



Judicial Power and National Politics: Courts and Gender in the Religious-Secular Conflict in Israel (SUNY Series in Israeli Studies) (Sunny Series in Israeli Studies (Paperback))

Patricia J. Woods

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Uses the case of Israel to examine the circumstances that lead national courts to engage heated political issues.

Patricia J. Woods examines a controversial issue in the politics of many countries around the world: the increasing role that courts and justices have played in deeply charged political battles. Through an extensive case study of the religious-secular conflict in Israel, she argues that the most important determining factor explaining when, why, and how national courts enter into the world of divisive politics is found in the intellectual or judicial communities with whom justices live, work, and think about the law on a daily basis. The interaction among members of this community, Woods maintains, is an organic, sociological process of intellectual exchange that over time culminates in new legal norms that may, through court cases, become binding legal principles. Given the right conditions—electoral democracy, basic judicial independence, and some institutional constraints—courts may use these new legal norms as the basis for a jurisprudence that justifies hearing controversial cases and allows for creative answers to major issues of national political contention.

“Her study of Israeli judicial politics is shrewd, sophisticated, culturally sensitive, and historically grounded ... *Judicial Power and National Politics* is a welcome addition to the scholarship on comparative judicial politics, and Patricia Woods is a welcome new voice in the field ... The impact of her work will cut across subfields and enrich the political science discipline.” — *The Law and Politics Book Review*

“This well-written book makes an important contribution by pushing the analysis of the controversies surrounding judicial intervention/activism to take ideas seriously. It provides a very persuasive account of Israel’s High Court of Justice’s involvement in religious issues and the key role of the judicial community in precipitating that involvement. At the same time, Woods attends to the roles of institutional factors and social movements in facilitating the controversial rights actions/decisions of the HCJ. This book is a must read for scholars of law and politics.” — Austin Sarat, Amherst College

“The author’s notion of an extended judicial community of judges, academic lawyers, and cause lawyers is a major move forward in the ‘new institutionalism’ in the study of law and courts.” — Martin Shapiro, Boalt Law School, University of California at Berkeley

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