BPC Papers

Culture, Gender and Mediation: Challenges and Lessons Learned

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BRICS Policy Center Centro de Estudos e Pesquisas - BRICS

GSUM
Global South Unit for Mediation

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Summary

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Borislava Manojlovic, PhD

1. Introduction

This study offers insights into the cultural challenges in mediation from the point of view of third party mediators. While there is some literature about specific cases, an in-depth analysis of mediators' performances in various cultural contexts from the point of view of practitioners is still lacking. In this study, culture is seen as a powerful system of beliefs, traditions, scripts, identities and symbols through which people make sense of the world and relationships. However, cultures are constantly in flux and as they change, cultural groups have to find a way to adapt in dynamic and sometimes unpredictable ways. Abrupt changes of cultural conditions and dynamics often lead to conflicts and understanding cultural dynamics of conflict as well as developing strategies for its resolution are some of the primary tasks of mediators. Through interviews with mediators[1] who performed official and unofficial peacemaking on the ground, the author has identified key themes, lessons learned and challenges that provide insights into the role of culture in peacemaking processes.

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(1) The author conducted interviews with the following mediators: Dr. Andrea Bartoli, Dr. Susan Allen Nan, Dr. Miriam Anderson and Dr. Joyce Neu.

2. Peacemaking processes

Peacemaking, according to the UN, is "action to bring hostile parties to agreement, essentially through such peaceful means as those foreseen in Chapter VI of the Charter of the United Nations" (Boutros-Ghali 1992). In a narrow sense, peacemaking can be done through negotiation, mediation, conciliation, and arbitration. However, due to the volatility and complexity of conflict, peacemaking activities are often closely intertwined with other peace efforts, such as preventive diplomacy, peacekeeping, peacebuilding and post-conflict reconstruction. Peacemaking processes provide a platform for a dialogue between two or more parties, facilitated by a third party, with the intention of achieving a compromise or a settlement of issues (Mitchell, 2002).

It should be noted that peacemaking processes can start long before the full-blown conflict has erupted and continue in some form in the post-conflict phase. Conflicts are complex; they are embedded in structures, institutions and relationships that develop discrepancies and animosities over time. Once conflicts escalate, the parties are drawn into a spiral of animosity, which become much more difficult to handle. Peacemaking processes can therefore be seen not only as a way to stop current conflicts, but also as a preventive activity that can break the path towards its recurrence.

Violence and destructive conflict can be interrupted by patterns of conversational space, such as dialogue or diplomacy that can maintain the conflict latent rather than actualized. In this space - created reciprocally by the parties to the conflict - actors do not only participate in a dialogue to find solutions for specific issues, but they also build relationships through the processes of inquiry, exchange of ideas and learning. Peacemaking processes suggest a third party's efforts to move a conflict into a nonviolent dialogue. Diamond and McDonald's (1996) framework of multi-track diplomacy provides an overview of some of the peacemaking categories, or negotiations' "tracks": government, professional conflict resolution, business, private citizens, research, training and education, activism, religious, funding, and public opinion/communication. What is common for all these categories is that third parties are expected to introduce new ideas, innovation, inclusiveness and mutual learning in a conflict system, which should lead to a de-escalation of conflict. This has been accomplished in many settings leading to the prevention of violence and peaceful settlements of conflicts.

Dr. Andrea Bartoli is an international conflict resolution expert who has served in key academic and diplomatic positions for more than two decades, has been selected as the new dean of the School of Diplomacy and International Relations at Seton Hall University, starting July 1, 2013. Prior to his appointment, Bartoli served as dean of George Mason University's School for Conflict Analysis and Resolution (S-CAR).

Dr. Susan Allen Nan is a scholar-practitioner of conflict resolution and Associate Professor at the School for Conflict Analysis and Resolution (S-CAR). She has engaged long-term in conflict resolution in the Caucasus, as well as contributing to a variety of conflict resolution initiatives in Eastern Europe, Eurasia, the Caribbean, South America, and Africa.

Dr. Joyce Neu has been a part of the Mediation Support Unit at the official Track 1 level, but she has worked much more at the Track 2, unofficial level, as an NGO/academic person. She held posts such as chief mediator, unofficial advisor, consultant and advisor. Dr. Neu has been involved in peace processes in Somalia, Sudan, Uganda, Comoros, Central African Republic, Mali and Congo.

Dr. Miriam Andersonis an assistant professor of political science at Memorial University of Newfoundland. Her research encompasses peace processes and post-conflict reconstruction. She completed her dissertation on women's mobilization in contemporary peace processes at the University of Cambridge in 2010. Dr. Anderson worked as a human rights officer for the Organization for Security and Cooperation in Europe (OSCE) in Croatia from 1999 to 2002. She has also monitored elections in Bosnia-Herzegovina and Croatia and has volunteered with NGOs in Nicaragua and El Salvador.

According to the Uppsala Conflict Data Program data set on peace agreements[2], there have been 216 peace agreements brokered between 1975 and 2011 around the world, many of which were successful, but some were deemed partial or failed. An estimated 43 percent of negotiated peace agreements fall back into conflict within five years of signing a negotiated peace accord (Collier, 2003; Mack,2007). A key question is how can mediators help avoid such negative outcomes and what is the role of culture in these processes?

3. Culture, conflict and mediation

Cultures are systems of values, beliefs, scripts and symbols that human beings use as their lens to make meaning, understand the world and interact with others. As LeBaron (2006) argues, "cultures are like underground rivers that run through our lives and relationships, giving us messages that shape our perceptions, attributions, judgments, and ideas of self and other." Humans are often so engulfed in their own systems of values, beliefs and perceptions that they are unaware of how those very perceptions, values and beliefs can lead to conflicts.

The third party mediator's role is particularly complex because mediators are entering sensitive, yet lesser-known cultural contexts as outsiders, whether at the level of organizations, institutions, communities or states. Cultures are not always visible and obvious, but are rather latent and symbolic. This may represent a major challenge to a mediator's job, which is to analyze and understand parties' cultural lenses and redefine those lenses in order to introduce change. Culture always permeates conflict and our own cultural lens can complicate things even more. Developing cultural fluency (Glazier 2003; Scott 1999) is a key tool for mediators, which suggests increased sensitivity and awareness of cultural nuances.

Cultural challenges should not be essentialized; they are pervasive, partially because they have to do with one's own expectations, language and ideas. They are not exotic experiences that we come across in foreign and far away settings, but experiences that are part of our everyday lives and interaction. Conflict comes from a failure of making sense together and it suggests flawed interactional patterns. Conversely, conflict resolution is about rediscovering interactional patterns that allow for mutual sense-making to occur. For example, if we cannot make sense of a story about another group, we can potentially box ourselves into exclusionary, hostile narratives, which position the other as an enemy and a threat, thus creating the conditions for violence and human rights violations. These same culturally constructed narratives also hold within them a potential of constructing a better story (Monk and Winslade 2008), which should result from mediation processes.

In times when numerous conflicts have to do with legal rights, resources, and identities, often the only way that we can understand these realities is through cultural artifacts, language, meanings, and ideas. However, we have to assume that culture is malleable and changing (Augsberger 1992). In contentious situations, a culture of conflict and competition often emerges. Mediation, on the other hand, offers an alternative and engages parties in a process of cultural formation that enables new, cooperative and constructive ways of addressing conflict. The role of mediator is to make

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(2) http://www.pcr.uu.se/digitalAssets/142/142371_peace-agreements-1975-2011final.pdf

sense of how a culture that promotes contention as socially acceptable behavior has emerged and offer alternatives. As Colletta (2011) suggests: "3rd party led negotiation is not simply deal making, but rather an effort to set in motion real political and societal transformation". War is an attempt to make sense of a new and changing reality through power and domination, whereas conflict resolution is a reverse process, which suggests making sense of the new reality through politics, dialogue, and conversation. In the end, there is no alternative to conflict resolution. Sooner or later, a military operation must include a political dimension and a political solution must be articulated culturally in a way that makes sense to all parties involved.

It is people who create and change the culture which they are part of. Cultural constructs can be extremely constraining and peace needs to be allowed to emerge in these settings. Peace emerges when the culture is open to the transformative power of a new encounter, communication and engagement. It was the openness of Nelson Mandela to learn the language of his enemy – Afrikaans – that enabled him to interact and engage meaningfully with the other. By learning Afrikaans, Mandela was able to welcome Afrikaner officers into his prison cell, and speak with them about his understanding of the new South Africa[3]. His political ideas about peace and reconciliation between white and black South Africans gained meaning in his prison cell while talking to the guards. These conversations planted a momentum for his political platform based on unity and reconciliation. Peace processes require openness to a new kind of response and making sense of something new; there is an invitational element to it.

Opportunities to engage in meaningful conversations are very rare in circumstances of conflict, distrust and fear. The capacity that would allow us to change the cultural formations of conflict towards the cultural formations of peace requires doubting and rejecting violence, war and hostility.

After analyzing the powerful role that culture has in conflict and peacemaking, we can now look at how mediators understand the role of culture in their peacemaking efforts. While there are many lessons that can be learned from practitioners, we will address a few specific cultural challenges and lessons learned around the concepts of space, language, time and gender.

4. Lessons learned and challenges

4.1. The importance of space

Cultural space and context can play an important role in peacemaking processes. It was the city of Rome, as well as the joie de vivre of Italians whose joy of conversation, sharing a good meal and being together, that helped the Mozambican negotiation process. The process that led to direct negotiations in Rome between Frelimo and Renamo to end the war in Mozambique was long and torturous. While contacts were established following Joaquim Chissano's appointment as President in 1986, it was only in July 1990 that the parties - the Government of Mozambique, led by Frelimo (Frente de Libertação de Mocambique) and the rebel group, Renamo (Resistência National Moçambicana) - were able to send delegations to Rome for the first direct talks. The

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(3) http://www.pcr.uu.se/digitalAssets/142/142371_peace-agreements-1975-2011final.pdf

talks were facilitated by the Community of Sant'Egidio in Rome, Italy and observed by two of its members (the founder Prof. Andrea Riccardi and don Matteo Maria Zuppi), a representative of the Italian Government (Mario Raffaelli) and a Mozambican Roman Catholic Archibishop (H.E. Jaime Goncalves), the four being subsequently nominated formal mediators of the peace process. The welcoming, hospitable and safe environment provided to the parties resulted in open and engaging conversations, which eventually led to the signing of the peace agreement. The city of Rome, with its distinct culture, architecture, history and beauty also contributed to the parties' relaxation and willingness to negotiate. Additionally, by bringing parties to a new and safe cultural setting away from violence and war, they were able to imagine and create new possibilities. Through displacement, Mozambicans were able to have culturally open conversation in Rome.

4.2. The importance of language

A breakthrough in the talks occurred when archbishop Goncalves and AfonsoDhlakama, the leader of Renamo, realized that they spoke the same dialect and their families came from the same village[4]. Common language became a key cultural platform for meaning making that allowed for trust-building and communication to occur. The level of competency in a language was also very important. Since one of the mediators and a party spoke the same dialect, the conversation among them became very intimate, open and they could understand all the shared cultural nuances that an outside third party could not. They overcame previous animosities through these shared cultural identities, which were additionally facilitated by the safe environment of Rome. However, it was not only speaking the same language, but also listening to each other that created an enormous amount of trust and bond between the two men.

The success of the Roman peace talks was a result of attentiveness to cultural nuances and it was even qualified as the special 'formula' by the UN Secretary General Boutros Ghali. He noted that the Community of Sant'Egidio:

> "… worked with utmost discretion in Mozambique in order to bring both parties in contact with each other. It did not keep those contacts for itself. It was very effective when it came to involving others who could contribute to a solution. The Community let its technique of informal discretion converge with the official work of governments and intergovernmental organizations"[5].

Since this experiment, the expression 'Italian formula' has been coined for this unique combination of government work and non-governmental peacemaking efforts. The uniqueness of the Italian formula refers to the Community's successful application of a conflict resolution strategy at Track One level, which was previously largely prerogative of states and state representatives.

4.3. Issue of time in peacemaking processes

One of the important lessons learned from practitioners is that Western cultural assumptions about doing things as efficiently and as quickly as possible cannot always be applied in peacemaking processes. The expectations in terms of length of negotiations may be measured in terms of centuries in cultural contexts such as Burma. Rather than having several workshops and dialogue sessions, one of the respondents mentioned that the local minority representatives in Burma

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(4) Interview with Andrea Bartoli (01/12/2014).
(5) See: http://www.reteccp.org/biblioteca/disponibili/ccp/barbiero/barbiero3.html#anchor1

expected the third party to stay longer so that they could build mutual trust. It was by getting to know the mediator personally and accepting him as the leader of the process that the local people could commit to peacemaking themselves.

Another interviewee points out that although she worked for two decades in the Caucasus in South Ossetia, she still missed some cultural nuances and meanings related to time[6]. She became aware of the challenges by working with a group of local partners who were co-leading the process and knew the culture. Namely, she was facilitating a dialogue with an assumption that she gained through her core training as a mediator about the necessity of taking a break during negotiations talks. As the conversation was going on for more than two hours, she suggested a break. However, everyone else wanted to continue the conversation. After some time, she insisted on a break again, but the parties unanimously decided to continue the conversation that was now going into its fifth hour. It was not until one of the local partners told her that what kept the parties at the table was the fact that the conversation they were having was probably one of the most important conversations that they had in years. Therefore, they did not mind sitting and discussing issues for five hours straight. She eventually accommodated to their understanding of time. Respect for cultural nuances and sensitivities of parties in the conflict have been indispensable for the success of this and similar initiatives.

4.4. Gender and its cultural implications: Cases of Burundi, Kenya and South Ossetia

Gender is culturally constructed and gender specific contributions are key for peacemaking processes in any cultural context. Peace processes are integrative in nature and gender balancing must be a part of it. Moreover, gender dynamics is an integral part of conflict resolution. An important ingredient to gender dynamics and balancing is the involvement of women in the peace processes. Today, more women are becoming involved and recognized for their efforts in peace processes. A good example is the Nobel Peace Prize of 2011 that was awarded to three women from Africa and the Arab world for their peace activism[7].

Another example is the involvement of women in the peace process leading up to the Arusha Peace Agreement[8] in 2000. Although women wanted to engage in formal negotiations as representatives of civil society, they were not able to do so until the UN, i.e. the UN Development Fund for Women (UNIFEM), helped them create the All-Women's Peace Conference. The All-Women's Peace Conference proposed a number of changes to the peace agreement regarding gender inclusivity and from that point on women had a large impact on the peace processes. Women did not have all of their demands fulfilled, but the key was that through their mobilization and inclusion in the process, they were able to create a strong women's lobby group in Burundi, which was able to get more concessions during the transition period and in the new constitution in 2005. They managed to secure the gender quota of 30% in the legislative body, which has not only continued until now, but has even increased to almost 45%. The peace process itself created conditions for a cultural shift from a deeply patriarchal system to a system which is not only more open and inclusive towards women, but also other 'minorities'.

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(6) Interview with Susan Allen Nan (12/05/2013).
(7)http://www.nytimes.com/2011/10/08/world/nobel-peace-prize-johnson-sirleaf-gbowee-karman. html?pagewanted=all&_r=0
(8) See more on Arusha Peace Agreement at: http://unterm.un.org/dgaacs/unterm.nsf/8fa942046ff7601c85256983 007ca4d8/d1e795e76bc4480c85256b0b0064661f?OpenDocument

Despite the growing recognition of the importance of women in peace processes, women still face many challenges. One of the challenges for women in peace processes in general is that their multiple identities tend to be relegated to just their gender identity. By talking about the issues that are stereotypically thought of as women's issues, rather than talking about major and divisive issues of the conflict such as demobilization, disarmament or responsibility, the peace processes can become "engendered". Women in Burundi make up more than 50% of population and they should have a say in peace processes not only on women's issues, but also other relevant issues. Prior to the establishment of the All-Women's Peace Conference, women were excluded from the main negotiations; they had an observer status as representatives of civil society towards the end of negotiations, but they were not able to actually speak. This is because women have not been generally considered as combatants or members of the fighting parties, and the purpose of mediation is to get people to put down their arms[9]. The conflicting parties are led by militant men who did not see women as full-fledged citizens, but rather as actors playing a supporting role.

Although excluded from the mediation process, Burundian women did not give up; they initiated a strong grassroots' anti-war movement that started as a response to the violence and were marching on the streets for peace, loudly demanding change and working across party lines. Hutu and Tutsi women were working together in a very public way, and they were defining themselves in terms of gender and common humanity, which was an important alternative in an ethnically divided country. Women entered the peace negotiations not just to end the conflict, but also because they wanted a different kind of state in the post-conflict period. The processes of peacemaking and state building opened a window of opportunity for women in Burundi to voice their political views and achieve particular objectives such as: the protection of women and human rights, an increase of women's influence through representation, the criminalization of sexual violence, an establishment of health centers for women, etc. By becoming a part of political life, women became culturally visible and relevant, which created conditions for the conflict system to move towards democratization and positive change.

Despite these successes, most of the peace processes around the world have very few women in key mediator roles. Even when the women are in key roles, as was the case in Kenya where two women served as leaders of the two negotiating teams representing two conflicting parties after the election crisis in 2007, there was no discussion about women's concerns during the talks facilitated by Kofi Annan. The women involved in mediation only played the role of professional political leaders. Moreover, according to Joyce Neu, women who are appointed to an official negotiating position tended to adopt a masculine style of negotiations, which suggests taking a more hard-line, power-based, positional and argumentative stance.

The UN Security Council Resolution 1325 of October 2000 stipulates that women must be included in every phase of the peace process, from prevention to post-conflict peacebuilding. One of the reasons for this inclusion is the recognition that women's perspectives can contribute to a cultural shift towards inclusiveness in negotiations and the resolution of conflict. However, appointing more women to official mediating positions just because they are women is not the answer. Women, as well as men, should be appointed based on their skills, experience and ability to incorporate their gender specificities in a way that would facilitate the peace process[10].

Although there is still a very small number of women mediating at the Track One level, women at the grassroots level are brokering amazing agreements intended to facilitate everyday lives of their

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(9) Interview with Miriam Anderson (12/1/2013).
(10) Interview with Joyce Neu (12/15/2013).

communities, such as establishing food corridors, providing safety and access to services. These grassroots' women peace activists do not usually get publicity. Only recently, a Nobel Prize winner from Liberia, Leymah Gbowee, has been recognized for her exceptional work at the grassroots level in organizing and leading the women's peace movement that sought an end to the protracted conflict in Liberia.

One of the key lessons learned is that women should be fully integrated and play an active role throughout the whole peace process. Women can play different roles in peace processes and not just the roles defined by their gender. If women do not officially sit at the table, they can use back channels to communicate their message. For example, a mediator should make an effort to meet some of the women's groups that have very valuable perspectives on the conflict and how to resolve it. As Miriam Anderson[11] argues: "Women are more pragmatic than they are political. They take risks and deal with practical issues such as how to get the shooting to stop and how to get children to school".

In a dialogue in the South Caucasus, it was clear that women were in charge of the discussion. However, whenever a woman spoke there was always chitchat and background noise in the room; whenever a man spoke people were completely silent. A cultural assumption behind such behavior is that people showed more respect and attention to what men were saying. However, according to Susan Allen Nan, such an attitude also shows that people were more likely to engage in the conversation about peace if a woman spoke. Based on the observations of the dialogue sessions, the interviewee suggested that the conflict was fed by the "I defend my people" attitude, which is a masculine cultural expression, whereas conflict resolution was promoted by the "I care for my people" attitude, which is more of a feminine cultural formation[12]. Such distinction between cultural formations goes back to feminist thinkers like Wollstonecraft (1988), Mill (1970), and Gilman (1979)who contributed to the development of a wide-range of feminist approaches to ethics that focused on the similarities and differences between "male/masculine" ethics and "female/feminine" ethics. Proponents of feminist care ethics, including Carol Gilligan (1982) and Nel Noddings (1984) stress a language of care that emphasizes relationships and responsibilities as feminine cultural formations. Third parties in peacemaking processes need to be aware of these gender specific cultural nuances and navigating through both may be seen as a challenge and an opportunity.

5. Conclusions

Culture permeates our lives in different ways - we cannot ignore it and we cannot fight it. What we can do is to be aware of the culture we work in and of our own cultural backgrounds. Mediators are co-creating a new reality with the people they engage. Being an outsider and having a different cultural background can be an advantage because it enriches the conversation through new perspectives and questions. It is this outside perspective that can stir the pot by introducing necessary change and innovation. However, this should be done respectfully and as an accompaniment that facilitates parties' conversation. A third party should offer a fresh outlook as a catalyst for new conversation

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(11) Interview with Miriam Anderson (12/01/2013).
(12) Interview with Susan Allen Nan (12/05/2013).

by bringing in her or his own culture authentically and respectfully. The openness to interactive learning is a must in peacemaking processes. Learning from both failures and successes is key for negotiating in ever evolving and complex conflict situations. Integrating cultural nuances into the practice of mediation should contribute to the efforts of moving towards a political rather than armed means of resolving conflicts, which will, at the same time, be more cost-effective and more humane.

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Borislava Manojlovic is the Director of Research Projects and Adjunct Professor at the School of Diplomacy and International Relations, Seton Hall University, USA. She is an expert in international relations, conflict analysis and resolution, dealing with the past, education in post-conflict settings and atrocities prevention. She worked on minorities and reconciliation related issues with the United Nations and the Organization for Security and Cooperation in Europe in both Croatia and Kosovo for more than seven years. The experience of wars in the Balkans in the 1990s and her desire to understand the roots of violent conflicts have shaped her life trajectory and dedication to conflict prevention and peacemaking. As the Director of Research, she led and implemented numerous research projects that focus on peace processes, forgiveness and reconciliation. Borislava received her doctoral degree at the School for Conflict Analysis and Resolution, George Mason University, and her MA at Brandeis University. She also serves as a guest editor of the Genocide Studies and Prevention: An International Journal (GSP) and the Secretary-Treasurer of the International Association of Genocide Scholars (IAGS). Her most recent publication is an article published

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