

Research Study

Mediation Status Among The palestinian Youth

summary

Palestinian youth opinions regarding the alternative in
conflict resolution

paepared by

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October \ 2009

Preface:

It is of some difficulty to work out a specialized research about mediation in the Palestinian territories and among the youth sector in particular, and you may ask where is the difficulty in touching that field which we live every day in our lives?

The difficulty regarding this matter mainly comes when we recognize the challenge in” globalizing of concepts” as it is defiled and dealt with in the west , it is worth mentioning “Edward’s Saied” point of view as he put it in his fabulous book “Orientation” to know how to deal in a wise way with these concepts in the local level . In addition to the negative stereotypes and the way the institutions and individuals working in the field are looked at and hold in the Arab society.

It is of good importance to work both, comprehensive vision regarding this subject in the international level and the specialty of our community when it comes to the implementation of our knowledge and experience.

TAAWON’s work in the field of research is no less than a creative and serious contribution that aims to strengthen the connection between the international vision and the needs of the local community.

This study deals with mediation in the Palestinian territories bridges the gap in the Arabic library in general and the Palestinian one that suffer the shortage of specialized studies in the area of mediation.

It also contributes to the requested involvement that must be in the center of the different parties’ interests: governmental, academic, NGO’s in the future.

The efforts to have mediation involved in the work of the Palestinian judicial system , also having dealing with conflict positively in the curriculum and working out joint vision between mediation as an international aspect and the» Sulha»

as a local experience contributes to the process of building community peace for the good of our society .

The above mentioned procedure is a creative contribution in the work of the NGO's where some of them still limited to the work of training and workshops.

We put the fruit of our efforts in your hands hoping to have your notices, suggestions and recommendations.

We are quite sure that these will be of great value and will also contribute to the future research that needs support, building partnerships, also directing and consulting researches on the basis of obligation and creativity.



Introduction

Conflict lies deep in the human nature, and whenever it occurs, people start up searching for solutions.

The people interested in conflict solving have the chance to choose one way or another from a wide range of different techniques.

First, they can choose to run a way and neglect the situation.

Secondly, one or both parties may prefer to use power to force each other to the solution they prefer.

Thirdly, parties may choose to seek support from the judicial system.

Dialogue and negotiation is one another way which presents a growing force in the process to solve conflict.

This make Ta'awon for the conflict resolution institute put on paper this study aiming from one side to throw more light on this unique technique in solving conflict.

Also, this study aims to make it clear about the awareness and interest of colleague students in different Palestinian universities.

Study Objectives:

- To defined the mediation process and its effects among the Palestinian youth in the Palestinian community.
- Extending this process to larger numbers of interested people through executing training courses.

Study Approach:

In consideration with the above mentioned objectives, two approaches were used in our work:

- Reviewing past date data.
- Survey through extending questionnaire to 400 persons in 8 different universities and another 8 branches of the Open University in the west bank.

Study intent

study extends into an introduction and another 3 chapters: The first chapter is about the theoretical from of mediation and its role in conflict solving.

The second chapter throws light on the mediation process in the Palestinian territories.

The third and last chapter is set to review and analyze the data gain from the questionnaire, also the recommendations aimed to prove the mediation process in the Palestinian territories.

The oratorical aspect of mediation and how it contributes to conflict solving:

- Theoretically, there is more than one definition to what mediation means.
- it is of no doubt that there is difference between mediation, the judicial process and arbitration in general, mediation is a technique used in solving conflict in a friendly way through a third party.

In the spite of the difference, there is still some in common in both mediation and the judicial process, both use friendly ways in reaching for compromise where mediation is a voluntary, not a formal process.

In contrary to arbitration, in mediation, both parties contribute to the solution and parties are free to agree or refuse any solutions.

Mediation, Historical Perspectives

It is of a good importance to make it clear from the beginning that the mediation process is not new in the area of solving conflict.

The first institution worked the technique of mediation was found in the US back in 1913, and then extended to new countries and communities.

It is worth mentioning that in the Arab World, the Jordanian experience regarding this matter is of a great importance.

How mediation contributes to conflict solving

- Lighting the pressure from upon the judicial system.
- The mediation process is of low expenses in comparison with other techniques used to solve conflict.
- The mediation process saves time more than any other techniques. It is worth noting that the Jordanian experience regarding this limits that process to reach for a solution in no more than 3 months.

Mediation, Jordanian experience

Since the Jordanian experience in this field is unique, we choose to throw more light on it.

Mr. Mohammed El-Nasser, adjudge and A Jordanian expert in the judicial process says that is of good importance to work out some resolution that is aimed to legalize the mediation process.

Regarding these efforts, and with cooperation between the Jordanian Department of justice and judge and lawyer society, a study was set to examine the possibility of using mediation in solving conflict within the Jordanian community.

When this was done, the mediation process was put to practice legally by the end of 2004.

In 2006, a mediation department were found in the first court in the capital, Amman and then extended to other areas. The department of justice supported and equipped reviewing the Jordanian experience regarding this issue presents more details that show good interest in the mediation process.

We should notice that the Jordanian legislative put some conditions regarding the Patrice of mediation in solving conflict.

It was said that there should be a conflict presented to the judicial system in order to transform it to the mediation department, and that the judge is the one who has the authority to do so

It is of no doubt that this one condition is in conflict with the most advantage in the mediation process, flexibility.

If things stay the same with no change, we expect a low rate of success that mediation can achieve within the Jordanian community. The Jordanian statistics shows that the total of cases that were dealt with through mediation doubled in the year 2008.

A Total of 873 cases were transformed to the mediation department in 2008, «73 case monthly» where 86% of the people interviewed confirmed that mediation leads to better results.

Conflict and Conflict Resolution in Palestine

The Judicial System in Palestine still faces difficulties and challenges. The most challenge is caused by the Israel occupation policies isolated the Palestinian lands from each other and preventing the judicial system from executing its rules and decisions. The state of division among Palestinian people affected the PLC from doing its work as normal in addition to the lack of resources needed to support the work of the judicial system.

Mediation in Palestine Territories

Despite of the difficulties facing the work of the Judicial System to extend Justice to the benefit of the Palestinian people, we met no serious efforts among those who manage legal and judicial matters to seek for alternatives to solve conflicts in special, mediation in European Countries and also in Jordan.

It might be that Palestinian decisions makers lack knowledge and experience regarding this matters and the important role that mediation might contribute in resolving conflict.

The Mediation Process in Palestine

Territories are limited to the minimum. Ta'awon" the Palestinian an institute for Conflict Resolution" which is a youth institution founded in 2002 is trying to execute progress planed to improve awareness of people regarding the use of friendly techniques in conflict solving. Also printing some fine booklets about mediation and extending it to the public.

This effort is still in need to be supported in order to have it in the center of people's interest.

Analyzing questionnaire Data

The questionnaire in away to show the interviewers interest in the different techniques to solve conflict and also to make it clear to what extent the mediation process is known and is used.

The target group was a total of 400 students from 16 different education institutions in the West Bank. Gender and location of residence where taken care of in choosing the target group.

The form was planned in 3sections:

Section 1: for personal data about the interviewers.

Section 2: for evaluating the different techniques of solving conflict.

Section 3: is to show the level of awareness of the young people regarding mediation both in mediation and practice.

Section 1: Personal Data.

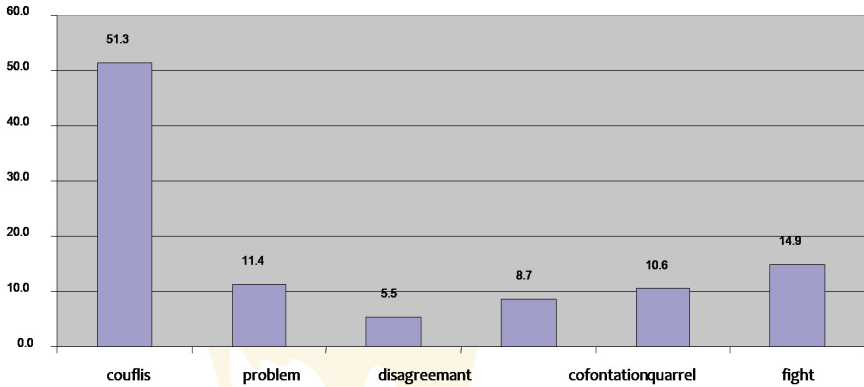
1.Regarding gender, the male contribution reached 53% where the female contribution reached 47%.

2.60% of the interviewers inhabit the city 9% comes from refugee camps, and more than 31% from small villages and towns.

Other words than conflict

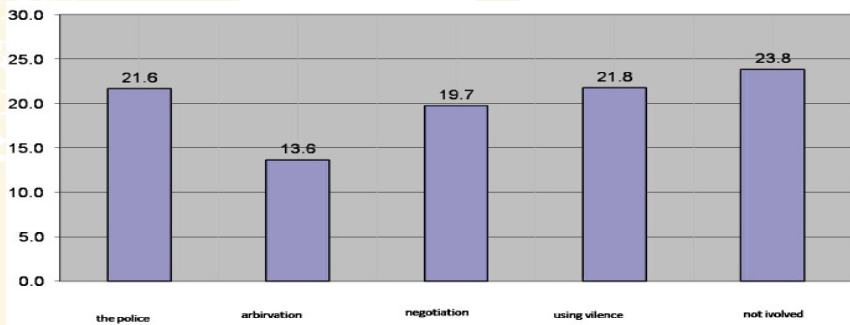
The word conflict is the most popular among the youth where other words were used in the place of the word conflict. The word quarrel caused second and then caused problems... etc

See the diagram 1.



Youth Reaction in Conflict Situation

Most of the interviewers show a high level of interest to run away and neglect the whole story where others choose to act differently. See diagram 2.

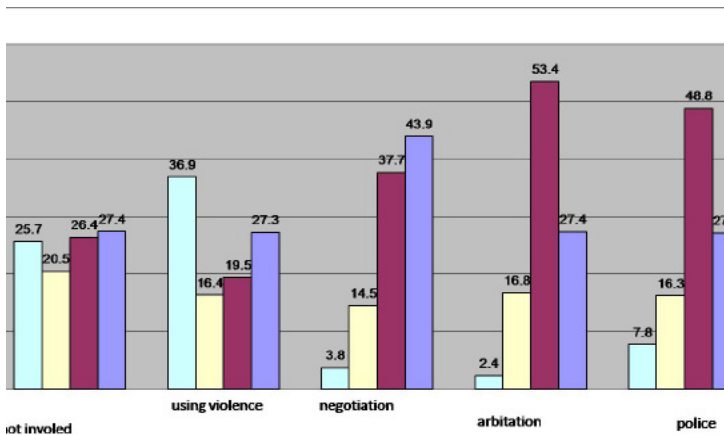


Evaluation of Reaction

76% among the interviewers showed good interest in taking refuge in the police where 16,3% said that it doesn't work from among those who doesn't prefer to seek solutions from the police 21% are those residing in refugee camps. 80% from the total said, no for police. 40% showed good interest in negotiation where 38% said that negotiation is good anyway. Anyway, 4% said no for negotiation.

54% from the total said that using power over the other party is of no good where using power to force the other party to draw him / them to the solution they prefer comes second. We don't prefer it; we are forced to use it?!...etc

For details see diagram 3.



As for the way the student look and evaluate the role of the police and the other security agenda in resolving conflict see table 1. The table was planned to show students opinion regarding this matter in every university separately.

The Universities	Evaluation			
	Efficient	Efficient To some extent	Inefficient	Harmful
American University	28.6%	52.4%	19.0%	0.0%
Bolitechnique – Hebron University	12.0%	48.0%	32.0%	8.0%
Al-quds Open University (Jericho)	45.0%	40.0%	10.0%	5.0%
Al-quds Open University (Bethlehem)	36.8%	47.4%	10.5%	5.3%
Al-quds Open University (Ramallah)	12.0%	60.0%	12.0%	16.0%
Al-quds Open University (Salfeit)	36.4%	36.4%	9.1%	18.2%
Al-quds Open University (Nablus)	30.4%	65.2%	4.3%	0.0%
Al-quds Open University (Hebron)	33.3%	66.7%	0.0%	0.0%
Al-quds- Abu dees University	21.7%	43.5%	26.1%	8.7%
Al-najah University	59.1%	27.3%	9.1%	4.5%
Bethlehem University	38.1%	23.8%	23.8%	14.3%
Birzeit University	16.7%	41.7%	29.2%	12.5%
Hebron University	16.0%	60.0%	20.0%	4.0%
Al-Ahleyia Palestine University	20.8%	58.3%	12.5%	8.3%
All Universities	27.1%	48.8%	16.3%	7.8%

Table2. Show students opinion regarding arbitration in each university. When reviewing the table, we learn that students in Abu-Dees and the O.U Jericho prefer Arbitration as one good way in resolving conflict.

The Universities	Evaluation			
	Efficient	Efficient To some extent	Inefficient	Harmful
American University	14.3%	66.7%	19.0%	0.0%
Bolitechnique – Hebron University	32.0%	44.0%	24.0%	0.0%
Al-quds Open University (Jericho)	40.0%	45.0%	5.0%	10.0%
Al-quds Open University (Bethlehem)	15.0%	65.0%	20.0%	0.0%
Al-quds Open University (Ramallah)	32.0%	44.0%	16.0%	8.0%
Al-quds Open University (Salfeit)	45.5%	27.3%	22.7%	4.5%
Al-quds Open University (Nablus)	26.1%	56.5%	13.0%	4.3%
Al-quds Open University (Hebron)	28.6%	61.9%	4.8%	4.8%
Al-quds- Abu dees University	45.5%	36.4%	18.2%	0.0%
Al-najah University	27.3%	59.1%	13.6%	0.0%
Bethlehem University	19.0%	57.1%	19.0%	4.8%
Birzeit University	16.7%	70.8%	12.5%	0.0%

Hebron University	29.2%	45.8%	20.8%	4.2%
Al-Ahleyia Palestine University	22.7%	63.6%	13.6%	0.0%
All Universities	27.4%	53.4%	16.8%	2.4%

In the same way table 3 shows different result in the different universities regarding negotiation as an alternative techniques in solving conflict.

The Universities	Evaluation			
	Efficient	Efficient To some extent	Inefficient	Harmful
American University	47.6%	52.4%	0.0%	0.0%
Bolitechnique – Hebron University	32.0%	32.0%	32.0%	4.0%
Al-quds Open University (Jericho)	25.0%	55.0%	5.0%	15.0%
Al-quds Open University (Bethlehem)	33.3%	38.9%	22.2%	5.6%
Al-quds Open University (Ramallah)	50.0%	33.3%	8.3%	8.3%
Al-quds Open University (Salfeit)	45.5%	40.9%	13.6%	0.0%
Al-quds Open University (Nablus)	52.2%	39.1%	0.0%	8.7%
Al-quds Open University (Hebron)	52.4%	33.3%	14.3%	0.0%

Al-quds- Abu dees University	45.5%	27.3%	27.3%	0.0%
Al-najah University	45.5%	40.9%	13.6%	0.0%
Bethlehem University	47.6%	33.3%	14.3%	4.8%
Birzeit University	50.0%	37.5%	12.5%	0.0%
Hebron University	33.3%	45.8%	16.7%	4.2%
Al-Ahleyia Palestine University	36.4%	36.4%	13.6%	13.6%
All Universities	43.9%	37.7%	14.5%	3.8%

Student in Bir-zeit universities made it clear that they are in favor of using force and power to solve their differences. (50% are in favor of using power over the other party they conflict with) where 43,5% of the people in the O.U see the same like their colleagues in Bir-Zeit. Table 4 show more details about this issue.

The Universities	Evaluation			
	Efficient	Efficient To some extent	Inefficient	Harmful
American University	0.0%	42.9%	47.6%	9.5%
Bolitechnique – Hebron University	40.0%	0.0%	4.0%	56.0%
Al-quds Open University (Jericho)	30.0%	10.0%	20.0%	40.0%
Al-quds Open University (Bethlehem)	21.1%	15.8%	21.1%	42.1%
Al-quds Open University (Ramallah)	32.0%	12.0%	12.0%	44.0%

Al-quds Open University (Salfeit)	26.1%	21.7%	4.3%	47.8%
Al-quds Open University (Nablus)	43.5%	21.7%	8.7%	26.1%
Al-quds Open University (Hebron)	14.3%	14.3%	14.3%	57.1%
Al-quds- Abu dees University	13.6%	4.5%	31.8%	50.0%
Al-najah University	9.1%	45.5%	18.2%	27.3%
Bethlehem University	40.9%	0.0%	18.2%	40.9%
Birzeit University	50.0%	12.5%	8.3%	29.2%
Hebron University	29.2%	25.0%	12.5%	33.3%
Al-Ahleyia Palestine University	27.3%	40.9%	18.2%	13.6%
All Universities	27.3%	19.5%	16.4%	36.9%

As for those who prefer to stay away and not to get involved in conflict interviewers. Table 5 shows some more details about the matter.

Factors that effect Satisfaction Level.

35% out of the interviewers showed good satisfaction regarding the solutions reached 53% said they said they satisfied anyhow, where 12% confirmed that they are not satisfied.

The result showed that the youth awareness regarding the alternative in solving conflict is somehow low.

Diagram 4 shows clearly the student's opinion regarding the factors that affect the way the youth evaluate the solutions reached and to what extent they are satisfied with these solutions.

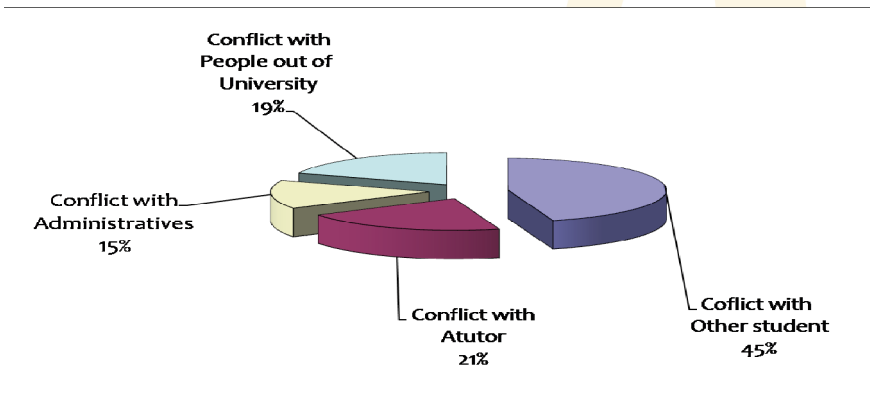
Chapter 3

Evaluation of youth awareness and use of mediation

Conflict parties in the university

Diagram 5 shows that 64% of conflict cases occurred within the universities community it self where 36% out of the total occurred out of the student community.

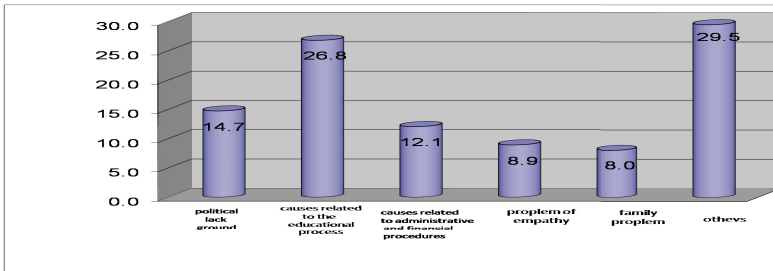
See diagram 5 for more details



Conflict causes in the university:

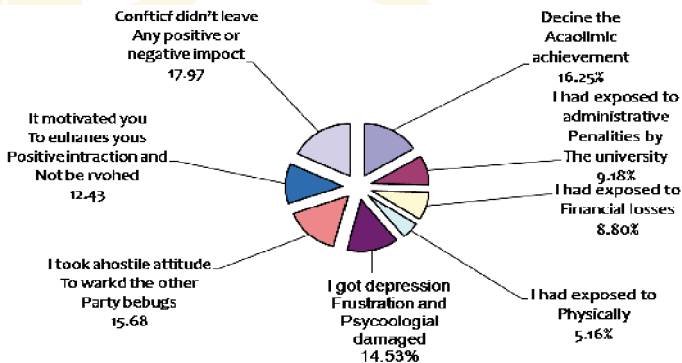
The statistics regarding this study makes it clear that causes related to the educational process lie in the root of most of conflict situation in the university (72.7% of the interviewers) where 71.5% out of the total said that they found themselves in conflict

with others for political causes see diagram 6 details.



Conflict and its effects:

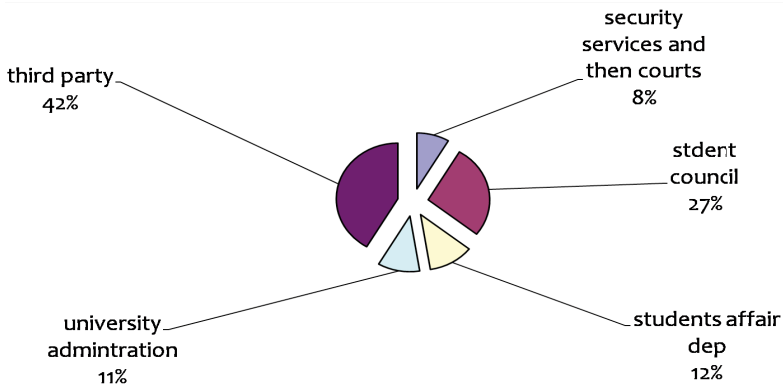
It's of no doubt that conflict affects the lives of both parties, the statistics show clearly that 71.6% out of the total made low progress in their educational career, another 71.5% said that conflict left them suffering psychological damage. The positive side of the story says that 71.2% out of the interviewers learned how to act positively and friendly to the other people around the diagram 7 shows in details the effects of conflict and how it works.



Getting support to deal with conflict:

In dealing with conflict situation, 60% out of the total said that finally they reached for a compromise where 40% said the appositive, 40% out of those who lost the chance to reach a compromise confirmed that they never tried to get support from high authorities.

The statics show that 41,5% out of the total seek help from third party and in some cases it reached up to 78% (like in Al-Najah university) the student council was mostly the party who gives support to student In conflict to reach a solution , see diagram 8 for details.



The extension of mediation in the community:

More than 2\3 out of the interviewers said that they have learned some about mediation as one good way to solve their problems, among many comes the personal experience as the main source where they get some knowledge about mediation for almost 72% of the there the media is another good source.

Youth opinion regarding mediation process

Whatever, it become clear to the youth about the positive effects of mediation and how it works more and more of they become in favor of it.

Seeking Help

38,3% out of the total prefer to take refuge in the student council to get help and support. Another 15,3% prefer to seek help from the universities administration where 16,3% seeks some help from their colleagues.

The result shows that student councils are to be supported for their positive role in helping to reach safe and secure environment for student.

Regarding the gender of mediator 62% of the interviewers said that it doesn't make any different the gender of the mediator where 27% said they prefer a male mediator and 11% prefer a female one.

Both males and females made it clear that they prefer a male mediator which means that hard work is to be done to support the female role regarding this issue.

The outcome reconciliation

Mediation is of great importance if it is meant to have the community united and strong. Still we need in our community to work hard on this issue to have it in the center of the people culture.

The following are the result that we reached through this study:

1. Conflict is the most popular word used among the youth for people in quarrel.
2. Mostly the interviewers showed good interest to keep them among from any conflict situation. Statics show that a high percentage of the people interviewed prefer to use power draw others to the solution they see good for themselves for many,
3. Negotiations are the most preferable techniques to solve conflict.

4. Statistic show a high level of satisfaction regarding the use of different techniques and solution reached.
- 5.Regarding the large number cases presented in the court put high pressure to the judicial system.
6. Causes related to the educational process causes first as the main cause of conflict.
- 7.Most of the interviewer confirmed that conflict affected their lives differently.
- 8.Most of the people interviewed seek refuge in a third party to get help and support.
- 9.Statistic shows that mediation is not new or strong to the most of the students and that they are failure with it.
- 10.Student councils are the most preferable for most student to seek support

Depending on the above mentioned result we recommend the following:

- 1.Great efforts are to be worked out to pass difficulties facing the work of the Palestinian Judicial System.
- 2.Among other things to support the work of the judicial system is to extend more money in it
- 3.The foundation of legislative resolution to organize the mediation process.
- 4.Training and qualifying more mediators and building more institution to work out the mediation process for the good of the people.
- 5.Extending the mediation process to new section in the community.
- 6.Supporting student council in the universities.
- 7.Executing more studies in the field of mediation and other alternative to solve conflict