

"Pluralism, Nationalism and the Constitution: Internal and External Dimensions"

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In this article, I will investigate the question of pluralism from two facets: firstly from the internal perspective, exploring the importance of social pluralism within our Arab society in Israel, with its diverse and conflicting national, religious, clan-based and even geographical identities; and secondly from the external perspective, analyzing the constitutional relationship between the Arab minority and the state of Israel. Here, I will demonstrate the importance of guaranteeing the collective constitutional rights of Arab citizens, and will argue in this context that liberal democracy, even if established constitutionally², will remain an obstacle to the realization of the principles of equality and justice between Arab and Jewish citizens.

Pluralism is a system and set of values which are usually associated, erroneously, with liberal democracy, in spite of the intrinsic differences between them. I will attempt in this article to elucidate the concept of pluralism, and our society's need for it, as well as the concept of liberal democracy, and the dangers it presents to our society. I shall rely for this on a sociological analysis of Arab society in general, and of our Palestinian society within Israel in particular.

Arab Society's Multiple Spheres of Belonging

Our society is one of multiple affiliations, as it is composed of various spheres of belonging: national, civil, political, religious, regional, clan-based, and so forth. Some of these overlap, bringing about simultaneous membership in different spheres of belonging for the individual, for example, Arab, Israeli, communist, Muslim, inhabitant of a certain village and member of a certain clan. As a result, in relation to the single individual, these spheres form layers in the creation of his or her identity, organized according to importance in various ways from person to person.

With the threat to which our national existence and national identity have been exposed, it was natural that we would attempt, consciously and unconsciously, not only to put national identity before the other religious and clan-based affiliations, but also to renounce these affiliations, for conflicting with and undermining national belonging. From here arose a standpoint hostile to these affiliations, which views them as a "plague" to be fought and eradicated from the ranks and hearts of the people. But are they really a plague? And can they actually be uprooted?

The Strength and Durability of Tribal Belonging throughout Arab History

From my studies of Arab society, set forth in my book, *The Arab Character, Culture and Society, 1997*, it became clear that tribal belonging in its wider sense (at the levels of the

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² For the purposes of this article, and without entering into a discussion on the nature of the Israeli system, I assume that the Israeli system operates according to the principles of liberal democracy.

tribe, the clan, and the family), has been and remains the most potent and persistent affiliation over all historical eras, from pre-Islamic times to the present day. According to Moroccan scholar Muhammad 'Abed al-Jaberi, the Arab-Islamic empire was built on a tribal foundation, and is equivalent to a "confederal system," which unified the tribes under its banner without fragmenting them. In his view, affiliation to Islam worked primarily through tribes rather than individuals, especially in the stages which followed the expansion of Islam. The distribution of power, money and leadership of the army operated on a tribal basis, and continued to do so until the collapse of the empire. During the period of stagnation which followed the collapse of the empire, tribalism naturally remained the strongest affiliation. With the founding of the modern Arab states in the aftermath of the Sykes-Picot Agreement, tribalism did not perish. Rather, the majority of the Arab states, including Saudi Arabia, the Gulf states, Jordan and Morocco, were built on a tribal foundation. Even in states which are not overtly tribally or clan-based, one can observe that the division of power and transfer of authority operate in accordance with tribal alignment, as is the case in Syria and Iraq, for example.

The Essential Role of the Tribe and the Clan in the Absence of State Services

In recent centuries, tribal affiliations have receded in Europe and North America, and the age of Individualism dawned, in which the individual became an independent entity whose existence, needs, opinions and values were acknowledged. Discussion on the rights of the citizen, freedom of opinion and freedom of expression arose only during this stage, along with the use of the phrases "the self" and "individuality" in their contemporary sense. Prior to the age of individualism, the individual was merely the member of a tribe, defined by his membership of a tribe, or by his function or trade. It is important to indicate at this point that individualism originated in the West as a component of social, political and economic development, at the center of which were the processes of industrialization and capitalist commercialization on the one hand, and on the other the emergence of the nation-state, which assumed responsibility (actual and apparent) for dealing with the needs and concerns of its citizens. Only when these states began to provide their citizens with a source of income, through the states' institutions and economies, and to cater for the majority of their basic needs, did the power of tribal affiliations wane in Europe, and social grouping acquired a class-based character. Thereupon political parties came to operate as a system which represented the interests of these classes in society.

Within the individualist system, in which the individual, his needs, freedom, right to self-realization and self-expression are recognized, the values of liberal democracy appear to constitute a system which is not only in harmony with this development, but perhaps also indispensable in laying its foundations. The individual was provided with a sense of freedom and of his ability to influence (genuine or imagined) through the democratic mechanism, whilst at the same time invisible mechanisms of control over citizens and their minds were given to the centers of economic power. Anyone who analyzes the nature of Western regimes will become aware of the extent of the control which capitalism exercises over the leadership, and over the social and cultural structure (see *Promise of Globalization* by 'Abd al-Hayy Zalum).

The social-political-economic development which paved the way for the emergence of individualism in the West has not occurred in the other regions of the world. The Arab states have still not industrialized and remain far from being states of their citizens. All of this renders individualism and its liberal values alien to the Arab world, where tribal affiliation remains firmly grounded through its provision of the care and support not yet being delivered by the state. The absence of industrialization and public services in southern Egypt, for instance, means that the tribe is the equivalent of "the state," providing for the basic needs of

the people there. Likewise is the case for millions of Saudi Arabians, Moroccans and Libyans living in villages out of the range of public services, and still dependent on their tribes for survival. The same holds true here in Israel, as, although Arab citizens live in a democratic state, because of the discrimination they face they nonetheless do not rely on the state for many services. For example, Arab youths are provided with work and residence by their extended families to a greater extent than by employment offices or the Ministry of Housing, making membership of the extended family a powerful and durable phenomenon, analogous to national belonging or personal-individual identity.

National, Religious and Familial / Clan-Based Identities

Now that we have seen the vital role performed by the extended family, we may ask: and what of national identity? In my estimation, national identity matures when it is embodied and exercised within the framework of a nation state which tends to the concerns and needs of its citizens, and when these citizens experience an intimate sense of belonging to the state. When this does not occur, national identity retains a confrontational character. Thus, national identity consists of an element of **confrontation** and an element of **affiliation**. The confrontational element of national identity is prominent while a people is engaged in the defense of its identity and existence against an aggressor which violates the national rights of this people, as is the case for Palestinians. The affiliatory element comes into prominence when national identity materializes in a nation state which protects and cares for its citizens, and when the citizen feels a national belonging to this state, which becomes the equivalent of his or her "mother and father."

Arab national identity, and likewise Palestinian identity, are both confrontational more than affiliatory identities. Arab national identity emerged as an identity distinct from Islamic identity towards the end of the Ottoman era. During this period, when the Arabs began to feel that they were suffering under the yoke of the "non-Arab Muslim" ruler, the voices of Arab nationalists rang out demanding Arab rights. Arab national identity thereupon began to detach and become differentiated from Islamic identity, after many centuries of virtual congruence between the two (with limited exceptions, including that of the emergence of the Shu'ubiyya movement, through which non-Arab Muslims tried to challenge Arab hegemony over the Islamic empire). Palestinian identity is also a confrontational identity, which emerged during the encounter with Zionism, the objective of which was Palestinian land. In spite of the passing of several decades since the appearance of Arab unity movements and since the Arab states gained independence, the Arab political system has been unable to provide adequate protection – which would have enabled the crystallization and incarnation of an affiliatory national identity – for the Arab citizen. Equally, Palestinian identity has not reached the stage at which the element of belonging can materialize, due to the absence of a Palestinian state. It is not that the Palestinian (or Arab) does not enjoy state protection, but that, in many instances, he or she pays a personal price in the course of the struggle for Palestinian identity.

The Avertable Antagonism between Identities

I do not believe that there is a people in the world today which lives in a state of singular affiliation. Plurality of spheres of belonging and identity is a universal human condition, even if a particular identity might overcome other identities under specific circumstances. Therefore, and notwithstanding my comprehension of the defensive rejection of our clan-based and religious identities for the sake of preserving our national identity, overemphasis of the latter is to deny one's humanity, and does not stand up to reality.

Through studying the strife-ridden course of our people, we can observe the reactive and perhaps treacherous part played by religious and clan-based affiliations. However, it is also possible to discern a patriotic role for these associations. Therefore, we must avoid an oversimplified evaluation of the role of group affiliations, and study it within the complex picture of our struggle. The Druze Initiative Committee, for example, is an organization which bears the stamp of factionalism. In spite of this, can it not also be considered a nationalist organization? Arab Bedouin organizations in the Naqab, and the Iqrith and Bir'em Committees are also group and regional organizations. Nevertheless, they fall within the nationalist camp, which is opposed to repression and discrimination. Religious personalities have also played an important nationalist role, from Muhammad 'Abduh, Rifa'a al-Tahtawi, to Iz al-Din al-Qassam, al-Hajj Amin al-Hasina, Archbishop Kabushi, as well as al-Qis Shahada Shahada, Sheikh Ra'ed Salah and others. With regard to the nationalist political parties, all of these take into consideration religious and familial composition when drawing up their electoral lists, in an attempt to subdue these affiliations or employ them in the nationalist struggle. All of the above indicates that group affiliations can be hostile to the nationalist current, or can flow in harmony with it, and revolve in its orbit. Herein lies the significance of pluralism as a method and as a set of values capable of integrating these affiliations within the nationalist sphere, rather than tearing them into smaller fragments.

Pluralism and Democracy

Democracy, or "the rule of the people," can be exercised in various forms, including the pluralist and liberal models. The liberal model, according to which political parties are shaped on the basis of class or ideology, such as the communist, socialist, liberal and conservative parties, is the most prevalent amongst individualist societies. In the liberal model, decisions are made according to numerical majority of citizens. Some states, including Switzerland, Canada, Belgium and South Africa, have dealt with the rights of minorities or nationalities within their borders by means of a pluralist democracy. In these countries the state regime acknowledges the national and ethnic minorities and their collective rights, and grants them constitutional weight in the decision-making process, in order to safeguard their rights, despite their numerical minority within the state.

Attempts have been made to transfer liberal democracy to numerous tribal communities. The result has been the formation of parties on a tribal (and not a class or political) basis, as well as voting along tribal lines. In Yemen, for instance, a society with an institutionalized and deeply-rooted tribal structure, in which each tribe has its own economy and armed forces, a parliament was established, and political parties were formed in an attempt to apply the liberal democratic model. This process, however, did not fragment the tribes, but rather transformed them into tribes in the garb of parliamentary parties. When social grouping is based on class, as it is in the West, political parties are formed on the basis of class or ideology. When social grouping is tribal, however, political parties are organized tribally. In Lebanon, which has taken steps towards democracy, political parties have been incapable of disrupting the confessional makeup of society; indeed, these parties were built on the foundation of religious groupings. Within Israel too, the political behavior of Arab citizens has a predominantly clan-based character, and is sometimes determined by religious belonging, particularly in local elections. All of these observations demonstrate that attempts to try to understand the function of these affiliations and deal with them are unavoidable, and that it is impossible and unfair to ignore or deny their existence, or to treat them as a plague to be eradicated.

I believe that, for the sake of our national interest and the preservation of our national identity, it is necessary for us to examine our social reality truthfully and try to comprehend its

tribal structure, and to adopt the approach and values of pluralism in order to defend our social mosaic under a single national umbrella.

Pluralism accepts and can contend with the existence of different spheres of belonging, and increases the cohesiveness of this mosaic in a national "whole," thereby preventing it from shattering. Pluralism means giving space (political, religious and familial) to the "Other" inside the national sphere, and means that the values of tolerance and mutual respect replace those of extremism on the one hand, and on the other the pursuit of unilateralism, imposed on all. That is, each political party behaves towards other parties as if its legitimacy rests upon their representation of a grouping within our people, and any enmity towards it equals enmity towards one of these groupings. This means that each denomination and each clan deals with other denominations and clans as indivisible parts of the national fabric, which deserve their own share of and realm within the national space.

Liberal Democracy as a Means of Controlling Minorities

Liberal democracy recognizes the rule of the numerical majority over the minority, and does not acknowledge the collective rights of minorities. It follows from this that, in many instances, it constitutes a legal mechanism for the suppression of minorities in the name of the law and legitimacy. Most minorities in the world have suffered at the hands of liberal democracy, which awards the majority the right of absolute decision, and the ability to dominate minorities. The experience of Palestinians in Israel is an example of state-sanctioned liberal democracy in conflict with the collective interests of minorities. By means of this democracy, all of the Zionist designs, including expulsion, the destruction of entire villages, land confiscation, home demolitions on the pretext of unlicensed building, as well as other forms of national repression, have been allowed to pass. This model of democracy is capable, in certain circumstances, of passing apartheid-style laws or authorizing transfer in the name of the law and majority rule. Conversely, Israeli democracy has not recognized any collective right for the Arab citizens of Israel over the course of 56 years. Thus, we see liberal democracy as a tool with which the majority controls the minority, and a cover for the majority's inhumane practices, in the name of the law, legitimacy and democracy. One must be attentive, therefore, to the fact that democracy does not mean justice; rather it is a mechanism for dominating the minority, and for granting it only those rights and freedoms the majority sees fit to grant. It is necessary to draw attention to this point, as the word democracy is used in our political discourse as if it were synonymous with justice. It is said that the demolition of homes is undemocratic, or that the arrest of political activists is inconsistent with democracy, but this is inaccurate: both of these acts are democratic so long as the majority sanctioned the statutes and the laws under which they are carried out. Yes, this is liberal democracy, which, from the point of view of minorities, can be far from just.

A Comparison between Pluralist Democracy and Liberal Democracy

- **Pluralism recognizes groups:** unlike individualistic democracy, which approaches the people as a collection of individuals, pluralism legitimizes groups (political, cultural, ethnic, tribal and religious) and their right to exist and to exercise their role as a group in the political system of the state. It is a "contract of communication" between groups, and not between independent, unaffiliated individuals.
- **Pluralism protects the rights of the Other:** pluralism starts from a view of the Self and the Other in a single "whole," and drives towards a position which "gives" to the Other at the same time as it "takes" to the Self. Liberal democracy begins with the individual or group interests of the Self, and leaves the Other to manage itself. Pluralism, therefore, is

a mechanism and a value which can prevent the repression or alienation of certain groups in our society.

- **Pluralism is an instrument of conciliation and coexistence:** whereas individualistic democracy is an instrument for victory (the triumph of the majority over the minority), pluralism is an instrument for conciliation and coexistence, and for clearing space to allow the Other to harmonize within the mosaic of society, and to impart its own particular color and flavor to society. When imposed on a group-based society, liberal democracy induces distanced minority groups to resort to arms and violence, or makes the threatened ruling group depart from democracy (as was the case in Algeria, for example).
- **Pluralism is a concept which eliminates extremism:** as opposed to tribalism, pluralism is a concept and a position through which generations become educated that there is more than one "right way", and that the realization of the collective and the individual Self takes place in parallel with a guarantee of the Self of the Other, and his or her collective rights (you and I together).
- **Pluralism is a mechanism of stimulation:** pluralism is not a mechanism which reinforces the existing tribal situation, but rather one of interaction and mobilization, which enables individuals to engage with each other in a genuine manner, and from there to develop and proceed without the conquest of one side over the other. I believe that the social discourse within a pluralistic environment allows for change and development to a greater extent than that within an environment of combat, where the legitimacy of the Other is denied. Thus, pluralism is a path and a standpoint which can impel our group-based culture towards something new, but which emanates from our past and our heritage.

Pluralism as the Answer to our Problems

As Arab citizens in Israel, we face a number of problems on two levels: the internal societal level, and the Israeli level. Further, as a general Arab society, we also face problems on the global plane. At all of these levels, I believe that pluralism, as a method and as a set of values, can provide the most apposite answer to our problems.

The Internal Societal Level: at this level, we face various religious, clan-based, party-based, political and cultural conflicts. Naturally each grouping (be they religious groups, those connected to political parties or family groups) presents its own discourse and interests as the only satisfactory answer to these conflicts. A single course, suitable for all, is, however, unfeasible within our pluralistic reality. Any attempt to enforce such a course would result in the victory of one grouping at the expense of the other, and consequently would kindle the flames of the conflicts, and threaten our national unity and the fabric of our society. Therefore pluralism, which gives each grouping its own place and status, and acknowledges the right of other groups to form a part of the social fabric, leads the way towards national cohesion and the neutralization of extremism. Pluralism is a set of values on which we must raise our sons and daughters, to accustom them to behaving toward the Other with respect and tolerance, under a single national umbrella encompassing the social mosaic, in which we see richness, and not enmity or plague. The path of pluralism is presented here as an alternative to the path of unilateralism, which seeks to reduce everything to a single thing, as well as a substitute for the individualist path. Both of these aim at dividing up the groupings which comprise our people; the former in the name of nationalism and unity, and the latter in the name of individualism and personal liberty.

The Israeli Level: as previously indicated, liberal democracy in Israel on the one hand has not acknowledged the collective rights of the Arab citizens in the state, and on the other has sanctioned all of the Zionist plans through its legal and legislative mechanisms. The Arab

leadership has hitherto demanded that democracy should be granted precedence over the "Jewishness" of the state, in the belief that the problem lies only with this Jewishness. I contend, however, that the (liberal) democracy of the state presents no less of a danger than its Jewishness, since, as long as there is a Jewish majority, no contradiction will arise between the interests of the Jewish citizens and the democracy of the state; indeed, all of the anti-Arab plans will continue to be passed through the mechanism of the Jewish majority. In my opinion, the time is ripe for us to demand that Israeli democracy be changed to a pluralistic democracy, which recognizes Arabs as a national and cultural minority, and formulates their collective rights in a state constitution, as is the case in some of the aforementioned countries, including Canada, Switzerland and Belgium. Our collective rights within the state cannot be achieved through a change in the state's Jewishness alone, but must also, and more fundamentally, be attained by means of a transformation of the democracy of the state into a pluralist democracy.

The Global Level: the world today is confronted by a fierce onslaught, under the name of liberal democracy. The United States of America functions as its communications media, and international organizations subjugate the ruling regimes in many countries, in order to bring them into their orbit, all of which occurs under cover of the propagation of liberal democracy. It is possible to discern more than one Arab reaction to this assault. First is the response of those regimes which, to varying extents, are subordinate to American impositions, out of an existential fear. Second is the Islamic reaction, which propounds Islamic fundamentalism as a way of standing up to the American attack. Third is the response of the democratic powers, which call for the entrenchment of democracy and freedoms in an attempt to achieve some gains for their citizens, even taking advantage of Western pressure to this end. Before a unilateralist West demanding a liberal democratic world, all of the above must be incorporated into the framework of a national response, which calls for a pluralist world. The peoples of the world have the right to determine their own political, social and cultural course, and their own route to development. The individualist liberal path, down which the West has proceeded, and achieved formidable scientific, technological and economic advances, is not the only route before the world's peoples. The experiences of South East Asian states, such as Japan, Malaysia and China, indicate that it is possible to develop scientifically, technologically and economically via a non-liberal-individualist route, which permits the conservation of the social structure of society. Moreover, one should remain alert to fact that the values of liberalism, freedom and democracy are not neutral in a world of power and capital imbalances. Where such imbalances exist, freedom serves the powerful and can present a threat to the weak, who dread the consequences of the exercise of their freedom by the powerful. When freedom is awarded to the owner of F16 fighter jets and to the owner of a stone, it constitutes a threat to the weaker party. In this scenario, it could be preferable from the viewpoint of the weaker party for this absolute freedom to be curbed. Hence, on the global level, the values of pluralism must overwhelm the values of freedom and liberal democracy.

The pluralism which I advocate is not restricted to the political system, but transcends it to encompass a social, value-based and philosophical position, which sees plurality in all things - in society and in nature - and views this plurality as riches, interacting healthily within a unified "whole." Accordingly, my call for pluralism is a matter which concerns fathers, mothers, teachers, and anyone who participates in the pedagogic, cultural, religious, social and political discourse.