Arabic as a Minority Language in Israel: A Comparative Perspective

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Establishing an official language in a multi-language state is a complex and extremely important task. Setting a language policy in deeply-divided societies has a long-term influence on the stability of the state and the durability of its democracy. This is due to the fact that language schisms, like religious and ethnic schisms, challenge the stability of a democracy in many ways. Furthermore, the decision to set an official language is only the first stage, since implementation of the language policy is no less important that its formal declaration. Every new state must cope with the challenge of determining which language will be its official national language and the status of the languages of the minority groups (Pool, 1991). The language is recognized as a central symbol of the state's identity and functions as an extremely important cultural institution (Laitin, 2000). From the state's perspective, the decision over linguistic policy is an important power (Kook, 2000). Therefore, we should carefully examine how regimes in deeply-divided societies, composed of different ethnic, national, and linguistic groups, establish their language policy, and how they transform their official policy into public practice.

Below, I shall present the findings of comprehensive research on how two deeply-divided democratic states, India and Israel, decided on their language policy, and the manner in which they apply their declared policy on two important minority languages – Urdu and Arabic. The research revealed that, in both cases, the state gives the minority language a minor status in the public sphere. In the case of Israel, significant differences exist between the formal policy on languages and its application.

The research literature recognizes language as a significant part of individual and collective identity and as a dominant factor in all political and cultural interaction (Apte, 1976; Anderson, 1991; Van der Veer, 1994). In this context, Will Kymlicka argues that, regarding a minority's language rights, the granting of individual rights and the prohibition on discrimination are insufficient to maintain the minority's language as a living language. For Kymlicka, the economic, cultural, and other pressures to which the minority is subject will lead to the weakening and possibly even the extinction of the minority language in the absence of sufficient group protections that shape a protective language environment (Kymlicka, 1995).

Consociational democracies define themselves as dual- or multi-lingual states. Such regimes cope with disputes by means of the joint rule of elite groups from all segments of the population, based on proportional representation and not majority rule. Accordingly, these states grant the minority's language a respected official status. Among deeply-divided states which have succeeded in establishing a democratic regime for more than fifty years, Canada, Switzerland, and Belgium fit the consociational model. However, as these states selected a cooperative-type rather than a majority rule-type regime, the dilemmas in choosing a suitable language policy were few. For this reason, it would be interesting to examine the language policies chosen by states with deeply-divided societies, which are democratic and emphasize the principle of majority rule, and not consociational in the ethno-national context. To do that, I will analyze the manner in which India and Israel treat minority languages. The analogical important divisions in

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these test cases are the ethno-religious division between Hindus and Muslims in India, and the ethno-national division between Jews and Palestinian Arabs in Israel.

In a country such as India, which is classified as a secular republic, one would expect to find a more liberal policy toward the language of its religious minorities, in that its very definition calls for a disregard of religious considerations in determining the official language. For this reason, I chose to analyze Indian governmental policy toward Urdu, the principal language of India's minority Muslim population.[2] By comparison, in Israel, which was established as an ethnic state as the state of the Jews, one would expect less compromise with minorities, and that languages other than Hebrew would not be made official languages of the state. Below, I shall identify significant differences and similarities in the language policies of India and Israel regarding the languages of the minority groups in question. I will begin by considering language policy in India, and then I will discuss Israel's policy. I will conclude with a comparative analysis of the Indian and Israeli policies.

The Status of Urdu in India

Multi-lingual federal India, in which hundreds of minority languages are spoken, is afflicted by many language-related conflicts.[3] In this article, though, I shall focus on Indian governmental policy toward one minority language – Urdu. Urdu is identified as the language of the country's Muslims: fifty percent of the Muslims in India speak Urdu, which is one of the most widely spoken languages in India, having the sixth largest number of speakers (Census of India, 2001). Determining the official language has a decisive effect on its preservation, symbolically and as regards to resources, budgets, employment and other political factors. Ahead of the partition which created present-day India and Pakistan, bitter disputes broke out in the Indian Constituent Assembly regarding the status of Urdu in the independent Indian state. In the original plan, Hindustani (an oral tongue which combines Hindi and Urdu and is written in two different scripts: the Devanagari and the Arabic-Persian scripts) and English were intended as the national languages of independent India (Shiva, 1968).

Following the affirmation of the partition between India and Pakistan in 1947, many Hindus felt a need to "take revenge on Urdu." About a month before independence, members of the Constituent Assembly proposed deleting Urdu from the article of the constitution that sets the official language of the Indian Union. The Muslims in the assembly vigorously opposed this action (Constituent Assembly Debates (CAD); IX, 34, 1339-1458). The majority, however, voted in favor of legislation which approved Hindi as the sole official language. Thus, Hindi, in the Devanagari script, was established as India's official language (CAD; IX, 34, 1486-1491; Schedule 343 (1)).[4] Members of the Constituent Assembly refrained from using the explicit term "national language," electing instead to use the term, "the official language of the Union." However, the implication of the decision was that Hindi became the national language of all Indians, and that the other languages received a lower status. This decision was a slap in the face for India's Muslims, who expected that secular, independent India would take an objective

[2] The population of India is over one billion people. Muslims comprise about 13% of the population. (Census of India, 2001).

[3] For an extensive discussion on the language problems in India, see Harel-Shalev, 2005. For further information on India's recognized (Scheduled) languages and the percentage of the population that speaks them, see the appendix to this article.

[4] As for the status of English in India as an additional formal language, see Harel-Shalev 2005, and Apte, 1976.

stance toward the events surrounding partition and would preserve the precious Muslim symbol of Urdu as a national symbol of India.[5]

Actually, Urdu has been disappearing in India. Although it is still being taught in the *madrases* and Muslim universities, such as the Aligarh Muslim University and the National Muslim University, it is rarely taught in secular schools. Latifi (2001) believes that this factor led to study in Urdu receiving an inferior status, and to the preconception that a person studying in Urdu probably failed to gain admission to other programs of study. Farouqui (1994) conducted comprehensive research on the status of Urdu in India, finding that the funding provided by the Indian political establishment in the higher educational system in other languages far exceeds the budgets allocated to study in Urdu.[6]

From the time India declared its independence until the present day, however, there has been a substantial increase in the number of newspapers and magazines printed in Urdu. Particularly during the late 1980s, a period in which Hindu nationalism grew, the number of Urdu monthlies, weeklies, and daily newspapers increased and enabled Muslims to "let off steam" (Hasan, 1997, 316-317). In 1991, the magazine and newspaper circulation in Urdu was greater than in any other minority language, ranking third after Hindi and English (Hasan, 1997). However, the desire of Muslims to read newspapers and magazines in Urdu led to their unofficial suppression by the mainstream of society. The print press in Urdu reported widely on events in Pakistan and quoted articles printed in Pakistan, leading Hindus to accuse Muslims who read Urdu of separatism and irredentism.[7]

To summarize about the status of Urdu in India, one can argue that the decisions reached by the Constituent Assembly rejecting Urdu as a trans-national language and denying it the status of a language of the Indian bureaucracy dictated the fate of the language and led to its declining status in India. Over the years, the central government did not make any major change in the status of Urdu. From the 1980s, there were minor attempts to improve the status of the language, but these actions were undertaken primarily to placate the Muslims and to obtain their votes at the polls, and failed to improve the situation of Urdu in the country. If language is one of

[5] However, Jawaharlal Nehru decided that Urdu would be one of the official minority languages of India, referred to as the Scheduled Languages (that is, not an official language of the union, but one of the 17 official minority languages of India, with Hindi and English being trans-national languages).

[6] Researchers of Urdu contend that the government is right to allocate funds for Urdu, but the Muslim elite has failed to make sufficient effort to plan how to invest the funds properly and benefit the Urdu-speaking population, and that the existing institutions which work in Urdu are in extremely poor shape. Researchers and Urdu-speaking intellectuals contend that, "The state cannot do for them what they cannot do for themselves" (Russell, 1999, 46). Researchers, among them Siddiqi (Atiq Ahmad Siddiqi), state that the National Council for the Promotion of the Urdu Language is ineffective, and that Urdu-speaking academics in Urdu studies at universities throughout India fail to maintain a high level of study (*The Nation*, Lahore, 4 October 1993; cited at Russell, 1999, 45). Therefore, the blame for the current situation of Urdu in India is not solely that of the central government, but the Muslim Urdu-speaking elite is also at fault. However, if governmental funds had been allocated to support the Urdu language since the state became independent, it is likely that Urdu would not find itself in its present weak condition. The amount of assistance given in recent years by the government to advance Urdu has been "too little, too late."

[7] Many persons wrongly contend that movements on the Right have been responsible for making Urdu a marginal language. The Congress Party, which was the dominant centrist party until the 1980s, is mainly responsible for making the important decisions on the place of Urdu in Indian culture since independence. Before each election, the Congress Party went out of its way to promise to promote Urdu, which raised communal feelings among Muslims. After each election took place, the promises generally never got past the planning stages (Aslam, 1989, 277).

the central aspects of national identity, we see from the findings discussed above that the Indian government made it clear that Urdu had no meaningful place in the national identity of India.

Indian governmental policy brought the sixth most prevalent language in India to the brink of extinction as a secular language, with the language being used almost exclusively in the *madrases* and religious schools. Article 29(a) of the Indian Constitution guarantees that every sector of society that has a separate language, a separate script, and/or a separate culture, the right to preserve and nurture them. In practice, this guarantee provides little surety for the continuation and advancement of Urdu in India.

The Status of Arabic in Israel

Israel's society is much less complex than Indian society. Nonetheless, Israel, too, is divided along ethnic, religious, language, and cultural lines. The Jewish-Arab rift in Israel contains also the battle over the principal languages that characterize this split – Arabic and Hebrew – which is somewhat comparable to the rift in India between Hindi and Urdu.

In considering this matter, we should first look to existing legislation. Significantly, the state of Israel has never enacted a statute which clearly establishes its official languages. Article 82 of the Palestine Order-in-Council - 1922 states that Palestine/Israel has three official languages - English, Arabic, and Hebrew - and this section, as amended, remains valid even today. The main change to Article 82 was enacted by the Knesset in Section 15B of the Law and Government Ordinance -1948, which eliminates English as an official language, leaving two official languages - Arabic and Hebrew (Kretzmer, 1990, 165-166). Israel has never needed, as India has, the language of the foreign occupier to unify its citizens, and it chose to reverse the official status which had been granted to English.

The Palestinians refused to accept the UN's partition plan and lost what could be referred to as "the Pakistani option" (pursuant to the split of Pakistan from India in 1947). The state of Israel was founded on 14 May 1948, during a war against Arab states. In light of this fact, it is remarkable that Hebrew was not established as the sole official language, as would have been expected from the definition of Israel as the state of the Jewish people and from the ethnic nature of the regime. We learn, then, a surprising fact. Not only did the Declaration of Independence "guarantee freedom of religion, conscience, language and culture;" the dominant Jewish leadership in Israel, which dictated the major rules of the game upon the establishment of the state, chose to eliminate the official status of the English language, the language of the colonial occupiers, but not the status of Arabic, the language of the persons considered its enemy, and against whom it fought. On the contrary, Israel decided to maintain Arabic as an official language. Leaders of the Arab community in Israel did not need to struggle over the right to have Arabic listed as an official language, as their fellow Muslim minority did in India, because they were given it by the Jewish leadership without asking for it.

In this matter, we find that the dominant Jewish leadership acted generously toward the minority, more than the dominant Hindu leadership did in India at the time of its independence. But since the official status of Arabic is not exercised fully in practice, and the collective right to the language is not granted, the language does not attain the enormous potential inherent in such a right (Saban, 2002). Indeed, in practice, Hebrew is the sole official language. As far back as May 1948, when the question of language in the state and the text of the Declaration of Independence were debated, Ben Gurion gave an extremely narrow reading of the Mandatory Article 82. In his opinion, "Nobody would oppose … freedom of language, but … the language of the state is

Hebrew. This does not deny the other residents the right to use their language in any place" (Ben Gurion, Debates of the People's Council, 14 May 1948; 15).

Attempts in the Knesset to make Hebrew the sole official language have failed up until the present day.[8] However, Israeli law has not formulated a comprehensive normative dual-language regime. As a result, Arabic has a vastly inferior status to that of Hebrew (Saban, 2002). It should be noted that the superior position accorded to Hebrew is not by virtue of a statute or government regulation, such as the Indian constitutional provision relating to Hindi, but results from governmental policy.

Pragmatism on the international and diplomatic front was apparently the reason why Arabic was not eliminated as an official language. Whatever the reason, Arabic is not given the same status as Hebrew in practice. It is inferior in status, resources, and opportunity. In daily life, the Hebrew language rules (Smooha, 1996, 282). Despite its honored official status, the government has not created a protective linguistic environment around Arabic and has not set up sufficient collective protections for it.[9]

The Knesset Record in recent decades is replete with demands by Arab (and Jewish) Knesset members to promote the status of Arabic in Israel. Petitions submitted to the Supreme Court in the 1990s helped somewhat in improving the status of Arabic. The official status of Arabic provides a constitutional gap for any person interested in promoting Arabic in Israel. The Supreme Court recognizes the use of Arabic based on the right of freedom of expression of the individual and not based on the official status of the language.[10]

The Supreme Court expanded the status of the Arabic language from that of a fundamental right to a constitutional right in the *Mar'i* case.[11] In *Mar'i,* the Court ruled that the obligations regarding the Arabic language are not limited to Article 82 of the Palestine Order-in-Council alone, but result also from the Basic Law: Human Dignity and Liberty - 1992. However, we again encounter the phenomenon whereby the determination is not based on the collective rights of the Arabic-speaking community, but on the freedoms held by the individual person. The legal system points out that rights must be given to individual persons who speak the language, by virtue of the state of Israel being a Jewish and democratic state. In basing their ruling on these grounds, the

[8] On the attempts to enact the relevant legislation, see Harel-Shalev, 2005, 58.

[9] Research findings show that, in practice, governmental policy attempts to meet its obligation to publish statutes in Arabic, but, for the most part, this is done many months after their publication in Hebrew (A. Rubinstein, 1991, 91). In addition, many official governmental forms are not available in Arabic (Saban, 2002, 265). Stamps, bills of currency, and identity cards appear with an Arabic inscription comparable to the Hebrew, but passports are written only in Hebrew and English. Furthermore, until the 1980s, almost all road signs were produced only in Hebrew, or in Hebrew and English (Rubinstein, 1991, 91). Signs containing Arabic do appear in some public places, but occasionally the translation is incorrect (Report of the Official Commission of Inquiry into the Clashes Between the Security Forces and Israeli Citizens in October 2000, Volume A, Para. 63 (hereafter: "The Or Commission Report"). Even the new air terminal at Ben Gurion Airport does not provide sings in Arabic (D. Rubinstein, 2005).

[10] H.C. 521/74, *Halaf v. Northern District Planning and Building Committee,* Piskei Din 29 (2) 319. See e.g., H.C. 438/97, *Adalah v. Department of Public Works* (unpublished); H.C. 4122/99, *Adalah v. Tel Aviv – Yafo Municipality, et. al.,* Piskei Din 56 (5) 393; H.C. 2435/95, *The Association for Civil Rights in Israel v. Haifa Municipality* (unpublished); Civ. App. 105/92, *RAM Engineers and Contractors Ltd. v. Nazareth Illit Municipality,* Piskei Din 47 (5) 189.

[11] Appl. Perm. App. 12/99, *Mar'i v. Sabak,* Piskei Din 53 (2) 128.

justices are faithful to the symbolic supremacy of Hebrew in the state belonging to Jews (Barzilai, 2003, 112-113).[12]

In effect, the Arab minority's ability to preserve its culture is tied in large part to the official status of Arabic in Israel, its ability and right to establish separate cultural institutions, and to the existence of a separate state educational system.[13] Arabs benefit from an Arabic-speaking theater and newspapers in Arabic, which have grown over the years (Landau, 1993). In the Arabic educational system, classes are held in Arabic, and the students also learn Hebrew and English. The Report of the Official Commission of Inquiry into the Clashes Between the Security Forces and Israeli Citizens in October 2000 (henceforth: the Or Commission Report) described the situation of the Arab sector. The Or Commission Report revealed that the Arab public recognized the advances that have been achieved in education in the Arab sector, but believes that the curriculum does not give full and fair expression to the sector's social values and is, for the most part, both in the Arab and Jewish sectors, shaped by the dominant Jewish majority for political purposes (Or Commission Report, 2003, Volume A, Para. 62). Despite the Commission's awareness of the situation, however, the Or Commission Report itself was not translated into Arabic.[14]

Israeli governmental policy toward the Arabic language, which is officially entitled to the same status as the Hebrew language, shows that Arabic is not actually perceived as a state language. The dual manner in which the government treats the Arabic language reflects the way in which the state defines the boundaries of the Israeli collective. Legally, the state confers an honored place upon the minority's language, almost identical to that of Hebrew. In practice, however, the government fails to take the necessary steps to advance Arabic and to ensure for it the status guaranteed by law. From a fundamental legal perspective, the Supreme Court supports the government's policy of giving preference to Hebrew, and of recognizing the right to language for Arabic-speakers as only an individual right and not as a collective right.

Summary and Conclusions

In a deeply-divided dual- or multi-lingual society, certain sectors are liable to be considered disloyal because they speak the language of the state's enemy, or have ties of one kind or another with hostile neighboring states. This sentiment is aroused because language is, as mentioned above, a national symbol and one of the state's most important social institutions. Therefore, a democratic state with a divided society has a difficult task in determining its language policy. The policy must conform to democratic principles and give legitimacy to all its citizens, while simultaneously maintaining social order and stability and enabling governmental rule to endure.

In India, the constitution is the single most conspicuous means of achieving democratic legitimacy for all its citizens. The impressive system of laws instituted by the founding fathers of the state, headed by Nehru, stabilizes the minorities as equal citizens with the Hindu majority in all spheres of life. India, unlike Israel, is not defined as a Hindu and democratic state, but as a secular republic. The Hindus' readiness to compromise the definition of the state as a Hindu

[12] Many judgments dealing with the Arabic language were based on the freedom of expression and not on recognition of the need for equality on the basis of group identity, or as a national minority. This failure has made the Arab population frustrated and disillusioned (Or Commission Report, 2003, Volume A, Para. 63).

[13] For further discussion on the status of the Arab education system, see Harel-Shalev, 2005.

[14] For a detailed comparison on the educational system in Urdu and the educational system in the Arab sector in Israel, see Harel-Shalev, 2005.

state, or as a state having a privileged Hindu majority, despite the large Hindu majority in the population, is extremely significant.

Regarding language, the Indian government and the founding fathers were unwilling to yield to the Muslim population. The establishment of Hindi, in the Devanagari script, together with English, as the only trans-national languages is of great importance. This decision, which supplanted the Hindi and Urdu dual-language system, transmitted a message to the Indian people that Hindi-speakers are more "Indian" than Urdu-speakers. The government's treatment of Urdu demonstrates an attempt to remove Muslim characteristics from Indian culture and society, while providing Urdu with a status which does not allow it to develop or achieve higher levels of attainment.

Israel's Declaration of Independence states that:

> The state of Israel … will uphold the full social and political equality of all its citizens, without distinction of race, creed or sex; will guarantee full freedom of conscience, worship, education and culture … In the midst of wanton aggression, we yet call upon the Arab inhabitants of the state of Israel to return to the ways of peace and play their part in the development of the State, with full and equal citizenship and due representation in its bodies an institutions – provisional or permanent.

In spite of this guarantee, the government established, as an incontrovertible fact, that the state of Israel is a Jewish state. No person or group may challenge this established fact, not even by democratic means. Citizenship in Israel is not universal, as in India, and Jews are entitled to greater collective rights than the state's Arab-Palestinian citizens. Nevertheless, in Israel, the dominant, Jewish leadership decided not to eliminate Arabic as an official language, and subsequent attempts to establish Hebrew as the sole official language have failed.

As in India, an extreme asymmetry exists between the languages in Israel. The difference is that, in Israel, Arabic is recognized as an official national language, while in India, Urdu was denied the status of an official national language. Based on these research findings, we may conclude that the Israeli government has made it clear through its public policy that in practice, Arabic does not have a significant place in the Israeli national identity. Indeed, the decision to retain Arabic as an official language has great symbolic meaning. While we may be impressed by the counter-intuitive fact that the status of Arabic as an official language has been preserved in a state founded as the state of the Jewish people and for the Jewish people, we find that, in practice, the state has chosen not to exercise the status of Arabic as an official language, and has relegated it to the rank of a language of secondary status. Arabs must learn Hebrew at the highest level, sometimes at the expense of studying Arabic and other subjects, if they wish to integrate into Israeli society, the labor force, and the government. The official status of the Arabic language, however, enables the Arabic-speaking minority in Israel to seek the advancement of the status of Arabic in Israel through judicial means.

The hesitance of the dominant majority to grant rights and privileges to minorities in deeply-divided states is well recognized in the research literature (Shniderman, et al., 1989). However, it is to be expected that the language policy of a state, the founding fathers of which defined it as a secular republic, would be more liberal and generous toward religious minorities. The very definition of the state requires, as previously stated, that it should discount religious considerations in establishing language policy. In an ethnic democracy, on the other hand, one may expect that fewer compromises would be made with minorities, and that the state would not give minority languages official status. In practice, we find, however, that the secular democracy chose to exclude the language of the Muslim minority, Urdu, as an official trans-national

language, whereas Israel, a state that defines itself as Jewish and democratic, chose to leave Arabic an official language, alongside Hebrew.

The research shows that secular India and the ethnic democracy of Israel use the same means to marginalize certain minority languages, while simultaneously establishing the privileged status of the language which the government views as a national asset. The political and legal institutions in these deeply-divided societies tend to grant minority languages a minor status on the national level, both in a secular democracy like India and in an ethnic democracy like Israel. Furthermore, we see that the formal decision on the status of minority languages in deeply-divided societies is not of such cardinal importance as many tend to contend. Therefore, it is important that future research on language policy should thoroughly examine how the political and legal institutions of a state implement their declared language policy.

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Appendix

The following table lists the Scheduled Languages and their respective number of speakers and percentage among the Indian population.

Number and Percentage of Speakers of Scheduled Languages in India*		
Language	**Number of Speakers**	**Percentage**
1. Hindi	337,272,114	40.22
2. Bengali	69,595,738	8.30
3. Telugu	66,017,615	7.87
4. Marathi	62,481,681	7.45
5. Tamil	53,006,368	6.32
6. Urdu	43,406,932	5.18
7. Gujarati	40,673,814	4.85
8. Kannada	32,753,676	3.91
9. Malayalam	30,377,176	3.62
10. Oriya	28,061,313	3.35
11. Punjabi	23,378,744	2.79
12. Assamese	13,079,696	1.56
13. Sindhi	2,122,848	0.25
14. Nepali	2,076,645	0.25
15. Konkani	1,760,607	0.21
16. Manipuri	1,270,216	0.15
17. Kashmiri	56,693	0.01
18. Sanskrit	49,736	0.01
Other Languages	31,142,376	3.71
Total	**838,583,988**	**100%**

***** These figures do not include residents of Jamu State and Kashmir. In Jamu State, most residents speak Urdu, while in Kashmir, most speak Kashmiri and Urdu.

Source: Census of India, 1991