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**Being a woman and mediating Middle Eastern conflicts:
an impossible deal or an opportunity to explore?
Gender and Mediation in the Israeli-Palestinian conflict**

Joan Deas

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MEMOIRE



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Gender and Mediation in the Israeli-Palestinian conflict

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Ce travail a été effectué durant un stage de recherche à l'Observatoire sur les Missions de Paix de la Chaire Raoul Dandurand en études stratégiques et diplomatiques (Université du Québec à Montréal), sous la direction du tuteur professionnel Nicolas Lemay-Hébert, directeur de l'Observatoire sur les Missions de Paix, et d'Yves Schemeil, directeur de mémoire, professeur de Sciences Politiques et directeur honoraire de l'IEPG.

The analysis has been undertaken during a research internship at the Center for Peace Missions Studies of the Raoul-Dandurand Chair of strategic and diplomatic studies (University of Quebec in Montreal), under the direction of the internship supervisor Nicolas Lemey-Hébert, director of the Center for Peace Missions Studies, and Yves Schemeil, thesis supervisor, professor of Political Sciences and former director of IEPG.

Cette analyse ne représente que l'opinion personnelle de son auteur et ne peut en aucun cas être attribuée à la chaire Raoul Dandurand où le stage a eu lieu.

The analysis expresses only the personnel opinion of its author and cannot be attributed to the Raoul-Dandurand Chair, where the internship took place.

ABSTRACT

Despite the 10th anniversary of the UNSC 1325 resolution and numerous calls for more equality, women are still massively under-represented in the conflict mediation sphere. This absence is particularly striking at the official - “track one” – level, where men are more likely entrusted than women with the heavy leverages, power and responsibilities the track one mediator position’s implies. Worse, excluding women from the peace talks appears as an “obvious” and “necessary” fact when it refers to the Middle-East area.

This study aims at questioning this “evidence”. One seeks to analyze the real and the potential role of women in mediations led at Track one and Track two levels between protagonists of the Israeli-Palestinian conflict. While the official level appears to be a “men’s club”, women benefit from a little more room at Track two level, and usually make the most of it by providing a high-quality and essential contribution. What are the reasons and essential components of this diverging role and implication between both tracks?

However, one cannot deny that the Israeli-Palestinian conflict is particularly complex and appears to possess at first sight cultural dimensions that likely interfere more or less importantly with the conflict resolution process. Yet, mediation seems to be particularly exposed to this risk of “cultural interference”, especially at Track Two level. It is indeed a process with socio-psychological dimensions, which success largely depends on the establishment of a relation of mutual trust between the mediator and the parties. We are then allowed to ask if gaining this crucial confidence is conceivable for a woman when she is expected to interact with actors to whom cultural norms are known govern strictly and in a discriminatory manner gender relations.

This study will try to answer several questions: What are the causes of this quasi-absence of females in Middle-eastern mediations? Who is really responsible of this? To which extent does the cultural factor play a role in the process? Does it really stand in the way of women? Is there a real risk in entrusting mediations to women in this area? Finally, what innovative aspects can women bring – and not bring - to mediation processes at both track one and track two level?

Key words: Conflict, Mediation, Track One diplomacy, Track Two diplomacy, Middle-East, Gender, Culture, Israel, Palestine.

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“Personne ne peut échapper au genre”
(Weber)

“We share the problem, let’s share the solution two”
(Antonia Potter)

“L'universalité est incontestablement l'un des échecs les plus remarquables de notre entrée dans la mondialisation”
(Bertrand Badie)

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INTRODUCTION

“SCR 1325 reaffirms women’s central role in the prevention and resolution of conflicts and in peace-building, and stresses the importance of their equal participation and full involvement in all efforts for the maintenance and promotion of peace and security, and the need to increase their role in decision-making with regard to conflict prevention and resolution. [...]”

Source: UN Security Council Resolution 1325, October 2000.

Considering the growing attention given to gender-oriented issues and women’s specific concerns by the local and international peace workers, the issue of women’s integration to conflict resolution processes seems more than ever topical. However, despite the 10th anniversary of the UNSC 1325 resolution and numerous calls for more equality, women are still massively under-represented in the conflict mediation sphere. This absence is particularly striking at the official – “Track One” – level, where men are more likely entrusted than women with the heavy leverage, power and responsibilities the Track One mediator position’s implies.

Many facts attest of that wide gap between the speeches and the facts. Even the United Nations, though supposed to set an example, do not apply to their staff the resolution they have implemented 10 years ago. For instance, among the 61 individuals that can be considered as « UN high-level mediators », each with critical roles in making and building peace, which includes ensuring appropriate response in terms of humanitarian provision and attention to human rights, only four (6.5 per cent) are women – two in top jobs and two deputies (POTTER, 2005:6). None has ever been appointed in a Middle-Eastern country. Many other examples involving various mediation organizations and official mediation teams can confirm this tendency.

Worse, whereas scholars and practitioners barely starts acknowledging that entrusting more women with mediation activities could be an opportunity to explore in conflict resolution, addressing this issue in the context of the Middle-East area sounds to many like fighting a losing battle. The simple question of women’s contribution to such activities in this area is indeed simply not mentioned, even by the few scholars working on the “Gender & Mediation” issue. This silence reveals what appears as an “obvious” and even “necessary” fact to many: a woman “naturally” does not have her place in middle-eastern conflict mediations.

This study aims at questioning this “evidence”. I started interesting myself in the Middle-East conflicts issue and the question of Track One and Track Two mediation quite early. However, the problem of women’s implication to conflict resolution in the Middle-East, and more globally to humanitarian relief and development activities, appeared clearly to me only in 2009 during a summer internship at the Palestinian Hydrology Group, a local NGO based in Ramallah. I was charged of escorting an Arab colleague on the field to conduct several interviews among the Palestinian-Bedouin population for the purpose of a baseline socio-economic study. The questions consisted in assessing their access to natural resources, evaluating their social, economic and political situation, and measuring the impact and responsibility of Israeli restrictions toward their very poor living conditions. The interview touched then very sensitive and even taboo questions: asking to an Arab in front of half his family if he felt secure and if he had enough resources to provide for his family’s needs was quite delicate and perhaps inappropriate for a young stranger woman like me. Although I was always well welcomed, I often felt uncomfortable, most because I was the only woman in the host tent. I was surrounded by all the men of the family that were staring at me all the time, while the women were hiding in another tent during the meeting¹. The general atmosphere made me feel that I was not in my place, even if I had neither been explicitly asked to leave nor prevented from working; perhaps because it would have constituted an extremely impolite act according to the Arab “collectivist” culture, characterized by a “low-context communication” (COHEN, 1996:490).

Then, the more we led interviews and met families, the more I started realize that my participation and even my single presence in the tent could represent a bias for the study. Even if I was competent and qualified to lead these interviews, the fact that I was a woman might prevent me from accessing all the information I needed or incite the beneficiaries into giving me a biased information by fear of appearing weak or loosing the face in front of me. Even if I was not sure at all about this risk and conscious that my feelings might be partly based on usual stereotypes about Muslim culture, I could not leave this doubt aside and had to ask myself whether my participation to the field visits could threaten the quality of the study. Then I started facing a dilemma: should I keep on accompanying my Arab male colleague or should I avoid

¹ Men and women live separately according to the Bedouin’s tradition

field visits to concentrate myself on data analysis and general office work, in order to guarantee the collect of unbiased data?

The end of my internship spared me making a choice, but this question remained in my mind and led me one year after to choose this present subject for my study. My experience made me wonder how things would work if a woman were in charge of leading a mediation process in a Middle-eastern conflict, in this case the most complex one, opposing Israel and the Palestinian Territories. Indeed, while talking about social problems can be already difficult for a woman, dealing with their most sensitive political issue, besides as a Third-party, in other words a person you have to trust and you empower to address the issues you recognize you cannot settle by yourself (ZARTMAN & TOUVAL, 1996:446), would appear as a pie in the sky for most of the few female conflict mediators. Mediation is indeed a process with socio-psychological dimensions, which success partly depends on the establishment of a relation of mutual trust between the mediator and the parties². We are then allowed to ask if gaining this crucial confidence is conceivable for a woman when she is expected to interact with actors to whom cultural norms are known to govern strictly and in a discriminatory manner gender relations.

However, on the other hand, I could witness that Palestinian women were more powerful and politically active than it is usually presumed. Some local as well as foreign women were indeed already involved in peace-building and Track Two diplomacy activities such as interactive problem-solving workshops or cross-cultural dialogue initiatives, through local or international NGOs. A few others were even present at Track One level, by being part of the Palestinian Liberation Organization (PLO) and the Palestinian Authority (PA) Negotiation Delegations. Most of them generally made a remarkable work and obtained very positive outcomes, although their actions were too often directed to women's specific concerns and/or were non-mixed initiatives, especially at Track Two. We can mention for instance the very interesting problem-solving workshop initiated by Eileen F. Babbitt and Tamra Pearson d'Estrée. They managed to gather several politically influential Palestinian and Israeli women several months before the historical Oslo agreements, under the auspice of the Center for International

² William Zartman would probably not totally agree on this, as, following the Structuralist approach, he favours the importance of power and leverage to the psychological and confidence aspects for a successful mediation (ZARTMAN & TOUVAL, 1996:455). However, as his analysis concentrates on Track One mediations, his opinion might be slightly different regarding Track Two. For my part I will clarify my definition and vision of mediation in the first chapter.

Affairs at Harvard University, and the discussions were reported as very constructive and prolific from the three sides (BABBITT & PEARSON D'ESTRÉE, 1996:521).

This absence from the official level and this difference of representation and involvement between Track One and Track Two led me to the decision of including these both level in the study, gathered under the general term of “Mediation”. However, this generic appellation will not prevent me from regularly comparing and opposing both Tracks throughout the study. I found indeed particularly interesting to analyze why women are more present and active as Track-Two mediators in this conflict while Track One level appears as a “Boy’s club” (POTTER, 2005:10). The simple fact of excluding or keeping women away from official structures is a significant fact that deserves to be further analyzed.

I then sought to analyze the real and the potential role of women in mediations led at these both diplomatic levels between protagonists of the Israeli-Palestinian conflict; and understand the true reasons of this quasi-absence of female mediators in the Middle East, but also in the world.

As my experience as a field worker taught me, I quickly understood that the problem of cultural impact and penetration into mediation processes would be a core issue to be rigorously addressed in this study; so would be the role and adequacy of stereotyped representations, generalities and confusion made about Arab and Muslim cultures by many political and conflict resolution actors. The difficulty of framing, defining and dealing with a People or region’s culture has always been a critical issue for conflict mediation and negotiation teams. They have oscillated between different methods to define their strategy, from the most “universalist” considering that culture would not represent a problem as long as people would be able to communicate, to the most “go-native” that interprets any single eyelid winking as a potentially threatening cultural bias (DAVIDHEISER, 2005; WOODROW & MOORE, 2003).

This difficulty in understanding and anticipating foreign cultures is especially true for gender issues. Regarding to the Palestinian people, their interpretation of gender relations is complex, misread, and cannot be generalized to the whole Middle East. So is the Israeli one, more complex than the image of equality and open-mindedness commonly promoted by this

democracy. This is the reason why the question of female mediators' real perception and welcome by the parties deserves to be asked. Are they really responsible for women's absence?

My goal will be to assess how much parties' culture and its interpretation by the mediation actors would impact women's nomination and work in mediation processes. I will try to analyze to which extent the cultural factor plays a role in the process, and if it really stands in the way of women. I will also analyze if there is a real potential risk in entrusting mediations to women in this area, and finally assess the potential innovative aspects women can bring – and not bring - to mediation processes at both track one and track two level.

Three hypotheses are hence going to be analyzed throughout this study:

H1: women benefit from a better access to Track Two and Problem-Solving Mediations than Track One Mediation.

H2: women are not excluded from mediation processes because of their gender, but rather because of structural, social and cultural constraints influencing upstream.

H3: women's strong under-representation in the Middle-East area is hence not due to local cultural obstacles directly imposed on the parties, but rather from the intensification of structural difficulties as well as an abusive use of the principle of precaution in mediators' cross-cultural management strategies.

Methodological remarks

In this purpose I will analyze Track One and Track Two mediation processes both from a theoretical and practical point of view, by comparing the two main approaches of conflict mediation (Structuralist/Realist and Constructivist/Social-psychological) that can be associated with each of the two "main" diplomatic Track. I will also analyze the contribution of cross-cultural and gender analysis to make light on the core problem. I will start by a theoretical clarification about Track one and Track two mediation definitions, techniques and theories. In a second chapter, I will expose and criticize the various mediation efforts led in the Israeli-Palestinian conflict as well as the inclusion of gender issues in mediation from a practical and theoretical point of view. Last but not least, I will analyze in a third chapter the causes of women's quasi-absence from the mediation processes led in the area, using elements from the cross-cultural analysis field.

Leading this research and writing this dissertation was not without difficulties. I already knew that there was almost no woman involved in the Israeli-Palestinian official peace process, let-alone as third-party, but I thought I would at least find analysis of this absence and of its causes and consequences. However, while starting my research, I was stricken to see how much the lack of data and references was critical, both from a practitioner and a scholar point of view. This laid an important difficulty in all the stages of my work, majored by the fact that I was not on the field to access directly the data I needed. I tried to compensate for this by leading several interviews among the mediation scholars and practitioners as well as Palestinian and Israeli citizens. However, I faced many refusals and I recognize that this lack of field data and direct observations probably constitutes the main drawback and weakness of my study. I nonetheless wish to correct it in a very soon future, a one-month trip being already planned in the area on November. I then apologize in advance for this incomplete study.

Chapitre I. Introducing Mediation: Critical review of literature

Section I : Understanding Mediation

I) Definition

Mediation is by definition multilateral (BERIDGE, 2005). However, it is quite difficult to give a single definition of mediation, as this activity can be led in various contexts, with various manners and by various actors. *“Definitions of mediation are as various as mediators themselves. Most, however, include the idea of a process undertaken by an outside party to bring or maintain peace.”* (CROCKER, HAMPSON & AALL, 1999:7). We will nonetheless endeavour for this study to rely on a particular definition: we will consider mediation as a voluntary process of conflict management based on a cooperative approach, in which a neutral third-party assists in settling a dispute between two or more parties. This process is flexible, non-adversarial, non-binding and non-judicial. The role of the mediators varies in the degree to which they are institutionalized and have agreed-upon expectations (KRIESBERG, 2001). However, every mediator is expected to help parties reach a win-win solution by facilitating communication, searching for a common ground of negotiation, and strive to transform their perception of the conflict as well as eventually their behavior³.

In classic definitions of mediation, parties and third parties are supposed to be mandated and then have the power to legally and politically execute within the country they represent the eventual agreement signed. In other words, Mediation is always inter-governmental. This definition hence excludes all the unofficial dispute settlement mechanisms and the confidence-building measures, implemented by unofficial and non-mandated actors. However, I have chosen for a reason of clarity to include such mechanisms – known as Track Two Diplomacy or Problem-Solving Mediation – in the global definition of Mediation. It will then allow us to use

³ This definition uses elements from CROCKER, HAMPSON & AALL, BERIDGE, BERCOVITCH, HONEYMAN & NITA, KRIESBERG, STEPP, ZARTMAN & TOUVAL, and ZUMETA.

the terms “Track One Mediation” and “Track Two Mediation”. One will further clarify the distinction between these both forms later in this chapter.

II) Evolution over time

Mediation is an ancient conflict resolution activity. Its first users were the Greeks and the Romans to address diplomatically their conflicts in Antiquity. However, its first apparition in an official text was only in 1648, in the Treaty of Westphalia that founded the basis of the modern state system. It needed to guarantee state’s integrity from the anarchical nature of the international society. Mediation’s *raison d’être* was thus at this time to compensate for the obvious lack of international law as an instrument for resolving disputes between states (CROCKER, HAMPSON & AALL, 1999:5). Mediation was then promoted by the 1899 and 1907 Conventions for the Pacific Settlement of International Disputes, the 1919 League of Nations’ pact and the 1945 UN Charter (particularly Chapter VI Article 33 and Chapter VIII articles 52, 53, 54). In the United Nations, the act of mediation describes “*the political skills utilized in efforts carried out by the United Nations Secretary-General or his representatives, through the exercise of the Secretary General's "Good Offices," without the use of force and in keeping with the principles of the UN Charter.*” (HONEYMAN & NITA, 2003)

III) Contemporary form

The past fifty years have been the scene of an increasing demand for mediators, partly because the international system changed profoundly during this period: the end of the World War Two, the emergence of the Cold War bipolarity, the rapid decolonization of vast areas of the globe, and the shift to the post Cold War era (DEVIN, 2009). The nature of conflicts also changed profoundly. According to Edward Azar, “*since the Second World War, most conflicts were ethnic rather than strategic, were occurring in the Third World and were being exacerbated by the involvement of the United States, the Soviet Union and their allies*”⁴ (AZAR,

⁴ Quoted by Ronald J. FISHER, “Historical mapping of the field of Interactive Conflict Resolution”, in *Second Track / Citizens’ Diplomacy, Concepts and techniques for conflict transformation*, John DAVIES & Edward KAUFMAN (eds), p.69

1990). Thus, the contemporary period has witnessed an increase of identity-based and protracted conflicts to the detriment of interest-based conflicts.

This changing nature of conflicts raised the need for a more suitable conflict resolution mechanism, as most traditional political and diplomatic tools became more and more ineffective in addressing warring parties' grievances properly. Mediation is known to be of particular importance in such long-running, deep-rooted conflicts, as this type of conflict is rarely resolved without such outside assistance (HONEYMAN & NITA, 2003). This led to an increase of mediation processes and a diversification of their use, involving a more various range of actors (official as well as unofficial) and serving a wider range of goals and strategies. Thus, 1485 mediation attempts were realized between 1945 and 1995 (DEVIN, 2009). The sudden upsurge of conflicts recorded since 2005 (DEVIN, 2009) definitely installed mediation as an essential conflict resolution tool. Therefore, according to Beridge, "*at the beginning of the twenty first century, it seems even more difficult to find conflicts in which intermediaries – unofficial as well as official – are not participating in one way or another*" (BERIDGE, 2005:4).

IV) Basic principles

Mediation, whatever its form might be, is driven by several basic principles. First of all, the mediator's intervention is non-coercive, non-violent, and ultimately non-binding. Secondly, mediation is a voluntary form of conflict management, based on goodwill. This means the adversaries choose and decide everything. Mediation also operates on an *ad hoc* basis only. Once completed, a mediator departs the arena of the conflict. Finally, mediation is a cooperative, flexible and confidential process, which wants to enforce "Win-Win" solutions instead of "Win-Lose".

V) Different paradigms of mediation

Two different approaches of mediation are usually used as a theoretical frame to analyze this conflict resolution activity. Despite they are not totally contradictory and can – should - be both used in a complementary way to widen the analysis spectrum of mediation processes, they

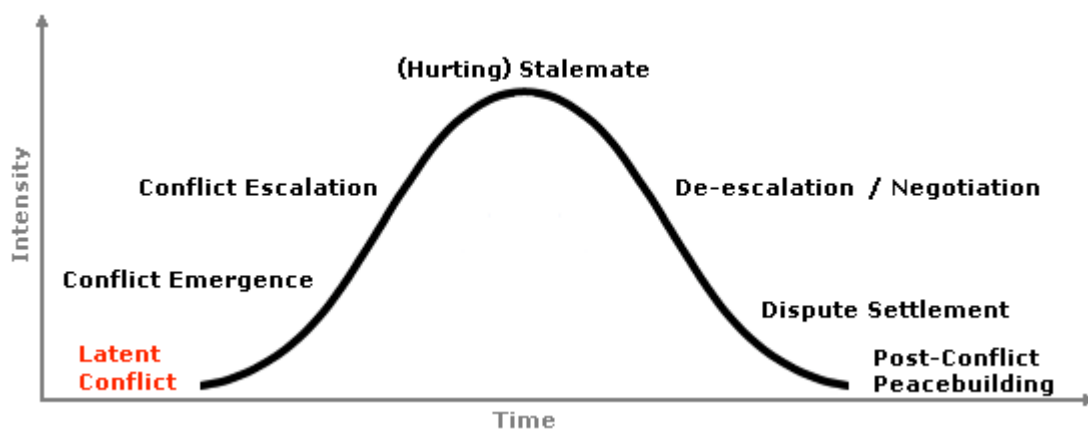
diverge on several points. We are going to rely on and compare both these paradigms to make light on the Israeli-Palestinian case study, but let's first introduce them.

A) The Structuralist & Realist paradigm

This paradigm is grounded in classic IR theory and focuses on “objective” factors (JONES, 2008). It is “based on a belief that through the use of persuasion, incentives and disincentives, parties to a conflict can be led through a negotiated settlement. This paradigm, which is anchored in a rational choice view of the world, treats the causes of conflict as objective – as opposed to subjective – issues that can yield to negotiation.” (CROCKER, HAMPSON & AALL, 1999:20).

It is associated with Zartman's theories of “ripeness” & “mutual hurting stalemate” and gives importance to the notion of timing. Those notions are “prerequisites” that have to be observed and guaranteed to ensure diplomatic progress according to the paradigm in question (ZARTMAN & BERMAN, 1982). According to Zartman, as mediation is a voluntary and cooperative process, stakeholders first have to understand by themselves that they will get more advantages from engaging in a multilateral dialogue than from fighting. Then, before starting any type of mediation, third party absolutely needs to wait for this “ripe” time, when fighting has become too burdensome.

Figure 1: Representation of the conflict cycle



Source: BRAHM, Eric. "Latent Conflict Stage." Beyond Intractability. Eds. Guy Burgess and Heidi Burgess. Conflict Research Consortium, University of Colorado, Boulder. Posted: September 2003 <http://www.beyondintractability.org/essay/latent_conflict/>.

The parties have then reached the “mutual hurting stalemate” – materialized by the top of the curve here-above - and are “ripe” to formulate a joined request for mediation. A process set up too early or too late will likely do more harm than good. Timing and appropriate “entry point” in the conflict cycle are therefore important if mediated interventions want to be successful. According to this paradigm, under some circumstances, the issue of who leads the mediation is even less important than the matter of timing and ripeness of the conflict itself.

This paradigm also attaches importance to the mediators’ power and leverages (CROCKER, HAMPSON & AALL, 1999:21). They indeed can calibrate their strategies to help ripen and address the conflict through the use of a combination of carrots and sticks. They must be able to “show their muscles” by exerting an adequate pressure on the parties at the adequate time, but also provide them with guarantees and various side payments in order to change the cost-benefit calculations about the utility of a negotiated settlement and then affect their motivations. They can do this through a series of mediating and negotiating tools and techniques: coaching, legitimizing, making themselves indispensable, leaning and shifting weight, exploiting changes in military balance, in party leadership, etc. In some situations, “mediators with muscles” (TOUVAL, 1982) use power as leverage and therefore consider impartiality and objectivity as less important. According to Zartman, in some circumstances, the mediator’s power is more important than its neutrality to ensure mediation’s success (ZARTMAN, 1996).

This importance given to the third party’s power, leverages and resources gives an insight of the category of actors aimed and concerned by this paradigm. Indeed, “muscles” and leverages are the exclusive attribute of great powers. Other actors, even coalition of states, are less or not relevant to handle successfully a mediation process. IGOs see their ability to leverage diminished by divisions among their most powerful members (CROCKER, HAMPSON & AALL, 1999:22), middle powers do not possess enough “muscles” to exert an adequate pressure and offer enough compensation to the warring parties, and non-state actors are – for obvious reasons - simply irrelevant to hold this charge.

B) The Social-psychological approaches and the Constructivist – Cognitivist Paradigm

Contrary to the Structuralist - Realist paradigm, the Constructivist - Cognitivist approach focuses on the processes of communication and exchange as a way to make parties take conscience of their profound identity, and hence change perceptions and attitudes toward « the other » or « the enemy », to eventually facilitate a process of mutual recognition (SCHEMEIL, 2010 ; CROCKER, HAMPSON & AALL, 1999). The aim of the dialogue implemented is to provide a forum in which parties can explore options and develop solutions, parallel to or outside of the formal negotiating structure. The final goal is to help set the stage for a lasting and “positive peace” (GALTUNG, 1975) between the warring parties, by modifying and breaking the “we-they” perception of the conflict. This paradigm is based on a “bottom-up” approach, which acknowledges that the support of the wider group of civil and opinion leaders is essential for the long-term sustainability of the peace process (CROCKER, HAMPSON & AALL, 1999). The dialogue implemented is a pattern of exchanges and contacts between and among official parties. It involves not just the principal political authorities, but a wider group of civil and opinion leaders.

The focus is then put on the perception and the process rather than on interests and concrete results. The causes of the conflict also reflect subjective, social fractures, and as a consequence, it may be less important to analyze interests, than to identify the underlying needs that govern each party’s perception of the conflict (CROCKER, HAMPSON & AALL, 1999). The mediator’s goal consists then in transforming the perceptions, attitudes, values and behaviours of the parties to a conflict, recreating new channels of communication and finally establishing new linkages among individuals.

To do so, he possesses several instruments and uses strategies to “compensate”⁵ for his lack of resources and leverages (this type of mediation effort is often implemented by unofficial

⁵ The verb “compensate” is actually not totally relevant as it implies a sort of hierarchy between both paradigms, suggesting that the type of mediation relying on social-psychological approaches is only set up as a “spare” solution, or by actors unable to run “Structuralist” mediations and that then fall back on weaker processes. However, mediations relying on Social-psychological approaches are processes as valuable as the Structuralist one, they just do not give importance to the same aspects and points, and aim at different goals. In reality, most accept that it is not one or the other. The two approaches mingle and should both be drawn on. This is especially true at different points in the conflict cycle and for different players - sequencing. (JONES, 2008).

actors, IGOs or middle powers, although big powers can also run some). Among them, consultative meetings, problem-solving workshops, training in conflict resolution at the communal level, or assistance in developing and designing other kinds of dispute resolution systems that are compatible with local culture and norms, etc. (CROCKER, HAMPSON & AALL, 1999). The mediators will include as much middle-range elites (academics, advisers, ex-officials, that have access to power) as possible, including both officials and civic leaders. As explained previously, due to the psychological aspect of the process, the actors who have used this approach are mostly Track Two (unofficial) actors that do not possess official mandate and leverages, such as NGOs, but also Regional IGOs such as the High Commissioner on National Minorities of the OSCE.

To conclude, social-psychological approaches to mediation attempt to find ways of establishing communication channels between different groups in society, initiating discussions or framework solutions to problems of mutual concern and trust, pushing to a mutual learning process rather than directing the parties to mutually acceptable approaches, identifying steps for breaking impasses, developing new norms, and lead parties out of the conflict (CROCKER, HAMPSON & AALL, 1999). As a consequence, this requires from the parties that they grant their entire trust to the mediator, as well as an important proximity. In return, third parties role must be as neutral as possible, entirely dedicated to the process own good and essentially a facilitating role, thus more passive than according to the Structuralist-Realist paradigm.

VI) General qualities of the third party

The Mediator, also called Third-party, Go-between or Facilitator, is the key actor of mediation. As we have seen previously, his goal is to create a more productive discussion than the parties could have had by themselves (ZARTMAN & TOUVAL, 1996 :446). His role is then essential, but as we have just seen it can vary a lot from a mediation to another, depending on the political and diplomatic level at which he is operating. However, every mediator must possess some basic qualities to provide an efficient work. They thus are expected to be impartial, to possess a good knowledge of the conflict, to have a certain network that guarantees them an access to decision-makers on both sides, and a general ability to get to people who can make

decisions. They are also expected to be a “Repository of trust” who has gained the confidence from both sides. They should also know how decisions get made in official circles and have some understanding of the processes and pressures that influence how officials make decisions. (JONES, 2008) They should also possess a certain “emotional” or “cultural” intelligence and empathy so that they can detect and recognize eventual cultural biases as well as parties profound and hidden feelings. Following the same idea, they should have an ability to understand the unspoken as well as the spoken messages. They also must act as “full partners” in the negotiations, regardless of their own or their employer’s agenda. Finally, they must be able to use several strategies to sustain “diplomatic momentum”, in order to improve the chance of reaching an agreement.

To reach these goals, mediators can exert several mediation strategies, which vary according to the political level of the mediation and the theoretical basis on which the process and the mediator rely. Here are the three main categories of strategies (JONES, 2008):

- **Communication facilitation:** a passive role which involves helping to pass messages, and to ensure that they are properly understood, while having relatively little control over the process. This strategy is employed by mediators with very few leverage, in processes that are close to the definition of “good offices” or “shuttle diplomacy”. The mediator here is just a facilitator, with very few powers.

- **Procedural strategies:** the mediator exerts some control over the circumstances of the discussions, allowing the creation of settings where tensions and misunderstandings can be reduced, but the parties are still primarily responsible for coming to a resolution of their dispute.

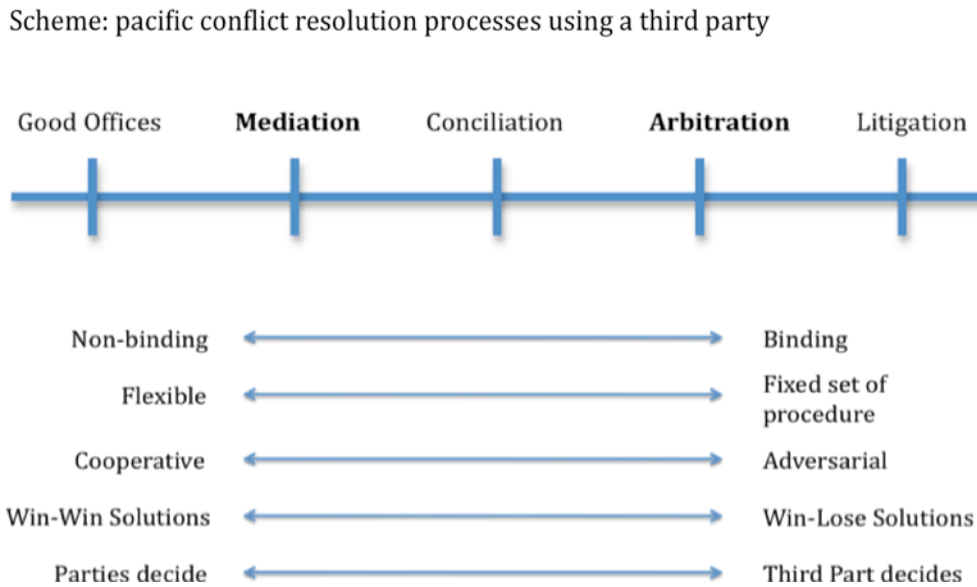
- **Directive strategies:** the mediator is almost an active participant in the discussions and has some degree of leverage over the parties, which enables the offering of incentives (and even punishments) if they do not behave in particular ways. This type of strategy is used in most Track One mediations, where the mediator owns powerful leverages and a lot of resources that enable him to have an important influence on the parties.

Conclusion of section 1

The scheme here below shows mediation’s position on the scale of pacific conflict resolution processes using a third-party. It shows well how much mediation is a non-binding and non-

adversarial process, compared to other activities such as Arbitration, which final decisions are compulsory and non-appealable.

Figure 2 : *Insertion of mediation in the spectrum of pacific conflict resolution processes using a third party.*



Section II : Track One and Track Two Mediations

I) Theoretical overview and critical review of the different diplomatic tracks

Official “Track One” diplomacy must be distinguished from unofficial “Track Two” diplomacy. The relationship between both tracks is ancient and complex. They both aim at addressing conflicts, but their efficiency and the frequency of their use have varied a lot across history and depending on the type of conflict addressed. The main points of divergence concern the nature of the actors involved (parties as well as Third-party), the theoretical paradigm on which the diplomatic efforts rely, the methods, resources and means of action, and finally the core objectives and values that drive both processes. However, exposing the history and state of the art of the Track One/Track Two relation is impossible without first introducing the concept of “Track Two diplomacy”, less familiar than the traditional Track One diplomatic effort.

A) Track Two Diplomacy: birth and evolution

Joseph Montville was the first scholar to officially coin the term “Track two diplomacy” in 1981. In an article named “Foreign policy according to Freud”, he defined it as an *“unofficial, informal interaction between members of adversarial groups or nations with the goals of developing strategies, influencing public opinion, and organizing human and material resources in ways that might help resolve the conflict”* (DAVIDSON, W. D., & MONTVILLE, J., 1981:149). However, unofficial diplomacy has about a hundred-years-old history of practice. Several peace-building theories and process advocating the benefit of non-official actors’ involvement in conflict management were thought and experienced during the twentieth century, especially in the Cold War era, paving the way to and completing Montville’s Track Two diplomacy definition.

Several core theories must be highlighted. One of them is the concept named “Interactive Conflict Resolution”. This method, initiated in the mid 1960’s by John Burton, played a key role in developing new analysis of relations between actors in conflict, and new ways of dealing with them. Fisher defined it as “face-to-face activities between members of conflicting parties that engage them in communication, dialogue, analysis, training, or reconciliation with the intention of increasing mutual understanding and trust” (FISHER, 2003:61). Burton wanted to use a social psychological approach, thinking that subjective aspects of conflict must be addressed and improved in order to produce mutual satisfactory and enduring outcomes.

Many scholars brought their contribution to this method, which laid the first stone of a growing interest among the political scientists’ community. Other core contributions have to be retained. Among them, Herbert Kelman’s, who framed in the 1980’s the “Interactive problem solving” theory (KELMAN, 1987). He developed a series of workshops and demonstrated “how the carefully articulated work of scholar-practitioners can contribute to the process of conflict resolution” (FISHER, 2003:61). Other names can be quoted: Leonard W. Doob explored the contribution of human relations training methods to conflict resolution. Ronald Fisher created in the 1980’s a generic model of “Third party consultation” and a series of conflict analysis workshop (FISHER, 1989). Edward Azar defined the concept of “protracted social conflicts” previously described (AZAR, 1990). Finally, Jay Rothman created a systematic model and framework of pre-negotiation called “ARIA” (Antagonism, Resonance, Invention, Action)

settled to address identity-based conflicts (by opposition to what Azar called traditional interest-based conflicts that can be solved by traditional diplomatic tools).

As a rule, knowing Interactive Conflict Resolution mechanisms is crucial for understanding Track Two diplomacy stakes and roots. We can also note that all these theories share several links and common points with the Social-psychological approaches presented previously. This highlights a point that will be further developed in the study: Track Two diplomacy is commonly associated with the Social-psychological approaches.

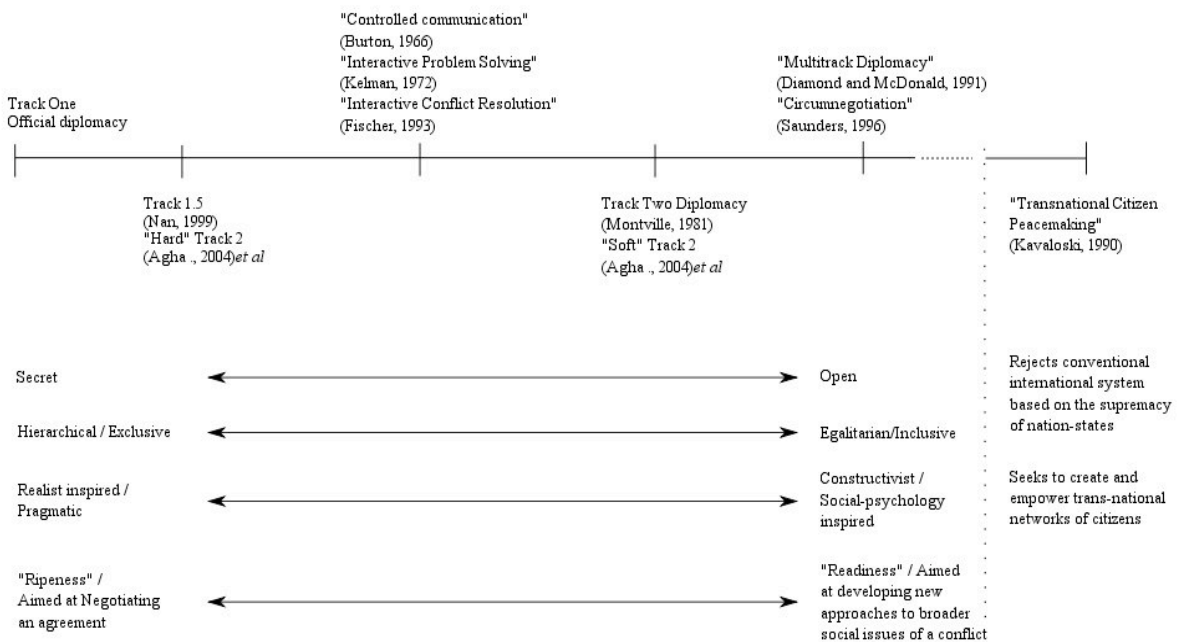
B) Expanding definitions

The term Track Two Diplomacy can actually encompass several activities more or less connected to the official sphere. Even if an “official” definition of Track Two diplomacy does exist, many other authors have provided theories that have come challenging as well as enriching Montville’s initial concept. Track Two diplomacy has then become a more and more – not less - complex notion to define and frame as academics have turned their attention to the issue (JONES, 2008). Indeed, theories that we could initially consider as the basis of a kind of “pre-Track Two process” now have turned into new ways of defining and doing Track Two. We can give some examples of concepts emerging in the late 1980’s or 1990’s that challenged Montville’s definition even if they were inspired by it. “Multi-Track diplomacy”, developed by Louise Diamond and John McDonald in 1991, is a good one. Authors invented a new way of using Track two diplomacy by defining “peacemaking” as a global process which involve nine sectors, not only informal but official areas as well (DIAMOND & MCDONALD, 1991). This global process needs to deal with every aspects (social, political, economic, etc.) of the conflict as well as every social and political sphere (from citizens to policy makers) in order to be efficient.

However, the main difference between all Track Two theories relies on the link and closeness with official diplomatic track. We can indeed rank each method on a scale from the closest to official pragmatic diplomacy (like Nan’s Track 1,5 or Agha “hard” Track 2) to the most attached to informal, integrated and idealistic process (such as Diamond & McDonald’s “Multi-Track Diplomacy”, Saunder’s “Circumnegotiation” (1996) or Agha’s “Soft Track Two” (2004)). The more you come close to Track One, the more the method is pragmatic, realistic, official and codified. This is the case of Nan’s “Track 1,5” (NAN, 1999) or Agha’s “Hard Track Two” (AGHA *et al*, 2004). These methods basically consist in using Track two tools and

concepts such as secrecy and simplicity in dialogue, absence of hierarchy and protocol, but with actors coming from the official diplomatic network. These theories are an attempt to get rid off the drawbacks of Track One diplomacy, but remain a dialogue between official people rather than an informal discussion. The Less you are, the more your method deals with informal discussions and workshops made with non-official people, and more it gives importance to social-psychological stance and human dimension of the conflict. Finally, some T2 rejects a role for itself as being part of the existing diplomatic system, but seeks to empower groups who want to change the system (JONES, 2008). This is the case for Chigas’ “Track 3” diplomacy (2007), Rothman’s “ARIA” or Kavaloski’s “Trans-national Citizen Peacemaking” (1990). The scheme below materializes this diplomatic scale.

Figure 3 : Major categories of Track Two and their characteristics



Source : JONES, P., *Fall Term lecture ECH4335A : "Track Two Diplomacy", University of Ottawa, 2008*

All these theories, even if they are different, share the same goal: ending conflict and restoring peace. There are also some common points that can be defined: we can say that Track Two diplomacy is a instrument of dealing with conflicts that involves informal actors in non official discussions and workshops. Such discussions are facilitated by the intervention of a neutral third part that facilitates the dialogue and offers suggestions rather than imposing

solutions. As doing that it leaves the sides in conflict creating their own solutions and settle the conflict by themselves. A more or less strong attention is accorded to human aspect of the negotiation and conflict in order to create a transcultural ground and a brand new understanding of the real roots of the conflict.

II) Track One and Track Two Mediations

This study aims at analyzing and comparing the involvement and role of women in both Track One and Track Two mediation efforts that have been set up to address the Israeli-Palestinian conflict. However, we need first to define what we will consider as “Track One” and “Track Two” mediation in the case study, and clarify the distinction between both. Indeed, these concepts slightly differ from the traditional diplomatic tracks exposed above, and “traditional official mediation tends to include a somewhat different set of activities than problem-solving mediation” (KRIESBERG, 2001:378).

A) Track One: “muscle” or “big power” mediation

Track One or “big power” Mediation (KRIESBERG, 2001:384) is different from Track One Diplomacy, as traditional diplomacy uses direct talks and negotiations whereas mediation employs a Third-Party to facilitate the talks between the warring parties. The other distinction lies in the multilateral and cooperative nature of the mediation process, compared to the direct negotiations’ tendency for competition, “position-based” bargaining (FISHER, URY AND PATTON, 1981), “win-loose” vision and aggressiveness.

a) Actors

As the main purpose of Track One mediation is to facilitate the conclusion of an official agreement that failed to be reached by direct negotiations between the parties, this type of mediation usually gathers only “official” participants, who have a clear mandate from the state they represent. They can be diplomats, special representatives, high members of the government or even directly the top leaders of the states in conflict when the mediation is called and mediated by the highest authorities of the third-party country⁶. As a rule, the political level which

⁶ This is regularly the case for the Israeli-Palestinian conflict, with a recent example of a mediation attempt from the Egyptian president Mohammed Hosni Mubarak, who engaged direct talks with Israel’s Prime Minister Benjamin

participants belong to is harmonized with the mediator and the opposite party's one. It is easily understandable that you cannot gather a former diplomat or a local community leader with a president or a prime minister, using an NGO as a third party...

b) Third Parties

Therefore, the process is ran by an intermediary who possesses resources and leverages (“carrots” as well as “sticks”) and can then practice “muscular” mediation. The most traditional furnishers of Track One mediators are states and especially big powers. Governments conducting traditional international mediation often have a significant stake in the conflict and its outcome. As principal mediators, they often actively suggest, promote, and help sustain a settlement (PRINCEN, 1992).

We can also mention the UN mediators (Special Representatives of the Secretary General) or professional mediators coming from “Track 1,5” mediation support organizations such as the Centre for Humanitarian Dialogue, the Carter Center, San Egidio Community, etc. They are private organizations but work to provide official level and actors with technical, operational and theoretical expertise in mediation processes.

c) General objectives

This type of mediation relies on beliefs and theories that can be found in the Structuralist and Realist paradigms described previously. The goal is to end the conflict by finding a pacific agreement on a more cooperative and multilateral manner than traditional direct bilateral talks usually do. However, the mode of action, the issues at stake and the nature of the actors and means involved make the process remain tough and “muscular”.

B) Track Two: “Problem-solving” mediation

Track Two or “problem-solving” mediation (KRIESBERG, 2001:386) is pretty much similar to Track Two Diplomacy in its global acceptance, that is to say an “unofficial dialogue, often facilitated by an impartial Third Party and involving individuals with some connections to their respective official communities, focused on co-operative efforts to explore new ways to resolve problems or differences over policy-relevant issues.” (JONES, 2008). According to

Netanyahu and President of the Palestinian Authority Mahmud Abbas. Barrack Obama also recently engaged a “shuttle diplomacy” with them by welcoming them successively in the White House or visiting them repeatedly.

Louis Kriesberg, “Much problem-solving mediation is largely facilitative” (KRIESBERG, 2001:378), but we can find as many different types of mediations as definitions of Track Two Diplomacy. These types of mediation usually take the form of “interactive problem-solving workshops”, which go on for several days, moving through a few stages of discussion.

a) Actors

Track Two mediation, can involve a wide range of actors, from retired officials and diplomats to leaders of local communities, but always non-officials. These participants don't have official mandate, but are frequently persons with ties to the leadership of their respective parties, or have the potentiality to become leaders in the future. Workshop members generally do not attempt to negotiate agreements (KRIESBERG, 2001:380).

b) Third Parties

For an interactive problem-solving workshop, a convenor, unofficial and often academically based, brings together a few members of the opposing sides and guides or facilitates their discussions about the conflict in which they are engaged. Many different unofficial as well as official mediators and quasi mediators provide some elements of problem-solving mediation. (KRIESBERG, 2001:378)

The unofficial facilitator running this type of process often possesses few leverages and material resources (KRIESBERG, 2001). Communication, empathy and psychological qualities are then more important and stressed at Track Two level. The mediators need indeed to compensate with more personal qualities to convince, influence and gain parties' trust. Examples of Track Two mediators : recognized scholars with a consequent network (most common case), heads of recognized NGOs, retired diplomats or high-level officials (such as Jimmy Carter and his foundation “the Carter Center”, although we can rank it as a “Track 1.5” or “Quasi-Track One” organization, etc.

c) General Objectives

Whereas we associated Track One mediation with the Structuralist paradigm, we can associate Track Two with the Social-Psychological approaches like we did for Track Two Diplomacy. The goal is generally to prepare the ground for official negotiations, invigorate stalled negotiations, or/and develop support for negotiated agreements by transforming participants' vision and perception of the conflict. According to Kriesberg, “Preparation is

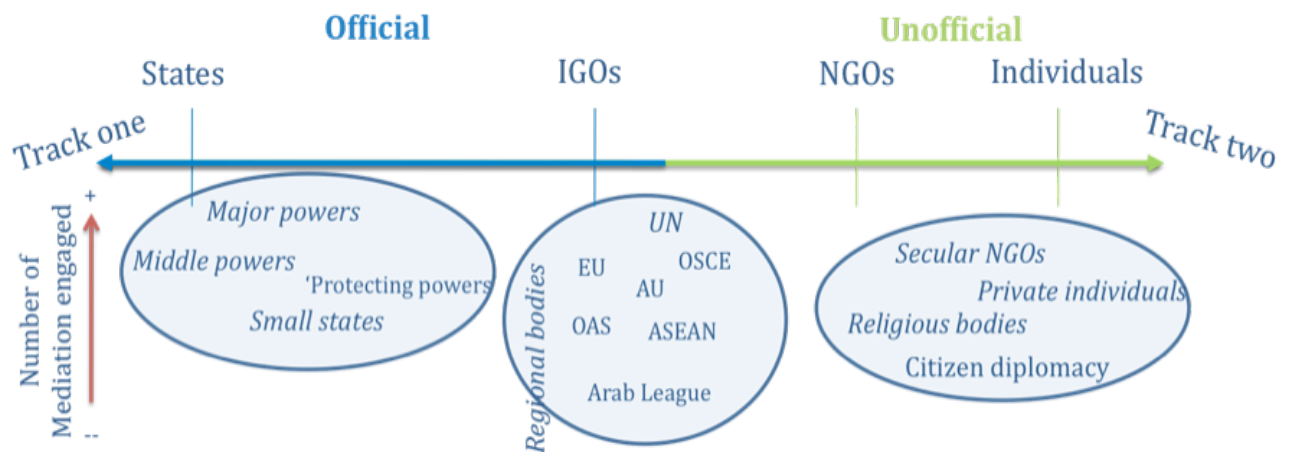
particularly important for conflicts involving communal groups, especially if ethno-nationalist goals are matters of contention.” This is the case for the Israeli-Palestinian conflict.

While Traditional “Track One” methods tend to emphasize a top-down approach, it is necessary, however, to also work from the bottom up and laterally as well (KRIESBERG, 2001:386). Such approaches, provided by Track Two mediations, are important in implementing and sustaining agreements.

Conclusion of Section 2

The scheme here-below summarizes the type of actors and mediators involved in mediation processes as well as the frequency of their implication, according to the level of officiality in which the process is set up.

Figure 4 : *Position and distribution of mediation actors regarding the diplomatic tracks and the number of mediation engaged*⁷



Although official mediators are usually needed to help conclude agreements between disputing parties, unofficial (that is, non-state) mediators may be effective persuaders and may be useful in helping to reorient the perceptions of the parties’ values and opportunities. If the required mode of mediation is low – limited to communication – and the felt need for a solution is high in both parties, informal mediation may be all that is necessary to bring the parties to negotiation. However, the higher the required mode, the lower the felt needs, the more structural interests involving a third party, and the more the conflict involves states rather than non-state

⁷ This scheme has been elaborated with the contribution of Krystel Wanneau.

actors, the less likely informal mediation can be an effective substitute for the official attention of states. Statesmen are not necessarily better mediators, but they can provide interest – and need – related services that informal mediator cannot handle. (ZARTMAN, 1996)

Conclusion of Chapter 1

No single mediating method is completely adequate. Combinations of approaches are necessary, sometimes simultaneously and sometimes sequentially. This helps ensure that peacemaking is not done only from the top down, but laterally and from the bottom up as well. All are necessary (KRIESBERG, 2001). Indeed, the process of reaching an agreement is important, but that alone does not determine the viability or the fairness of the agreement reached.

In conflicts in which ethnic or other communal groups are engaged, rank-and-file involvement is particularly significant. Mediation between members of the opposing sides at the official level is often essential, but it is also necessary at the sub-elite and the public at large levels. This can help in preparing the adversaries for taking de-escalating steps, making agreements, and implementing them. Non-official dialogue groups and other forms of people-to-people exchanges are likely to be especially important in such conflicts (KRIESBERG, 2001). This is the reason why the Israeli-Palestinian conflict, which is considered by many experts as a complex form of ethnic and protracted conflict (WITTES, 2010) – constitutes a very good field to implement, manage and evaluate both forms of mediation processes.

Mediation may have been presented throughout this chapter as a kind of perfect or magical remedy. However, if this conflict resolution process indeed possesses many advantages that could clearly help unlock some conflicts' stalemates, it also presents many drawbacks and weaknesses. These one may even be partly responsible of the mediators' global failure to settle the Israeli-Palestinian conflict so far. The second chapter is dedicated to analyse such drawbacks, especially the one that is on prime interest for us: Mediation's relation to gender issues.

The first section of the chapter will be hence dedicated to introducing the Israeli-palestinian conflict case study and further analyzing the mediation process within this context; while the second section will address a very sensitive and top-concern issue: the representation and role of women in the Mediation spheres.

Chapitre II. Challenging Mediation: the Israeli-Palestinian conflict as a complex practical frame and the gender issue as a new challenge

Section I : Mediation efforts in the Israeli-Palestinian conflict: a long record with inconstant results.

I) Why using mediation in the Israeli-Palestinian conflict?

The Israeli-Palestinian conflict – in its “modern form” - started in 1947 with a U.N. mandate dividing Palestine into Arab and Jewish territories, followed by the 1948 declaration of the formation of the state of Israel by the Jewish population. However, the origin of the dispute is much older and has opposed Arabs to Jews since the late 19th century. A central feature of the conflict has been the struggle between two peoples, Jews and Arab Palestinians, over their claims to the same land. This struggle is – as it has just been told - often regarded as an identity-based conflict (KRIESBERG, 2001). It has now lasted for more than sixty years, and is considered by most academics and practitioners as the most complex and intractable conflict in the world. Parties have though engaged in numerous attempts of resolution processes over the years, using various traditional and “alternative” means, but with few and irregular concrete results. This is also the reason why mediation has been very often used to address this conflict. *“Mediation is particularly necessary in extremely bitter disputes, especially those in which the parties have been engaged for long periods and are locked into public postures that appear to make compromise impossible without seriously jeopardizing the domestic positions of their leaders. It is also appropriate where the parties have the most profound distrust of each other’s intentions, where cultural differences present an additional barrier to communication (COHEN, 1997), and where at least one of the parties refuses to recognize the other”* (BERIDGE, 2005). The Israeli-Palestinian conflict clearly matches with most points of Beridge’s description.

Although some progress have been accomplished and the conflict has underwent a profound transformation, partly thanks to mediation activities (KRIESBERG, 2001), it has also known severe disruptions and retrogressions, and the way to reach a fair and sustainable peace in

the region is still long to go. However, as we have just noted, this conflict provides a “perfect” setting for the use and testing of alternative conflict resolution processes, especially those related to Track Two diplomacy.

This section is not dedicated to make an exhaustive historic of the conflict⁸, but rather to highlight some of its most significant official mediation processes, as well as some Track Two mechanisms that significantly sustained, backed, prepared or enhanced these official efforts toward peace. Although it is impossible to give an exhaustive list of the totality of the processes led in the region since the beginning of the conflict, one will nonetheless tries to make a short review and analysis of the main mediation efforts undertaken to address this conflict, as well as the presence and participation of women in these efforts.

II) Track One efforts: a “stillborn” process?

A) A US exclusivity: critical review of US’ involvement as a quasi-exclusive official mediator

Diverse persons and groups have provided many kinds of mediation services at different stages of this particular conflict, within a changing historical context⁹ (KRIESBERG, 2001). However, The United States of America has frequently played a predominant role of official mediator, and intends to keep this privilege due to its close political, economic and military alliance with Israel, as well as its many personal interests in the region that push it to seek and ensure a stable situation in the area. *“The USA’s long history of involvement has established the expectation that the US government will be engaged in any major peacemaking development.”* (KRIESBERG, 2001:385) The USA is besides the only actor possessing enough leverage and power to be able to exert enough pressure on the parties to bring them to the negotiation table and push them forward an eventual agreement. *“One reason the US government is an attractive mediator is that it controls many resources that can be used to expand the pie to be divided among the adversaries. It has resources to compensate for losses that may be experienced. Also, it has so many interests that each side can make strong appeals for support”* (KRIESBERG, 2001:385).

⁸ For an overview of the conflict history, refer to appendix 1

The USA has provided various combinations of mediation services (KRIESBERG, 2001), using strategies that changed according to the administrations in charge. It includes active intense mediation by the President, employing a wide array of inducements, as illustrated by President Carter in 1978. It also includes a Secretary of State's exploration of possible formulas for undertaking a new set of negotiations, illustrated by Baker in 1992. And it includes senior State Department officials micro-managing stalled negotiations, illustrated by the work of Dennis Ross and Aaron Miller to reach the Israeli–PLO agreement regarding partial Israeli redeployment from Hebron, signed in January 1997 (KRIESBERG, 2001). A special envoy to the region may also be appointed to ensure the well-going of the process as well as stable and close relations with the parties. This is currently the role of George Mitchell, who strives to maintain the recently renewed mediation process on the rails.

However, even powerful intermediaries rarely can impose a settlement; their mediation efforts are constrained by circumstances. For instance, President Jimmy Carter failed in his attempts to convene a multilateral peace conference in the Middle East to establish a comprehensive peace (KRIESBERG, 2001). Besides, in the case of the Israeli–Palestinian conflict, *“the adversaries engaged in the negotiations set the parameters for any agreement”* (KRIESBERG, 2001:386). This was demonstrated at the July 2000 Camp David II negotiations between the Israeli and Palestinian delegations led by Barak and Arafat, respectively, and mediated by the US team led by Clinton.

Besides, they often cannot act alone and need support from other actors, specifically those involved at regional level and benefiting from a certain confidence and reconnaissance from the warring parties. This has been true of the Egyptian government since 1979 and the Jordanian government since 1994 (KRIESBERG, 2001), which are the only two Arab states to have signed a peace agreement with Israel in the area. They have then very often played the role of “regional” intermediaries to facilitate the dialogues. Thus, both “principal” and “regional” mediators team to strive for an official accord. In the mid-1980s, King Hussein of Jordan and US Secretary of State George P. Schultz even attempted another kind of mediation by switching their traditional roles. Jordan was a principal party in the negotiations, but it also was a kind of mediator in trying to find a way for Israelis, the PLO, and the United States to meet and negotiate a resolution of the Israeli–Palestinian–Jordanian conflict (KRIESBERG, 2001).

⁹ For a overview of the main mediation efforts led in Israeli-Arab conflicts since 1974, refer to appendix 2

The other potential problem for the mediation outcomes is that US may not be considered as neutral. Although Zartman does not consider this as a problem but rather almost as a necessity for the peace talks (in the sense that this lack of neutrality cannot be avoided and can even be an integral part of the mediator “toolkit” and strategy)¹⁰ (ZARTMAN, 1996), this lack of neutrality can nonetheless have some collateral damages on such long term and tricky process. For instance, although it would have a true will to settle the dispute, the USA possesses too many spoilers in its own camp, who constraint US successive administrations’ efforts and prevent them from engaging the totality of their forces and leverages in the dispute’s resolution. Considering the parties’ additional own intern political and social constraints, it then reduces considerably the window of opportunity for a concrete, global and efficient action in the area. All these constraints partly led to a poor record in term of effective results, although some relative success has been made possible through the use of a combined strategy, using both diplomatic Tracks and methods in a complementary approach.

B) Track Two efforts and multiparty mediations: the providential remedy or a (too) tiny drop in the bucket?

Officials from large powers tend to do mediation work with the top leaders of the opposing sides, but frequently serious problems arise with agreements made from the top down. The leaders may not be able to implement the agreements reached if they lack the authority to lead or control their constituents (KRIESBERG, 2001). Then emerges the need for a complementary grassroots approach, focused on bottom up initiatives. As demonstrated in the first chapter, this can be provided by Track Two mechanisms and problem-solving mediations, which aims – as stressed in the last chapter – at completing and enhancing the official approach. These settings indeed tend to be particularly useful in preparing the ground for official negotiations, invigorating stalled negotiations, and developing support for negotiated agreements. Let’s see how and when they have been used in the Israeli-Palestinian conflict, and which type of approach has been the most relevant.

¹⁰ Mediator’s neutrality is besides far less important to the author than being powerful and possessing appropriate leverages

a) Track 1.5 or “hard track two”

Officials playing a mediator role sometimes also contribute to services that are part of a problem-solving approach. Such initiatives are known as “Track 1.5” (NAN, 2002) or “Hard Track Two” (AGHA et al., 2003) diplomacy, and refer to different forms of discussions attended by leading (official) figures or the disputing parties, and focusing on issues relating to the conflict on a joint investigation of their resolution. (SCHIFF 2010; AGHA et al. 2003; NAN 2002) Such officials typically are representatives of small countries or of international governmental organizations that do not have the leverage of a big power. The role played by Norwegian government officials during the negotiations leading to the Declaration Of Principles (DOP) is illustrative (KRIESBERG, 2001). Major powers also can take a relatively problem-solving, even facilitative, approach. A problem-solving approach also tends to occur when high-level officials delegate unofficial emissaries to engage in “secret” and exploratory discussions with one or more of the parties in the conflict to be mediated. This occurred, for example, through indirect US governmental contacts with the PLO before open dialogue was regarded as permissible. This process is also known as “back channel discussions”.

All these forms of Track 1,5 diplomacy have been used in the Israeli-Palestinian conflict, mostly implemented by the USA, but also medium powers such as Norway, which have gained a reputation of providing a excellent expertise on mediation as well as high-qualified and experimented international mediators. One will now precisely examine an example of Track 1,5 diplomacy that is considered as the probable “best success” in the Israeli-Palestinian peace process’ record: The Oslo process.

b) The Oslo process: the “best success” in the Israeli-Palestinian peace process’ record?

The conflict between Jewish Israelis and Arab Palestinians known a profound transformation in 1993, highlighted by the mutual recognition of the PLO and the Israeli State, as well as the signing of the Declaration of Principles (DOP) on 13 September 1993 (KELMAN, 1997; WATKINS & LUNDBERG, 1998). The DOP was the culmination of secret, back-channel negotiations by high officials of the PLO and by Israeli officials after the initial meetings conducted by private Israeli citizens with PLO representatives (ELON, 1993; MAKOVSKY, 1996).

The process began with the secret meetings that were undertaken when the bilateral

negotiations between the Israelis and the Palestinians, opened by the Madrid conference, stagnated. The negotiations were initiated in unofficial conversations between an Israeli Jewish academic, Yair Hirschfeld, and a prominent PLO official, Ahmad Qurai (also known as Abu Alaa), Arafat's director of finances. Their first secret meeting took place in London, in December 1992, arranged by the Norwegian sociologist Terje Rød-Larsen (KRIESBERG, 2001). Other persons joined and soon the small group engaged each other in informal but intensive discussions, using a problem-solving approach (Holst, 1994). That approach was fostered by the Norwegians officials who hosted and facilitated the meetings, made logistical arrangements, and assisted in communications between negotiating rounds. They were helped by Terje Rød-Larsen, who served as host and provided cover (KRIESBERG, 2001). The Norwegians also listened to the concerns of each side and could provide assurances that the people with whom they were negotiating were doing so in good faith (AGGESTAM, 1999: 183)

The participants developed the idea of a joint Declaration of Principles (DOP) envisaging free elections in the occupied territories and the gradual establishment of Palestinian authority within borders to be determined later. Once the top-ranking leaders from both sides (Foreign Minister Shimon Peres and Prime Minister Yitzhak Rabin for Israel, Yasser Arafat for the Palestinian Territories) had been informed of these new suggestions that emerged from the talks, intense negotiations in a more traditional give-and-take kind of bargaining were combined with collaborative negotiation (SAVIR, 1998). The resulting DOP was initialed on 20 August 1993 and is still considered as one of the most remarkable advances in this tricky peace process.

Therefore, by using this facilitated secret back channel for negotiations, both the Palestinian and Israeli leaderships were able to explore possible options and construct a formula for a major peacemaking move without arousing internal resistance until a deal had been struck (KRIESBERG, 2001). One must also stress the role of the various non-official intermediaries who used the problem-solving approach to mediation. They indeed have made important contributions in the de-escalation and transformation of this conflict, and were particularly helpful at the early stage of the negotiations resulting in the DOP. They allowed adversaries to explore possible formulas for negotiation in terms of process and the substantive content of a deal (KRIESBERG, 2001).

One of the critics that can nonetheless be directed at this process concerns the very secrecy surrounding this latter. Indeed, if this necessary parameter made the agreement possible, it also

undercut its acceptance. Participation in the process was indeed narrow and some Palestinians felt excluded, generating distrust of the agreement. Nonetheless, the Palestinian election held in accord with the agreement provided important legitimacy to the DOP and to its initial implementation (KRIESBERG, 2001).

C) Track 2, 2.5, 3,... opening new ways of mediating and negotiating?

As one has just seen through this example, problem-solving approaches have helped prepare adversaries so that they were able to move toward a peaceful accommodation when the window of opportunity was open. Herbert Kelman notes that some of the members of the Palestinian delegation in the bilateral meetings following the Madrid peace conference were former participants in his problem-solving workshops implemented with the Harvard Center for International Affairs (KELMAN, 1995). That experience probably contributed to the Palestinians' ability to understand and communicate with their Israeli counterparts. However, that was clearly not enough to overcome alone the constraints of the Madrid follow-on negotiation structure (KRIESBERG, 2001).

In addition, an important amount of various Track Two process has been implemented both on the field and worldwide. Jews and Palestinians in Israel and in the Diaspora have indeed also engaged in dialogue, workshops, and encounter groups. For example, in Syracuse, New York, a small dialogue group consisting, in equal numbers, of US citizens of Palestinian, Jewish, and 'other' communities has met since 1981 (SCHWARTZ, 1989). Many of these groups, such as Neve Shalom/Wahat El Salam and Giva't Haviva, function within Israel and then include Israeli Palestinians and Israeli Jews as participants. However, such groups also influence relations between Palestinians outside of Israel and Jews in Israel (KRIESBERG, 2001).

Another more surprising example comes from the religious community. Surprising because, in relations between Israeli Jews and Arab Palestinians, some religious leaders from each side are used to holding particularly hostile views of the other side. But, even in this case, some Jewish and Islamic religious leaders have engaged in dialogue and in developing shared ideas (GOPIN, 2001). The 'Jerusalem Religious Peace Agreement', for example, was drafted by such a group; it concludes, "*We also express our wish for greater harmony and understanding*

between the believers – Muslims and Jews. We the descendants of Ishmael and Isaac, the children of Abraham, are united today to offer our prayers from the heart to God. We pray for the end of all enmity and for the beginning of an era of peace, love and compassion” (GOPIN, 2001; KRIESBERG, 2001).

One possible limitation that arises from mediators using the problem-solving approach is associated with the asymmetry of the Israeli–Palestinian relationship. Indeed, such unofficial mediators usually lack the resources to help equalize the relationship; while an official mediator with leverage such as the US government would have exercised such leverage and used a more directive mediating approach to produce an agreement more favorable to the PLO, that constitutes the relatively weaker side, and then re-equilibrated the relation (KRIESBERG, 2001). However, the experience in the main-channel negotiations indicates that, as seen previously, under the prevailing circumstances, that would not have been the case anyway (ASHRAWI, 1995).

Therefore, although no visible results can be seen if one refers to the advancement of the global peace process (totally stalled since 2007 and no real progress made since Oslo), the use of Track Two mechanisms and the enhancement of a bottom up approach appear as an essential component of an hypothetic success of the peace talks. However, if it seems to be proven that both Track One and Track Two format do fit with the type of conflict opposing Israel and the Palestinian Territories, is their functioning representative of the whole community? While such processes strongly revendicate their egalitarian, psychological and comprehensive approach (especially at Track Two), do they apply those principle to themselves by including women within their functioning and adresssing female concerns and revendications?

III) Where are the girls?

Although numerous mediations processes and problem-solving mechanisms have been initiated to tackle the different bones of contention driving the Israeli-Palestinian conflict, few women have been already involved as a member of the mediation staff, and almost no one has directly headed a process so far (except non-mixed processes specifically directed towards women’s concerns). Besides, an important problem has to be pointed out: one consequence of the sensitivities surrounding peace processes is that the data available about the conduct of

proceedings and the composition of delegations (which can shift over time) is fluid and difficult to obtain. There are in consequence a number of data gaps at Track One level, denounced by several international organizations such as the Center for Humanitarian dialogue in Geneva, and the UNIFEM (UNIFEM, 2009). Even at Track Two level, the extreme variety and opacity of processes implemented creates a complicated and unequal access to data. Indeed, *“these processes are even less clearly documented than formal mechanisms”* (UNIFEM, 2009:1).

Although female chief mediators are very rare and data very difficult to access, we can nonetheless enlarge a bit our vision by naming some women having participated in a way or another to Track One and Track Two processes in this area.

A) Track One: a striking absence, with few exceptions

While analyzing female presence within the official mediation processes in the Israeli-Palestinian conflict, one automatically thinks about the three US Secretaries of State who were more or less directly in charge of the Israeli-Palestinian case: Madeleine Albright, Condoleezza Rice, and more recently Hillary Clinton. Although they have been the three highest-ranking women in the history of the US Cabinet, holding the most senior cabinet position, can we assess their real participation and role as mediators in this conflict? Have they really played a key facilitation role or have they just occupied a “symbolic” position, with no direct action on the process? To be correctly addressed, these questions would require an in-depth analyze of the US Secretary of State’s role and degree of autonomy in the American foreign policy, but a lack of means and time unfortunately prevents us from doing so. One will then content oneself with a first brief assessment of these three female US Secretary of State’s works in the Middle-East region. One will also present other non-US figures whose personal investment in the area deserves to be highlighted.

a) Madeleine Albright

In January 1993, Clinton nominated her to be U.S. Ambassador to the United Nations, her first diplomatic posting (ALBRIGHT, 2003). In January 23, 1997, she became the first female U.S. Secretary of State and the highest-ranking woman in the history of the U.S.

government¹¹ ¹². During her tenure, Albright influenced American policy in the Middle East, especially regarding Iraq. However, she did not play a key role in the Israeli-Palestinian post-Oslo peace talks, and was not involved (at least directly) in the Camp David Summit personally hosted by Bill Clinton in 2000. The role of mediator during her mandate was mainly endorsed by president Clinton himself as well as Ambassador Dennis Ross, his special Mideast envoy, who embodied the US presence in the region under the Clinton administration. Nonetheless, many agree to say that Albright has been a key figure of the American foreign policy, as well as a recognised and respected politician and peace worker worldwide. She is still a close friend of the Clinton couple, and backed Hillary Clinton's candidacy to the last American presidential elections in 2008. She still serves as a top special advisor on foreign policy matters for President Barack Obama and Secretary of State Hillary Clinton.

b) Condoleezza Rice

Condoleezza Rice was President Bush's National Security Advisor (2001-2005) during his first term, and was appointed US Secretary of State in replacement of Colin Powell on November 16, 2004. She was the first Afro-American woman nominated at this post. Rice profoundly reformed and restructured the department, as well as US diplomacy as a whole. She pioneered a new policy of "Transformational Diplomacy"¹³, with a focus on democracy in the greater Middle East. Regarding to the Israeli-Palestinian conflict, she personally organized and hosted the 2007 Annapolis conference, in an attempt to produce a substantive document on resolving the conflict along the lines of George W. Bush's "Roadmap For Peace". In this purpose, she visited the Middle East on a four-day tour of shuttle diplomacy in October 2007 to shore up support for the summit¹⁴. This was Rice's 8th visit to the region during the Bush Administration. The US played the major mediator role for this conference, with the other three

¹¹ She was appointed by U.S. President Bill Clinton on December 5, 1996, and was unanimously confirmed by a U.S. Senate vote of 99-0. She was sworn in on January 23, 1997.

¹² "Biography: Madeleine Korbelt Albright", available online at: <http://secretary.state.gov/www/albright/albright.html>.

¹³ *"Transformational Diplomacy" is the goal that Rice describes as "work[ing] with our many partners around the world... [and] build[ing] and sustain[ing] democratic, well-governed states that will respond to the needs of their people and conduct themselves responsibly in the international system."* United States Department of State, "Transformational Diplomacy". Press release, 2006-01-18. Available online: <http://web.archive.org/web/20080708213206/http://www.state.gov/r/pa/prs/ps/2006/59339.htm>.

¹⁴ "Joint Israel-PA statement to address 'all core issues'", *Haaretz*, October 18, 2007

members of the original Quartet assuming lower status positions: this reinforced Rice forefront position and role in the talks. However, although the Annapolis process marked the first time a two-state solution was articulated as the mutually agreed-upon outline for addressing the Israeli-Palestinian conflict, the conference ended with the simple issuing of a joint statement from all parties. This absence of accord and real advancement has made most experts considering Annapolis process as an additional failure in the post-Oslo peace talks, and puts hence into question Rice's real role and influence in the Israeli-Palestinian peace process.

c) Hillary Clinton

Hillary Clinton has been nominated as the 67th US secretary of State in January 21, 2009 by President Barack Obama. She has been recently assuming a prominent role in the September 2010 resumption of direct talks in the Israeli-Palestinian conflict that had been stalled since 2007.¹⁵ While President Obama was the orchestrator of the movement, Secretary Clinton had gone through months of travelling to the Middle-East and cajoling just to get the parties to the table, and helped convince the reluctant Palestinians by getting support for direct talks from Egypt and Jordan. Speaking at a September 2 meeting at the State Department between Prime Minister Benjamin Netanyahu of Israel and President Mahmoud Abbas of the Palestinian Authority, she acknowledged that, "We've been here before, and we know how difficult the road ahead will be."¹⁶ Her role in the ongoing talks would be to take over from U.S. Special Envoy for Middle East Peace George J. Mitchell when discussions threatened to break down. She then assumed a prominent role in the talks, that seemed to go further than the "simple" symbolic role of shaking hands, taking pictures and sign official documents. However, the talks were generally given little chance to succeed, and Clinton faced the history of many such past failures, including the near miss of her husband at the 2000 Camp David Summit¹⁷. Nevertheless, this prominent role in the talks thrust her further into the international spotlight and had the potential to affect her legacy as secretary.¹⁸

¹⁵ Landler, Mark, (2010-09-05). "In Middle East Peace Talks, Clinton Faces a Crucial Test", *The New York Times*. <http://www.nytimes.com/2010/09/05/world/middleeast/05clinton.html>.

¹⁶ Landler, Mark; Cooper, Helene, (2010-09-02). "Settlements in West Bank Are Clouding Peace Talks", *The New York Times*, <http://www.nytimes.com/2010/09/03/world/middleeast/03diplo.html>.

¹⁷ Landler, Mark, (2010-09-05)... *op. cit.*

¹⁸ Tapper, Jake, (2010-09-02). "Eyes on Hillary Clinton as She Leads Mideast Peace Talks", ABC News <http://abcnews.go.com/WN/mideast-peace-talks-hillary-clinton-takes-lead-israeli/story?id=11538162&page=1>.

But Clinton also possesses an important political background and experience, as a New York Senator, a candidate for the 2008 presidential campaign, but also as a First Lady of Arkansas and The United States when her husband Bill Clinton was President. This experience gives her a lot of credit in the eyes of her interlocutors, whoever they are. Her more comprehensive approach and practice of American foreign policy and diplomacy has also brought a change, appreciated by some parties: indeed, after an official visit of Secretary Clinton in Pakistan, a member of the Pakistani Parliament and government spokesperson Farahnaz Ispahani said, *“in the past, when the Americans came, they would talk to the generals and go home. Clinton's willingness to meet with everyone, hostile or not, has made a big impression – and because she's Hillary Clinton, with a real history of affinity for this country, it means so much more.”*¹⁹ Then, in this concrete case, her personality seems to have overridden her gender, and so despite the strong Muslim identity of the host country.

However, once again, whatever the quality of Secretary Clinton's role and intervention would be, the current peace talks are on the brink of a new failure despite the pressure commonly exerted by Obama, Mitchell and her to convince Israel to extend its moratorium toward the West Bank settlements. Because Clinton has committed her whole political weight and credibility in this risky case, this failure could represent a public “slap in the face” as well as a huge political and personal breakdown regarding to her carrier, although this would probably affect the whole Obama's administration.

d) Other examples

Besides the female US secretary of States, other women have played a role in the Track One mediation process, either as special adviser and trainer, or as member of one of the parties' delegation.

i) *Merle Lefkoff*

Merle Lefkoff has been an international facilitator and mediator for 30 years. She is co-founder and president of The Madrona Institute, a center for breakthrough diplomacy, peacemaking and complexity-based solutions to intractable problems. In 2003 she was appointed Guest Scientist and Affiliate at the Center for Nonlinear Studies at Los Alamos National

¹⁹ Klein, Joe, (2009-11-05). "The State of Hillary: A Mixed Record on the Job", *Time*.
<http://www.time.com/time/politics/article/0,8599,1934843,00.html>.

Laboratory, where she teamed with physicists and computer scientists to model coexistence as a Complex Adaptive System. She is applying her research as a consultant in multi-party dispute resolution, preventive diplomacy, and organizational intervention for systems-level social change. Letkoff was a trainer for the American Leadership Forum and was a Community Leadership Association team member delivering leadership training in Thailand for academicians and government officials. She developed the Program in International Conflict Resolution at the United World Colleges. She has assisted back-channel international negotiations among international disputants and has worked in North Ireland, South Africa, Eastern and Central Europe, in Bosnia and Kosovo during the war, Lebanon after the civil war, and in Israel-Palestine, especially during the Oslo peace process. She is a contributor with Palestinian and Israeli colleagues to a forthcoming book on peacemaking between Israel and Palestine. She has then provided her huge experience and expertise both at Track One and Track Two levels in the Israeli-Palestinian conflict, where she met the way of another remarkable woman who also brought an important contribution to the Oslo process: Hanan Asrawi.

ii) Hanan Asrawi

Dr Hanan Daoud Khalil Ashrawi is a famous Palestinian activist, politician, feminist and popular figure. She started illustrating herself during the first intifada by being elected head of Ramallah's resistance comity at only 21 years old. Being blacklisted and denied from returning to the West Bank by Israel for many years, she became the spokes-person for the General Union of Palestinian Students in Lebanon, helped organize women's revolutionary groups and served as a guide to foreign reporters visiting refugee camps. Once readmitted to the Palestinian Territories, she pursued an important political carrier, being elected numerous times to the Palestinian Legislative Council, and as a member of Palestinian Prime Minister Salam Fayyad's Third Way party (KREISLER, 2000).

She gained an international stature by being personally appointed by Arafat as the official spokesperson for the Palestinian Delegation to the Middle East peace process from 1991 to 1993. She also served as a member of the Leadership/Guidance Committee and executive committee of the delegation. From 1993 to 1995, she took part of the signing of the Oslo Accords, where Palestinian self-rule was established, and she headed the Preparatory Committee of the Palestinian Independent Commission for Citizens' Rights in Jerusalem (KREISLER, 2000). Ashrawi also has served on the Advisory Board of several international and local organizations,

including the World Bank Middle East and North Africa (MENA), United Nations Research Institute for Social Development (UNRISD) and the International Human Rights Council.

However, although her work and involvement in the conflict have been welcomed by many people, several aspects of her personality and life, including her faith (she self-identifies as a devout Christian) led to criticism of her by Palestinian Islamic fundamentalists, claiming that it keeps her from functioning as a proper spokesperson. « *As a wealthy, Christian, feminist, ex-Marxist, she is a strange bird in the flock for which she speaks. [...] Critics accuse her of gliding through the struggle that confronts most Palestinians, protected as she is by wealth and middle-class comforts* » (AMRANI, 1993). In fact, this criticism hides another problem that goes far beyond the simple question of religious and social representation: “*extremists like Hamas, the Muslim fundamentalist movement in the territories, do not accept the appearance of a woman in public, let alone her acting as a spokeswoman for the Palestinians. (Besides), their resolution to conflict in the Middle East is to destroy the state of Israel. "After Saturday comes Sunday" is a famous Muslim saying, sometimes interpreted to mean that after the fundamentalists finish the Jews, they'll deal with the Christians* » (AMRANI, 1993). Her gender and her faith have then clearly been a problem that has perturbed her political work, and even put her in danger. « *When Ashrawi speaks of losing "legitimacy" and "credibility," she is afraid of losing not only her struggle for peace, but also her life* » (AMRANI, 1993).

Ashrawi puzzled and divided both Israeli's and Palestinian's opinions, but always assumed this difference. “*For many Israelis on the Left, Hanan Ashrawi is the embodiment of the Good Arab. Other Israelis view her as an exception, because for them an Arab is Muslim, not Christian. Muslim Palestinians similarly express the view that Ashrawi is an inorganic product of the Palestinian revolution, regardless of her family's old roots in the land. Ashrawi dismisses such observations, but does admit to being an 'outsider' ”* (AMRANI, 1993). However, this singularity has been partly responsible of a lack of popular support that undermined her work, especially during her time as a spoke-person for the PLO. “*Both Israelis and Palestinians emphasize Ashrawi's lack of popular support. 'If elections were held today', a good friend of hers said, 'Hanan would not be elected.' This is one reason for the lack of progress in the peace talks. [...] When the fear of losing legitimacy leaves her little room for maneuvering, and when Israelis are reminded daily that most Palestinians are not like Ashrawi, there is no practical motive to embrace peace*” (AMRANI, 1993).

Therefore, if some women have participated at top level in the Israeli-Palestinian official mediation process, their work sometimes could have been hampered by their gender, which created certain isolation due to a lack of popular and political support. However, if no woman has so far succeeded in settling the Israeli-Palestinian dispute (like their male counterpart), no significant element can prove that their failure in addressing properly this conflict and finding a way out is directly due to their gender. Nonetheless, this particular attribute could have created a certain political isolation and fragility, and accordingly some difficulties in handling this difficult and very demanding job of official mediator or negotiator, for reasons that are going to be exposed in the next section.

B) Track Two: a little more room and a much bigger record

Many Track Two workshops have been initiated to address several aspects of the Israeli-Palestinian conflict, and women have benefited from a bigger room than at track one to set up their own mediation activities. Their record is besides quite positive, with many examples of success due to personal or professional initiatives, mixed as well as non-mixed. Although it is very difficult to make an exhaustive balance of such non-official efforts due to their extreme variety and the huge lack of data, one can nonetheless highlight some portraits of female facilitators, as well as cases of successful Track Two initiatives initiated at different political levels by foreign and local women.

a) Eileen F. Babbitt, Tamra Pearson d'Estrée and the Harvard Center for International Affairs (1992)

These scholars have initiated a non-mixed problem-solving workshop during the Oslo process in December 1992, following Herbert Kelman and the Harvard Center for International Affairs' project, implemented in 1987. This initiative aimed at gathering 10 high-ranking female politicians (5 Israeli and 5 Palestinian) in a 4 days workshop, facilitated by a 6-women team. This workshop was voluntarily non-mixed to address women's specific issues and make sure they will be able to talk freely of their concerns. "*The women themselves expressed a strong preference to stay together*" according to the organisers. The workshop was preceded by 2 preparatory sessions (one with each party), as the facilitation team "wanted to integrate specific concerns of the participants into the agenda as much as possible." Assessing the impact and potential benefits of a Track Two workshop on the conflict is something very difficult, but the

mediators at least attempted to identify some positive outcomes as well as ways of assessing and improving this indispensable “transfer of learning”. Interviews with participants were then conducted 7 months after the workshop. The feedback was globally positive, no real incident and a general good atmosphere being reported. However, the most consistent criticism of the value of unofficial processes that recurred was that they indeed have no proven impact on the real political issues that divide communities in conflict (BABBITT & D’ESTREE, 1994:525).

Nonetheless, the participants helped identify 2 possible ways in which this “transfer of learning” from the workshop to the political sphere might have been effective. First of all, through the development of networks: 2 participants explained “how important it was to them to have people on the other side whom they can consult during periods of tension between both communities, to understand the thinking of the other side rather than to make assumptions based on their own group’s worst fears”. Secondly, the workshop helped some participant to make options generated within their community responsive to the needs of the other community: 1 Israeli participant said that “she was consciously aware of the workshop discussion when she engaged in subsequent political activities” (BABBITT & D’ESTREE, 1994:526).

Finally, the female participants were asked if there was unique role for politically influential women in building a stable peace. The women involved did not feel that their role was unique. They all appreciated the non-mixed workshop and thought that the discussion was more constructive than it would have been in a mixed group. They also reported that some common experiences were bounding them together as women (ex: child rearing). Observation suggests that in the all-women sessions, participants could understand one another’s point of view more clearly than in a mixed group. The non-mixed approach then clearly reveals several advantages.

One of the most important point they stressed and suggested may be that, perhaps, the most significant difference was in their ability to develop empathy for the other side... The authors concluded that, *“like their male counterparts, they are interested in working constructively with members of the other community to find workable solutions to their conflicts. Their additional contribution may be their empathy for the other side, and their interest in building personal relationships that span the conflict divide”* (BABBITT & D’ESTREE, 1994:526). This issue regarding potential specific female mediating skills has been voluntarily

let apart in this study, but is an important and burning question that will be addressed more properly in a future work.

b) Samia Bamieh (2007)

Other examples of women initiating track two mechanisms can be given. Samia Bamieh is one of them. She served peace initiatives at both Track One and Track Two levels. She is a founding member and respected leader of the International Women's Commission for a Just and Sustainable Palestinian-Israeli Peace (IWC) and chairperson of its Palestinian Steering Committee. Bamieh, one of the experts who helped formulate the Palestinian government's Plan of Action on gender after the United Nations Fourth World Conference on Women in Beijing, China, was the director of gender policies and training in the Palestinian Directorate of Gender and Development of the Ministry of Planning and International Cooperation. She then served in the same ministry as director of U.N. and International Organizations and director general of European Affairs, and was a member of the committee assigned to draft a Palestinian constitution under Minister Nabeel Shaath. Bamieh, a mother of two, has been involved for over 30 years in promoting women's rights and roles in politics and decision making. Her civil society activism includes being a member of Jerusalem Link²⁰, the coordinating body of two independent women's organizations (the Jerusalem Center for Women on the Palestinian side and the Jerusalem Women's Action Center on the Israeli side) that promote a shared set of political principles for coexistence and the resolution of the conflict. Bamieh continues to be engaged in efforts to build a civil, political society for a future Palestinian state on two interdependent fronts: the establishment of an independent democratic state with a constitution that acknowledges pluralism and non-discrimination, and the expansion and defense of achievements of Palestinian women in their political and legal struggles. In spite of having suffered from war, occupation and disappointing peace efforts, Bamieh has chosen to take paths that allow her to support and inform new ways of thinking about the conflict and how peace and communities might be restored. (NOMA, TAYLOR & VAN SCHOONHOVEN, 2007)

²⁰ "Today, the coalition of Israeli and Palestinian women is fully established and recognized in the form of Jerusalem Link, a non-governmental organization that advocates policies on every aspect of the peace process. A number of its founding members, including Ashrawi, participated in the pre-negotiations mediated by the US government, and have been active in the ongoing peace process that was agreed on in Oslo in 1994." (Sanam Naraghi Anderlini, "Women at the negotiating table: making a difference", UNIFEM, New York, 2000)

c) Dalit Baum (2003)

Dalit Baum is a feminist involved in community work, human rights and conflict resolution activities in Israel. She took part in Palestinian-Israeli projects and the women's peace movement, but it was the outbreak of the second Palestinian uprising, the Al Aqsa intifada, which spurred her to new levels of activism. She became an organizer in the Coalition of Women for Just Peace, a community of various women's groups working for peace; started a new Women in Black vigil in Tel Aviv where Palestinian and Israeli women stand bravely and silently against the conflict; co-founded Black Laundry, a direct action group of lesbians, gay men and transgenders against the occupation and for social justice; has worked as a teacher and group facilitator at the Community School for Women; and participates in various solidarity and humanitarian initiatives in Israel and Palestine. Marcia Freedman, former member of the Knesset and president of the Jewish Alliance for Justice and Peace, says Baum is "brilliant, daring and original" and "a steady and constant activist who brought creativity and unwavering commitment to the table" as it became extremely difficult for women to have their voices heard after 2000. From her introduction to grassroots Non-governmental work in 1998 to her work with the National Feminist Conferences – which allowed her to be at the forefront of Israeli feminist culture – to her co-founding direct action groups such as Black Laundry, Baum has successfully used the power of activism and organization to unite marginalized people in an effort to achieve peace. Baum continues to raise awareness about injustices within the Israeli community, promote peace between Israelis and Palestinians and highlight the connections between all forms of oppression within society (NOMA, TAYLOR & VAN SCHOONHOVEN, 2007).

Conclusion of Section 1

Being regularly "excluded" from Track One processes, Women have then somehow found their place at Track Two level, far from the male dominance and sexist pressure of official institutions. However, although they benefit from more room and have much leeway in unofficial processes, many projects are still too focused on gender-specific issues, and are non-mixed initiatives. Nonetheless, if one believe several feedback, these "only girls" initiatives are also a real necessity recognized by most female participants, who appreciate being given the possibility to share with other women their personal concerns and perception regarding the conflict. But mixing men and women in a global bottom-up/grassroot approach appears as essential to ensure a progressive and optimal "transfer of learning" to the decisional sphere.

These both types of problem-solving mechanisms (Track One and Track Two) should be then enhanced within a complementarily approach in the future.

In order to be able to compare women's situation in the Middle East and more globally, one will now focus on analyzing the complex relationship existing between gender and mediation.

Section II : Mediation and Gender: Why so few female mediator through the world?

Despite the 10th anniversary of the UNSC 1325 resolution and numerous calls for more equality, women are still massively under-represented in the conflict mediation sphere. This absence is particularly striking at the official - "track one" – level, where men are more likely entrusted than women with the heavy leverages, power and responsibilities the track one mediator position's implies. This reality can be witnessed in all official institutions, from regional and international organizations to governmental and diplomatic delegations, through the most multilateral and (supposed) equalitarian international structure: the United Nations. This latter has even made gender equality one of its core values and campaigns by designing this issue as one of the 8 Millennium Goals. Though, even inside the UN, gender equality is far from being a reality. What is the current assessment of women's presence and representation in the official and non-official conflict mediation spheres worldwide? How can be explained this inequality?

I) Walkthrough of women's implication in the conflict mediation sphere

A) Track One

As Antonia Potter says, "*Track One mediators are rare creatures*". She evaluates their presence as probably "*fewer than a hundred worldwide who are currently or have recently been active*" (POTTER, 2005:3). These exceptional facilitators mostly come from a little bunch of institutions, which are used to fielding this very special profession. Among them, the United Nations of course, but also individual governments, either "big powers" possessing heavy

leverages (ex: the USA) or “middle powers” that have decided to contribute to the international diplomatic efforts by specializing in providing highly qualified mediators (ex: Norway). Other sources include various regional IOs such as the European Union, the African Union, the Organization for Security and Cooperation in Europe (OSCE), or the Organization of American States (OAS). The common point of all these official institutions is simple: *“there is barely a woman to be seen”* (POTTER, 2005:3).

a) The United Nations

The United Nations, which supposed to represent the state-of-the-art in terms of campaign for promoting gender equality worldwide, probably possess one of the most dramatic balance regarding gender representation within their own staff. The Secretary General’s top staff counts 38 senior individuals running various kinds of peacemaking, peacebuilding or peacekeeping missions (special envoys, etc.); plus additional 26 Deputies who bring the total to 61 individuals exerting a mediation activity on the behalf of the UN²¹. According to Potter, *“of these 61, just four (6.5 per cent) are women – two in top jobs and two deputies”*²² (POTTER, 2005:4). Even if it represents an improvement on the situation as it stood in 2000 when the UNSC Resolution 1325 was passed, the current balance is far from being praiseworthy²³.

b) Other International Organizations

The other Track One organizations providing mediators do not possess a much better balance. *“The European Union, the envoys of which are increasingly involved in peace-related work, has 9 current and 11 former Special Representatives. There is not a single woman among them, nor has there ever been”* (POTTER, 2005:5). Other regional organizations, although some represents cultural areas possessing reputation for strong women role models such as Africa, do not possess women occupying the driving seats. This is the case for the Peace and Security Council of the African Union, or for the Organization of American States. Regarding to Asia, although *“there is no comparable peace organ of a regional institution [...] in which to analyse the distribution of positions, [...] Asia and Asia Pacific continue to produce women whose*

²¹ For more information about this UN top staff, one can refer to: <http://www.un.org/News/oss/srsg/table.htm>.

²² Refer to appendix 3 for a detailed description of women’s repartition within the UN mediators’ staff.

²³ For further information about this balance, refer the “Peacewomen” organization website: <http://www.peacewomen.org/un/pkwatch/facts.html#Balance>

political position and experience makes them eligible for work at the Track One level” (POTTER, 2005:5).

c) Recently concluded peace processes

Outside the official institutions, peace agreements recently concluded tell a similar story. For instance, the arbitration process between North and South Sudan, or the negotiations between the Acehnese rebels and the Government of Indonesia, were “both mediated by men of very high (or former) official standing.” (POTTER, 2005:5)

A review made by UNIFEM of a sample of 21 major peace processes since 1992 shows that “*women’s participation in peace negotiations remains ad hoc, not systematic, and also that women represent a strikingly low number of participants*” (UNIFEM 2009:1). The UN organization for the promotion of gender equality and the defense of women’s rights found that “*only 2.4% of signatories to this sample of peace agreements were women*”, and that “*no women have been appointed Chief or Lead peace mediators in UN-sponsored peace talks.*” (UNIFEM 2009:1). However, women have been able to join a team of mediators in some peace talks. Graça Machel, one of the three mediators for the Kenya crisis in 2008, is a good example. Nonetheless, according to UNIFEM recent and unofficial figures, “*Women’s participation in negotiating delegations averaged 5.9% of the 10 cases for which such information was available*” (UNIFEM 2009:1). Women’s participation in the official peace talks and mediation processes remains hence an exception whereas it has been supposed to be a rule and a core principle for ten years according to the UNSCR 1325.

d) In current peace processes?

Although there is an evident progress compared to the situation ten years ago, in 2008 women were still not leading mediation efforts in any of the high profile or ongoing conflict resolution cases such as Darfur, Kenya or the Middle East (though there were some eminent advisors such as Graça Machel involved in the Kenya mediation effort, as seen in the previous point) (POTTER, 2008). If one enlarges the frame to ongoing, stalled and potential pre-agreement peace processes where the UN or EU do not take a lead role, including countries such as Colombia, Nepal, the Philippines, Southern Thailand or Uganda, only one female mediator is counted: Betty Bigombe, mediating the Uganda conflict. (POTTER, 2005).

One can also mention the Israeli-Palestinian conflict, which parties are currently trying to re-launch the peace process under the hospice of the USA, represented by Hillary Clinton and George Mitchell. However, as one has seen previously, Hillary Clinton, although she occupies a top-level political seat, seems to play only a symbolic role in the process, leaving the operational and technical aspects of mediation to Georges Mitchell and his team. However, this involvement in such top-level diplomatic discussions occurring in this area of the world remains nonetheless a good sign for the future and a step in the good direction.

But there is still a long way to go. *“Even the progressive Scandinavians, in this case the Norwegians, who have cast themselves alongside the Canadians and the Swiss as constructive ‘middle powers’, have not had a woman heading their often precarious and challenging peace efforts in Sri Lanka (Although the then Development Minister, Hilde Frafjord Johnson did play an active role in the Sudan process in which Norway was a keen observer)”* (POTTER, 2005:6).

e) Other means of intervention in official negotiations

Aside from mediation exist other means of intervening in official peace processes, in which more women have managed to play a role. *“More significant than actual numbers of women involved is whether there are channels for groups of women to bring issues of concern to the negotiating table.”* This way of intervening can allow them to ensure that gender-specific issues and concerns will be put on the negotiation table. *“A review of the content of peace accords shows that in some cases women’s engagement as informal observers has resulted in peace accords that address issues of significance to women. These issues include redress or judicial response to abuses of women’s human rights (particularly sexual violence), provisions for ensuring women’s participation in post-conflict political competition, and economic and social rights for women”* (UNIFEM, 2009:1).

However, international pressures to include women in the peace talks do not always pay, especially within the parties’ negotiating delegation. *“While women’s groups are given status as observers or delegates, often through intervention from the international community, parties to conflict hardly ever field a woman in their teams. Even radically left-wing non-state armed groups - which typically have egalitarian attitudes and practices as well as significant female membership, and women in combat roles, such as Eritrea’s EpLF or the Nepalese Maoists -*

rarely send female delegates to lead talks or insist on equality of representation or the consideration of the topics at the table from a gendered perspective” (POTTER, 2008:1). But exceptions do exist: in El Salvador, almost one third of the FML negotiators were women.

However, putting women at the negotiation table does not mean that women’s specific concerns will be systematically addressed. *“FML female negotiators’ self-confessed lack of gender awareness meant that some clauses in the agreement were gender blind and would have appeared discriminatory. Female leaders and mediators such as Chandrika Kumuratunga in Sri Lanka or Madeleine Albright in Dayton have often displayed similar gender blindness either through lack of exposure, lack of interest or a misplaced conviction that gender neutral equals gender sensitive”* (POTTER, 2008:1).

B) Track Two

Contrary to the Track One level that’s seems to be a men’s privilege, Track Two conflict resolution mechanisms have provided women with more entry-points for engagement. However, if it is already difficult to find specific data on women at Track One level, *“these processes are even less clearly documented than formal mechanisms”* (UNIFEM, 2009:1). This is mainly because of the wide scale of this domain and the important number of activities and projects implemented. This field is less homogeneous, structured and transparent than the official one, and includes a lot of different actors. While assessing the total number of Track Two/ problem-solving mediation activities is a very complicated task, counting the number of women involved in these activities is just impossible. The only fact known is that women are obviously more present and active at Track Two level than at Track One.

A number of initiatives have been taken in recent years by the United Nations, especially by its organs dedicated to the gender cause such as UNIFEM, to *“amplify women’s voices in peace processes, both formal and informal”* (UNIFEM, 2009:1). It has been the case for instance in Uganda where UNIFEM provided a Gender Adviser to the Secretary-General’s Special Envoy to LRA-Affected Areas in partnership with the Department of Political Affairs (2007 – 2008), or in Darfur where UNIFEM supported a Gender Expert and Support Team (GEST) to participate in the Abuja Inter-Sudanese Peace Talks in 2006, and seconded a Gender Expert to the Mediation Team (UNIFEM, 2009).

Besides, according to Potter, *“many women have organized across cultural, ethnic and political lines to put together platforms and strategies for peace. This continues to happen in Darfur, and was evident in Liberia, South Africa and Somalia, to name a few”*. However, she insists on the fact that, *“while these women are often creative about lobbying for space at peace talks, and are often supported by international actors or figureheads, they are undoubtedly still seen as marginal to the ‘real’ process, especially if they do not successfully communicate a clear platform or policy priorities”* (POTTER, 2008:2).

C) Track 1,5

A small but growing collection of “Track 1,5” non-governmental organizations, institutions and private foundations like the Carter Centre, the Centre for Humanitarian Dialogue, the Crisis Management Initiative, or the Community of Sant’Egidio are also supporting mediation efforts at both official and non-official levels. However, according to Potter, *“perhaps contrary to the progressive NGO stereotype, the front-running ‘Track One-and-a-half’ NGOs do no better. None of them currently have women leading their mediation teams – although it should be noted that most of them, much like their institutional counterparts, have reasonable proportions of women working in and supporting those teams”* (POTTER, 2005:6).

II) Why this under-representation? Some elements of clarification

A very few number of scholars have studied this question yet, although this number is growing due to the tenth anniversary of the UNSCR 1325 and the dramatic admission of failure regarding the reaching of the third millennium objective so far. Some experts such as Antonia Potter have nonetheless put forward several arguments to explain this striking under-representation of women in the mediation and negotiation sphere. Here is a selection of the most pertinent ones.

A) A “crowded field” and a very strong glass ceiling

The first reason is that mediation is closely linked to the top-level political sphere, a domain where men are already strongly over-represented compared to women. Track One

mediators are indeed “*drawn from limited pools of senior officials, most often with a diplomatic or senior political background*” (POTTER, 2005:7). The problem is that the political arena is a very competitive middle, where “*discrimination still incontrovertibly exists*”. The few women present are regularly discriminated: with equal background, experience and qualifications, a man is often preferred to a woman for high-ranked and top-level positions. The ILO’s global research has shown that a “glass ceiling” clearly exists within the political arena, and creates a prevailing environment of discrimination, which affects selection, including the facts that women disproportionately fight for unwinnable seats, and that selection committees continue to demonstrate direct and indirect prejudice (WIRTH, 2001).

According to Antonia Potter, this under-representation and discrimination in the political sphere are one of the core factors explaining their absence from the official mediation sphere. The fact that their political participation remains so low -- the latest international parliamentary Union world average figure for women in parliaments is 16.2% -- is the core reason why so few of them, or their views are represented as or by negotiators and mediators in the first place (POTTER, 2005).

This discrimination even exists within the United Nations. Indeed, the UN conflict resolution sphere has been defined as a « crowded field » ruled by « groups of friends » (WHITFIELD, 2005). The point is that, as one will see it in the next point, such informal groups are for most non-mixed. Men indeed rarely include women in their professional networks.

Therefore, if the political arena is indeed the most important natural breeding ground for mediators, then the deck is still stacked against women (POTTER, 2005).

B) A boy’s club

As told in the last point, including women in their professional and informal networks is something still unusual for men (POTTER, 2005). The point is that in the political arena, and especially in Mediation, “who you know” is as important as “what you know”. Such networks, which are expressed through activities such as group socializing, drinking or sports activity, are indeed an important part of conflict mediation, given the need to build relationships and a certain

confidence link with and between the belligerent parties. Their leaders will besides almost always be men, and may come from cultures where women's participation in public life is not routinely accepted (POTTER, 2005).

These arguments point to the question of whether conflict mediation as a business has a particular culture. As most combatants are male, then "*will men with guns deal only with other men with guns?*" (POTTER, 2005:10) The justification of women's absence given in certain cases is that "*the peace table must bring together those who have taken up arms, because it is up to them to stop the conflict*" (NARAGHI ANDERLINI, 2000:5). This seems to confirm that, because the issues discussed in mediations are related to violence and conflict, it appears to many as none of women's business. Potter stresses then an important point regarding the consequences of this male culture: "*if conflict parties are prepared to accept an outsider as a mediator, can they go a step beyond the 'otherness' of the foreigner to accept that this outsider might also be a woman? Perhaps there are some cultures, in particular strictly patriarchal ones, where the involvement of women in a formal process remains completely unthinkable.*" But, she adds, "*they may not be as numerous as we currently imagine*" (POTTER, 2005:11) This misperception is precisely the point that is going to be analyzed in the next chapter. Besides, Sanam Naraghi Anderlini recalls that, "*while this argument (of war being a men's concern) may hold true for negotiations to secure an end to hostilities, it cannot be sustained for the discussions that build the framework for a new society*" (NARAGHI ANDERLINI, 2000:5).

In other words, including women in the global peace talks is a necessity in order to end the conflict and prepare the re-building of a just and equilibrated society. Mediation cannot only concern and include half part of a society, this is a total non-sense regarding its basic objectives and core principles.

C) "Women don't ask" (BABCOCK & LASCHEVER 2003)

If one looks at Linda Babcock and Sara Laschever's work (*Women don't ask, 2003*), one can see reading their conclusions that other causes can also explain the discrimination being rife in the professional arena. Indeed, they found that most women "don't like to negotiate", mostly because of the confrontation and competition implied by this activity. They also feel reluctant to ask for additional responsibilities, partly because they are afraid of not being qualified enough to

do the job. Then, even if this fear can probably be more attributed to a very old and well established patriarchal domination system than a native female characteristic, the result is the same: they self-censure them and will not mobilize as much energy as men would do to get the negotiations delegation chief, SRSG or head (senior) mediator job... Potter also notes that, if they feel that their presence could be a problem, most women will prefer sacrificing themselves to ensure the well ongoing of the process rather than making their personal participation prevail upon the rest. This sense of sacrifice may be also inherited from the long history of domination exerted by such partriarchal societies, which most female peace workers come from.

The job of mediator, especially at Track One level, also entails specific and very high requirements due to the important level of responsibilities it implies. It requires among other a very important availability and flexibility from the mediator who will have to assume many journeys, sometimes of long term, an important volume of work as well as very unpredictable and restrictive timetables, and finally a certain dangerousness. This will quickly lay a problem for the female peace workers who also assume the role of mother, in a still very patriarchal society. Indeed, it is still difficult for a woman to handle abreast both a very demanding carrier and a family, as most women are still traditionally in charge of breeding the children and holding the home. Besides, making the choice of “favoring” their personal carrier to their family, leaving the man holding this charge, is something still very unusual and badly accepted in most of the societies traditionally providing mediators. All these constraints may then badly deter many women from coveting mediator positions.

D) The cultural factor

As Potter recalls it, *“women’s access to power, and hence representation, in many conflict-affected places is still chronically limited”* (POTTER, 2005:10). Their exclusion is even more important (almost systematic) when the matters discussed are related to war, as it has been highlighted in a previous section. Women have then a restricted access to public spheres of power in general, but especially in cultural areas where cultural and religious factors have institutionalized gender inequality and then hampered women from investing the public and political spheres. This absence from the public sphere can also be a reason for not choosing (or being less likely to) women to participate in Track two mediations. They don’t constitute the perfect candidate compared to men that don’t suffer from such restricted access and can then

access and influence public leaders... *“Key actors are still defined in formal peace talks as those with serious “spoiling” potential (normally through the withholding of political, military and financial support, or through the commission of violence) -- which coalitions of women or women from conflict parties have so far not proven themselves to be”* (POTTER, 2008:2).

Besides, respecting and promoting gender equality within their team usually does not top the agenda of international conflict mediators, who are empowered to find the best way to settle a dispute. Indeed, promoting women in these kind of areas where empowering women is not an usual thing might not be seen as the best way to do so... But even if it's not directly because of a sexist intention, excluding women from the negotiation sphere has many consequences, the worst of it being to create a vicious circle and progressively makes the diplomatic and negotiations sphere a men privilege and a women free zone. Indeed, because people are not used to deal with women for that kind of job, they don't see the utility of starting integrating them, neither as participants nor as mediators...

Conclusion of section 2

All this thought leads us to question mediators' cross-cultural management strategies. These ones are diversifying following classic cross-cultural theories, from the most Relativist to the most Universalist one. However, the most common tendency nowadays is to match as much as possible with the participants' cultures in order to reduce the risk of culture clash. Mediators then expect participants to act, behave, feel and think on a certain way because of their culture, and they adapt upstream their method and the composition of their team to these cultural expectations. Does this adaptation process include the exclusion of women when the process is going to be held in a cultural area known or expected to be unfriendly to women? This is the question that is going to be analyzed more in details in the next chapter.

Conclusion of Chapter 2

This chapter has revealed several important weaknesses and challenges of Mediation efforts. First of all, except for some very specific processes such as Oslo, this means of conflict resolution has not proven yet to be the “magical recipe” regarding the global settlement of the

Israeli-Palestinian dispute. Indeed, although many sorts of official and unofficial processes has been set up for 60 years, the conflict remains in a deadlock. This difficulty may be partly attributed to its lack of representation and inclusion within the communities toward which these processes are addressed. Such lack of representation is particularly visible with regards to the inclusion of women in the official peace talks, as well as the “transfer of learning” from Track Two processes to the Track One level while such unofficial mediations are led by and for women. If women are present, their participation remains indeed more an exception than the rule. Let’s now further analyze the cultural factor’s responsibility of such under-representation, and more globally the nature of the relation existing between gender, culture and conflict mediation in the light of the Israeli-Palestinian case study.

Chapitre III. Rethinking Mediation: Gender and Mediation in the Israeli-Palestinian conflict

One enters now in the heart of the problem. This section is dedicated to analyse whether being a woman is compatible with the activity of mediation, in an area of the world where cultural norms are known to govern strictly and in a discriminatory manner gender relations. One is going to analyze two main questions, both related to the impact of local cultural norms to the mediation processes and the parties involved, especially the mediator. We want to assess whether women's presence is really "culturally incorrect", as well as analysing the true reasons of this under-representation in the light of what has just been highlighted in the previous chapters.

Question 1: Culturally speaking, what could represent a problem to have a mediator role attributed to a woman in this particular area of the world?

We will analyse three hypotheses:

- a) The public and political power given to the female mediator is laying a problem by not fitting with parties' respective gender roles with respect to decision-making local processes.
- b) Mediation is a process permeable to local cultural norms
- c) Palestinian culture and/or Israeli culture are hostile to women

Question 2: Who is responsible for women quasi-absence in Middle-eastern mediation efforts?

Once again, three hypotheses are going to be analyzed:

- a) Women are excluded by their mediator pairs in anticipation of a cultural clash (*anticipated clash*)
- b) Women are self-censoring them (*anticipated clash*)
- d) Women are openly excluded from the talks by the parties (*effective clash*)

As this study is limited in time and means, we could not examine all the causes of women's absence and needed then to focus on particular aspects judged the most relevant. These two questions and six hypotheses seemed to me good to start with, let's now analyse their relevance.

One must also note that all these hypotheses consider middle-eastern cultures as “hostile” to women. This argument will also be discussed throughout the chapter.

Section I : Power and Mediation

The mediator chosen to lead the mediation starts benefiting from a certain form of power and leadership to run the process. For Zartman, Power (in mediation) is the ability to move a party in an intended direction. It is often referred to in mediation as “leverage” (ZARTMAN, 1996). For Martin, “*Power in mediation is the capacity to effect change within the process which pushes it towards a conclusion*” (MARTIN, 2007:37). Ultimately, this power is given and rests with the parties. “*It is they who have the sovereignty of the process*” (MARTIN, 2007:37). Thus, although this power is real and the “ticket for mediation” (ZARTMAN, 1996), it is fragile and can be taken away by the parties at anytime. Thus, mediators tend to remain relatively powerless throughout the exercise. The extend of the mediator’s power depends entirely on the parties, whose acceptance of a mediator depends on its likelihood (potential power) of producing and outcome agreeable to both sides (ZARTMAN, 1996).

This notion of power is central to the research, because as we study mediations led by women, this “power” will be attributed to females. This could seriously change parties’ perception of the mediator. As a rule, notions of power and especially “domination” have always been crucial in gender issues and have played as one of the “stumbling blocks” of feminist trends in gender studies. Indeed, the basis of these theories is that women are studied as object of domination systems (AOUST(d’), 2008:282).

I start from the hypothesis that the problem lies in two aspects of the mediation. First of all, one finds again the idea highlighted in the previous chapter that the activity of mediating itself is a political process and is perceived as so by the parties. It then might be considered as an inappropriate activity for women according to certain social norms, which consider all forms of public involvement as none of women’s business. Even Western cultures, as we have just seen in the previous chapter, still restrict access to certain forms of public and political power to women. The “problem” is also likely to lie in the relation of power and hierarchy implied by the position the mediator takes when s/he starts leading a mediation process. Indeed, s/he begins standing at

the forefront and is “empowered” by the parties to hold talks and interact directly with them, which is a hard and even impossible thing to conceive for certain cultures. We can then wonder what could be the choice and reaction of these parties, and if they would be likely to empower a woman to address their most sensitive political issue.

What does “heading a mediation” means in terms of power and leadership? What is the real/felt mediator’s power? What is the difference between these both terms?

I) “Strong” vs “weak” mediator

One of the main ways the literature has defined how power works in mediation is through the notion of the “strong” and “weak” mediator. A strong mediator, that is to say a Track One mediator, or a mediator according to the Structuralist paradigm, has the leverage to pull in outside influences of power as necessary in order to push a process through (MARTIN, 2007). A “weak” mediator (Track Two/Constructivist approaches) does not. As we saw in the first chapter, a strong mediator has the potential to bring with it a wide range of carrots such as World Bank money, military aid, better regional relations, as well as sticks like suspension of loans, sanctions or at its most extreme military action. As defined by the Structuralist/Realist paradigm, he employs a rational-actor approach, using cost-benefit considerations. Zartman, who is the most famous scholar to have theorized international Track One mediation, has defined 5 sources of leverage used by official mediators: persuasion, extraction, termination, deprivation, and finally gratification (ZARTMAN, 1996). Therefore, the Track One mediator benefits from a form of political power that is indispensable if he wants to influence efficiently the parties to come to an agreement (which is the main goal of a Track One mediation). However, Zartman recalls that in every case the effectiveness of the mediator’s leverage lies with the parties themselves, a characteristic that makes leverage in mediation difficult to achieve. He adds “*from the beginning, the mediator’s leverage is at the mercy of the contestants*” (ZARTMAN, 1996:455).

This can confirm the hypothesis that it could be difficult for the parties to deliver this leverage to a female mediator. However, it could also “reassure” them to be able to exert this control over the mediator: although mediation is a triangular relationship, parties have the last

word and then don't need to be "afraid" of the mediator's power because they control his degree of involvement and liberty in the process. They should not feel either "inferior" to the third-party thanks to this favourable hierarchy. However, remains the question of the attribution of a form of political power to a woman by the parties, although they ultimately control and regulate it.

At Track Two level, the issue of parties' apprehension of the mediator's power goes without saying. Indeed, a "weak" mediator does not possess any leverage because the process does not focus on power politics but on social-psychological aspects, and does not aim at pressuring the parties to implement an agreement. There is then no power struggle. However, another problem can emerge from this more cooperative mediation. Track Two mediation's success requires an important proximity as well as the establishment of a relation of mutual trust between the mediator and the parties. We can wonder if gaining this crucial confidence from the parties is conceivable for a woman and does not represent a problem even more important than the one related to the power struggle. This question and more generally the issue of the necessary harmony between mediator, parties, power and trust is a core issue that deserves to be further examined, however, its relative complexity made me choose not to do so within this study a let it for a future work.

II) The power of the institution

The adjectives "strong" and "weak" do not refer directly to the mediator's personal power. Despite its importance, these terms actually refer to the institution he represents and not the mediator himself (MARTIN, 2007). Although he is the person who uses and applies it, it is indeed mediator's "employer" that detains the necessary leverages. The more the reputed, important and powerful the institution, the more the consideration, credibility and respect for the mediator from the parties. The interesting fact is that, this importance given to the structure's reputation also works for women: *"if you are Hillary Clinton, people pretty much everywhere will take you seriously"* (POTTER, 2010). The Institution's notoriety and reputation is more important than the mediator's record, status and even his gender in a huge majority of cases. This is particularly true for Track One mediations where leverage is essential to pressure the parties adequately, but also for Track Two. One of the women interviewed told a significant story about the special status she started benefiting from because of the reputation of her employer:

“When I came back to Lebanon for an important meeting on humanitarian mediation, I was still a simple Arabic woman at my arrival, the one my relatives and local relations used to know and consider. They talked to me like if I was a little girl and did not grant me a lot of legitimacy and reconnaissance. However, when I started my presentation, I turned into a research fellow speaking on the behalf of the recognized French research center that employed me. It made radically change the way people talked to me afterwards. It was not only the quality of my presentation, but also and perhaps especially the reputation and seriousness of the institution I represented that modified their behaviour toward me. I was not an Arabic woman anymore during this congress, I was a recognized French scholar. As if my gender and nationality were suddenly forgot.”

This story can confirm the tendency described above that gender might not be on the top priority list compared to the political and powerful issues at stake, especially if the mediator represents a powerful and recognized institution. Given the importance of the issues addressed, if a mediator is judged qualified by the parties to do the job, his/her gender won't be given as much consideration as in a daily life scene, and will probably not be taken into account at all in most cases.

III) Mediator's personality

Additionally to the power of the mediator and those of his institution, the role his personality plays in the process is also important. *“Although the idea of strong and weak mediators gives us an indication of their theoretical chances of success, it is a rather clinical approach which ignores the complex way power operates in a process. It also implies that the only power of significance is external pressure, whereas power can come from the parties, the domestic environment as well as the dynamics of the process itself, not least the personality and skill of the mediator.”* (MARTIN, 2007:39). Indeed, mediator's personality can play an important role and sometimes tip the scales in favor of the process' outcome. Harriet Martin provides a good example of this importance:

“Most understand (the Oslo process) as a process in which the Norwegians enabled the two sides in the Middle East to meet and the rest was down to them. Yet members of both the Israeli and Palestinian negotiating teams involved in the talks concede that it was the persuasive, compelling and shrewd personality of Terje Roed Larson, who actively drove the process on a daily basis. By cajoling and charming the negotiators in equal measure, he was key to giving the talks the momentum needed to push them through to an agreement.” (MARTIN, 2007:40)

Despite their importance, personality's perception and personal affinities between the

mediator and the parties are something very subjective and difficult to anticipate. It might play against women for the reasons previously mentioned in the last chapter²⁴. Nonetheless, it might also play in favor of women as affinities are unpredictable mechanisms, which do not exclude the principle of an eventual man-woman friendly relation or good affinity. Besides, women are told to be very good at socializing, making people feel comfortable and maintaining good professional relations (POTTER, 2005), especially in the mediation domain while every mediators are expected to possess and exert such psychological and social qualities – of which socializing and networking are part of. This is especially true for women, as the few who have succeeded in issuing among the top-level mediators community have needed, to do so, to compensate for their “handicap” (their gender) by demonstrating exceptional skills and personal qualities throughout their carrier.

IV) Peace-making: “war at the negotiating table”

One should not forget either that the main issues discussed in a mediation process – especially at Track One level - are war, violence, conflict and power politics; in other words, a “men’s business” according to most cultures in the world (POTTER, 2005). At Track Two level, although the approach is more comprehensive and constructivist, the nature of the issues tackled nonetheless still deal with war, and might make some parties reluctant to share their opinion and confide their views, fears and expectations to a female regarding this particular matter. Because the issues at stake are very sensitive and emotive, the atmosphere can quickly turn very tensed, even at Track One level while discussions are supposed in theory to be driven by objective aspects following the “rational-choice” model. *“Peace-making is after all, war at the negotiating table, war which is fought between and refereed by big personalities, over big and emotive issues. These feelings, even when not rational, matter. For if those big proud characters in the negotiating teams feel they are in danger of being coerced or humiliated by more powerful forces in the mediation, it is the process that pays the price”* (MARTIN, 2007:40). Some can thing than throwing a woman into this already very tensed, instable and unpredictable mix can then represent a dangerous and unnecessary thing, especially if a man with the same

²⁴ Men better get along as one to another, and are not especially used to including women within their network, nor sharing particular professional affinities with the opposite sex in the diplomatic domain (refer to Chapter 2, Section 2)

qualifications is available to do the job...

V) **The power of belief and perception**

This likely subjective and emotive character of the talks has something to do with perception. *“Perceptions have extraordinary power in mediation and can, as this case suggests, be more powerful than the most determined and supported of UN diplomatic efforts”* (MARTIN, 2007:40). Martin gives as example of the importance of perception the mediation process addressing the Cyprus crisis. Although all the objective elements were gathered to ensure a success for the mediation, Greece developed an open antipathy for the mediator, and succeeded in deterring its citizens to vote in favor of the UN peace plan. *“Most people would dismiss Papadopoulos’ whinging as thinly veiled spin; yet with the help of a willing media, the people they peddled it to did not. They believed what their president told them, and they voted to reject the UN plan”* (MARTIN, 2007:41).

Therefore, this reinforces the idea of the importance of good relations between the mediator and the parties to ensure that perceptions and feelings will favor the process instead of perturbing it. It also confirms the unpredictability of such emotions and the impossibility to anticipate how parties will react when confronted to a particular mediator (male or female). However, one should not forget that the participants are for most professional negotiators, actual or former diplomats, political or community leaders, all aware of their responsibilities and their side’s strategies they are empowered to complete successfully. Thus, even perception and subjectivity need to be taken into account while analyzing and anticipating parties’ behavior, mediators and their institutions should keep in mind the objective factors driving the process and inciting parties to sit around the negotiation table; and then not paying a too excessive attention to perception. After all, these are the parties who requested the holding of the mediation process... They will then be likely to adapt to the third party because they need to, the issues at stake being to important to let their personal feelings about a particular person prevailing upon the core interests and concerns of their team, group, community, or nation.

Besides, in some particular cases, especially at Track One when mediators are top leaders from a big power such as Hillary Clinton, the parties even cannot afford to fall out with such a

powerful actor by rejecting its special envoy according to simple perceptions and subjective apprehensions solely based on gender. Although perception can play a role, parties are not stupid, they have too much to lose if ever they take this decision, and will probably prefer making the effort to talk to a woman rather than making an enemy of the institution she represents.

Conclusion of Section 1

Therefore, the notion of power - especially its manifestation in the process as well as its acceptance and perception by the parties - is indeed a core issue in the practice of Mediation. However, it has not been proven through this section that power may have a systematic bad influence on women's integration, this acceptance and perception being very versatile and influenced by many other parameters. However, one must note a certain correlation existing between level/importance of power and women's presence in the talks: the more one comes close to official sphere, the more the mediator possesses power, the less women are represented. Power can hence play a role in women's exclusion in the way that this notion is associated with a professional and political sphere victim of discriminatory and machist practices, expressed by the presence of a strong glass ceiling. This discrimination seems to play against women equally in parties' and Third-parties' respective political spheres and nomination processes. The forthcoming analyze of the role of cultural specificities in the mediation process, and the degree of interactions between both, may help clarify whether this discrimination is directly related to parties' and Third-parties respective cultures, as well as assessing the importance of this relation.

Section II : Is mediation a process permeable to local cultures?

I) Defining culture

Defining culture has always been a tricky issue. However, it is indispensable before undertaking any analysis based on presumed culturally influenced behaviours. Some recognized scholars such as Raymond Cohen, Kevin Avruch or more recently Tamara Cofman Wittes, brought a major contribution to the cross-cultural studies field applied to international negotiations. Although all these definitions are essential and should be seen as complementary to

well understand the totality of the cross-cultural analysis field, we will particularly dwell on Wittes' one, especially because she designed it for the Israeli-Palestinian case study. She set out culture as *"the product of the experience of individuals within a given social group, including its representations in images, narratives, myths, and patterns of behaviour (traditions), and the meanings of those representations as transmitted among the group's member over time and through experience."* (WITTES, 2005:4)

The concept of "political culture" coined by Gabriel Almond and Sydney Verba²⁵ is particularly interesting, especially its application to the Israeli-Palestinian conflict designed by Tamara Coffman Wittes. She highlighted the importance of Israelis' and Palestinians' "ethnonational identities" in the shaping of their political culture, that is to say by extension their way of negotiating and behaving in the peace talks. She recalls how *"ethnic identity and its symbolic manifestations have been shown to affect groups' perceptions of issues central to their conflict, such as the prerequisites of security, the intentions of their adversary, and the definition and purposes of political power and sovereignty"* (WITTES, 2005:5). Culture hence seems to play a role in people's way of behaving in negotiation and mediation processes.

Culture is voluntarily considered throughout this study as a negative factor and a potential stumbling block to mediation processes, as it might directly affect discussions, by making local participants' reactions difficult to anticipate as well as their behavior in negotiations hard to handle and understand. However, even if culture plays a role in the peace talks, and by extension mediation, can we conclude that gender relations, which are part of the local social and cultural norms, will equally infiltrate the peace talks, like the symbolic manifestations of ethnic identities seems to do according to Wittes? Nothing is less certain than that, but this question will be further developed in a future point of the study. Let's first analyse the penetration of culture into mediation processes. Indeed, if we want to assess the impact of local cultural norms onto women's involvement in conflict mediation efforts, we first need to look into a more technical question, by analysing the degree and nature of culture's penetration into the process itself, as well as its management by the mediator.

²⁵ They defined political culture as "attitudes toward the political system and its various parts, and attitudes toward the role of the self in the system." (ALMOND & VERBA, 1963:13)

This penetration can take two different forms: it can be “suffered” or “unwanted”, in other words it concerns the “natural” degree of cultural penetration into the mediation process, the one that the mediator cannot master nor control. But this penetration can also be “wanted” by the mediator, and depends hence on his cross-cultural management strategies, which determine the degree of consideration (and then penetration) of parties’ cultural norms in the process. Let’s now analyse such both forms.

II) Mediation: a process naturally vulnerable to “cultural penetration” ? (“Suffered permeability”)

Here is a simple reality to start with: most conflict mediators do not share the same cultural background and characteristics than parties whom they mediate dispute’s. The most obvious explanation is because usually, an international conflict mediator simply does not come from the countries where the conflicts he mediates occur (mainly for neutrality reasons). He can nonetheless come sometimes from the same region, as it was the case for Egyptian or Jordanian mediators in the Israeli-Palestinian conflict, or for some Israeli and Palestinian non-official Third parties. However, even in this case, these mediators shared some common cultural attributes with only one side, as this cultural difference also exists between the warring parties. Indeed, as Wittes highlighted it, Palestinian and Israelis don’t share either the same cultural habits and norms or the same “ethnic identity” (WITTES, 2005:5), although they live in the same geographical area. Therefore, the influence of culture in the peace talks seems evident to many senior scholars, including Wittes: *“(cross-cultural analysis) confronts one of the enduring challenges of international conflict resolution: no matter what interests the two sides in a negotiation might share, no matter how high the stakes for successful agreement, talks can fail – or produce agreements that fail – simply because cultural differences preclude clear communication and shared understanding between negotiators.”* (WITTES, 2005:3)

What is Mediation processes’ “permeability” level to local social and cultural norms? Does it depend from the social/political level at which the mediation is set up? Or rather from the personal qualities and background of the parties involved in the process?

Mediation, more than another process, seems particularly exposed to this risk of “cultural penetration”, because it is relying on socio-psychological dimensions. As we have seen previously, this process’ success partly depends from the mediator’s capacity to be a “repository

of trust” and establish a climate of mutual confidence among all the parties – including him/herself. This is especially true at Track Two level, where social-psychological inspired methods are part of the core tools and strategies used by the mediator during the process. At the opposite, leading a mediation at official level, or at least involving people used to the “acultural” (culture-free) diplomatic protocol, might facilitate mediator’s job by preventing or at least lessening cultural interferences from disturbing the process.

Then, we could emit the hypothesis than, the more the mediation process involves parties far from the official sphere, higher the permeability to local cultural norms and then the risk of interference, and higher the risk of failure for the process if the cultural issue is not managed properly. More simply: the more we get away from Track One, the more culture is a decisive factor in the mediation. Is this hypothesis true and verifiable?

A) Track 1 actors: weak risk of cultural “penetration”?

At official level, the diplomatic protocol is supposed to erase eventual cultural disparities likely to interfere with the communication process and then impede the negotiation process. The practice of common rules and the sharing of a same “diplomatic culture” is supposed to ensure a sort of “acculturation” for the process. Diplomats are expected to let their cultural specificities at the door of the negotiation room to adopt a more “universal” or at least “negotiations-fitted” posture (MASTROJENI, 2008). This is also valid for Track One mediation: although the process is different, we have seen that the same actors practice it.

Besides, diplomats are working in a quite self-contained and privileged world, far from laymen’s preoccupations. They know and are used to deal with western cultural norms and most are not or few shocked to mix with women in their professional environment. Thus, we can think at first sight that, although culture cannot be just “dropped” by the only mediation parties’ will and will always play a role, Track One mediation seems nonetheless to run a weak risk of cultural penetration and interference within the process. However, once again, this situation is just a tendency describing how official diplomats are supposed and expected to behave, but exceptions do exist. Besides, mediation is not a classic negotiation and even at Track One level psychological and social aspects are present and play a role.

Structuralist/Realist approach: As already told in previous chapters, it's all about power politics and political strategy. Women's presence question is then totally trivial compared to the issues at stake and parties' preoccupations, which are maximising their interests according to a rational vision of the world. The process is less important than its outcome and parties' interests. Besides, this paradigm is associated with the Track One level, we can then refer to the previous remarks regarding actors from this political level.

B) Track 2 actors: medium to strong risk or the best way to avoid a culture clash?

Actors involved in Track Two mediations are not or former diplomats. On the one hand it is difficult to generalize due the extreme heterogeneity of the actors concerned by this process, which can include a huge panel of people, from religious or community leaders, to former diplomats close to the political institutions, through experts, scholars or even simple citizens. Their reaction will depend on their personal background, education, personality and own beliefs, as well as their professional experience in the negotiation sphere. We can nonetheless affirm that a certain part of these people are not or less used to working within the negotiation sphere nor dealing with the diplomatic "culture". With regards to these elements, the risk of seeing local culture interfering with the Track Two process seems higher than in the official sphere.

Social-Psychological/Constructivist/Cognitivist approaches: the goal here is to hold a dialogue, to create bridges between parties and to transform their perceptions. The cultural factor is thus present and even at the heart of the process. It is a "bottom up" and "grass-roots" approach than largely differs from the traditional track, including its diplomatic protocol and rules. It is then dedicated to people from outside the official sphere. We then come back to the previous remarks on the track two actors.

III) Must Mediation take culture into account? ("Wanted permeability")

Let's now analyse the second form of permeability, the "wanted" or "conscious" one. The main question here is: has mediation to be a hermetic "non-cultural" bubble to ensure its functioning, as it is required by diplomatic standards of traditional track one negotiations? Or at

the opposite should it include and take into account cultural specificities in order to improve proximity and confidence with the parties?

As stressed at the beginning of this section, there is a notable difference between the real presence of culture in the peace talks, and its perception, assumption and consideration by the third parties and the mediation teams. This latter gap might be actually more responsible for the problems encountered in the talks than the cultural difference itself. The difficulty of framing, defining and dealing with a People or region's culture has always been a critical issue for conflict mediation and negotiation teams. They have oscillated between different methods through mediation's history to define their strategy. These ones have been derivated from the most "Universalist" cross-cultural theory, considering that culture would not represent a problem as long as (since?) people would be able to communicate, to the most Relativist and "Go-Native" interpreting any single eyelid winking as a potentially threatening cultural bias. On the one hand, the "Universalist" method aimed at not taking culture into account at all and proposed a sort of "universal" mediator toolkit, including culture-proof methods supposed to work with participants from every part of the world. On the other hand, the "Culture Matching" method aimed at coming the closest possible to the participants' cultural specificities in order to avoid the famous and dreaded "culture clash" (DAVIDHEISER, 2005; WOODROW & MOORE, 2003; MANCINI-GRIFFOLI & PICOT, 2004). These methods represent both extremes and have shown their limits. The true probably lies in between. As a rule, culture management in the process depends on the mediation's context, the mediator's formation and background, as well as his institution's values and habits.

Transformative mediation is a good example of the "Relativist" tendency consisting in putting parties' culture at the center of the process. This method is presented as an efficient mean to address cultural biases, and "*represents an ambitious effort to counteract problems of power disparities and cross-cultural applicability*" (DAVIDHEISER, 2005). Indeed, "*Ground rules are eliminated or minimized and, rather than aiming for settlement, the goal is the empowerment of the disputants. Transformative mediators do not rely on a unilinear staged model, instead the disputants are allowed to participate in the shaping of the process*" (DAVIDHEISER, 2005). This method hence aims at perpetually adapting on a case-by-case basis the mediation process to parties' specificities, including their cultural norms.

However, more and more experts and practitioner actually agree on the fact that culture should be taken into account in order to ensure the good ongoing of the mediation process. Then, Potter "*certainly thinks mediation should take local culture into account - not assimilate it entirely, necessarily, as it may be useful to stand apart, but in the same way that some people argue that mediations should have psychologists in the room, in the same way anthropologists would be useful, to understand the richness and complexity of context that each actor brings into the room*" (POTTER, 2010). Davidheiser adds that, "*although the current formulations of the process model do contain cultural preconceptions, they represent a substantial move in the right direction. Our accumulated knowledge of culture suggests that an open and integrative praxis is essential to mediation becoming a truly multicultural field*" (DAVIDHEISER, 2005). The difficulty lies thus in finding a good equilibrium in the cross-cultural management strategies' spectrum.

IV) Can one get rid of culture?

Is keeping culture outside of mediation even a conceivable thing? Not really. Although the diplomatic protocol tried to lessen its impact on the process by developing methods to train people how to be aware of their own cultural biases, culture cannot be totally erased. It is indeed part of each of us unconscious behavior, upon which the exact degree of culture's action and responsibility is extremely difficult to define and isolate. We then need to learn how to deal with it anyway.

Conclusion of Section 2

The "real" degree of cultural penetration is very difficult to assess. Additionally to the willingness of mediators to "let culture in", culture presence mainly depends on the political level at which the process is run, as well as the actors involved, especially their diplomatic background and experience in the international negotiation sphere. The essential questions that should be asked are the following: are these people familiar to the diplomatic protocol and standards of talks? Are they used to using the main negotiation and cross-cultural dialogue techniques, (for instance letting their cultural specificities at the door of the negotiation room to adopt a more "universal" or at least "negotiations-fitted" posture)? Each mediation is different from one another. Thus, anticipating the degree of cultural influence in a future mediation is a

case-by-case effort and analysis to be made by the mediators on a very careful and precautionary basis. Indeed, one will see that even the most experienced and forewarned mediator cannot entirely predict and anticipate all the cultural-driven behaviours of the participants, partly because personal background and character also plays a role in the process and are totally unpredictable factors.

Nonetheless, the previous elements seem to show that the permeability degree may be more important at Track Two level than at Track One. Though, one has already exposed that women are more present at Track Two than at Track One... If we keep the argument that culture has a negative impact on the talks, the problem of permeability seems then not totally relevant to explain their absence due to a refusal from the parties to exchange with a woman about political and conflict-related matters. The forthcoming point is dedicated to clarify the relevance of mediators' anticipation of parties' cultural specificities and behavior as well as parties' real "hostility" toward women, and more specifically female mediators.

Section III : Are Israeli and Palestinian cultures "hostile" to women?

As we have just exposed it, defining, framing and anticipating cultural behaviours is a very tricky and complicated task, even for senior mediators and experienced cross-cultural analysts. But as Antonia Potter recalls it, taking culture into account is nonetheless indispensable to favour the good ongoing of the mediation process²⁶. This section is then dedicated to analyse whether the Israeli and especially Palestinian cultures are hostile to women and resistant to include more of them in the official and unofficial mediation processes. Are the generalisations and stereotypes made about these cultures, especially the Palestinian one, right? Are we overestimating or exaggerating their reactions and hostility to women? Or are we underestimating it? Is it really possible to define these cultures and isolate/anticipate common specific patterns likely to impede women's participation to the peace talks?

²⁶ Interview led in June

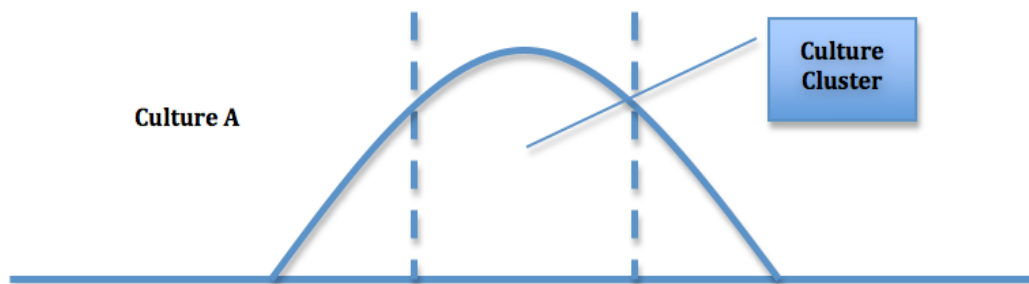
I) Framing a culture: a difficult task

A) The notion of “culture clusters” and the necessity to nuance the cultural attributes of a given group

We will here analyse an interesting method of framing culture that has been specifically coined for mediation (especially Track Two mediation) by Woodrow & Moore in 2003 and that could help understand the notion and content of “cultural groups”.

In their article “Mapping cultures: strategies for effective intercultural conflict resolution”, the authors expressed their concerns about generalizations made regarding cultural patterns and attributes of a presumed homogeneous cultural group; for instance Muslims. Like the majority of cultural analysts, they are convinced that culture “*provides models and norms for acceptable day to day interactions and styles of communication, (and) enables people to live together in a society within a given geographic environment, at a given state of technical development and at a particular moment in time*” (WOODROW & MOORE, 2003:150)²⁷. But, as Trompenaars did in 1994, they introduce the notion of “cluster” that nuances this apparent homogeneity characterising a cultural group. According to them, “*specific cultures do contain clusters of people with fairly common attitudinal and behavioural patterns*” (WOODROW & MOORE, 2003:150). As indicated in Figure 5 below, these clusters occupy the middle portion of a bell-shaped curve.

Figure 5: *Distribution of cultural Patterns in a specific group*
Source: Trompenaars, 1994; quoted by Woodrow & Moore, 2003



²⁷ **Their complete definition of culture is given page 150:** “*the cumulative result of experience, values, religion, beliefs, attitudes, meanings, knowledge, social organizations, procedures, timing, roles, spatial relations, concepts of the universe and material objects acquired or created by groups of people, in the course of generations, through individual and group effort and interactions. Culture manifests itself in patterns of language, behaviour and activities and provides models and norms for acceptable day to day interactions and styles of communication. Culture enables people to live together in a society within a given geographic environment, at a given state of technical development and at a particular moment in time.*”

However, by visually defining this cluster, the graphic reveals in the same time two other portions of the curve not included in the cluster delimitation. This represents what the authors call “the outliers”: “people who vary significantly from the norm.” According to them, “*every culture includes outliers [...]. While still contained within the range for their culture, their views and behaviors differ significantly from those of their peers and may even look similar to those of other cultures [...]*” (WOODROW & MOORE, 2003:151).

For this reason, they insist on the dangerousness of making generalizations and assimilations about cultural groups: “*we must be wary of generalizations about how people from a specific culture may think or act. Rigid notions about group’s cultural patterns can result in inaccurate stereotypes, gross injustices to the group and possibly disastrous assumptions or actions. Common cultural patterns found in a group’s central culture cluster should be looked upon as clues to the ways a cultural group may think or respond. But the hypothesis should always be tested and modified after direct interaction with the group*” (WOODROW & MOORE, 2003:151).

They also state that there exists an infinity of cultural groups that insert one into another like «Russian dolls ». If the Middle East can be considered as a cultural group, it includes a lot of individuals extremely different from one another. They are all part of cultural « under-groups », as heterogeneous and numerous as the people who compose them. For instance, a Palestinian diplomat can be simultaneously part of the Muslim cultural group, the Middle East one, the Palestinian one, the diplomats one, the Ramallah citizens one, the horse lovers one, the Mercedes drivers one, the soccer players one, the group related to his college or high school, the men one, etc. Even his family can be considered as a cultural group. He shares with all these groups a certain amount of cultural patterns that have all shaped his personality and will then influence his behavior and way of thinking during a negotiation process.

Therefore, on the one hand, one clearly cannot generalize the potential results of this analysis of the Israeli-Palestinian case study to the whole Middle-East area. On the other hand, it shows that even inside the Israeli and Palestinian societies themselves are coexisting individuals with very different norms and patterns. Many examples can illustrate this fact. Behaviors and reactions – especially regarding women’s rights and expected behavior in the public sphere – are

for instance very different in Ramallah than in Nablus or Hebron²⁸. Women will be able to go out in Ramallah without any scarf covering their neck and even “only” wearing a T-shirt. They will be allowed to sit at almost every Cafés and even at pubs (which existence is almost exclusive to Ramallah due to the strong international presence that influences city’s daily life), they will be able to smoke and drink in public places, to mix with men, to go out alone in the streets after 9 pm... However, all of these activities and behaviors may be forbidden or at least VERY inadvisable and culturally inadmissible in cities such as Nablus or Hebron.

This example shows how important is the difficulty to anticipate and analyse behaviors and reactions of individuals part of a specific cultural group. *“Given the multiplicity of culture, crafting a sophisticated, yet cost-effective, method of measuring disputants’ cultural perspectives and providing them with a suitable mediator appears daunting. In addition, matching is another approach that, I believe, is too superficial”* (DAVIDHEISER, 2005). Though, this anticipation work seems to count as one of the core tools of mediators’ cross-cultural management strategies. They lead cultural analysis prior to the mediation that will build their expectations about participants’ way of acting, behaving, feeling and thinking. These expectations combined to the desire of matching the most possible their behavior with their interlocutor’s one in order to avoid a potential culture clash, make them adapt upstream their method and the composition of their team to these anticipations. The point is, as Antonia Potter explains it, that this adaptation process may include the exclusion of women when the mediation is going to be held in a cultural area “known” or rather “expected” to be unfriendly to women, such as in this case.

However, as showed in the scheme, mediator teams can just predict a part of these patterns for a part of the population only, that is to say the one included in the “culture cluster”. If this theory is true, it is then impossible to know in advance on which portion of the curve will be located the participants to the mediation process, nor how many curves and culture clusters the participants are part of. Women seem then to be excluded from the talks only in the name of the precautionary principle, with no real insurance that the risk of seeing them rejected by the participants or disrupting the talks is real.

²⁸ Comments extrated from personal experiences

B) The “vertical” (inherited) and “horizontal” (social and context related) aspects of culture

This notion of vertical and horizontal cultures has been coined by A. Maalouf in 1998, and enforces the concept of “multicultural individuals” just exposed. By defining vertical culture as “inherited patterns”, and horizontal culture as “what is passed on to individuals”, Maalouf affirms that people are not *“the product of a single culture, but, rather, a melange of cultural influences”* (MAALOUF, 1998:137). This then confirms the unpredictability of such influences highlighted above, and especially the mistake commonly made by people – including mediation teams – trying to qualify the culture of their interlocutor. *“All too often when people seek to define a person’s cultural identity, they have a tendency to overestimate the influence of the vertical to the detriment of the horizontal. ‘He’s an Arab Muslim’; ‘He’s a Dinka’. However, horizontal factors can sometimes make the person in question even more different to the other members of the vertical group to which he/she belongs. For example, a Dinka who has studied in the West may have more in common with a Westerner who studied at the same university than with a Dinka cattle herder born a few hundred kilometres from his/her own native village”* (MANCINI-GRIFFOLI & PICOT, 2004:126).

However, all scholars quoted here assume that categorisation and stereotypes are *“a key part of how human beings organise reality”*. They also assume the fact that *“humanitarians will bring preconceived ideas about the cultural identity of their counterparts to the negotiating table is at once unavoidable, useful and dangerous. It is unavoidable because you cannot stop yourself from trying to frame the person with whom you are establishing a relationship. It is useful because by drawing up a provisional image you will later be able to modify it little by little as you get to know the person better. And, finally, it is dangerous because you run the risk, due to a lack of information or curiosity, of sticking to your first impressions, stereotyping and never adapting your view. This can leave you with a false perception of a counterpart, with obvious negative consequences for your negotiation relationship”* (MANCINI-GRIFFOLI & PICOT, 2004:126; FISHER, URY & PATTON, 1981).

C) The impossibility to culturally characterize and anticipate the behavior and decisions of mediation activities' "typical participants"

As a conclusion, all scholars quoted have stressed the difficulty of framing, characterizing, and thus anticipating an individual's culture, including for cross-cultural experts such as the mediation teams. Some of them even clearly criticize such methods: *"Given the multiplicity of culture, crafting a sophisticated, yet cost-effective, method of measuring disputants' cultural perspectives and providing them with a suitable mediator appears daunting. In addition, matching is another approach that, I believe, is too superficial"* (DAVIDHEISER, 2005).

The hypothesis that women are excluded upstream by their conflict resolution peers in anticipation of an eventual cultural clash seems then to be validated by our analysis. However, admitting that the Palestinians and Israelis participating to the processes would all possess most of the patterns attributed to their country's culture cluster, are our representation and characterization of these culture clusters even right? In other words, are these cultures really unfriendly to women's participation to these kind of sensitive political events? Are mediators really risking a cultural clash and an open rejection by the parties if ever they decide to introduce women as mediators? This is what is going to be analysed in the coming point.

II) A portrait of Israeli and Palestinian cultural norms and vision of gender

One has just demonstrated that the mediation team's cultural management methods, in addition to a discriminatory selection process, may be responsible of the lack of females' investitures as conflict mediators. However, one has not analysed yet the relevance of these assumptions about "the" Middle-eastern culture, although one has seen the inaccuracy of confusing the Israeli-Palestinian case and the whole Middle-East. By analysing both Israelis and Palestinian cultures and ways of negotiating, the goal of this party is to assess whether parties can likely-openly or not- reject a mediator's participation to the mediation because of her gender. To do so, we have to consider certain questions: how are local women considered? What is there social status? What is there real access to the public sphere and political power? How has the conflict impacted it? Is this area - and especially the Arab culture - as unfriendly to women as the Western speeches have affirmed it? Can we analyze women's role in these societies with the

same eye and referring to the same hierarchy of powers than we do for Western societies? What happens when a woman heads or gets involved in a mediation process in Israel/Palestine? Could the parties openly reject a woman from the talks?

A) Place of women and nature of gender relations in Palestine: a complex situation

| | |
|--|--|
| Female population: | 1,853,214 ¹ |
| Female life expectancy: | 73.2 years ² |
| Female literacy rate: | 90.9% ³ |
| Fertility rate: | 4.6 children ⁴ |
| Female marriage rate: | 58.1% ⁵ |
| Never-married women (over 15 years): | 39.3% ⁶ |
| Early marriage rates: | 14% of 15-19 year olds and 59% of 20-24 year olds ⁷ |
| Median age at marriage: | 19.4 years ⁸ |
| Widowed females: | 1.3% ⁹ |
| Divorced females: | 1.1% ¹⁰ |
| Female-headed households: | 8.8% ¹¹ |
| Female holders of a Bachelors or higher degree: | 7.6% ¹² |
| Female labour market participation: | 15.4% ¹³ |
| Female participation in the Palestinian Legislative Council: | 12.9% ¹⁴ |
| Female judges: | 11.2% ¹⁵ |
| Female prosecutors: | 12.1% ¹⁶ |
| Females with at least one disability: | 52,228 ¹⁷ |

Figure 6

Women's status and situation in Palestine is complex and heterogeneous. If one looks at figures, The Palestinian Territories seem to rank among the top countries in the MENA²⁹ area regarding many social and political aspects, among which its relatively good integration of women in the public sphere³⁰. Despite the conflict and the numerous Israeli restrictions, the level of women's alphabetisation (90.9%) is one of the highest in the Middle East (refer to the table here-below). Women are not denied from participating and getting involved personally in public and political life of the Territories, and some of them have been occupying powerful or key positions for a long time. For instance, we can cite Siham Barghouti, the Palestinian minister of culture, Salma Aweida, director of the center for feminist studies, Amneh Rimawi, director of the General Union of Palestinian Workers, Fadwa Barghouti, lawyer and member of the Revolutionary Council, Nahla Qura, former director of the cultural affairs' department of Ramallah's municipality³¹, or Hanan Ashrawi whose political involvement and responsibilities have been presented in the second chapter.

Some women are also involved in political organizations (PLO, Fateh) as well as in key departments acting at regional and international levels, which are on front interest for our study.

²⁹ MENA : Middle East and North Africa

³⁰ In a public meeting hold in September, 30 2009 by the French Cultural Center of Ramallah, Zineb Ferhat, manageress of the Tunis theater «El Teatro », has recalled "how women's condition was more advanced in the Palestinian Territories than in the rest of the Arab world ». <http://ccframallah.blogspot.com/2009/10/table-ronde-femmes-palestiniennes.html>.

For instance, the Negotiation Support Unit and the Negotiation Affairs Department of the PLO³² both count females in their staff, although their number is very low.

Besides, major segments and many forces within the Palestinian community argue against most, if not all, forms of gender-based discrimination (CERVENAK, 1994). Noteworthy trends have already been highlighted in the 1980's by several studies of Palestinian views of the traditional roles of men and women.³³ These studies all showed a clear trend toward of a more tolerant and liberal vision of gender relations. In 1988, the PLO issued a Declaration of Independence, which contributes to an understanding of Palestinian aspirations regarding the status of women. (CERVENAK, 1994) The Declaration of Palestinian Independence II of 15 November 1988, quoted by Giacaman & Johnson, states:

"The State of Palestine is the state of Palestinians wherever they may be. The state is for them to enjoy in it their collective national and cultural identity, theirs to pursue in it a complete equality of rights. [...]Governance will be based on principles of social justice, equality and nondiscrimination in public rights of men and women, on grounds of race, religion, color or sex under the aegis of a constitution which ensures the role of law, and on an independent judiciary." (GIACAMAN & JOHNSON, 1989:397-398).

However, we must remain careful while quoting these studies, as things may have slightly changed since 30 years and three additional wars (the first and second intifadas, and the recent Gaza war) that profoundly reshaped the Palestinian social background.

This global trend toward a more equalitarian status has besides been pushed forward and enforced by decades of women's involvement in the Palestinian national movement. This feminist movement provides insights into the aspirations of Palestinian women in the West Bank and Gaza, and undermines stereotypes of Palestinian women's role in society, including the assumption that Palestinian women follow their husbands (CERVENAK, 1994). The emergence

³¹ All of these women have attended the French Cultural Center's public meeting, op.cit. in footnote 10

³² The chief of the Palestinian delegation, Michael Talhami, has even been temporarily replaced by a woman.

³³ One 1986 study found that a significant number of Palestinians believe that both men and women should be responsible for providing family income. (ATA, 1986) An annual study led in 1992 by the FAFO (a Norwegian non-profit organization) tested attitudes toward gender roles in over 2,500 respondents, finding that significant percentages of Palestinian men and women believe that women may acceptably work outside the home. Over 70 percent of both men and women also held that women should vote in elections. The more educated respondents tend to hold more liberal views of women's role; they also prefer that a future Palestinian state be democratic rather than an Islamic theocracy. One observer, remarked "many women argue that the traditional woman's role has no relevance for them--and that is a major change."(STRUM, 1992:148)

of such movements is intimately linked with the conflicts that marred Palestinian's history. Indeed, "the aftermath of the 1967 war contributed to a significant increase in the political activism of Palestinian women in the West Bank and Gaza. Women mobilized to resist Israeli occupation, and were often imprisoned" (CERVENAK, 1994). This struggle gives them access to certain political rights. In the 1970s, women's involvement in political action and resistance increased; and Palestinian women received the right to vote in the 1976 municipal elections (CERVENAK, 1994). The most visible mobilization of Palestinian women began with the establishment of the Women's Work Committee in 1978, and continued with the subsequent creation of other women's committees reflecting factional loyalties (NASSAR & HEACOCK, 1990:131; GIACAMAN, 1992:368).

However, other forces argue for strict adherence to fundamentalist interpretations of Shari'a law, and the emergence and dominance of Islamic fundamentalism in certain parts of the Palestinian society, especially in Gaza, may inhibit the struggle against gender discrimination (CERVENAK, 1994). Women's situation remains thus quite heterogeneous and varies a lot depending on the region, the social level, the political affiliation and the cultural traditions of their surrounding. One must for instance distinguish the Fateh, the Palestinian Authority and the Palestinian Liberation Organization from the Hamas, and more generally the West Bank from Gaza, much more conservative and restrictive regarding women's rights. A female farmer from the Gaza strip may indeed not have the same rights, status and liberties than a woman from a rich family established in Ramallah or in the Diaspora. However, Hamas or Hezbollah's ideologies regarding women status remain far more open and liberal than those of the Gulf's kingdoms (Salafists, Wahabits, etc). Dialogue remains possible, work too (FRANJIE, 2010).

Besides, although one has witnessed a growing movement in favour of women's right and gender equality reconnaissance in the Palestinian society, women are still not considered on an equal footing than men in many aspects of their public and private lives. The perception that Palestinian women "follow their husbands" had, and still has, a certain basis in Palestinian culture.

The Islamic Shari'a law of personal status is one major source for this assumption, as it remains a significant indicator of Arab customs in the Near East.²⁴⁶ Arab nationality laws, which strongly favor paternal lines, are another. A third source is the fact that, as a practical

matter, women are often economically dependent on the male "breadwinner" (CERVENAK, 1994). The Islamic law still serves as a reference or at least a source of inspiration that governs more or less directly most aspects of Palestinians' lives. Regarding the public sphere, which is on prime interest for this study, women are present in the political life but they remain nonetheless massively under-represented, this involvement been the privilege of a small and restricted elite. As a rule, politics primarily remains a men's concern, and even the exclusive job of an enlarged patriarchal authority at local level (DAYAN-HERZBRUN, 2005). Regarding women's economic power, a lot of other inequalities also remain, with for instance only 9,5% of Palestinian women economically active (AZZOUNI, 2010).

Concerning the relation between Palestinian women and the conflict, this one is quite complex. The paradoxical role and place they took in the first and second intifada has been well analysed by Sonia Dayan-Herzbrun. On the one hand, the conflict has somehow empowered women, giving them visibility, while on the other hand it has sharply increased collective control over their image and repression against their liberties³⁴. The first Intifada has been particularly "beneficial" for women's economic power, as they have inherited responsibility for care of the family from husbands who have been imprisoned. Studies led in the early 1990's indicate that Palestinian women performed significant percentages of agricultural work in the Occupied Territories at this time; and that they were also well-represented in the formal working sector. (SABBAGH & TALHAMI, 1990:15-25) However, if one believe the recent 2010 figures given by Azzouni (9,5% of Palestinian women economically active), things may have gone "back to normal" at the end of the conflicts.

However, one cannot deny that, with the two Intifadas, Palestinian women's political, economic, and social roles in the West Bank and Gaza underwent further evolution. As Zahira

³⁴ "The first Palestinian Intifada may be the paradigmatic example showing that contestation broadens, but then narrows women's field of action. Intifada has undeniably allowed Palestinian women to gain a wide political visibility thanks to resistance [...]. Men's honour used to rely on women's body's (sexual) integrity. It relies now on women's involvement in the struggle. Demonstration has become the archetypal place of social and political visibility. Although women only hold an insignificant place in decision-making bodies, they have succeeded in imposing themselves in alternative places formed in the Streets. [...] At the opposite, and practically at the same time, women living in Gaza have been forced to wear the hijab while the three-fourths of them did not wear it before the first intifada. The Palestinian insurrection only opens political scene to few exceptional women, while the oppression is growing heavy for most of others. [...] Little by little, crimes of honour have multiplied with the indifference or even complicity of the Palestinian political class. The more parental authority is weakened, the more men are evolving in the fear, and the more control of women's public visibility becomes a collective and national concern." (Translated from DAYAN-HERZBRUN, 2005)

Kamal of the Unified Women's Council, quoted by Cervenak, explained,

“Palestinian women's role in the political struggle is no longer limited to giving birth and caring for children. When the family breadwinner was in jail, the women had to start looking for financial resources for the family, and this caused many women to enter the workforce. Similarly, the intifada caused the Palestinian woman to enter the long struggle to destroy (some) traditional social relationships down to their roots--especially their total dependence on men, traditional ways of thinking, and activities which are forced on her.”³⁵

Since 1988, women have thus become more and more active politically, and this new activism addresses not only national aspirations, but also women's rights. Observers attributed at the time this greater political activism to a "new consciousness engendered mainly by the new generation of educated women, which includes young women in camps and villages"(GIACAMAN & JOHNSON, 1989:163).

B) Place of women and nature of gender relations in Israel: a situation less homogeneous and egalitarian than the one promoted, but still uncomparable to Palestine.

As Israel is not an Arab state, its cultural norms are obviously clearly distinct from those of the Palestinian society, and must be distinguished from the rest of the Middle East too. Indeed, Israel is on many aspects closer to Western than Middle-Eastern countries. This degree of closeness is so important that several voices have even risen to ask for the integration of Israel in the European Union³⁶. The cultural gap separating Israel from the rest of Middle-eastern countries could even be considered as an element that seriously fuels the Israeli-Arab conflict. All these points let think that the nature of gender relations in the Israeli's society might not be as potentially problematic for the inclusion of women in the conflict mediation process as the Palestinian one would be.

³⁵ Summary of remarks of Zahira Kamal at "The intifada and some women's social issues: a conference held in Al-Quds Al-Sharif/Jerusalem on December 14, 1990," Women's Studies Committee (Ramallah: Bisan, 1991), pp.5-6.

³⁶ The Relationship between the EU and Israel has not reached this level yet, and it's more a political and economic strategy than a real cultural affinity. However, it has been clearly enforced in the recent years. According to the official website of the European Commission,.

« The EU and Israel committed themselves to establishing a partnership which provides for close political and mutually beneficial trade and investment relations together with economic, social, financial, civil scientific, technological and cultural cooperation. The Action Plan concluded with Israel helped give new energy and focus to EU-Israel relations. Its objective is to gradually integrate Israel into European policies and programmes. Every step taken is determined by both sides and the Action Plan is tailor-made to reflect Israel's interests and priorities as well as its level of development. There is also, for the first time, a financial assistance element to EU-Israel cooperation - Israel is eligible for €14 million in European Community financial cooperation over the next seven years. »

http://ec.europa.eu/external_relations/israel/index_en.htm

Israel possesses nonetheless certain common points with its “enemy”, especially regarding its relationship with religion, and the ambiguous place given to religious issues in public and political life. Some observers are even more and more worrying about a tendency of radicalisation occurring in Israel, both at grassroots and official level. Indeed, ultra-religious seem to gain more and more power, especially in Jerusalem, where they try now to impose to the majority their conservative way of life. For instance, some bus lines such as the number 40, are now unofficially “separated”: women have to go at the back of the bus whereas the front is reserved for men. And when a man enters a bus with no more seats available, a woman has to give him her place. Although these segregation and sexist rules are illegal, tacit and insidious, everyone knows them and more and more are forced to respect it. It does not only concern public transportations, a lot of other examples can be given³⁷, and secular Israelis, especially women, have to fight to resist against the invasion of religion in their daily life, although Israel is supposed to officially ban these discriminations.

Concerning the political level, Israel is a parliamentary democracy, of which political and electoral system³⁸ leads to the most extreme form of multipartism (GREILSAMMER, 1991). This system gives marginal religious parties an excessive weight and power in Israel’s political life, compared to the population’s percentage they really represent and the small number of their deputies elected. Thus, although ultra-religious represent only 20% of the Israeli population, their political parties are enabled by the political system to play as arbitrators in the electoral system and can then integrate the government coalition. It has been the case for the last election. Thanks to an intelligent wrangle, “Israel Beiteinou”, Avigdor Lieberman’s party, has succeeded in integrating Netanyahu’s government, so did the ultra-orthodox party “Shass”, headed by Eli Yishai. These both ultra-nationalist and religious politicians have gained very important seats within the new government coalition: Yishai is minister of interior, while Lieberman is minister of foreign affairs. These two functions are closely linked to the conflict and its settlement.

³⁷ Some religious groups are forming “commandos” during Shabbat to harass retailers that do not close their shop, while others are throwing stones on companies employing people on Saturdays. This information comes from personal discussions with Israelis and Jerusalem inhabitants, as well as personal trips to Israel. The French-German TV channel Arte has recently dedicated an entire documentary to this phenomenon, available online at: <http://www.arte.tv/fr/Comprendre-le-monde/arte-reportage/3115844.html>. Further information can also be found here: http://www.lepost.fr/article/2009/12/05/1826400_segregation-sexiste-en-israel-par-des-juifs-ultra-orthodoxes-a-l-encontre-des-femmes.html.

³⁸ Knesset’s 120 deputies are elected according to the principles of proportional representation and list ballot.

Although Israel is a democracy that forbids every form of sexual discrimination, this is not a secular state, and this tendency for radicalisation touching a certain part of the society as well as political life is likely to interfere with our topic, as it concerns individuals and groups whose some might be connected with the negotiation process (ex: Lieberman) or be involved in political or social activities in keeping with the conflict. These people are then likely to be candidates for mediation activities set up at official or non-official levels, or may influence the mediating parties if ever they are not personally involved. What would be their reaction in front of a female mediator, empowered to settle their most complex and sensitive dispute whereas some of them do not even stand sitting next to a woman in the same bus? Is this radicalisation really dangerous for future mediations or are we over-estimating the importance of this phenomenon, still marginal in Israeli society?

Although discriminations against gender are a reality, Israeli and especially Palestinian cultures and gender interpretation are then far more complex and multiple than the stereotypes promoted by mediators' cultural anticipations. Besides, even if a relative discrimination toward women exist at local level, it is impossible to conclude that this one will be automatically transposed to the female mediator and hamper her relationship with the parties. Indeed, due to their function, their status and their mission, female mediators may not be considere as "regular" women in the eyes of the parties. This potential exceptional status is the point of the next part.

III) Female peace workers: the third sex?

After having examined women's place and rights in Israel and Palestine, the question that must be examined is indeed whether female mediators are treated the same way than "regular" woman. The second question one will try to answer is whether foreign women, especially Western one, are treated the same way than local women by the parties.

A) Western women: a different and exceptional status? (Parties may also adapt to mediator's culture)

We must come back here to the previous points about international mediation teams' cross-cultural management methods. *"An important element of preparation for any dialogue or negotiation is to develop a clear understanding of how the other party defines the situation and*

the issue to be discussed [...] another critical element of preparation is to develop a tentative understanding or preliminary theory about the needs and interests of the parties, and to become clear about your own” (WOODROW & MOORE, 2003:150). So far the analysis has been led considering, like many other cross-cultural studies, that this “cultural understanding” and this adaptation effort were unilateral. However, most cross-cultural management methods, from the most Relativist to the most Universalist one, often forget to take into account the probability that this effort could be reciprocal. Indeed, the parties also likely use such management methods and manage to adapt till a certain point their behavior to the mediator’s culture. Non-Western parties have indeed also developed certain knowledge about Western culture, especially regarding our interpretation of gender relations. They are perfectly aware of women’s rights and status in Western countries, and adapt to it if necessary. This is especially true at Track one level where officials are used of mixing and working with international counterparts, including women. However, these adaptation strategies do not seem to be anticipated by the mediation teams, who may then overestimate culture’s importance in shaping parties’ negotiating behaviour and “over-adapt” to what they believe to be their reactions. It is indeed difficult to correct one’s way of talking, moving or expressing feelings, as well as ironing out the cultural patterns resulting from non-verbal communication; however, one’s interpretation of gender relations, especially the relationship with women, may be something quite easy to adapt when the circumstances request it, especially in such exceptional and special context as a mediation process. Cultural adaptation could then be in a joint effort, especially regarding women’s participation to the mediation and interactions with a female mediator.

B) The role of structure: how women’s employer and professional status override their gender and make them respectable

The role of the structure and the social status given by the institution of origin are very important, as they can sometimes override gender. One can refer to the first section of the chapter that analyses the importance of the role played by the institution the mediator represents. In private discussions, Antonia Potter and Lynne Franjié both said that, *“if you’re Hillary Clinton or Condoleezza Rice, people will take you seriously everywhere”*. In one of her articles, Potter also gives an example regarding Afghanistan, a Muslim country though possessing one of the hardest line about women’s status and rights:

“The case may be made that, sometimes, a representative’s power or institutional backing overrides their gender. To some Afghans, for example, a foreign woman with some recognisable power can be dealt with as a man. She is not the same as an Afghan woman. So while the race and gender of Condoleezza Rice is never far from some people’s minds, she is first and foremost the US Secretary of State, and will be accepted and respected as that throughout the world. If in future retirement from government, she chose to pursue a role in peacemaking, she might be able to carry some of that conferred power with her.” (POTTER, 2005:11)

Even if this case exclusively concerns foreign women (as they are seen as “outsiders”, they are not expected nor requested to follow the same cultural rules), in some circumstances a local woman can also benefit from a specific status regarding her relations with males. A specific term, that can be translated as “the men’s sister”, has even been coined in the Arab language to design an Arab woman that “does not assume nor live her femininity”, and is then tolerated to move in the male social circle (FRANJIE, 2010).

However, the point is, whatever the power of the institution employing them, these peace workers remain women, at least physically. The situation created may be then quite complex for the parties: partly because of their origin (many conflict mediators are western, at least foreigners), but overall because their responsibilities and their mandates, female mediators are not considered the same way than “regular” local women and benefit from a preferential treatment. But as they are not men either, they are not totally considered and treated like males³⁹. This is precisely why the denomination of “third sex” is relevant: female peace workers, especially foreigners, benefit from a sort of exceptional status, which can even be useful for the mediation if well controlled. Indeed, they can use and make an advantage of the various attributes and symbols linked to femininity (seduction, softness, empathy, the mother symbol, etc.) to play on purpose on their interlocutors’ psychology during a mediation process.

Additionally to the employer’s role, personal experience and network are also very important. All the local women politically active and involved in the peace process were considered as “iron ladies” (Leila Shahid, Hanan Ashrawi, etc.). Besides coming from famous and powerful families with an important political tradition, they gained their personal credibility through their own experience and network (FRANJIE, 2010). As Lynne Franjié said, “*turning*

³⁹ I have personally experienced this ambivalent status in my relations with my male Palestinian colleagues. At the beginning, they did not really know how to behave with me: as a Western person I clearly had privileged status and relations with them compared to my female Palestinian colleagues who always kept a certain distance. However, the fact that I was a woman, regardless of my origins, made them feel a bit uncomfortable sometimes, especially in situations of physical proximity

up at a mediation process, saying to the parties “hello, I am a very gifted mediator and my employer is very famous and powerful” is not enough. Female mediators, even top leaders such as the US secretary of state, must prove themselves to gain parties’ respect and confidence.”

Nonetheless, and this is basically what this section was dedicated to analyse; gaining this confidence is thus possible for a woman anyway. This is unsurprisingly true for the Israeli party, but also for the Palestinian one.

Conclusion of Chapter 3: “Us rather than “them”?”

In the light of the elements highlighted in this last chapter, one can conclude that women’s strong under-representation in the Middle-East area is not due to local cultural obstacles directly imposed the parties, but rather from the intensification of upstream structural difficulties as well as an abusive use of the principle of precaution in mediators’ cross-cultural management and anticipation strategies. However, such precautions appear as objectively unfounded. As says Antonia Potter, *“those who put the teams together have not wanted to risk the prize by throwing a complicating female factor into the mix. In the few cases where they have, the women mediators say that if there is any kind of reaction to their gender at the very beginning, it quickly wears off, leaving as the more important factors their personality, skills, experience and institutional backing. That might suggest that it is ‘us’ rather than ‘them’, the conflict parties, who worry about how the woman question will play in this regard”* (POTTER, 2005 :12).

Every people questioned for my study agree to say that the hypothesis of a direct and openly expressed reject of female mediators by the parties is really more than improbable in the context of the Israeli-Palestinian conflict. As Cervenak says,

“Justification of gender discrimination on the basis of Arab law and culture is a familiar refrain in the field of international human rights. It is part of the debate over whether human rights are culturally relative or universal. Cultural relativists insist that where human rights standards and local culture conflict, local culture is to be respected at the expense of human rights standards. Universalists, in contrast, argue that international human rights standards apply to all human beings, and that local culture must defer to these standards when the two conflict. Universalists thus argue that ‘women’s rights are human rights, not “second class” rights subject to cultural norms.’ A strong majority of states adhere to universalism, which the 1993 World Conference on Human Rights reaffirmed. Many scholars and activists from the Arab world, including Palestinian women, also espouse this position. They have criticized cultural relativists for their

failure to recognize that culture may be universal while yet remaining 'adaptive'” (CERVENAK, 1994:349).

The cultural factor is then clearly and regularly overused, over-estimated, but also distorted by too many simplifications and shortcut, especially regarding Muslim culture. As just underlined, this distortion is even denounced by many scholars and activists in the Arab world.

Therefore, by regularly using such rough and inaccurate clichés, the mediation sphere contributes – even unvoluntarily - to the promotion, feeding and perpetuation of such simplifications. This situation shows many common points with Edward Saïd’s “Orientalism” concept, defined as a constellation of false assumptions underlying Western attitudes toward the Middle East (SAID, 1978). Saïd was a precursor of the denunciation of the promotion of such assumptions by the academic world, that he considered as marked by a "subtle and persistent Eurocentric prejudice against Arabo-Islamic peoples and their culture" (SAID, 1978).

This point is considered by Cervenak to be the core problem of women’s discrimination in the conflict resolution and peacebuilding sphere: *“As Edward Said discusses in his seminal work, Orientalism, Western stereotypes of Arabs and their culture are notoriously inaccurate. With respect to one significant stereotype, the West regards women of the Arab culture as subservient, unliberated, and unequal, their lives following their husbands in both private and public spheres” (CERVENAK, 1994:351).*

General conclusion

Women's participation in conflict mediations: an opportunity to explore?

If this study has brought several answers regarding the causes of women's massive under-representation in the Mediation arena; by especially focusing on determining mediators and parties' respective degree of responsibility; another core question has nonetheless not been totally addressed: are women really "prevented" from getting in charge of mediations, or do they self-censure themselves? Are they really "willing to do the job", as Antonia writes in the title of one of her papers? If the self-censure is proven, what are its basic reasons and motivations? Is it because women are not as interested as men in war, violence and conflict issues in general, especially when it aims at an area where they feel not really welcomed and comfortable? Is it because they are afraid of being rejected? Because they have a more common tendency to privilege the well ongoing of the collective process upon their personal carrier and interest? Because they are used to making personal sacrifices for the good of others?

Besides, this absence appears as even more frustrating for some experts of the negotiation field, who consider that women could play a positive and efficient role in mediation processes thanks to their feminine qualities and patterns. Indeed, because mediation is a non-adversarial and long-term effort that requires from the third party to possess specific skills such as empathy, active listening, patience, softness, calm, moderation, emotional intelligence as well as the ability to be a "repository of trust". Such skills may precisely be more commonly attributed to females, and would then imply that women might have better moderator abilities than men. *"Women's perspective on conflict causes and solutions, their approaches to communication and problem solving, and their very presence as women both symbolically and literally all have significant benefits in the complex arena of conflict mediation"* (POTTER, 2005:3).

Many questions then arise from this presumed gender-based difference of apprehending negotiation and communication. These interrogations are part of a larger reflexion about women's specific behaviours, qualities and patterns regarding mediation activities. It also asks the question of both the inherited and aquired parts of such behavioral tendencies. Are women "naturally" better mediators, or because their cultural and social appartenance shaped their way of acting and thinking? Such asomptions must be carefully analyzed and discussed, especially

regarding the causes, origins and *raison d'être* of such gender-specific characteristics. This issue may be further addressed in a forthcoming work.

However, beyond the debate about gender-specific patterns, the interest of including more women into peace talks and systematizing the implementation of mixed approaches in conflict settlement can be justified by more objective and pragmatic reasons, acknowledged by most international actors and laws. Their most common argument is based on a global and integrated vision of conflict, and consists in affirming that *“women’s participation in the peace process can foster a wider popular mandate for peace and contribute to making it more sustainable. [...] The process of reconstructing a society emerging from war requires the equal contributions of men and women. Ensuring women’s participation in such negotiations enhances the legitimacy of the process by making it more democratic and responsive to the priorities of all sectors of the affected population”* (ANDERLINI, 2000:24).

Then, systematizing a mixed approach in future mediation processes would not only respects the UNSCR 1325 and the UN’s third millenium goal, but seems to constitute as well a real opportunity of fostering a complementary and more representative approach, and then paving the way for a more sustainable and comprehensive peace. This opportunity should not be neglected anymore.

“I think these women are the women who are seeking power, but differently. They are not women seeking power to combat the government or have a position. I think what is amazing is that there is here another model [for how] we define power, powerful women, decision making. I think women are seeking power for others and we really are only the messenger. And I think this is wonderful.”
(Samia Bamieh, 2007)

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