

have resisted hate speech policies without incident. These issues will likely be debated in the wake of this important book, and they represent but a few of the many intellectually engaging debates motivated by *Speak No Evil*.

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Courting Conflict: The Israeli Military Court System in the West Bank and Gaza. By Lisa Hajjar. Berkeley: University of California Press, 2005. Pp. 312. \$24.95 paper.

Reviewed by Vanessa Barker, Florida State University

After 38 years of military occupation, Israel has recently withdrawn from Gaza and the West Bank. Readers seeking to understand the historic proportions of this move, especially as it is enmeshed in the legacy of Israeli control over Palestine, will be interested in Hajjar's first-rate ethnography, *Courting Conflict: The Israel Military Court System in the West Bank and Gaza*.

Operating within a complex legal framework, Israel's military court system, Hajjar argues, functions as a highly repressive form of governance even as it remains shrouded in the principles of formal rational law. The military court system, Hajjar explains, has governed the everyday lives of Palestinians in the occupied territories since 1967. That is to say, the military court system not only prosecutes cases of security violations and armed resistance, but it regulates how Palestinians live their lives in the occupied territories. By applying various military orders, the court regulates how Palestinians actually move through the territories (e.g., curfews, checkpoints, permits), how they can or cannot display signs of Palestinian nationalism, how they can or cannot protest the occupation, and how they make a living, marry, and go to school, among other more mundane activities (p. 186).

Pushing her point further, Hajjar argues that the military courts along with other legal institutions in the occupied territories have created what Foucault characterized as a "carceral" society. Governed by intensive surveillance, discipline, and practices of domination, Hajjar argues that Palestinians have become imprisoned in their own homeland (p. 186). Hajjar's application of Foucault is problematic. Foucault analyzed how modern *democracies* created carceral societies based on insidious forms of surveillance, normalization, and discipline. But they did so in ways deemed legitimate by citizens who actively participated in their own subjugation. In the case of the Israel/Palestine conflict, the court system has created a real prison inside Palestine, a conquered land.

By doing so, the Israeli military courts have indeed created a carceral society but one deemed illegitimate by most if not all Palestinians.

Perhaps the strongest part of the book, Hajjar's ethnography vividly captures the intensity and banality of social control. She details the tedium of the court as well as the brutal practices of torture. In part because of her own background (American with Syrian heritage), Hajjar gained a high degree of access to key actors in the military courts. During her two years of fieldwork in Ramallah, Hebron, Nablus, Jenin, Tulkaram, and Gaza (1991–1993), she was a participant-observer in daily court proceedings and interviewed 150 people, including judges, prosecutors, translators, defense attorneys, and defendants, most forthcoming in their discussions of the court, its meaning, and its role in the Israel/Palestine conflict (pp. 16–7). This kind of qualitative research, long part of the law and society tradition, is ideally suited to tease out how law, legal institutions, military orders, and penal sanctions are brought to life and made meaningful by the people involved.

While Hajjar's ethnography provides compelling evidence for claims about the repressive nature of the military courts noted above, she provides less evidence to support claims about Palestinian resistance. In her theoretical discussion (Part One), she argues that the military court system is a site of Palestinian resistance and that Palestinians have used Israeli and international law to frame their own interests as "rights" claims (p. 49). Based on the ethnography (pp. 79–234), readers do not get a clear sense that the military courts provide any opportunity for Palestinian resistance. First, the conviction rate is a stunning 90–95% (p. 219), as is the incarceration rate: about 1,000 prisoners per 100,000 population during the first intifada (Human Rights Watch, cited in Hajjar:186). Second, defendants rarely speak during the proceedings, they are rarely spoken to, and they are subject to prolonged periods without communication with their attorneys or contact with their families (p. 191). Defendants are silenced. Most the negotiations occur backstage as prosecutors and defense attorneys pleabargain or debate charges and length of the likely sentence (p. 220). By the time defendants reach the court, readers get the sense that they are mere shadows of their former selves, as they have been subjected to arrest, detention, interrogation, forced confessions, and at times torture (pp. 109, 197). That said, we should note that Hajjar does provide evidence of Palestinian resistance in prison, where inmates often strengthen their commitment to the struggle, expand support networks, and organize political action. By arguing that Palestinians use legal institutions to resist Israeli domination, Hajjar characterizes the conflict as one in which Palestinians demand human rights rather than statehood. From this

text, it is not clear why struggles for statehood are incompatible with struggles for human rights, and the evidence presented tends to support the more conventional account based on nationalism and the Palestinian struggle for statehood.

Despite these limitations, Hajjar makes an important contribution to our understanding of how law, legal institutions, and penal sanctions are brought to life through social interaction and how legal institutions play a vital role in political and military conflicts, particularly as an attempt to legitimize domination.

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Urban Lawyers: The New Social Structure of the Bar. By John P. Heinz, Robert L. Nelson, Rebecca L. Sandefur, and Edward O. Laumann. Chicago: University of Chicago Press, 2005. Pp. 376. \$50.00 cloth.

Reviewed by Annette Nierobisz, Carleton College

In the last 25 years, there has been an unprecedented surge of lawyers in Canada and the United States. Accompanying this growth has been a body of sociolegal scholarship devoted to understanding the repercussions of this expansion. An early contribution to this field of study was Heinz and Laumann's *Chicago Lawyers* (1982). In *Urban Lawyers: The New Social Structure of the Bar*, Heinz et alia revisit and extend this earlier work, seeking to understand how recent structural and demographic changes in the Chicago bar have shaped lawyers' lives, legal organizations, and the social organization of the legal profession.

Heinz et alia's insights are derived from a comparison of two surveys of the Chicago bar. The first was conducted with 777 lawyers in 1975, a time when the legal profession was on the cusp of change but still numerically and demographically stable. By the mid-1990s a different story emerges, which the authors bring to light through their survey of 787 Chicago lawyers conducted in late 1994 and early 1995. The comparative nature of these data are invaluable because they allow the reader to pinpoint how *exactly* the Chicago bar has changed. This is one of the most important contributions of the book.

Heinz et alia outline various sociodemographic changes in the profession, including the increased involvement of women, African Americans, and Latinos in the 20-year period under study. While these changes are not unique to the legal profession, the authors show that these groups are situated in marginal roles in law firms and are found in lower-status practice settings. This finding lends