



## *Syllabus*

### *Law and Complexity - 62460*

*Last update 22-08-2018*

*HU Credits:* 4

*Responsible Department:* Law

*Academic year:* 0

*Semester:* 2nd Semester

*Teaching Languages:* Hebrew

*Campus:* Mt. Scopus

*Course/Module Coordinator:* Dr. Ofer Malcai  
Dr. Michal Shur-Ofry

*Coordinator Email:* [malcai@huji.ac.il](mailto:malcai@huji.ac.il)

*Coordinator Office Hours:* Monday, 10:00, prior coordination

*Teaching Staff:*  
Dr. Ofer Malcai  
Dr. Michal Shur-Ofry

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### Course/Module description:

Complexity Theory is a multi-disciplinary field that is concerned with the attributes, development and functioning of complex systems – systems comprised of numerous interacting components. Prominent examples are the human social network, the internet, web-based applications (such as Facebook or Twitter), as well as biological and financial networks. In recent years there is growing recognition that complex networks of different types share common properties and act as a whole that is different than the sum of its parts. Complexity theory thus explores the structure, patterns and development of such systems, while drawing on insights from numerous disciplines, among them sociology, economics, psychology, mathematics and physics. The growing interconnectedness of our world increases the importance of complexity as a tool for understanding the social system and for policy making. Law applies to a multitude of complex systems, such as society, the economy, or the internet, and aspires to regulate them and direct their conduct. Concomitantly, law itself is a complex system, whose components interact in various manners (for example, court decisions that cite each other). The seminar will explore the interface of law and complexity, and the different manners in which complexity can affect the design of specific legal rules and the general questions law is concerned with. It will begin with introductory sessions that will present the fundamental concepts of complexity theory. We will then discuss the interface of complexity and the law, and examine potential implications of research in the field of complexity for the design of legal rules and for diverse topics in different legal branches (including, for example, the fields of property, contracts, privacy, libel law, intellectual property and international law). The seminar will also include guest lectures from diverse disciplines researching complex systems.

### Course/Module aims:

To accumulate basic knowledge of Complex Systems theory and of the methodological tools that are used in the research of complex systems; To research the interface between the field of complex systems and the Law. In particular – to explore how complexity theory can influence legal theory, the design of legal rules, and specific topics in diverse legal area (for example, property law, privacy, libel law, international law, intellectual property, etc.). Participants will make a presentation and submit a seminar on their chosen topic.

### Learning outcomes - On successful completion of this module, students should be able to:

- \* To examine and investigate the interface between Complexity Theory and the Law
- \* To use complexity theory to criticize and assess different legal rules and doctrines concerning their chosen topic;
- To explain various legal doctrines by using complexity theory

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- To compare the legal rules concerning their chosen topic in Israel and in other jurisdictions;
  - To recommend legal solutions and alternative or amended legal rules concerning their chosen topic;
  - To present their research in class, and to submit a written seminar.

Attendance requirements(%):  
100%

Teaching arrangement and method of instruction: Seminar

Course/Module Content:  
To be submitted upon commencement of seminar

Required Reading:  
The items below are general background material. Reading list will be distributed upon beginning of classes. Specific items for reading will be assigned each week.  
ברבאשי, אלברט-לסלו, קישורים □המדע החדש של רשתות (2002, הוצאת ידיעות אחרונות 2004, תרגום דרורה בלישה), עמודים נבחרים.  
מיכל שור עופרי, קניין רוחני ותיאוריה של מורכבות, קניין רוחני: עיונים בינתחומיים, 67 (מרים מרקוביץ-ביטון וליאור זמר, עורכים, 2015)

Additional Reading Material:

Grading Scheme:

Additional information:  
The Seminar will have a website in the Moodle System.

Partial grade will consider participation in tutorials in addition to the presentation.