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POLITICS OF TRIBE AND KINSHIP: POLITICAL PARTIES AND INFORMAL INSTITUTIONS IN PALESTINE

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Clans are critical to Palestine's democracy. This was demonstrated in the Gaza Strip and the West Bank after the emergence of the Palestinian Authority in 1994, when a form of governance influenced by clanism emerged and a central power was established. Since then, informal institutions have weakened formal democracy due to their particular way of "doing politics" which is steeped in clanism and regionalism. Although these institutions did not cause the collapse of the classic political formal institutions, they may have contributed to the demise of any real democratic transition. This paper has two goals: The first is to identify how clanism and regionalism influence institutional settings at the macro and micro levels. The second is to assess the implications of these political issues regarding corruption and political fragmentation in a politically-divided and highly-polarized society as in Palestine.

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Informal institutions as an introduction to clanism

Theories in social sciences have always been built either on the experience of a society or on the transformation of one social structure or system to another. These theories are at once descriptive or representative of societal development. Many of these theories are linked to modernization theory. As Radnitz argues, “Many theories of state and society are implicitly and explicitly premised on modernization theory”¹. Moreover, there is no single theory that can describe the political behavior of states, parties or political groups. To understand political behavior it is necessary to focus, not only on the formal institutions of policy, but also on informal institutions.

A sound constitution, a legal framework, strict regulations, and a functioning democratic system are indisputable and indispensable in achieving socio-political development, as they satisfy people’s demands. Every day public citizens forget the impact of norms and values that allow formal institutions to operate efficiently.

These informal factors/mechanisms, traditions, customs and social norms are pivotal to understanding the state and non-state institutions.

Informal institutions emerge for specific reasons such as weak formal institutions or out of necessity to complement them. Formal institutions, such as laws, regulations, and constitutional frameworks, are arguably poorly founded and implemented in developing countries. This is due to a lack of professionalism, to dictatorships and to corruption. According to Helmke and Levitsky informal institutions are based on trust, solidarity, traditions, civil/social norms, which substitute, compete with, complement or accommodate formal institutions².

Informal institutions emerge when people, political groups and political organizations wish to push forward their priorities and to find alternative ways to maximize their benefit. Political parties and groups are the major players in the political game. However, in some societies and political environments, other groups emerge as powerful elements that have a prominent influence on the political behavior. These groups are clans. In the Arab World, clans have effects on political behavior, not only from bottom-up (e.g. elections of a family member that is loyal to the family is much preferred to the election of the a candidate who belongs to a political party) or from top-down (e.g. a president or minister try to give incentives and advantages to some clans or families to protect his personal interest).

¹ S. RADNITZ, *Informal Politics and the State*, «Comparative Politics», vol. 43, no. 3, 2011, pp. 351-371.

² G. HELMKE - S. LEVITSKY, *Informal institutions and democracy: lessons from Latin America*, Johns Hopkins Univ Pr., 2006.

It is widely accepted that interaction between formal and informal institutions can both cause and mitigate problems³. On the one hand, they can increase the efficacy and performance of complex institutions⁴ and on the other hand, they may undermine democratic governance by increasing clientelism, corruption, patrimonialism, and clan politics⁵. Informal institutions such as the moral authority that the chief of a clan has to mediate disputes constitute a key informal accountability mechanism. This is pivotal in countries where the power of formal institutions is limited⁶.

This paper does not provide any final answer on the impact of informal institutions on political behavior in Palestine, but it does raise important questions. Informal institutions have accompanied Palestinians for a long time; however, informal institutions have also historically been a part of Palestinian society. Because formal courts under the Fateh-led Palestinian Authority were frequently tarnished by accusations of corruption, the *mukhtars* (clan's chief) virtually became the only functioning judiciary in Gaza during the "days of chaos."

Dimension and Impact of Clans on Palestinian Authority and Palestine

The definition of national identity in Palestine is fragmented and ambiguous. Moreover, each political party defines Palestinian identity depending on its ideology. For example, Fatah and Hamas have different perceptions of the concept of identity. Hamas and Islamist groups would emphasize the dimension of religious identity whereas Fatah would highlight Palestinian nationalism. Kathleen Collins has examined the notion of clan and its impact on the political sphere in Kyrgyzstan, and defines clan as an informal social institution in which relationships based on blood or marriage forms the central bond among members⁷. There is

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³ G. HELMKE - S. LEVITSKY, *Informal Institutions and Comparative Politics: a Research Agenda*, in Working Paper, WP#307, 2003.

⁴ J.G. MARCH - J.P. OLSEN, *Rediscovering institutions: The organizational basis of politics*, Free Pr., 1989.

⁵ K. COLLINS, *Clans, pacts, and politics in Central Asia*, «Journal of Democracy», vol. 13, no. 3, pp. 137-152, 2002.

⁶ G. O'DONNELL, *Another institutionalization: Latin America and elsewhere.*, «Lua Nova: Revista de Cultura e Política » vol. 37, pp. 5-31, 1996.

⁷ J. BÖRÖCZ, *Informality rules*, «East European Politics & Societies », vol. 14, no. 2, 2000, pp. 348.

⁶ J. JÜTTING, *Informal institutions: How social norms help or hinder development*: OECD Publishing, 2007.

⁷ K. COLLINS, *Clans, pacts, and politics in Central Asia*. «Journal of Democracy», vol.

one identity, however, that is held constant by all clanic groups, and that is the Palestinian identity. Being Palestinian expresses a national sense of belonging of a certain group of people, a land, language, values, norms, traditions, ethnicity, culture, history and the sharing of an experience of dispossession. Despite that, divisions among them stem from the reality of occupation and fragmentation. However, there are Palestinian sub-identities that have a greater influence on Palestinians' behavior, such as, belonging to a specific clan or coming from a certain part of historic Palestine. The study of national identity is important because it exists side by side with the informal institution of clanism and regionalism. Clanism has been seen as a source of nepotism, corruption, neo-patrimonialism and more radically, it has contributed to the persistence of the division between the Gaza strip which is controlled by Hamas and the West Bank which has been controlled by the Palestine Liberation Organization and Fatah since 2007.

The Palestinians have been fragmented into different sects and groups according to their geographical presence and urbanism. We can find refugees who were exiled from their homes in 1948 to the Gaza Strip, the West Bank, Lebanon, Syria, Egypt, Jordan, and from there, many also left to Europe and North America. Refugees in the Gaza Strip have categorized themselves, mentally and virtually, according to the cities of origin and family kinship. They see that they belong to the same geographical areas where their ancestors were once settled. This has created an artificial division between Palestinians living in villages, cities or as Bedouins. Israel has contributed to this fragmentation by separating the Gaza Strip from the West Bank and not allowing Palestinian refugees outside Palestine and Israel to visit their relatives. This has created a division that has enhanced Palestine's political division and perhaps, even more significantly, has heightened the competition for power based on regionalism and clanism.

Some deeply rooted traditional principles such as *adat* (local customs not derived from Islam) and *taqaleed* (traditions inherited from society or family) have also reinforced clan solidarity. *Adat* is a sense of strict discipline which was inherited from the Arabs and later extended to the different cultures that converted to Islam or were Arabicized. This term indicates a type of social control, requiring respect for the elders and family members and promoting strong clan loyalty and solidarity. The famous Palestinian saying, typical of traditional societies with nomadic structure, "My brother and I against my cousin and my cousin and I against the stranger" illustrates how society shapes its divisions. It encapsulates itself, from the individualistic or collective perspective, in

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the Hobbesian state of nature. Clans feel that they are in a continuous competition with each other.

Clanism and regionalism are historically rooted in Palestinian society. However, they were enhanced as the Palestinian Authority was established and semi-democratic, quasi-state institutions were built. Clanism affects the discourse of governance, public administration and economic development and, above all, state-building. It reinforces the power of elites, local war-lords, and local politicians, not because of their own political agenda, but because of their clan or loyalties to ruling leaders. These factors contribute to corruption⁸.

These informal institutions were not different during Yasser Arafat's time; and that they were shaped by the same notions of clanism or ethics of fragmentation. A clear illustration of this was the 1996 parliamentary election for the Palestinian Authority in which a democratic process was called for. What was clear is that members of certain tribes will support people from the same tribe⁹. For example, "Al Shawa" would support the "Al Shawa" candidate and would rely on these tribal relationships or regional relationship in Al-Shejaia. Mohamad Dahalan, a well-known Fatah politician, did the same, as he is, originally, from "Hamama", a region in Palestine.

Clans and Politics

Although the Palestinian Authority tried to weaken the tribal and kinship solidarity among Palestinians by establishing formal institutions, many clan-related aspects which are rooted in Palestinian society or are politically-created, were overlooked as the political elites and the policy of recruiting and appointing high ranks officials continued to be controlled by concept of family loyalty. Western-lead efforts of modernization and democratization of the Palestinian society did not reduce the influence of clan and regional bias. As Arafat was from Gaza, he appointed many according to his clan's loyalty.

The widespread clan and patronage-based rule became entrenched during the Palestinian Authority era and afterwards. When Yasser Arafat established the Palestinian authority in Gaza, he knew the historical background of clans, and families. Based on that, he mapped Gaza through his understanding of Gaza's families and its tribal system. He tried to use this knowledge for his own benefit, in order to control Gaza

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⁸ I. ALSARRAJ, Personal Communication, Gaza, 20/04/2013.

⁹ *Ibidem*.

and to set up a solid base for Fatah and the Palestinian Authority. In 1995, he established a council for “*Al Ashaer*”, a tribal council, which was later dissolved by president Abbas since PA has no authority on Gaza¹⁰. Later on, he started a policy of divide and control. For example, he approached the “*Al Shawa*” family and informed them that he would appoint a mayor from that family and he approached Mansour Rashad al Shawa, a bourgeoisie Gazan native, to form a council for Gaza’s municipality. At the same time he turned to another figure from the “*Al Shawa*” family to do the same. Based on these ambiguities, the “*Al Shawa*” family was divided immediately and its members started fighting among themselves¹¹. At the same time, he approached a well-known family, the “*Helles*” and appointed their “*mokhtar*”, head of tribe. However, despite the fact that traditions in the Gaza Strip are to have one mokhtar only, Arafat appointed as many as he could from the same family to create competition of loyalty amongst them. This strategy contributed to corruption and nepotism.

Through this approach, clanism has influenced governance and public administration. It has become a source of corruption and nepotism and weakened the rule of law. As the heads of various families and clans became loyal to Arafat, who controlled all the resources and power, “*wasta*” appeared as a dominant phenomenon that hindered democratic institutions and, more specifically, meritocracy. “*Wasta*” means to be introduced through some political elites, to be appointed into the public services, particularly high ranks positions such as general directors. This has created a society that is based on connections and a belief that no one will be appointed based on a public competition but he/she will know someone among the political elites to get in office. This system led to the spread of bribery and severe corruption in the public institutions.

Moreover, informal institutions of clanism and regionalism (refugee, non-refugee, big family, small family) have weakened formal institutions. In the parliamentary elections of 1996 and 2006 and local elections since 2005 (2005, 2010, 2011, 2012) tribes and families were decisive in giving votes to candidates. Clans, especially in Gaza strip and in the Hebron region, usually decide to nominate one or two people from the same family in competing parties for any election in order to keep their influence in local politics or to keep a connection with the political elites to work as “*wasta*”. This happens not only because families want to have influence, but because of a pervading culture of connections, and the absence of a clear political agenda and strong meritocratic measures in the Palestinian Authority’s

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¹⁰ MOI, *General Directorate for Tribes and Reconciliation of the Ministry of Interior*, Ministry of Interior, 2013. Available from <http://www.moi.pna.ps>.

¹¹ I. ALSARRAJ, cit.

institutions. Moreover, nepotism, severe corruption and competition between different clans facilitate the process politician-making based on clanism and regionalism and not on political agenda.

Differences in political loyalties are not constrained just to clan divisions. It also can happen among the same clan. As mentioned above, Yasser Arafat approached two figures from the same families. Similarly, elections for the parliament provide an opportunity for opposition groups to fight for power. Political factions do so by tapping into their ties with supporting clans. In the same way, local elections of the municipalities and the parliament provide an opportunity for opposition groups to fight for power. They do so by nominating another figure from the same clan¹². They try to gain support of some clans to be affiliated or influence the outcome of any political process, such as the “*Helles*” family which has been supported by Fatah’s in Gaza. However, in the West Bank, as the former general Monther Irshaid argues, clanism culture is less than in the Gaza Strip. Moreover, he argues that this difference could be explained by the fact that the West Bank was under Jordanian control and a strong formal institution were established controlled by Amman that managed the public affairs until late 1980s.

Finally, clanism and regionalism influence the executive branch too. Despite the repeated rhetoric of professionalism, meritocracy and transparency of government employees, the Palestinian Authority’s presidents and ministers are strongly dependent on clanism to maintain their power base. As Monther Irshaid puts it, “the president, Arafat, has destroyed the social fabric of the Palestinian society by giving space to strong clanism and regionalism”¹³. Moreover, the Palestinian writer Sabri Jaber asserts that clans and politics intersect at many points. He argues that any cabinet must take into consideration clanism and regionalism. Any governor must be a native resident (not a refugee) and originate from a prominent family which could then back and support his decision.. Almost everyone who has a leading position in the military should have the support of at least a clan or region. This way he would feel protected and therefore could enforce the law. However, in most cases, this has led to chaos and competition between clans¹⁴. Moreover, no transparent policies have been taken to ensure meritocracy. Formal institutions are riddled with nepotism and corruption.

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¹² Aawsat, «فتح الخليل» تلجأ إلى الأكاديميين والمهتمين والعشائر واللاجئين لتحقيق فوز مظفر في الانتخابات البلدية, Asharq Al-Awsat 2010. Available from

<http://www.aawsat.com/details.asp?issueno=11700&article=573170#.UX1HtspGQSY>.

¹³ M. Irshaid, Personal Communication, Ramallah, 13/04/2013.

¹⁴ S. Jaber, Personal Communication, Ramallah, 26/04/2013.

Conclusion

Political divisions and the competition for power in the Palestinian Authority and its security apparatus, underlined by the influence of regional, clan and other special interests, constitute a significant problem for the modernization and democratization of institutions in Palestine. Clans and regionalism have played an important role in fuelling internal political divisions. However, blind loyalty to clans was rarely intermingled with politics because most of the Palestinian factions, prior to the first Intifada, were either nationalists or leftists, therefore denying clanism in its abstract meaning. After the Palestinian Authority's establishment, clanism became not only part of society, but also part of the political sphere. Moreover, the recent coup in Gaza in 2007, allowed many families to form their own armed wing, such as the Doughmouh family who started the Jaish al islam (Army of Islam). The substance of the negative impact of clanism and regionalism is the absence of a strong, transparent and responsible legislative power that monitors the executive's work. Both executive and legislative branches are affected by clanism and regionalism. The issue right now is whether the Palestinian Authority and the Palestinian political parties agree on a national wide independent agency to monitor both executive and legislative activities. This option seems to be far away since the Gaza strips is under Hamas control and the West Bank is under Palestinian Authority's control. This division is deepening the political fragmentation thus increasing clanism and regionalism. Another option is to make an amendment to the parliament electoral system in favour of a 100% list system and not 50% list and 50% individual.

Moreover, in light of the chaotic situation in Palestine during and in the aftermath of the second Intifada, division and political violent squabbling (Hamas vs. Fatah and PA) bolstered criminal forces and organized criminal groups of families that will further their interests by seeking loyalties with either Hamas or Fatah. Clanism and regionalism are bound to increase and have very negative impact on social security if the PA, Hamas and PLO fail to provide an accepted alternative to clans. This alternative is to meet the international standards of meritocracy and to maintain a professional security apparatus in the Palestinian territories.

It must be considered that the main reason for the continued importance of clans and regional divisions in Palestine is that the Palestinian institutions did not modernize through an evolutionary process of gradual transformation. Another core problem is the absence of the concept of citizenship. There is no such concept in Palestine, which forces individuals to feel that they belong to a family or clan which provides protection and support. Moreover, the absence of a clear political agenda

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on the part of many Palestinian factions, the change of slogans and the strategies of the struggle against the Israeli occupation have demotivated party members to be loyal to their political factions due to the rogue behavior that these political parties have adopted. Of course, Palestine will not be a *bona fide* democratic state without a proper political and social reform that facilitates real change and does not empower clan leaders and elites.

Therefore, real change in the attitudes towards clanism and regionalism must come from one direction and that is, top-down. Only an effective, transparent, accountable, responsive and responsible government and authority can limit the destructive role of clanism and regionalism. These policies aim at reducing rifts that can hinder any attempt to build real democratic institutions. Moreover, the Palestinian Authority must set up initiatives, including reforms in curricula, in order to change people's attitude towards their perceptions of formal institutions. This reform must be reflected in areas such as higher education, which should include subjects such as participatory democracy, public service, elections, and conflict prevention and resolution. The Palestinian Authority's ability to end clanism and regionalism depends also on the restoration of the public's confidence in formal institutions. Furthermore, the Palestinian Authority should look into ways to understand clanism from a sociological point of view and initiate programs within the governmental institutions that integrate the clans and regional groups. Lastly, the modernization and development of formal institutions can weaken clanism and regionalism in a long term prospective.

In conclusion, clanism and regionalism cannot be solved unless a comprehensive approach tackles these inter-related problems.