

2014 INTERNATIONAL ADVOCATE FOR PEACE AWARD

FOURTEENTH ANNUAL INTERNATIONAL ADVOCATE FOR PEACE AWARD HONORING JUDGE DANIEL WEINSTEIN

On March 16, 2015, the *Cardozo Journal of Conflict Resolution* presented its annual International Advocate for Peace Award to the Honorable Daniel Weinstein (ret.). What follows is a transcription of his public address at the Benjamin N. Cardozo School of Law.

DEAN MATTHEW DILLER: My name is Matthew Diller and I am the Dean of the Benjamin N. Cardozo School of Law. I'd like to welcome you this evening to the bestowal of the Fourteenth Annual International Advocate for Peace Award, which is one of our star events of our year. The Award is extremely important to our school and to our community because it is really an opportunity to celebrate those qualities and characteristics that enable one person to bring others together with sharp and strong disagreements to reach some sort of amicable accord and make peace. And what could be a more prized set of skills and traits? It requires such patience, insight, ability to see others' perspective, common sense, you know, a whole set of values that really exemplify the best of the legal profession and that we believe exemplify the best in our school.

So this evening we will be bestowing the Award on Judge Daniel Weinstein. That gives us great pleasure. Judge Weinstein, thank you so much for joining us. It's an honor to have you here. I'm grateful for all of your partnership and the partnership we've had with JAMS over the years and our dispute resolution program. This Award, this is the fourteenth annual award and Judge Weinstein will join an array of distinguished recipients including, and I'll just do this quickly, I don't think I have all fourteen here, but I'll just give you a sense of the esteem and level of accomplishment that we really look for when we bestow this award: Richard Holbrooke, President Bill Clinton, Senator George Mitchell, Archbishop Desmond Tutu, Ambassador Dennis Ross, Professor Jeffrey Sachs, Ambassador Stuart Eizenstat, Abigail Disney, and President Jimmy Carter are just a few of the past recipients. And Judge we

are very, very pleased to have you join that pantheon and join us here this evening.

I want to thank the *Cardozo Journal of Conflict Resolution* and those on the Journal in particular who worked hard to bring this evening together, Editor-in-Chief Paula Shulman, Arriel Rubinstein, Executor Editor, Brett Schiff, Symposium Editor, and Robert Ellis, Symposium Assistant. I also want to thank on the Cardozo administrative end, Robyn Weinstein, Kirsty Diamond, Jon De Natale, and Jackie Reeves. And it falls upon me next really to introduce our next speaker who is our own Professor Lela Love who has really built and created the dispute resolution program here at Cardozo, who is an inspiration to current students and a generation of alums. We are about to celebrate the thirtieth anniversary of the mediation clinic here at Cardozo and I really can't think of a better and more important field in which for a law school to plant its flag the way we have planted our flag in the field of dispute resolution. And we really have Lela to thank for that. So Lela thank you so much. Welcome all of you.

PROFESSOR LELA LOVE: If there is still anyone still outside, please come in now and take your seat. Judge Weinstein do you want to come, maybe come down. Well he may do what he told at the moment, others outside were less willing. It was kind of interesting, mediators like cats. This is such a really special pleasure to be part of honoring mediator Daniel Weinstein. I know the honorific is judge, but the title tonight is mediator. We have him, and I should say I personally have had him to thank for a steady flow of his really remarkable fellows coming through Cardozo, enriching these halls, teaching our students. That is a special part of why this school honors him today.

I wanted to paint, I have just two or three minutes, and I wanted to paint a backdrop for this event. If you could imagine this is Hollywood or Broadway here in New York, and in back of this front table, instead of what you see there was a flashing sign, it said "love," that might be far more appropriate than what you see. I had the honor of mailing out an invitation to the Fellows and I got back a slew of emails, way too numerous to quote, but I want to give you a feel for the admiration, the gratitude, the reverence, the regard, and the love that is felt toward Danny Weinstein by the people he has sponsored and supported. So I'm going to read just a few excerpts from emails I got. And by the way, we've had as Dean Diller said, really significant people have accepted this award. They were great people, admired people, but I don't think,

I've never experienced this flood of love coming towards me out of my computer from the invitation that was sent. So to read:

Being a Weinstein Fellow meant being invited to join a family, a brilliant, redemptive, eclectic, and utterly determined individuals bent on improving the world. With Danny in the role of pater familias, we were encouraged to rise above the sticks and stones of squabbling and litigation and get people to focus on their humanity towards dignified and sustainable resolution.

Another fellow writes:

I keep two photos on the wall in front of my desk. One with Judge Weinstein and the other with Judge Knight. They are constant reminders of what we can achieve with great efforts and beliefs. They remind me especially what I can achieve for myself, mediation, and for my country as a judge. Thank you Judge Weinstein. Congratulations.

And someone else writes:

Judge Weinstein is a visionary pioneer who created an international community beyond borders, beyond prejudice, beyond religions, cultures, and beliefs. May we all be inspired by his kindness, his generosity, and his love for all human beings. Judge Weinstein is the master who inspires how to live, work, and find peace in life.

And another, "I hope to keep the Weinstein energy forever." And another, "After being touched by Judge Weinstein's vision, you are not the same person anymore. You are a member of a big, united family that lives and flourishes on all continents under the aim to bring peace around the world." And finally somebody wrote, "Viva Judge Weinstein!" So, Danny, congratulations for this love, this gratitude, not only from these emails, but these people here that is flowing towards you. Paula Shulman, the Editor-in-Chief of the *Cardozo Journal for Conflict Resolution*, is going to introduce Ambassador Carden, who is going to introduce Danny Weinstein. And, after that, there will be a presentation of the Award and then the floor will be turned over to our honored guest. Paula.

PAULA SHULMAN: Good evening, everyone. On behalf of the entire staff of the *Cardozo Journal of Conflict Resolution*, I welcome you here tonight and thank you for coming to the Fourteenth Annual International Advocate for Peace Award. Before we get to the Award, I'd like to tell you a little more about who we are as a Journal. CJCR is part of the renowned Kukin Program here at Cardozo led by Lela Love, who just spoke. I'd also like to thank

Jed Melnick, one of the founding editors for his continued and generous support of our Journal and helping to make it what it is today. Our Journal publishes on a broad array of topics. This past year we have covered everything from ODR, online dispute resolution, and divorce, crowd sourcing and identity theft to restorative justice in U.S. communities torn by conflict to mediation programs between incarcerated women in California. All of these varying and diverse topics are connected through more than just ADR; they all promote communication, openness, and dialogue. Dostoyevsky once said, "Much unhappiness has come into the world because of bewilderment and things left unsaid." This is as true today as it was 150 years ago. Communication is key to solving our conflicts, be they personal and in the home or disputes that cross borders. Judge Weinstein, both individually and through the Weinstein JAMS International Fellowship, has helped those unsaid things become said. It is for his amazing achievements and contributions that we honor him tonight. Now, please allow me to introduce Ambassador David Carden, who will introduce Judge Weinstein. Ambassador Carden was the first resident U.S. Ambassador to the Association of Southeast Asian Nations and is currently Partner-in-Chief of Asia at Jones Day. So, it is with great pleasure that I turn over the podium to Ambassador Carden.

AMBASSADOR DAVID CARDEN: I'd like to do this from here if I can. Can everyone hear me? Let's try that. It's a deep, deep privilege to have the chance to introduce this man. It could have fallen to many people in this room. I think the reason it fell to me is because I spent a few years out in the world dealing with disputes that Fellows deal with every day and so many of you are addressing these now. So, I have to speak for all of you in some ways. For that reason, I am going to talk right next to him because I know that's how so many of you feel. It's going to seem as though my remarks were choreographed by Professor Love, but I promise you that is not so. I have not met her, although I hope to have that opportunity.

I've been looking for a metaphor to try to bridge the fact that I only have two or three minutes here. I know how to speak a long time; I don't know how to speak a short time. So, I've chosen alchemy for the moment. What I'd like to do is talk about the alchemy of this man. I suspect we all have alchemies that relate to our lives in which we try to turn the base elements of our lives into something that's gold. Those base elements that Judge Weinstein has dealt with, my friend Danny has dealt with, are those things in

each of us that make us human. There is greed, there is avarice, there are those things that we think are more important than others do. There is pride. There is vanity. There are those things that ultimately don't become us and they really are the things that separate us from one another. And then there is the gold. And, surely, the gold has to be that which brings us together. There is no other way of looking at it. In many respects then, the gold is the future. Our separateness is in the moment. But still we find ways to devote ourselves to things that really matter by contributing to things beyond ourselves. The future is where we give ourselves up completely to others. Many of our institutions aren't devoted to the future. They don't give us room to express our emotions and who we are. They try to resolve disputes in many respects as though they are rational matters. Oftentimes, they are not. But this man brought a whole world of talents to the process of finding the future. It's only right that he is receiving this marvelous award because surely he has deployed his love in the service of the future; he has deployed it for peace. So it's only right that we honor him. Those things that he has in him, which we all recognize, his stories, his emotions, his empathy, his patience (pause) and impatience. All of these things coalesce in order to help him do the job that he does. It's not true that everyone can do this job. It's not true that very many people can do this job. It surely is true that this man does it better than anyone else. And, in that way, he helps us find the future. That's the alchemy of Dan Weinstein. And, for that reason, it is only right that the people who love him wrote the things that were read about him today. It is why I'm standing next to him as opposed to at the podium. I hope to be next to him for the rest of his life and mine. Many of you would say the same thing if you were standing here.

I also want to say one more thing. I had the privilege once of speaking to the Fellows for a little bit longer than I am speaking to you today, and I observed the way the Weinstein family operates. The way Sue was, the way Matt and Josh were, other people in the surrounding area of the Weinstein family. Their devotion to this process, their devotion to the Fellows has been remarkable. It is the love that they and Dan have brought to the Fellows; the love that the Fellows bring to the world and the love that all of us should be bringing to the world in trying to solve the disputes facing us that has brought us to this moment. That's my friend, Dan Weinstein, in five minutes. Thank you.

PAULA SHULMAN: On behalf of the entire *Cardozo Journal of Conflict Resolution*, I present to you the Fourteenth International Advocate for Peace Award.

HONORABLE DANIEL WEINSTEIN: I don't want to be the first one to ever drop the plate. What an amazing feeling standing here receiving this award. I just want to say thank you, before I forget, to Lela and people at the *Journal* and to my dear friend, Ambassador Carden, for taking the time out to honor me. To say that I am humbled and honored is an understatement. I am, however, surprised that David, in commenting about my alchemy, did not also comment on my overwhelming modesty because he and my sisters always remind me that I have much to be modest about! And so, I'm surprised that it was left out. But on to the main subject that we are here about. I hope this can be a really enjoyable program for you. A program where you can get the sense of what the Fellows are about and why this is such an exciting program and how special and talented these folks really are. That is my hope—that everyone can relax and we can do this somewhat informally and we can have a good time and then toast these wonderful Fellows with a good glass of wine when we are finished.

People ask me a lot about how the Weinstein JAMS Fellowship began. I am sure that the inspirational roots of this vision came from my father, Rabbi Jacob Weinstein, whose epitaph appropriately reads, "Advocate of the People." And also from my sisters, Judith and Deborah, who died prematurely in their forties,—their epitaphs read respectively, "Her vibrance created community" and "She nurtured souls." And they, along with my dear brother-in-law, Don Levine, who was a warrior for peace and has always been a persistent advocate for a dialogue between nations—they were my inspiration for creating, either consciously or unconsciously, for creating the Fellows program.

But the specific contemporary cause of the Fellows came about as a result of my good fortune of being appointed by Secretary Albright to be the Special Representative in Bosnia in 1999, during which time I participated in about fourteen months of trips over to Bosnia—Sarajevo and other places in Bosnia—in an effort to mediate between the Croats, and the Serbs, and the Muslims over the distribution of about fourteen billion dollars that was left from the process of privatization that went on in a lot of the Eastern European countries as they progressed from Communism or Socialism to a more free enterprise system. And so I quickly found out how difficult it was, not only to deal with the different cultures,

but to do so without a civil court system like ours to back you up, and with all the tensions and rivalries that existed. Many of you know that the wagon wheels of history cut through what was Yugoslavia—the east and the west—and that this was a rather unusual country—the size of Vermont—where people spoke the same language but the Croats, the Serbs and the Muslims had many, many conflicts.

I was there and I can remember one particularly frustrating afternoon when we were trying to mediate over the airport and each of the entities—the Muslims, Serbs, and Croats—probably wanted their own separate runway, which was a little impractical at the time, and we were having a good deal of trouble getting them to agree on a solution. At some unexpected moment, a low level government employee there came up to me and said, “I don’t want to be intrusive Judge, but there is a guy who has been doing this stuff for a long time and getting something done.” And I looked at him and said, “Take me to him.” So, that day after the unsuccessful mediation—I think one guy dangled another outside the window for a while—it was really exciting. It was a new mediation technique, which I would like to have used many times. The bureaucrat drove me down to a little office outside a church and inside was the Magistrate who he introduced me to. He was a Muslim and he told me that he had been told he didn’t speak very good English, so the interpreter jumped in. The Magistrate had been told that I and my colleagues were having all this trouble mediating and he said, “You know, you’re not really going to get anywhere until you begin to understand these people, until you listen to them the way they want to be listened to, and until you develop a process that works for this kind of situation.” I was taken back by his perspicacity and wisdom. I sat up and began to really listen.

The Magistrate sat me down in this very avuncular way—he was seventy-five at the time (and I’ve since tried to find out who he was, but he would be ninety-four or ninety-five now so I don’t know whether he is still alive). He said, “Now let me tell you about the Muslims. My people. They are still at the bazaar at Istanbul. Don’t go for the first price on the rug. Be patient, ultimately they become reasonable. They are pretty easy to deal with because your system isn’t that different, but just remember you are at the bazaar at Istanbul and give them a chance to play it out.”

“Now the Croats,” he said, “they’re a little more difficult. They come from an Austro-Hungarian tradition and Roman law and church law. You have to find a rule for them. It doesn’t mat-

ter where it comes from—you can go back to Justinian, you can go to some Austrian rule. Find an old law or rule, something from the sixteenth or seventeenth century, and point to it and tell them it means the runway goes one way or another. And they're yours. But you got to find a rule. You don't have a rule with the Croats and you lose."

"Now the Serbs, that's the biggest problem of them all," he said. "They're all paranoid. They've been living under the Kremlin, under Tito, for all these years and they think there is a conspiracy afoot all the time. I let them go in the corner and whisper for a while. Then I go over and talk to them about transparency and they look at me like I'm crazy. But eventually, I convince them there is no plot afoot and they come over. So, young man,"—and I liked that appellation for at the time I was a young man—"unless you understand all this and unless you provide a vehicle for doing it, you're never going to get anything settled here. Now, I'm busy so its time for you to go."

I had done many mediations in my career but I was just stunned and floored by the wisdom of this man and his knowledge of the mediation process. Despite the training and my interest in the Bosnian cultures, I just realized how unequipped I had been in taking on this enormous task. After I left the Magistrate later that evening, the inspiration came to me and the idea came to me that there must be people like this Magistrate all over the world. Men and women—JUST men and JUST women—with this blend of compassion and the wisdom and the determination, and that special magic in their souls for resolving conflicts. It occurred to me that if these folks could be found and given some help, and were able to share their wisdom and create an international dispute resolution community where these people would feel like they were supported. . . maybe then we could do some good in the world by voluntarily resolving conflicts instead of creating them. And so the idea of creating the Fellows was born.

I immediately got tremendous support from JAMS and Warren Knight, our founder, and from Jay Welsh, my friend and the General Counsel, who spurred me on and influenced me to make a major financial commitment to the program. And they both said, "Let's go, let's do it." We first had to create a program and fund it and have an idea about what we were going to "teach" a bunch of extraordinary Fellows who were coming over here to study our system. We had to decide what was exportable, and what wasn't, and what we could learn from them and how those lessons might apply

to different cultures. And then we had to have a topflight academic program and work through all the mechanics of visas and living arrangements. So, we developed this wonderful staff of Ellen Bass and David Brandon who devoted themselves to solving the practical problems and making the Fellows comfortable while they were here. And then we got a big commitment from the JAMS panelists, many of the top panelists, that if Fellows came over, they would allow the Fellows to shadow and learn from both their mistakes and victories. They would really take on the role of big brother and big sister and help mentor the Fellows who came over. Interestingly enough, a lot of our judges say they learned a lot more than they taught. But at the time, it the idea was to mentor the Fellows. And our panelists came through big time.

The next challenge was: how do we find these people with the magic around the globe? How do we do it? This turned out to be easier than we thought. We had no idea that when we publicized the program, we would get such an incredible response. The Internet, and the spread of ADR around the world, is phenomenal. And we suddenly had, by 2009, 250 to 300 applications—and it is a big and time-consuming application—from fifty different countries. We went through all of these applications and narrowed it down to twenty. We interviewed the top twenty by Skype—a wonderful invention. Then we chose ten, eleven, twelve people as the first class of Fellows.

We tried to mix the makeup of the class not just with people who had the highest credentials, although we had some of them—we had the former Justice of the Supreme Court of Ethiopia, South Africa's Chief Justice and other high ranking folks, but also looked for undiscovered stars. People with the magic who maybe didn't have a professional break, but somehow they shined through, they had this commitment, they possessed the magic. So we mixed in with these people who had very high credentials, people who had little prior mediation experience. Police officers, teachers, educators were selected—all committed to conflict resolution and to bettering the world and who wanted to give their life to it. We sought them out and they came in flocks. We had to make some very hard choices—the people you will meet here tonight had to get through screening that is highly competitive as did all the Fellows who were ultimately selected.

When you are inundated with all the stuff about ISIS or police shootings and all that horrible things we see on the news, when you see the people out there that are resolving conflicts, who are

resolving domestic disputes and petty squabbles that used to consume huge community resources, who are also mediating with the Taliban, who are mediating in families where woman have been thrown out because of religious or social taboos, and when you find, like we did, young people mediating between the rebels and the government in some of the military conflicts in Africa. When you meet people like this giving their lives to conflict resolution whether in the civil courts or on the international front and you learn about them, you can't help but have more faith in this world.

As the saying goes, "there is many a slip between the cup and the lip." We knew we had a big task to get the program going, to learn as in all programs, to make our mistakes, to learn what was transferable and what wasn't. We are far from a finished product but I think we've done a really good job so far and I'm very proud of what's been accomplished to date.

When we created this program we started it with bold vision but without grandiosity. I don't think, however, I ever dreamed that fifteen years later we would have six classes, sixty Fellows from fifty countries around the world, never dreamed of the quality of Fellows that we have, achieving the kinds of things that they have achieved.

I found, while I was preparing for this evening, an email that my mentor Warren Knight wrote me in 2007, shortly after we had begun funding the Fellows program. Those of you who knew Warren in his early days didn't always get the warmest emails from him, but this one was quite sentimental and warm. He wrote: "Dan, thanks for creating the Weinstein Fellows. JAMS Foundation will partner with you in this monumental endeavor. Just like Johnny Appleseed, we will be planting mediation seeds throughout the world. Someday, perhaps in huts in Africa, in villages in Nepal, offices in Geneva, and barrios in South America, will hang a diploma with the words Weinstein JAMS Fellow stamped indelibly on it. Affectionately, Warren." Warren loved that Johnny Appleseed story and he would remind us annually. We miss him but his spirit infuses every new Fellow.

So what have these Fellows done? They've come over here and spent three months in the program, they've mentored other people, they've been lucky enough to go to US institutions such as Cardozo and Pepperdine for academic training, they've shadowed and studied with some of the best mediators in our country, learning from both their triumphs and mistakes. They've had intense training and seminars and they've generally had a project they

were fulfilling while they were over here. But the idea was not to train them to stay over here, but to go back to their countries where they could be effective implementers of conflict resolution. Their achievements are astounding and there's no English word to describe what I want to do except "brag." There's a Yiddish word, "*kvell*." I want to *kvell* about them a little bit, about our Fellows. We decided to honor nine or ten of the Fellows here tonight. We could really honor them all, but we invited ten of them. Eight of them showed up and one of them, Thierno Diallo from Senegal, who is really trying to be the high priest of mediation in Senegal and was just appointed as a high Commissioner by the government—his passport had five months and twenty-two days before it expired and the rule is you have to have six months, and they kept him in the airport in Senegal and he's distraught but he wanted to tell you all how much he wanted to be here.

We have some astounding people and I want you to hear from them. We're going to do this quickly, but I think you'll get a flavor for whom they are and what they've accomplished. The first person actually is not here physically, but he is really here in spirit. His name is Pema Needup and he is the presiding Judge in Bhutan and he was a Fellow about three years ago. Pema, when you saw him—and this is the reason I say he is here—is the only person I've ever known that when I saw him I would just bow in respect. His eyes had the light in them, he had this beatific smile, he used to hum Bob Marley's "Be Happy"—he said that was the national anthem of Bhutan. He is this remarkable man who had all of this wisdom and light in his eyes.

Pema came from this agrarian family and rose to be a judge. When he finally got to the bench, he said in dismay, "This is turning out to be like America—there are all these petty disputes, many of them really minor taking up our Courts." He went back and studied Bhutan culture and found that from the eighth century on, the elders had been resolving disputes in a very effective way in their communities, but somehow that had gotten lost. So he is single-handedly the missionary for mediation in Bhutan—he came over here, he studied and learned some techniques our judges had used and blended it into a plan with Bhutan culture from the eighth century—and Pema has gone all over Bhutan to all courts, all the schools and villages too—and teaches a blend of the old cultural system and his new facilitative skills. He reports that the program is quite successful in Bhutan. It is this little country that has 300,000 people—in comparison, we also have a Chinese Fellow

Andrew Lee here tonight who lives in a city with twenty-six million people. Pema could not be here, but he's always with me, he's a very special Fellow.

The next Fellow who is here is Laila Ollapally from India. Laila, perhaps you'll come up and introduce yourself and tell us a little bit about you.

LAILA OLLAPALLY: Thank you Danny. I've been asked specifically not to thank you, sorry. My name is Laila Ollapally, Weinstein Fellow 2011. In 1988 (I was much younger) my husband's business got caught in litigation. It was a new business, and there it was in litigation." The average life of a case of that nature is about twenty years. So we decided to contest.

Four years down through litigation I noticed that my husband was getting into a depression, his business was collapsing and our three little children were missing him. I was a young advocate at that time and I decided to mediate my first case—and we successfully settled. Many years later in 2007 the Chief Justice of my State invited me to be the coordinator to set up a court-annexed mediation program and I thought it was destiny that was being shaped.

Eight years later, today, we have mediated forty-two thousand cases in our mediation program. And I notice an Indian is so excited and enthusiastic about participating in a mediation. He or she participates fully, it comes intuitively and naturally to an Indian, and that just excites me. And I'm inclined to think it is because our culture, our tradition, is based on the mythology from a famous epic, *Mahabharata*, which is about the utter destruction that follows a failed mediation by Lord Krishna. Even the Gods in India seems to say mediation before confrontation, or else. Thank you.

HONORABLE DANIEL WEINSTEIN: You know she's really very modest. Rebecca Westerfield, one of our finest judges and a real international peace advocate, wrote me about Laila and said in her inimitable way, these things about Laila. Rebecca and Bruce Edwards and Vic Schacter have been over there, helping in India, and seen the work that Laila's done and Rebecca wrote:

In addition to our effective efforts in advancing the quality and reach of our court annexed-mediation centers, Laila has established C.A.M.P. (the Center for Advanced Mediation Practice). It is one of the first private commercial mediation centers in India. And it's in conjunction with a whole bunch of other organizations. Its made available to people who can't afford it. And

she has been tireless in her efforts to be the liaison to the court and to train judges in mediation in India, and like Judge Mehta, who was the leading Admin Judge of Delhi and in our first class (when he took over his court had a four million case backlog—that's what the Brits left, these old files). Laila has accomplished a great deal and she has modeled just the best values of her generation in the courts and is single handedly in the battle for dispute resolution. And suddenly mediation is becoming one of the norms in India in certain kinds of disputes.

So if you need visual proof, go visit Laila—her rates are very reasonable, and you can get on her calendar. But she's done a remarkable job and we are so proud of you Laila and thank you. All right, our next Fellow that we're honoring is Hagit Shaked-Gvili from Israel. Where are you Hagit? Come on up here. I'm going to let you introduce yourself.

HAGIT SHAKED-GVILI: So thank you very much, I am Hagit from Israel and I'm a Weinstein Fellow of the Class of 2010. As you may know Israel is one of the most diverse regions on earth so growing in a multicultural environment, I remember myself resolving conflicts since I ever remember anything. Mediation in Hebrew is called *gisher* from *gesher*, which is bridging between people's views, interests and positions. And this is my mission and the mission of my fellows and the mission that Judge Weinstein is inspiring me every day in my work. According to Judaism we need not only a chase for peace but go after it and never give up—the peace will not come to us, we really need to get after it and work hard to bring it to our places. My fellowship experience actually enabled me to come to the U.S. For me it was like coming to the future and getting to know people who are doing wonderful work. When I got back to Israel I tried to work that magic out and tried to reach out to as many people as I can. The butterfly effect of mediation, I think cross borders, and its effect will continue revealing itself to us as time goes on. For me, the Weinstein Fellowship has been a life changing experience. That experience now effects legislation, practice and academic in Israel. I feel deep gratitude for the virtue of being part of this amazing group of fellows. Thank you so much.

HONORABLE DANIEL WEINSTEIN: What do you say about a woman who has become a partner in the most successful mediation firm in Israel—a country where arguing is the national sport. And she and her partner, Amos Gabrieli, who was also a Fellow, along

with a few others, are the most successful mediation firm in Israel and maybe in the Middle East. Hagit has, allegedly, an 85% success rate, which is only double mine and 40% higher than Melnick's—but we're going to come and compete. She's a recognized author on mediation and she has written a comparative study, which is on mediation in India, Israel and California—to which I say "*oy vey*," which is a remarkable thing. So—author, mediator, facilitator—Hagit we are very proud of you and continue your good work.

Our next Fellow is Sherif. This is Sherif Elnegahy from Egypt. Sherif, the floor is yours.

SHERIF ELNEGAHY: My name is Sherif Elnegahy, I'm from Egypt, and I'm a Weinstein Fellow 2014. I have been challenged to tell you about myself and about my culture in about two minutes so I welcome the challenge. I've always been passionate about the idea of justice—that is why I studied law in Egypt, in the United States as a Fulbright Scholar, and in the UK as a Chevening Scholar. I have helped parties to settle their disputes throughout different jurisdictions as a lawyer, as a public prosecutor, as a prosecutor manager, as a judge and as a mediator. So far I have learned that there is a unique, vivid color of justice only revealed in mediation, when you help parties settle a dispute and you look back at them and you witness two smiles instead of one. About my culture—it is very challenging to tell you about it in two minutes. About my very humble efforts, to establish and support mediation in Egypt and the Arab world, it is fair to reflect that we will need a new breed of mediators adopting a new style, not a facilitative mediator, but actually an authoritative mediation that respects and understands the values of mediation. I know this sounds impossible, and this sounds as crazy as a fair and just dictator but, with my culture, hopefully that will happen.

HONORABLE DANIEL WEINSTEIN: Well, Sherif's such a good guy and he is really taking on a huge challenge. He is opening up, and has been the prime mover behind, Arab mediation centers in Egypt, Dubai, Kuwait, and some of the neighboring countries. And he is looking at what is adaptable from the JAMS model and what is adaptable from other models throughout the world, to see whether they can have successful Arab mediation centers in all these countries where they would mediate their civil matters. He is also coordinating with a prior Fellow we had from Egypt, Judge Ahmed, who's on the administrative court in Egypt and who is

working hard to establish some of the mediation procedures in the court system there. So we have quite a team in Egypt. I am anxious to come over and teach with Sherif. Sherif recently got married to a woman from Scotland and they are expecting a child, which we are very excited about. He also has authored the first book on mediation in Arabic (which I expect to be a bestseller in Glasgow), and they are hot off the press. We are very happy and very proud of you, Sherif, and look forward to this coordination between us and JAMS and others and that your Arab Mediation Center will be a successful project in the Middle East.

Our next guest is the good Mr. Ihsanullah Khan from Pakistan, and you will find out why he became one of our favorite Fellows almost off the bat. Jay Welsh called me when the class came and said, "Wait till you meet this guy from Pakistan, this guy is the real deal." Ihsanullah you were described as the real deal, so tell them why this is true.

IHSANULLAH KHAN: Good evening everyone. Let me start with a disclaimer. Whatever Judge Daniel said is only because he is kind. I have nothing special in me. Ladies and gentlemen, when I walk in the busy streets of New York, or Geneva, one thing which strikes me the most is the value of peace in the lives of human beings. But believe you me, when I work with the displaced people of Afghanistan, or South Sudan, or Syria, I realize the importance of peace in human life even more. Conflicts, disagreements, are inevitable—they happen everywhere. What we have seen, those conflicts, those minor misunderstandings, growing into bigger disputes, sometimes in wars. What most of us have not seen are those opportunities and those possibilities, which can prevent that from happening. I work with communities, with all those vulnerable communities, to build on those possibilities. To exploit those opportunities and to make sure that we resolve those issues at the earliest possible stage.

HONORABLE DANIEL WEINSTEIN: Can you tell them what you do?

IHSANULLAH KHAN: I'm sorry I didn't start with my introduction—let me go back to that. I actually started from the second page. My name is Hasan, I'm from Pakistan, and I work with the United Nations High Commissioner for Refugees in Uganda, receiving refugees from South Sudan. When I started working with refugees in South Sudan last year in June, out of the 30,000 refu-

gees that I received in less than four months, 79% of them belonged to the two tribes, Dinka and Nuer—the very two tribes who were fighting in South Sudan. For me the challenge was that those two tribes were fighting everyday on issues like who will fetch the water first, or who will sit on the chair in the school. And they would be ready to jump on each other and kill each other.

After doing my Fellowship, when I went back I started working with them on peace building reconciliation through mediation. The efforts of putting together a network of eighty-five mediators, nineteen committee of peace, building on the opportunities within the communities has resulted that today they are living in peace. I hope they take that peace back to their country when they go back one day, hopefully soon. Thank you very much.

HONORABLE DANIEL WEINSTEIN: Ihsanullah is really being modest about what he's taken on and what he's achieved. He told me today, in an off moment we met at lunch—he was talking about the joy—we were talking about how difficult it is to sometimes be a mediator, and the stress you go through, and the disappointment and frustration, and the days that I want to trade my job to be a parking lot attendant. But, he said how much joy he got seeing a kid from the Dinka tribe going to school now with books and hope, and that these same kids had come as complete refugees, as orphans, out of the tragedy in Sudan. This was possible partly through Ihsanullah's efforts of resolving conflicts using all sorts of techniques. I mean, he trained eighty-five mediators, he worked with the police, he worked with the committees, he worked with the elders. He has been a hostage himself a few times in carrying out his work. He's really gotten in there and for a period of time, given his soul and all of his talent to bringing about, at least for the moment, a peaceful situation in a part of the world that has just been horrific. And it's because of that kind of talent, that work, that we are so proud that he carries the name of Weinstein JAMS Fellow. So, thank you Ihsanullah.

Now we have Andrew, my friend. This is Andrew Lee from China.

ANDREW W. LEE: My name is Andrew Wei Min Lee. I am a Fellow of 2011, and I live in Shanghai, China. For the past twelve years, I have been working with Chinese judges, Chinese lawyers, Chinese government officials. My deepest sense of joy and of achievement comes from working with Chinese youth. I don't actually know who Johnny Appleseed is, but I do know that if you

plant the seed of mediation in the minds of our youth, that will bear rich, and ripe, and peaceful fruit tomorrow. That's the key to the alchemy of creating gold; it's working with our youth.

So China has been resolving disputes for thousands of years, without needing to go to a court or going before a judge. It wasn't a perfect system in the past and that's why these days we're so keen to become an international, and global, and most importantly modern people. And, we use words like "rule of law," which is in our newspaper everyday. The challenges that rule of law at the moment has become translated as suing a lot, and going to court a lot. And, you know, that it wasn't always like that. There is so much cultural wisdom in our people, in our history, in all those thousands of years; and we've forgotten it. I think we perhaps have a lot to learn from Bhutan, because a key part of my work is trying to help us remember.

HONORABLE DANIEL WEINSTEIN: Andrew likewise has probably trained literally over 1000 people in mediation. He's taught at the most prestigious university in China. But, his unique combination of being so modern, so hip, so technologically proficient, and at the same time the reverence that he and his wife, Vivian, have for the past, and the traditions of Chinese history, and the tea ceremony they have every afternoon. They're really remarkable people blending the old with the new. We have a lot that we can learn from Andrew.

But, I have to admit, I have two things that are much more important about my relationship with Andrew. One is that I'm nuts about his new son, Tin Tin and his teenage daughter Memei. I get a picture of him about every two days. And, they're wonderful. And I've even been given the honorary "uncle" name. I feel very privileged to be Tin Tin's and Memei's adopted uncle and I intend to take Tin Tin fly-fishing soon. Being part of this family is very special to me!

But, the deeper connection, the really deep connection is that Andrew is a closet Golden State Warrior fan. He's been known to sneak in the bathroom at night with his iPad and to watch Warrior games while I'm at the game and we email back and forth about our favorite player, Stephen Curry. He's a very astute fan. When his kids pound on the door and ask, "What are you doing in there, Dad?" he tells them he's building a rocket ship. So, the news all around the neighborhood is that Andrew is building a rocket ship. But because of his, and my, total addiction to Stephen Curry, and

my belief that I'd like to be reborn as Curry in my next life, I called the Golden State Warriors and told them about their new emerging fan club in Shanghai and, Andrew if you'll come back here for a moment, this is from Stephen Curry. It's an official jersey signed by him, on the back.

HONORABE DANIEL WEINSTEIN: Ximena, come on up. This is Ximena Bustamante from Ecuador. Both Warren Knight, a long-time friend of the JAMS Fellowship and mentor, and myself, were crazy about her. We weren't sure that there was a man good enough for her in the southern hemisphere and we were very worried about it. But, Ximena found one and has just been married. We just met him and he's just as terrific as she said he was, so we're all very happy for you, Ximena. But you have a professional success story to tell. This woman who looks so elegant and so dainty, has been the face of mediation in Ecuador and has written a book on mediation—one of the first. She has given up a lot to go and mediate with Indians and people in the four sections of Ecuador. Now she has a very prestigious job with the Attorney General's office in Ecuador, where she's mediating all sorts of cases. She's the real deal and we're so proud of you. So, Ximena, tell us a little bit more about yourself.

XIMENA BUSTAMANTE: Thank you, Danny. And I don't have not much more things to say to you but well thank you. My name is Ximena Bustamante and I come from Ecuador and I am a 2009 Fellow. That's the first generation so I've been involved and humbled to be part of this family for seven years now. And this is the best thing that's ever happened to me. Before I came I was already very much committed with mediation and I really believed I wanted to be an instrument of peace and that was my, what drove me every day and that's what I wanted to do. But I was not sure what that meant.

In Ecuador we didn't really have mediation. We've heard this foreign word mediation. It looked a little bit like magic and something very foreign for what we actually did, which was litigation. Our mediators were practicing attorneys that did mediation over lunch because they don't really take the time to be mediators. They were paid \$2.50 an hour, and that is two dollars and fifty cents an hour. So you can imagine they really didn't care about mediation at all. We were more of an international arbitration kind of country and I, despite going through arbitration, I really wanted to bring peace to people and to help them settle cases and to, and to

stop these fifteen year old litigations and get them to put all that behind themselves.

So when I came here, I thought I was taking a huge risk that I would be paid just \$2.50 when I get back home. But this opened my life and that I could see what mediation can do, and what can accomplish, and strategies, and new ways to get settlement. And today, well we have gone a long way in mediation. Mediation is actually working. We are dealing with highly complex, multi-million dollar cases that involve a private party and a public entity. And that has huge complexities within it. To deal with public functionaries that are afraid of controlling institutions that they think they will have to pay for whatever decision they make. That they try to freeze up and not talk to the other party and we are in the middle of that and trying to get the state to do what is best for it and also the private parties to not go broke. So, this is wonderful. And Danny you've made this whole thing possible.

HONORABLE DANIEL WEINSTEIN: I just want to tell you. I had a case about two years ago up in Napa involving a suit by a group of protesters who had claimed injuries by the Ecuador army, who had been hired by a private US company to protect their company—it was one of those—and the representatives of the protesters came, and then representatives of the government and the company. It was a very hotly contested matter and we reached that horrible state of impasse, which we mediators describe as “when we don't know what the hell to do.” And so I turned to Ximena. When I got the case, I called Ximena and said, “Please get up here and help me. I need you. I got a bunch of people from Ecuador coming up here. I need your help.” So she came and she sat very patiently through it and when we reached an impasse I said, “Ximena, I don't know what to do. Go in there and handle these people.” She disappeared for two hours and when she came out, she tapped my shoulder and said, “It's done.” So, any of you who want to get something done in two hours—call Ximena. She'll come up from Quito—it was really remarkable. So, together we're undefeated.

Our last Fellow who's here in person is Farshad, and Farshad is from Iran. Farshad, will you come up, you have the final spot. As you can see Farshad is a remarkable young man coming from a desert village in Iran where civilization started many hundreds of years ago to a Yale degree and an exciting mediation career ahead of him. Farshad, will be even more valuable if American and Ira-

nian tensions are reduced and normalization of commercial ties is restored.

FARSHAD GHODOOSI: I grew up in a city, in the middle of the desert, probably one of the warmest spots on the face of planet Earth. There is however a river, coming from distant mountains, making its way through my city, until finally loses its resilience against the relentless sun and turns into a swamp. From childhood I quickly learned that going through life requires perseverance as well as solidarity. I was a lawyer back home, practiced for more than three years including the ADR section. I soon became a sought after young attorney, yet I was not satisfied. I was interested to know more about the world and the way to law works in other countries. I was in a country that has not been only ignored by other countries but also actively isolated. It was almost impossible for me to develop a steady and constructive work relationship with anyone outside of Iran. And as an obscure lawyer from an obscure city in Iran, I became determined to equip myself with the skills, experience, and knowledge necessary to make a difference.

I ventured into the unknown by coming to the U.S. with the sole intention of knowing more and to better understand the isolation I suffered in my life. I came to the U.S. to learn about the law in international relations having barely any familiar governmental support. I started in a small room calling on all of my energy to improve my English and advance my studies. Soon, I managed to be admitted to Yale Law School. I followed my interests by focusing on international law as well as dispute resolution. Yet, something was missing. And, that was lack of practical knowledge and support so I could make sense of all I studied. There was a conference meeting at San Francisco Career Diversity Fair, where I first heard about JAMS and Weinstein Fellowship. I quickly did my online homework and realized that this Fellowship would fill the gap I felt in my career. Yet, to my surprise, it was way more than that. It was September 2013, I came from Paris to San Francisco, and after spending a few months working for an arbitration firm, in order to attend a week-long mediation workshop at JAMS. It was that week that I started to understand many complex angles of mediation as a way of dispute resolution versus litigation or arbitration. I studied ADR and mediation, but through Judge Weinstein's teaching and his unparalleled support, I learned how it should be done. For the first time I was exposed to the best mediation practice in the world, being instructed by one of the best mediators of all time. Judge Weinstein is a legacy, and I'm proud to be part of his legacy.

This is a critical moment in my country's history. U.S. and Iran are on the verge of signing a historical deal. If this happens, many lives will be changed. The world will be a safer place. Isolation of Iranians will be lessened, and a new chapter will begin in the world history. This, however, will not be the end of the political and legal disputes. Quite the opposite, it will be the beginning of a new era marked by amicable, peaceful resolutions of disputes. This new thaw is fragile, and it is only through constant peace advocacy as well as dispute resolution that it can be sustained. I'm still an obscure lawyer, yet at this critical crossroad in history, at least I know I'm not alone. Not only have I learned tremendously about international relations and law, but also more importantly, I've received firsthand experience at dispute resolution from Judge Weinstein and others. When I came to the U.S. I would not have believed that I would ever have received such high training and support from a seasoned mediator. More than ever, I strongly feel that I can make a difference in lives of others. This is the legacy of Judge Weinstein that I'm highly proud to be a member of. Thank You.

HONORABLE DANIEL WEINSTEIN: You can see that we have quite a remarkable representative crew of Fellows and the ones who are not here are just as amazing and devoted to conflict resolution. There are other fellows present here—Giulio from Italy who is experimenting with innovative methods of mediation, there's Dimitra, who came from Greece and Paco from Spain—who are doing remarkable things in their respective countries. Also present wonderful Peter from Holland who works with my team, there is my trusted Paola from France who helps me in so many ways. Then there are fifty Fellows not here physically but in spirit—Sayed in Afghanistan, Evgeni in Bulgaria, Tatsiana in Russia, Mushgeh in Armenia, Spyros in Greece, and Aminu in Nigeria, Bahdri in Nepal, to name a few—who are the pioneers of ADR in their respective countries. And they're all doing remarkable things. We have a cop, Fraser Sampson, who went back to England and the Yorkshire Police Department, and is mediating all the gang stuff in the London and Yorkshire Police Department. It is just remarkable to witness the work that all the fellows around the world are doing.

But we are a fledgling program. There is much we can still do to learn from these people about mediation. There's much we can do to still improve our program and to give them better tools to employ for when they go back. And we're looking at all sorts of

options to accomplish that goal. I'm very proud and happy to announce that the JAMS Foundation and my Danny Weinstein Foundation have partnered together to endow the Weinstein JAMS Fellowship Program for the next twenty years! So, we're going to be around. And, there are lots of exciting things we're thinking of doing—having online courses, starting a Fellows' Bank where there can be loans to Fellows who go back and have worthy projects. We're looking at better ways that they can connect and support each other, as the Fellows increasingly become an international family in their endeavors.

Some of our people have done remarkably; others have struggled when they get back. It's not easy. It wasn't easy for many of us when we started in this business. There are a lot of obstacles. So, we're looking for ways to improve our program, to affiliate with other groups that are doing the same work we are, but keep our distinct character. I think over the next ten to twenty years, we're going to provide real help along this difficult but rewarding path. And hopefully the Fellows around the World will be a future force in resolving conflict everywhere. For now, we are a ripple in the stream that is growing slowly and steadily into a wave of the future.

So, I'm done. I don't have any profound statements about world peace to make to you. I think it would be presumptuous of me to do that unlike my predecessors for this award like Bishop Tutu or Bill Clinton or Jimmy Carter. I would like to just leave you with my favorite mantra of mediation, which I remember every day in mediation, and even sometimes in my own life, but not as much as I should. As Jalal ad-Din Rumi, Persian poet once wrote, "Beyond the arena of absolute right and wrong, there is a field. I will meet you there." And that's what I hope and where I hope all of us will meet. Thank you for this great honor.