

Smadar Ben-Natan, Ph.D.
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CURRICULUM VITAE

College of Arts and Sciences
School of Global Studies and Languages
Department of Global Studies
407 Friendly Hall
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EDUCATION

Tel-Aviv University, Buchmann Faculty of Law
Ph.D., 2020

Supervisors: Prof. Shai Lavi, Prof. Aeyal Gross; Committee: Prof. Lisa Hajjar, Prof. Liora Bilsky
Dissertation Title: Citizen-Enemies: Military Courts in Israel and the Occupied Territories 1967-2000

University of Oxford

MSt., International Human Rights Law, Distinction, 2011

Supervisors: Prof. Orna Ben-Naftali, Dr. Patricia Sellers

Dissertation Title: The Honey Trap: The Application of Israeli Law in the Military Courts of the Occupied Palestinian Territory

Tel-Aviv University, Buchmann Faculty of Law
LLB., 1995

ACADEMIC APPOINTMENTS

University of Oregon

Assistant Professor, School of Global Studies and Languages

University of Washington, Seattle, 2022-2024

Lecturer, Law, Societies and Justice Department; Jackson School of International Studies
Affiliate Faculty, Stroum Center for Jewish Studies

University of Washington, Seattle, Jackson School of International Studies, 2020-2022

Postdoctoral Fellow in Israel Studies

University of California, Berkeley, Center for Middle Eastern Studies, 2018-2020

Visiting Scholar

Harvard University, Institute for Global Law and Policy, Fall 2019

Visiting Researcher

University of California, Berkeley, School of Law, Center for the Study of Law and Society, 2016-2018

Visiting Scholar

Smadar Ben-Natan CV

PUBLICATIONS

PEER REVIEWED ARTICLES

The One Carceral State: Mass Incarceration and Carceral Citizenship in Palestine/Israel

Smadar Ben-Natan, Dana Boulus, Shirley Le Penne
International Journal of Middle East Studies (2025)

The Boundaries of the Carceral State: Accounting for the Role of Military Incarceration

28(1) Theoretical Criminology, 5-27 (2024)

The Dual Penal Empire: Emergency Powers and Military Courts in Palestine/Israel and Beyond

23(5) Punishment & Society, 741-763 (2021)

Self-Proclaimed Human Rights Heroes: The Professional Project of Israeli Military Judges

46(3) Law & Social Inquiry, 755-787 (2021)

Revise Your Syllabi: Israeli Supreme Court Upholds Authorization for Torture and Ill-Treatment

10 Journal of International Humanitarian Legal Studies 41-57 (2019)

Constitutional Mindset: The Interrelations between Constitutional Law and International Law in the Extraterritorial Application of Human Rights, 50 Israel Law Review 139–176 (2017)

The Application of Israeli Law in the Military Courts in the Occupied Territories

43 Theory and Criticism 45–74 (2014) (Hebrew)

LAW REVIEW ARTICLES

Imperial Injustice: On the Imperial Features of the Guantánamo Military Commissions

24(1) Washington University Global Studies Law Review, 1-38 (2024)

Too Great of a Burden to Bear: Appointing Special Advocates to Challenge Secret Evidence

Smadar Ben-Natan, Ilan Saban, Hadar Madnick, Kela Sappir, Tomer Barazani
17 *Hukim* Journal on Legislation, Hebrew University (2022) (Hebrew)

BOOK CHAPTERS

The Shadow of the Death Penalty in Israel: Constructing Enemies, Citizens, and Victims

In: Austin Sarat and Ben Fleury-Steiner, eds., *Elgar Companion on Capital Punishment and Society* (2024)

Citizen-Enemies: Palestinian Citizens and Military Courts in Israel and the Occupied Palestinian Territories 1967-2000, in: Amal Jamal ed., *The Politics of Inclusion and Exclusion in Israeli-Palestinian Relations*, Tel-Aviv University Press, (2020) (Hebrew)

Controversy and Consensus, Pornography and Hate Speech: The Legal Challenge to the Playboy Channel

In: Hertzog and Shadmi, eds., *Prostitution, Pornography and Trafficking in Women: Israel's Blood Money*, Routledge (2019)

The Israeli Supreme Court and the Occupied Territories: The Last Diamond in the King's Crown

In: Ishai Menuchin, ed., *50 Concepts, Testimonies and Representations of Occupation*, November Books (2017) (Hebrew)

Smadar Ben-Natan CV

Freedom of Speech, Racism and Pornography: A Comment on the Playboy Channel Decision

In: Hertzog and Shadmi, eds., *Blood Money: Prostitution, Sex Trafficking and Pornography in Israel*, Pardes (2013) (Hebrew)

Are There Prisoners in This War?

In: Baker and Matar, eds., *Threat: Palestinian Political Prisoners in Israel*, Pluto Press (2011)

Since He is a Patriot

In Hacker and Ziv, eds., *Does Law Matter?* Tel-Aviv University Law Faculty Press (2010) (Hebrew)

BOOK REVIEWS

Problematizing Law, Childhood and Rights in Israel/Palestine, By Hedi Viterbo

56 *Law & Society Review* 649-650 (2022)

Above and Beyond Denial: Incarcerated Children in Israel/Palestine

Nadera Shalhoub-Kevorkian, *Incarcerated Childhood and the Politics of Unchilding* (CUP, 2019)
23 (3) *Journal of Genocide Research* 478-485 (2021)

PUBLICATIONS FOR WIDER AUDIENCES

Trans Border Torture Requires Rethinking the International Criminal Court's Jurisdiction in the Israel-Palestine Conflict

Smadar Ben-Natan and Itamar Mann
Just Security, 2024

The Apartheid Reports: A Paradigm Shift on Israel/Palestine

Opinio Juris, 2022

Abolish the Israeli Juvenile Military Court

Social Justice Blog, 2018

Politics on Empty Stomachs: Palestinian Prisoners Demand dignity and Self-Determination

Social Justice Blog, 2017

Loose Guns: Israeli Controlled Small Arms in the Civil Sphere: How Many Guns and How Much Control?

Gun Free Kitchen Tables, report, 2017; Co-authored with Rela Mazali, Niv Hachlili & Galit Lubetzky

The Accused II: The Failure of Investigating and Prosecuting October 2000 Uprising

Adalah, the Legal Center for Arab Minority Rights in Israel, report, 2011

SELECTED WORKS IN PROGRESS

Book Manuscript: Citizen-Enemies: Military Courts and the Construction of Citizenship in Israel/Palestine

This book revises the history of Israeli military courts arguing that they have been a continuous feature of colonial governance and management of populations since Israel's establishment. It demonstrates how separate and unequal military prosecutions have played an underrecognized, but central role in Israel's racialized construction of citizenship along ethno-national identities and sliding scale of rights and belonging. Invited to submit by Stanford University Press, Middle East Studies series.

Smadar Ben-Natan CV

Lawyering in a Hybrid Legal System: Palestinian Lawyers Navigating the Professional and the Political

Co-authored with Neta Ziv, this article suggests a new framework for understanding the Israeli military courts in the Occupied Palestinian West Bank through transitions in defense lawyers' professional conceptions of their role in this system. Through in-depth interviews and a survey of court decisions, we find that many lawyers decouple the political legitimacy of this legal system from their professional legal work, which is typical to authoritarian and hybrid legal systems.

Book Manuscript: The Carceral State in Conflict: Between Reconciliation and Radicalization

Demonstrating the relations between the carceral state and national conflict, this book treats prisons as a major site of encounter between societies in conflict. The book suggests a *penology of conflict* in which *reconciliation and radicalization* are opposite carceral paradigms. It maps and traces paradigm shifts in Israeli policies toward Palestinian prisoners since 1967 through analyzing prison regulations, prisoners' litigation, and in-depth interviews with former prisoners, prison staff and government officials.

GRANTS, HONORS AND ACCOLADES

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|--|----------|--------|
| UC Berkeley Professional Development Fund, Travel Grant | \$1,650 | 2023 |
| Harry Frank Guggenheim Foundation Distinguished Scholar (The Carceral State in Conflict) | \$80,000 | 2021-3 |
| UW Simpson Center for the Humanities (Negotiating Carceral Regimes in the Global South) | \$19,670 | 2021-2 |
| UW Stroum Center for Jewish Studies (Negotiating Carceral Regimes in the Global South) | \$1,500 | 2021-2 |
| Commendation, Michel Halperin Competition for Best Article in Human Rights (Citizen-Enemies) | | 2020 |
| Walter Lebach Institute for Jewish-Arab Coexistence through Education, dissertation grant | \$3,000 | 2018 |
| Annual Israel Law Review Prize: Best Unsolicited Article (Constitutional Mindset) | | 2017 |
| David Berg Institute for Law and History, Tel-Aviv University, dissertation grant | \$450 | 2016 |
| Minerva Center for Human Rights, Tel-Aviv University, Research Grant | \$1,500 | 2014 |
| University of Oxford, Morris Prize for the Best Dissertation | | 2011 |
| Israel National Public Defender, Award for Special Contribution | | 2006 |
| Forbes Magazine, cited as one of the 50 most influential women in Israel | | 2007 |
| Globes Financial Magazine, cited as one of the 50 most influential women in Israel for 2005 | | 2005 |

TEACHING

Undergraduate Courses Taught

International Human Rights (2023, 2024)
Comparative Carceral Studies (2021-2024)
History of Modern Israel/Palestine (2024)
International Law and International Relations (2020, 2023)
International Law and the Challenges of Empire (2023)
Law, State and Society: Law and Religion in Israel (2022)
Legal Research and Writing (2016)
Writing Skills Support Group for Arabic Speaking Students (2016)
Between Obscenity and Pornography (2005)

Graduate Courses Taught

Readings in Israel/Palestine Studies (2024)

CLINICAL ADVISING AND PROFESSIONAL TRAINING

2022 **Criminalizing Homelessness**, Faculty supervisor for graduate students' practicum
University of Washington, School of Public Health

Smadar Ben-Natan CV

2017-2018 Non-Typical Forms of Torture and Ill-Treatment, Project Advisor

University of California, Berkeley, Berkeley Law, International Human Rights Law Clinic

2015 Documentation of Torture According to the Istanbul Protocol, Tel-Aviv, Israel

Professional training for lawyers, physicians, and mental health professionals, UNHCR and PCATI

2010 Successfully Litigating Human Rights Cases Involving Torture, Kampala, Uganda

Professional training for lawyers, Avocats Sans Frontières

2008 The Law and Practice in Israeli Military Courts, Ramallah/Bethlehem, Palestinian Territories

Professional training for lawyers, Machsom Watch and PCATI

SELECTED ACADEMIC CONFERENCES, SEMINARS and TALKS

2024 American Society of Criminology, San Francisco

Paper: How can We Talk about Genocide?

Presidential Panel: What's a University For? The Role of Academia in Tumultuous Times

2024 American Psychological Association Convention, Seattle

Paper: Can We Talk about Genocide?

Panel: Peace Psychology and Gaza

2024 CINET Border Criminologies: Crimmigration through Time, Space, and Culture, Portland

Plenary session paper: The Boundaries of the Carceral State

2023 Middle Eastern Studies Association Annual Meeting, Montreal

Paper: The Carceral State in Israel/Palestine: Between Reconciliation and Radicalization

2023 Jews and Citizenship, Katz Center for Advanced Judaic Studies, University of Pennsylvania, Philadelphia

2022 Middle Eastern Studies Association Annual Meeting, Denver

Paper: The One Carceral State: Mass Incarceration and Carceral Citizenship in Israel/Palestine

Panel: The One State Paradigm Shift: Emerging Realities and Growing Discrepancies in Israel/Palestine

2022 Law and Society Association Annual Meeting, Lisbon/online

Paper: From War to Emergency: On the Imperial Features of the Guantánamo Military Commissions

Panel: Security Effects: Law and Securitization in Postcolonial Sites of the War on Terror

2022 Legal History of Empires, National University of Ireland, Maynooth

Paper: The Dual Penal Empire: Emergency Powers and Military Courts in Israel/Palestine and Beyond

2022 The Politics of Sentiment, Institute for Critical Social Inquiry, The New School, New York

Summer Seminar with Ann Laura Stoler

2022 Negotiating Carceral Regimes in the Global South: Crime and Punishment Across Islamic Worlds

University of Washington, co-organizer with Anand Yang and Brendan Goldman

2021 Global Scholars Academy, Harvard Institute for Global Law and Policy (Online)

2021 Citizen Enemies: Palestinian Citizens and Military Courts in Israel/Palestine

Middle East Center, University of Washington

2021 Law and Society Association Annual Meeting, Online

Paper: The Duality of Penal Emergencies

Panel organizer: Structures of Colonial Hybridity: The Israeli Legal System in Israel/Palestine

Co-authored paper: Lawyering in a Hybrid Legal System: Palestinian Lawyers Navigating the Professional and the Political (with Neta Ziv)

Co-authored paper: Disrupting Duality: Extending a Proposal for Special Advocates to Palestinian Security Detainees (with Ilan Saban)

2021 Protest, Race and Citizenship across African Worlds, Speaker Series, University of Washington

Response to Mohamed Abumaye, Policing Somali Refugees: Somali Refugee Resistance to State Violence

2021 Israel During Covid: Protest, Political Crisis, and Civil Rights

Smadar Ben-Natan CV

- Paper presented at University of Washington, Stroum Center for Jewish Studies, February 2021
And at Pandemic Perspectives forum, University of Birmingham, April 2021
- 2020 **Middle East Studies Association Annual Meeting, Online**
Self-Proclaimed Human Rights Heroes: The Counter-Narrative of Israeli Military Judges
- 2020 **Law and Society Association Annual Meeting, Online**
Enemy Jurisdictions: The Conflation of Emergency and Armed Conflict
- 2019 **Military Justice and Armed Conflict: Old Problems, New Challenges, Minerva Center for Human Rights, Hebrew University, Jerusalem**
The Imperial Turn in Military Justice: Armed Conflict, Emergency Powers, and Criminal Law
- 2019 **Law and History Israeli Association Annual Conference, Jerusalem**
Citizen-Enemies: Military Courts in Israel and the Occupied Palestinian Territories 1967-2000
- 2019 **Law and Society Association Annual Meeting, Washington DC**
The More the Merrier? Military Courts from Sovereignty to Governmentality
- 2019 **Law and Society Association, Junior Scholars Workshop, Washington DC (competitive selection)**
- 2018 **Association for Israel Studies Annual Conference, Berkeley**
Citizen-Enemies: The Constitution of Multiple Israeli Security Jurisdictions
- 2018 **Law and Society Association Annual Meeting, Toronto**
Citizens-Enemies: Military Courts and the Bureaucratic Designation of Dangerous Populations
- 2018 **Law and Society Association, Junior Scholars Workshop, Toronto (competitive selection)**
- 2017 **UC Berkeley, Center for Middle Eastern Studies, *1967 and the Politics of Time***
Temporary as Indefinite: Horizons of the Future in 1967
- 2016 **American Association of International Law Research Forum, Seattle**
Constitutional Mindset: The Interrelations between Constitutional Law and International Law in the Extraterritorial Application of Human Rights
- 2016 **Archival Activism: The Archive between Knowledge and Political Action (roundtable conference organizer)**
Tel Aviv University, Minerva Center for Human Rights and David Berg Center for Law and History
- 2015 **Israeli Law and Society Association Annual Conference, Haifa**
Inside and Outside Israeli law: The Application of Israeli Law in the Military Courts of the Occupied Palestinian Territories

OTHER SELECTED CONFERENCE PRESENTATIONS

- 2019 **Documenting Torture and ill-Treatment in Children and Youth: Multidisciplinary Experts Workshop**
Tel Aviv University Minerva Center for Human Rights and Goldsmith University of London
Presentation: The Legal Framework for Documenting Torture and Ill-Treatment in Children and Youth
- 2017 **Science Po, Intensive Doctoral Week, Paris**
The Burden of Citizenship
- 2014 **Expert Symposium, UK Independent Reviewer of Terrorism Legislation, *Deportation with Assurances*, London**
Deportation with Assurances: The Case of Israel
- 2012 **Israeli Institute for Democracy, *Secret Evidence, Counterterrorism and Criminal Law***
The Expiry Date of Secret Evidence

SELECTED PUBLIC SERVICE

- 2016-2025 **Board member:** B'tselem: The Israeli Information Center for Human Rights in the Occupied Territories; Academia for Equality; Parents against Child Detention.
- 2019-2025 **Reviewer for:** Law & Society Review, Critical Criminology, Theoretical Criminology, Punishment & Society, International Journal of Middle East Studies, International Review of the Red Cross, Torture Journal, Journal for Palestine Studies; Palestine/Israel Review.
- 2020-2022 **University of Washington, Israel Studies Program Faculty Advisory Committee**

Smadar Ben-Natan CV

2020-2021 **University of Washington**, co-founder and co-chair, Carceral Studies Reading Group
2020 **1947 Partition Archive**, Oral History Program volunteer, archivist and grants coordinator
2017-2019 **Center for the Study of Law and Society**, organizer, Visiting Scholars Speakers Series

SELECTED PROFESSIONAL EXPERIENCE

2024 **Amnesty International, Consultant, October 7 research.**
2019-2020 **Member of the UN Istanbul Protocol Review Committee**
UN Manual on the Effective Investigation and Documentation of Torture and other Cruel, Inhumane or Degrading Treatment
2010-2018 **Co-founder and legal advisor: Gun Free Kitchen Tables**
Israeli feminist gun control initiative focused on gender implications of small arms proliferation.
2017 **Consultant to the UN Special Rapporteur on Torture on Non-Typical Methods of Torture**
2015 **Training for Trainers: Istanbul Protocol, Human Rights Federation of Turkey, Istanbul**
On the Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Istanbul Protocol)
2011-2016 **Legal advisor for the Public Committee against Torture in Israel**
2001-2016 **Legal practice - human rights, constitutional law, criminal defense**
Representation of NGOs, individual clients, criminal public defender and civil legal aid. Litigation of criminal, security, human rights, prisoners, asylum, immigration, report writing for NGOs.
1996-2000 **Attorney, Avigdor Feldman Law Office**

PROFESSIONAL ASSOCIATIONS

Law & Society Association
Middle East Studies Association

BAR MEMBERSHIPS

2015 International Criminal Court, List of Counsel
1996 Israeli Bar Association

LANGUAGES: English, Hebrew, French, Arabic