Mediating Multicultural Identity Conflicts between Arabs and Jews in Israel

Raanan Mallek

Dec. 5th, 2015

The State of Israel is a place where West meets East. Immigration over the past century has centralized Jews from around the world into a land inhabited by a local Arab populace who already had a long standing culture of relating to one another. The interaction between the new immigrants and the locals naturally pushed ethnic identity into the center of what has developed into the lengthy conflict which persists until today. "According to sociological research, most ethnic situations originate from conquest, immigration or annexation. One group usually emerges from such an encounter with superior resources, and aspires to preserve this superiority."[1] The asymmetric dynamic has largely defined the Israeli Arab experience as a result of Zionism. Rectifying this imbalance entails asking how such a conflict can be proactively and constructively engaged in a land of conflicting cultures and identities. An effective method of constructive conflict intervention and resolution is needed as a long term process which incorporates many different segments of society and is sensitive to cultural norms.[2] A cultural norm which has been turned to for thousands of years in Arab culture is called *Sulĥa*. This article will explore how *Sulĥa* mediates conflict within Israeli Arab society and how it can provide a model for constructively engaging identity based conflicts in the future. In so doing, it is important to compare and contrast *Sulĥa* with western models of Alternative Dispute Resolution. Hopefully, such an analysis will be of help in developing a new model of mediation in Israel which respects Arab identity and can answer the needs of citizens belonging to a multicultural democratic nation state.

[1] Silvera, David. *Mediation in Israel Can Build Cross-Cultural Empathy and Consensus.* Online. Accessed: Nov. 3rd, 2015. <http://www.asiapacificmediationforum.org/resources/Mediation_in_Israel_Silvera.pdf>

[2] Alberstein, M. and Rothman, J. "Individuals, Groups, Intergroups: Theorizing about the Role of Identity in Conflicts", *Ohio State Journal on Dispute Resolution*, 28, p. 6. (2013).

Defining Terms: Alternative Dispute Resolution and Sulĥa

Alternative Dispute Resolution (ADR) is a generic term referring to various means of settling disputes outside of the courtroom. Examples of ADR include: conciliation, facilitation, negotiation, neutral evaluation, mediation and arbitration. *Sulĥa*, on the other hand, is a traditional Middle Eastern inter- and intra-clan customary justice process, dating back to a pre-Islamic period.

> "It makes use of a unique mix of local variants of mediation and arbitration techniques to facilitate the transformation of inter- and intra-communal disputes from a desire for revenge to an honorable willingness to forgive, a process that in many cases effectively terminates the conflict between the disputants' broad kin groups. *Sulĥa* has been identified as one of the central Islamic dispute resolution practices that can provide researchers and practitioners with insight into how to approach conflict resolution in the Middle East."[3]

It is important to point out that *Sulĥa* does not replace an individual's responsibility or culpability which is subject to the Israeli court system. But it can function as a cultural tool to help both sides agree to alternative dispute resolution rather than a court case. Furthermore, it fills gaps that a court case leaves out such as the need for reconciliation through a mediation and arbitration process. To understand the differences between the two, it is important to focus on how Western and Islamic culture relates to individual, group and intergroup identity. This is because identity needs to be treated as a distinct category which underlies all conflicts.[4]

The Place of Identity in Conflict Resolution

The challenge of defining identity is founded in the question of how much cultural influence should factor into the definition. Alberstein and Rothman believe that "identity is a self-perception filled by a cultural formula. According to this definition, identity can most usefully be described by and conceptually organized into three main categories: Individual

[3] Pely, Doron. "Where East Not Always Meets West: Comparing the Sulha Process to Western-style Mediation and Arbitration." *Conflict Resolution Quarterly* 2011, 28(4), pp. 427-440. Also see: Irani, G.E. "Islamic Mediation Techniques for Middle East Conflicts." *Middle East Review of International Affairs,* 1999, 3(2), pp. 1-17.
[4] Alberstein & Rothman (2013). *Ibid.* p. 1.

Identity (I am because I am), Group (I am because We are) and Intergroup (I am because We Are Linked with Each Other as both Individuals and Groups)."[5] The advantage of splitting identity into these three categories is that it allows for different cultural norms to express themselves in an individual or group based dynamic. After the European Enlightenment, western identity became about people maximizing their individual needs and goals while maintaining a social construct which would allow them to pursue the fulfillment of these needs and goals through interaction with others.[6] How individuals identify themselves in the context of the groups they belong to indicate the important factor of what is most meaningful to them as they understand and organize their lives. Group identity can be split into a collectivist and relational levels. The collectivist level of group identity centers on the ethnic group from which the individual originates whereas the relational level is more modern. Here the individual is left to prioritize the choices that she makes when becoming a member of a specific group. Relational group identity formation fits into Western society much better than collectivist group identity which fits better into Arab society. The State of Israel has de-facto supported collectivist identity formation by virtue of it having consociationalist characteristics.[7] Cities and towns are mostly divided ethnically and even in mixed cities, ethnic/religious groups maintain social and institutional separation. Although the Israeli declaration of independence promises to ensure complete equality of social and political rights to all its inhabitants, the challenge to uphold this ideal has been difficult to meet in the close to seventy years since statehood.

[5] Alberstein & Rothman (2013). *Ibid.* p. 3.
[6] Ibid.
[7] The Israeli Declaration of Independence appeals, "in the very midst of the onslaught launched against us now for months - to the Arab inhabitants of the State of Israel to preserve peace and participate in the upbuilding of the State on the basis of full and equal citizenship and due representation in all its provisional and permanent institutions." The consociationalist characteristic became exemplified in how Arab interest parties represented the majority of ethnic minority of Arabs who remained in the State of Israel after the 1948 War of Independence.

Helping reinforce intergroup identity in the State of Israel is important since most Arabs and Jews desire to retain their distinctiveness while trying to find a way to thrive together peacefully. Ideas such as "unity in diversity" and *E Pluribus Unum* ("Out of Many One") are founded on the idea that difference enriches the human experience.[8] Rothman and Alberstein point out that there should not be an aspiration for each of the parties to developmentally shift into intergroup identity but rather it should become a mirror or framework of analysis, comparison and intervention choices.[9] In other words, intergroup identity for them becomes a framing tool do determine how those with strong group identities can move ahead together. The group itself should be the identity which in turn allows for intergroup identity formation. "Focusing on the group provides a lens by which we can best understand the ways in which individuals understand and express their sense of solidarity and defensiveness since, by definition, groups are the building blocks on which amalgamated intergroup identities are forged."[10] The groups themselves have to be conscious about whether or not their identity as a whole can be opening and accepting of the "other". It is only when this happens that the group is ready to engage the intergroup level of identity. Practically, this means that the adherents of Judaism, Islam and Christianity in the Holy Land need to work on finding ways to reinforce their respective religious message of being empathetic and accepting of the "other". The conflict in the Holy Land is characterized by inequality of power relations in majority-minority relations. The Arab minority is subjugated to collective dehumanization in Israeli society via their religious

[8] Many attempts have been made in Israel and the Arab world to incorporate this idea. In Hebrew, "unity in diversity" is called יחידות במגוון and in Arabic, الوحدة في التنوع. Prof. David J. Elazar has written extensively on the subject of how 'unity in diversity' as a federalist idea could be applicable to the Holy Land.
[9] Alberstein & Rothman (2013). *Ibid.* p. 26.
[10] Ibid. p. 27.

institutions, the media and in how the rest of the majority Jewish society relates to them.[11] Many political theorists believe that such dehumanization of the "other" results in a state of mental anguish and desperation with fuels the desire to commit violent acts. This is not to excuse individual terrorists for their actions, but instead to shed light on why it is necessary for there to be a process which helps the majority relate to the minority "other" in their midst. Only when such a relationship matures can the weaker minorities in a multicultural society begin to balance the power structure in relation to the majority group.

Where Western and Arab Culture Clash, Challenges to National Identity Formation in Israel and How Sulĥa can Help

The State of Israel desires to be a democracy while maintaining its Jewish character. This manifests an identity conflict among Israel's minority since they do not identify with Judaism. When the national anthem speaks of the Jewish soul desiring to return to Zion, one fifth of the population can't relate. This puts the impetus on the State of Israel to find a way to reach out to its Arab inhabitants and for this reason in particular *Sulĥa* is being suggested. Although Sulĥa has traditionally been used to solve clan-based conflicts, there are elements contained within which can be incorporated into a culturally sensitive alternative dispute resolution process that helps form intergroup identity. An example of one of these elements is the overall process that the Sulĥa participants undergo on the way to reconciliation. Elders within the community form a Sulĥa Committee called *Jaha*. Being inclusive of Arab Elders within the reconciliation process between Jews and Arabs will therefore be seen as a sign of deep respect for their status and influence. It needs to be emphasized that the deep presence of Sulĥa in Arab society emerges from it being an ancient ceremony which can be traced back even before

[11] There are of course notable exceptions to this among Jews who have created programs to help Arabs feel that they are equal in Israeli society. An example is Sikkuy: the Association for the Advancement of Civic Equality.

the advent of Islam.[12] But even more important, it connects to the cultural norms and beliefs of Arabs which stands in opposition to values held in Western society.

Abraham Maslow's Theory of Needs (1954) postulates that as people attend to their needs, the more basic ones such as survival and health (i.e. food, water, shelter) and safety need to be met first. It is only when these needs are met that higher needs such as belonging, esteem and self-actualization can be attended to.

> "Interpolating Maslow's set of identified, hierarchical needs to dispute contexts, it is possible to hypothesize that in the case of dealing with a dispute, disputants would be expected to deal first with the more basic needs, because until and unless the more basic needs are dealt with, no progress would be made toward being able to deal with less basic needs."[13]

Doron Pely's research into Sulĥa shows that Israeli Arabs respond to specific types of disputes which involve perceived offenses against family honor by female family members or violence against a family member in a different way then Maslow's Hierarchy of Needs. Honor and identity are placed above the basic needs of health and safety. "In the Muslim world, honor is not only central to life in general, it is central to dispute resolution in particular. Here, honor, or rather the perception of loss of honor, fuels the eruption of the conflict in many cases, and the perception of restored honor is a crucial component required to resolve a dispute."[14] This dedication to honor shakes the foundation of dispute resolution theory which is based on the premise that "in general, people are rational beings, who could be assumed to choose rationally."[15] What emerges is a cultural value in Arab society which challenges Alternative Dispute Resolution theory because norms are flipped from the behavior that one would expect in

[12] There is evidence linking the Sulĥa to early Semitic writings and Christian Scriptures dating from around the first century. Cf. Jabbour, E.D. "*Sulĥa": Palestinian Traditional Peacemaking Process.* Montreat, NC. 1993.
[13] Pely, D. "When Honor Trumps Basic Needs: The Role of Honor in Deadly Disputes within Israel's Arab Community." *Negotiation Journal*. April 2011. p. 205.
[14] Pely, D. "Where East Not Always Meets West: Comparing the Sulha Process to Western-style Mediation and Arbitration." *Ibid.* p. 431.
[15] Nicholson, M. "Negotiations, Agreement, and Conflict Resolution: The Role of Rational Approaches and Their Criticism." In: *New Directions in Conflict Theory: Conflict Resolution and Conflict Transformation*, Ed. by R. Vayrynen, Newbury Park, CA: Sage Publications. 1991. pp. 57-78.

the West. Dealing with cross cultural disputes needs to be re-evaluated and new methods need to be taken into account when attempting to resolve the conflict at hand.

Theoretical Foundations for Developing a Conflict Resolution Methodology in a Multicultural Society

Abdessalam Najjar spent his life theorizing and building a multi-cultural community based conflict resolution and mediation program. He saw before him the same inadequacy in dispute resolution methodologies which "traditionally appeal to shared values and norms that are universally accepted within a given culture. A different type of challenge is involved when it comes to approaching conflict in a multi-cultural society or between two separate groups who do not share a common belief system, background or values."[16] Najjar saw a need for developing a new perception of nonviolent conflict resolution in a multicultural context which would take into account how cultural differences affect our behavior, whether the power relations between the two groups affect the dynamics of conflict resolution between these groups and whether the imbalance in power relations issues from the cultural differences between the sides. When Arab society puts honor at the center of its decision making mechanism, they are viewed by Western society as acting irrationally and therefore deserving of being the side with less power in the asymmetrical reality that has emerged around them.

The question that this article is seeking to answer is how we can arrive at a conflict resolution methodology that can be useful in the multicultural context within the State of Israel. Najjar suggests that we examine the three main resources available to us when beginning to formulate this new methodology. First are the lessons we should learn from the close to seventy years of relations between Jews and the State of Israel with the Arab citizens of the State.

[16] Najjar, A. "Wahat al-Salam/ Neve Shalom: Community Responses to Conflict," in: *Coexistence and Reconcilliation in Israel.* Ed. Ronald Kronish. Mahwah 2015. p. 156.

Second is the knowledge that has been derived from the educational work until this point. Finally is the theoretical material that is now emerging in the field, especially in other areas around the world which are presented with conflict within multicultural environments.[17] Muzafer Sherif is a social psychologist who developed the Rational Conflict Theory. When two or more groups with different cultures, in our case, Israeli Jews and Arabs, exist together in the same space (the State of Israel), there may take place a conflict over resources and status. Najjar believes that there is a strong justification for this rivalry because of the cultural differences between the groups. So naturally, a way to bridge this gap is to find ways for the different cultures to form an intergroup identity which will allow them to transform their conflict over resources and status into cooperation.[18]

Another social psychologist, Henri Tasfel explains in his Social Identity Theory that we shape our behavior and our identity according to various sets of values and beliefs. Negative values are assigned to modes of behavior that are seen as inappropriate in our culture. This is true even though these same modes of behavior may be viewed as positive in other cultures. The Arab cultural dedication to honor above other basic needs is therefore perceived negatively by Israeli Jews. Most Israeli Arabs feel that their national honor has been undermined by Zionism from its very beginnings through land purchasing and especially since the 1948 *Nakba* ('Catastrophe' in Arabic - known by the Israelis as Independence Day). As discussed above, much of the cultural differences are not only in how history is perceived by the Jews and the Arabs. but also the place of the individual in relationship to the group to which they belong. In western culture, individual freedom is seen as the supreme value and rises above the needs of the group. In Muslim Arab culture, on the other hand, the needs of the group, hegemony, cohesion

[17] Najjar. *Ibid.* p. 156.
[18] Rothman, J. (ed.) *From Identity-Based Conflict to Identity-Based Cooperation*. New York: Springer 2012.

and warm relationships often outweigh the needs of the individual. Can a balance be sought out between these two polar opposite ways of seeing how the individual fits into society? How can a common culture be built so that conflict can be resolved in a peaceful manner?

Challenges to Building Unity in Multicultural Societies and How to Face Them

The concept of "culture" contains more than a set of values and beliefs that produce norms and behaviors. The culture into which we are born programs how we interpret an event and therefore how we react to it. Najjar points out that "conflict resolution models developed within one culture, prove deficient when applied to another, despite attempts to modify or adapt these programs in order to adjust to cultural differences."[19] This is why many of the conflict resolution models that may have worked in the West cannot be applied to Muslim Israelis whose Arab culture determines how they react to conflicts which arise. Another pitfall which must be pointed out is that:

> "When mediation is used within the framework of collective identity, a natural clash may ensue between the different groups to which the parties belong, and no treatment of individual level interests will help to repair the rift that a clash like this causes. In fact, attempts to reduce these differences to interests that may be coordinated, or worse, constructively manipulated, can actually lead to intensifications of identity-based conflicts."[20]

So when mediation is used in Israel between Arabs and Jews in the attempt to strengthen their respective group's ability to attain intergroup identity, we must be aware of how a natural clash may ensue between them. As mentioned above, the asymmetrical nature of the conflict between Jews and Arabs may naturally give way to Arabs feeling that they are being "constructively manipulated" into losing their Palestinian national identity in the interest of creating a collective multicultural Israeli identity. Building an intergroup identity for the benefit of a multicultural

[19] Najjar. *Ibid.* p. 157.
[20] Alberstein, M. and Rothman, J. Ibid. p. 13.

civilization that can emerge during the State of Israel's first century must therefore be seen in a nuanced and multifaceted way.

Samuel Huntington believes that there is a clash of civilizations between the West and the Muslim world.[21] He concludes his analysis of this clash with the suggestion that the West will have "to develop a more profound understanding of the basic religious and philosophical assumptions underlying other civilizations… [this process] will require an effort to identify elements of commonality between Western and other civilizations."[22] Will Durant defines civilization as a social order promoting cultural creation. It is made up of four different elements: economic provision, political organization, moral traditions and pursuit of knowledge and the arts.[23] Culture is an element or a fruit of civilization so that different cultures may be present within the sphere of one civilization.[24] In other words, there could potentially be a Muslim Arab culture and a Jewish culture among many others that make up the "Israeli Civilization". Creating positive interdependence between both sectors must be part of a process of that develops a transcendent identity between Jews and Arabs in Israel who both have a commitment to living in the same land.[25]

What are some ways to build this intergroup and transcendent identity between Jews and Arabs in Israel? Professor John Paul Lederach is a well-known professor of international peacebuilding at the University of Notre Dame. Lederach strongly believes that models for conflict resolution must emerge from the culture experiencing the conflict. This is based on the

[21] Huntington, S. *The Clash of Civilizations and the Remaking of World Order*. London: 1997.
[22] Ibid. p. 49.
[23] Durant, W. *The Story of Civilization.* New York 1935/1954. 4:36-71.
[24] Oz-Salzberger, F. "Intercivilizational Conflict: Some Guidelines and Some Fault Lines", in: *The Israeli Journal of Conflict Resolution.* Vol. 1, 2009. pp. 13-28.
[25] Mollov, Ben & Lavie, C., "Culture, Dialogue and Perception Change in the Israeli-Palestinian Conflict", *The International Journal of Conflict Management*, 12/1, 2001. p. 82.

belief that every society contains the knowledge to produce solutions to conflictive situations arising within that society.[26] One of the knowledge resources within Arab Israeli culture is that of Sulĥa. But how can Sulĥa be applied to help form intergroup identity when it is designed to be used between two Arab clans? Built into the Sulĥa process is *Musalacha* or reconciliation which is a key goal of mediation.[27] But before *Musalacha* happens, the mediators are the only ones who hear each side express their antagonism.[28] In Western models of mediation, the sides will meet initially and even hear each other's antagonism. For Arabs, this tense conflict can be a point that becomes impossible to move beyond. A lesson can be learned to instead empower conflict resolution specialists who work with Israeli Arabs and Jews to hear their antagonism and create an environment conducive for *Musalacha/*reconciliation. These specialists can learn how to transform Arab anger into a desire for reconciliation while being patient and tolerant those who are angry. Training Israeli-Arab conflict resolution specialists is of vital importance to the process of creating intergroup identity since they are imbedded within their community and trusted to help mediate the intergroup conflict.

Conclusion

This article sought to be of help in developing a new model of mediation in Israel which respects Arab identity and can answer the diverse needs of citizens belonging to a multicultural democratic nation state. Sulĥa, or the traditional method of conflict resolution in Arab society was examined at length in relation to Alternative Dispute Resolution. There was an exploration into the place of identity in Conflict Resolution and an examination of how dividing identity into individual, group and intergroup levels can encourage different societies to learn how to relate to

[26] Lederach, J.P. *Preparing for Peace: Conflict Transformation Across Cultures.* 1995. p. 18.
[27] Pely, D. "Resolving Clan-Based Disputes Using the Sulĥa, the Traditional Dispute Resolution Process of the Middle East," in: *Dispute Resolution Journal.* Nov. 2008/Jan. 2009. p. 86.
[28] Pely explains that, "[i]n the Sulĥa, venting of grief, anger and frustration is heard only by the Jaha, because the victim and perpetrator's families do not meet until the Sulĥa ceremony to sign the Sulĥa agreement." Ibid.

one another. Challenges emerge since not only do Western and Arab cultures clash when determining the importance of values and needs but there is a serious asymmetrical power imbalance between the majority Jewish culture and the minority Arab culture in Israel. Keeping these obstacles in mind, there was an exploration of theoretical foundations for developing a conflict resolution methodology that incorporates elements from Sulĥa which can be of help to empowering the Arab minority. Letting them feel that their historically cultural way of dealing with conflict has advantages can give a lot of legitimacy to the mediation process. Building unity through diversity is a difficult but necessary task in this broken land. There is much work to be done in the field of Conflict Resolution and Alternative Dispute Resolution so that cultural norms and practices such as Sulĥa can be integrated in helpful and meaningful ways. By empowering Arab elders to take a central place in the process combined with Arab youth dedicated to conflict resolution and mediation practices, Israel will be investing in a future of peace and equality.