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# Legal Pluralism in the Holy City

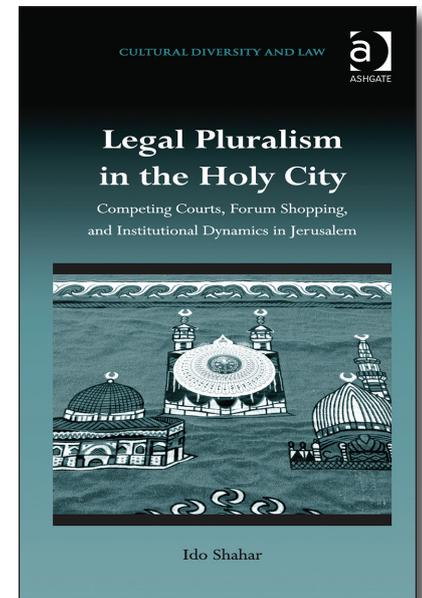
Competing Courts, Forum Shopping,  
and Institutional Dynamics in Jerusalem

**Ido Shahar**, University of Haifa, Israel

*CULTURAL DIVERSITY AND LAW*

*'Legal Pluralism in the Holy City is a ground-breaking contribution to the study of co-existing and intersecting legal systems in contemporary Jerusalem, within the context of the raging national conflict in the city and in surrounding Palestine. It provides Shahar with a vantage point from which he contributes to the theory of legal pluralism in a subtle way. I have no doubt this book will be an important read for both academics and practitioners interested in law-in-action, legal pluralism, Islamic law and the Israeli-Palestinian conflict.'*

Baudouin Dupret, CNRS, France, and Centre Jacques-Berque, Morocco



This book provides an unprecedented portrayal of a lively shari'a court in contemporary West Jerusalem, which belongs to the Israeli legal system but serves Palestinian residents of the eastern part of the city. It draws a rich picture of an intriguing institution, operating in an environment marked by legal pluralism and by exceptional political and cultural tensions. The book suggests an organizational-institutional approach to legal pluralism, which examines not only the relations between bodies of law but also the relations between courts of law serving the same population.

Based on participant observations in the studied court as well as on textual and legal analyses of court cases and rulings, the study combines history and ethnography, diachronic and synchronic perspectives, and examines broad, macro-political processes as well as micro-level interactions.

The book offers fresh perspectives on the phenomenon of legal pluralism, on shari'a law in practice and on Palestinian-Israeli relations in the divided city of Jerusalem. The work is a valuable resource for academics and researchers working in the areas of Legal Pluralism, Islamic Law, and socio-legal history of the Middle East.

**Contents:** Introduction. **Part I Historical and Formal Legal Context:** Shari'a courts in Palestine and Israel: a socio-historical review; Shari'a courts in Israel: the legal setting; Establishment of the shari'a court in West Jerusalem. **Part II A Court in Motion: Ethnographic Portrait:** The site; The cast of characters; Organizational routines; Doing ethnography in the shari'a court in West Jerusalem: some reflexive notes. **Part III The West Jerusalem Shari'a Court and the Family Court:** Breaking shari'a courts' monopoly in jurisdiction; Shari'a courts' response to competition; Forum shopping: where to file a maintenance suit. **Part IV A Tale of Three Courts and One City:** Three shari'a courts in Jerusalem; Forum shopping between shari'a courts. **Part V Concluding Discussion:** Israeli shari'a courts as pluralistic organizations: a new institutional perspective; Empirical and theoretical implications. Appendices; Bibliography; Index.

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