

**CHOOSING THE RIGHT DISPUTE RESOLUTION MECHANISM: A CASE STUDY ON THE
JEWISH COMMUNITY IN MEXICO**

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Abstract

This research project analyzes why and how Jewish individuals in Mexico choose whether to use the existing judicial system or an informal mechanism to solve their disputes.

This study analyzes some of the characteristics of the judicial system in Mexico (i.e. inefficiency and corruption) and how these affect the individual's choice when deciding what conflict resolution mechanism to use. It is argued in this paper that the judicial system exacerbates the existing power imbalances among parties.

This case study seeks to obtain in-depth personal information on why and how the Mexican Jewish people choose to use a specific informal dispute resolution mechanism (Committee) to solve their problems. In order to achieve this purpose, fifteen in-depth interviews were carried out with the leadership of the Committee, individuals who have used it and a rabbi. Also, one hundred and sixty-three individuals from the community were surveyed.

For this study, two hypotheses were formulated: the "normative hypothesis" and the "self-interested hypothesis." The former claims that Jewish individuals in Mexico who choose to use the community mechanism do so out of Jewish principle and tradition. No conclusive evidence was found to strengthen this hypothesis; however, the percentage of people who gave normative reasons for using the community mechanism was not insignificant. The latter hypothesis claims that Jewish individuals in Mexico who choose to use the Committee do so to maximize their individual economic benefit. Empirical data was found that strengthens this hypothesis. It is proposed in this study that there is a common good problem in the Jewish Community in Mexico in that all members are better off collectively if other members solve their disputes in the Community mechanism, but at a personal level the individuals prefer to have the choice of whether to take their case to the judiciary or to the Committee. The Committee makes individuals internalize the cost of the common good. This is made possible due to its coercive power.

TABLE OF CONTENTS

Introduction.....	1
Chapter I: The Use of Justice in Mexico.....	9
1. Corruption.....	11
1.1 Individuals do not use the judicial system because the cost of corruption is very high.....	16
2. Inefficiency.....	19
2.1 Individuals do not use the judicial system because it takes too long to solve conflicts.....	22
2.2 Individuals do not use the judicial system because they incur in high transaction costs.....	25
3. Conclusions.....	28
Chapter II: The Dispute Resolution Mechanism Used by Individuals in the Jewish Community in Mexico.....	31
1. Brief History of the Jewish Community.....	31
2. Characteristics of the Community.....	32
3. The Dispute Resolution Mechanism: Honor and Justice Committee.....	34
3.1 The origins of the Honor and Justice Committee.....	34
3.2 The Honor and Justice Committee – Description.....	36
3.3 Structure of the Honor and Justice Committee.....	37
3.4 Procedures followed by the Honor and Justice Committee.....	42
3.5 Confidentiality.....	47
3.6 Laws used by the Honor and Justice Committee.....	47
3.7 Sanctions.....	52
3.8 Relationship between the Honor and Justice Committee and the judicial system.....	53
3.9 Type of cases.....	54
3.10 Efficiency of the process.....	54
Chapter III: Why and When do Individuals in the Community Choose to Use the Honor and Justice Committee?.....	56
1. Normative Reasons.....	58
1.1 Jewish individuals in Mexico use the Honor and Justice Committee to maintain the information about the members of the Community within the Community.....	59
1.2 Jewish individuals in Mexico choose to use the Committee out of tradition and principle.....	64
1.3 Additional evidence in the analysis of normative reasons.....	67
2. Self-Interest Reasons.....	69
2.1 Jewish people in Mexico use the Committee instead of the courts because it is a more efficient and effective venue to solve conflicts	70
2.2 There is often a tension between what is good for the individual and what is good for the Community.....	75

2.3 Jewish people use the Committee because the members of the Committee take into consideration their intentions and personal circumstances when issuing a resolution.....	81
2.4 Individuals in the Community choose to use the Committee hoping that the power imbalance existing between the parties be minimized or reversed.....	84
Conclusions.....	88
Appendix A.....	93
Bibliography.....	95