

# Working with Arab Clients

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Effectively representing clients of foreign extraction requires a working familiarity with their cultures and traditions. This is especially true today when representing clients of Arab ancestry—from a part of the world that has been the focus of media frenzy and gross misinformation during the past two years.

Let's start with correct terminology: People are Arab or Arabic. Coffee and language are Arabic. Horses are Arabian. Arabic clients come from one of 23 Arab countries, and what is now Israel and the occupied Palestinian territories, located in western Asia and northern Africa. At the beginning of the twentieth century, most of these 23 countries were contiguous components of one united nation ruled by the Ottoman Empire, which had existed for hundreds of years but was dissolved at the end of the First World War. For many centuries in the past, Arabs existed as citizens of successive united Arabic empires with one central government. Today, many Arab people still consider themselves part of the Arab Nation and yearn for the unification of divided Arab countries into one strong Arab country.

Arabic people are diverse but share a common history, language, and traditions. Although predominantly Muslim (preferred spelling), many Arabs are Christian or (fewer) Jewish. It is important to note that the terms “Arab” and “Muslim” are not interchangeable—most Muslims are not Arab, and many Arabs are not Muslim.

Generally speaking, Arabs are trusting people who pride themselves on their generosity and strong family values. Honor and reputation play a pivotal role in everyday life. My late father, for example, a Palestinian Arab American, refused to apply for Social Security benefits because he did not want to receive what he perceived as “charity.” Except in Hollywood movies, there is no “typical Arab.” Like populations of any country, Arabs differ; many have blond hair, fair skin, and blue or green eyes. Others have African features, although most have olive skin. Furthermore, there are very significant intra-Arab cultural variations within the larger Arab culture itself.

There are significant cultural differences between Arab and American cultures. Although Arab countries have capitalist economies, many new Arab immigrants are unaccustomed to the materialistic emphasis of the American economy. Arabs are generally shy people who would be reluctant to blurt out their feelings and intentions (as on TV sitcoms).

As mentioned earlier, Arabs have historically operated on the mutual expectation that opposite sides of an issue will honor their respective words and promises. As a result, Arabic clients may be shy to insist that agreements be formalized in written documents. This becomes problematic when memories fade and intentions change. An attorney representing fairly recent Arab immigrant clients should pay close attention to this possibility and ensure that everything is rendered in writing. If the Arabic client does not speak good English, it is best if the attorney speaks Arabic or, next best, employs an Arabic-speaking staff person. If these options are not available, an outside interpreter is indispensable when dealing with an Arab client. Although a translator is helpful, one must ensure that she or he translates as opposed to engaging in conversations with the client while you are out of the linguistic loop.

The importance of speaking Arabic goes further than the mere facilitation of mutual comprehension. An Arabic client, even one who speaks perfect English, generally will feel more welcome if a key person at the law firm speaks Arabic. Just imagine your delight if you needed help in a foreign country where almost no one speaks your language and you meet an attorney who greets you in flawless English. Mammoth multicultural law firms often are logistically equipped to deal with Arabic-speaking clients, but boutique law firms with at least one Arabic-speaking staff member can do just as good a job, and sometimes even better. Unlike what happens in some big law firms, an Arab client will not feel lost in the shuffle in a boutique law firm setting and consequently will have a better overall experience and a greater likelihood of returning with other matters.

An attorney may very easily alienate an Arab client by ignoring the fact that many items billable in U.S. culture are free in the Arab world. In Arab culture, many things are done without charge as tokens of generosity, respect, and friendship. When Arab clients get billed for the firm's making a few photocopies or a few long-distance phone calls, it's a sure turnoff. The law firm's attempt to recoup negligible costs may end up costing it the loss of the client's business.

A client once told me an anecdote related to this topic. He was invited by a friend to a dinner that included the friend's attorney. During the dinner conversation, my client asked and the attorney answered some legal questions. When they finished dinner, my client, true to his Arab heritage, insisted on paying the tab, while the lawyer did not object. Each went his separate way. But a few days later, my client was shocked and dismayed to receive a bill from the attorney for the "consultation" the attorney "rendered" during the free dinner paid for by my client. Needless to say, that shortsighted attorney's materialistic behavior forever alienated a potential client.

In addition to the predictable cultural and economic challenges confronting immigrants in general, Arab immigrants in the United States face more sinister difficulties. After the attacks of September 11, 2001, and as a direct result of the heightened negative generalized media and government scrutiny of Arabs, many Arabs have found themselves on the receiving end of widespread de jure and de facto discrimination, persecution, violence, and economic ruin.

At the end of 2002, the Justice Department instituted a program euphemistically dubbed "special registration," ostensibly to catalog immigrants of all nations. When Arabs and Muslims showed up in good faith, thousands were arrested and imprisoned for periods of time ranging from days to months. Many of the prisoners were treated extraordinarily harshly and inhumanely, despite that fact that the overwhelming majority of them had committed no crime whatsoever. (Furthermore, the Justice Department never called for the registration of immigrants from non-Arab and non-Muslim countries.)

One unfortunate effect of the intensified prosecutorial and media scrutiny was that many attorneys settled cases involving Arabs on terms that would have been unacceptable before September 11. Today, a traffic stop is more than just a routine check if the motorist is an Arab. In addition, the number of incidents of Arabic people being stopped, interrogated, and detained at airports and other points has skyrocketed. American culture has changed, now primed to believe any Arab person is a potential terrorist. When Arabs are arrested, even those who have lived here for decades, judges often deny bail or set it at significantly higher figures than for non-Arab defendants. Even in the realm of domestic relations cases, prejudice about Arab culture has affected the treatment of Arabs. The police and prosecutors often treat Arab

men more harshly than non-Arab defendants because of the racist stereotype that Arabs are violent and treat women worse than other domestic abusers.

These are but a few of the problems, perceptions, and strongly held positions that Arab clients now face when dealing with Americans in general and the U.S. justice system in particular. Attorneys representing Arabic clients must understand that representing Arabic clients carries additional challenges not encountered when representing others. Furthermore, understanding and maintaining empathy for the predicaments of Arab clients, and being sensitive to Arabic culture and heritage, will help ensure that the outcome of representation will be pleasantly memorable for both the attorney and the client. After all, it is our mission to see to it that those whom we represent receive the fairest possible result, regardless of color, creed, faith, and, yes, national origin—even if they are Arab.