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Book Notes: Law, Violence and Sovereignty Among West Bank Palestinians, by Tobias Kelly

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BOOK NOTES

LAW, VIOLENCE AND SOVEREIGNTY AMONG WEST BANK PALESTINIANS, BY TOBIAS KELLY. CAMBRIDGE: CAMBRIDGE UNIVERSITY PRESS, 2006. Pp. xi + 199. References, index. USD \$50.00 hardcover.

BY ALYSSA BRIERLEY

The Oslo Accords represented hope and the vision of a new start for a region embattled by violence and uncertainty for the greater part of the twentieth century. However, according to Tobias Kelly, the political and legal separation of Palestinians and Israelis established by the Accords resulted in a complex web of jurisdictional arrangements where rights have been distributed in an uneven and contradictory manner.

In this cross-disciplinary account of labour rights among West Bank Palestinians, Kelly breathes life into the complex legal and regulatory arrangements that structure the experiences of working class individuals in a region where the existence of many are defined by juridical exception and exclusion. To provide context, Kelly provides a historical analysis of the macro-level political and legal structures that have developed between the Israeli state and the Palestinian territories, in addition to the relationships between these state apparatuses and the people over whom they exercise authority. Through providing concrete examples of the struggles faced by Palestinians who Kelly interviewed in the village of Bayt Hajjar, the reader is able to understand how average people are navigating these complex legal arrangements by exploiting the spaces that exist between competing jurisdictions.

The result of these overlapping legal arrangements is a confusing and sometimes contradictory web of state regulation, where legal status is conferred on individuals as bodies, rather than as members of territorial entities. Moreover, these identities conferred by legal status are often complicated by the fact that any individual may have multiple identities at any given time. Therefore, Kelly demonstrates how some West Bank Palestinians are able to access the Israeli justice system, while others exist in an area of exclusion and are presided over by a hybrid of Palestinian courts, Israeli military law and, at times, the authority of the local municipality or governor. He also

highlights the importance accorded to litigation by many Palestinians he interviewed, particularly in the face of decreasing economic opportunities following the second intifada. In this context, litigation commenced in order to access rights provided by Israeli labour law often represents one of the only ways for Palestinians to provide for their families. However, given the complex jurisdictional arrangements, opportunities for litigation under Israeli courts are not available to all, or even the majority, of West Bank Palestinians.

Interestingly, despite the inability of many Palestinians to access the Israeli judicial system for various reasons, Kelly emphasizes that Palestinians still identify the law as an institution capable of assisting them to obtain recognition of their legal rights as workers. Kelly concludes that, despite the promise of the Oslo Accords, the uncertainty and anxiety produced by the resulting contradictory legal order has made the conditions possible for continued violence in the region.