by arguing that originalism is a form of hegemony. The case

study analysed in this article is Israeli legal thought and practice after the enactment of the 1992 Basic Laws, with focus on the right of equality.

We hope you enjoy your reading!

Professor Malcolm N Shaw QC

Professor Yuval Shany

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