

# Kluwer Mediation Blog

## Peaceful Conflict Resolution

Tania Almeida (Mediare) · Tuesday, October 25th, 2011

The importance of the multidisciplinary approach and the leading role of the parts.

Modernity brought about the fragmentation of knowledge and the emergence of different disciplines as well as diversified specializations in several subject areas. This fragmentation enabled people to deepen their knowledge concerning specific issues and made them feel that they could master their specializations. Consequently they began to overlook the whole. In different fields of knowledge we take advantage of our belief that we master our own whenever we are called to analyze a particular aspect of events. Such belief can be seen whenever an expert's report is provided.

Concerning conflict management Psychology, Sociology and Law, in particular, are fragmented fields of knowledge which have focused on the study of that theme. Reflections and different literature as well as a specific approach to conflict management have sprung up from such study. Due to the fact that experts in the fields of both Law and Psychology are frequently engaged in conflict management the parts usually rely on them. As a consequence a monodisciplinary approach has been the prevailing practice with experts offering a psychological or legal view of the conflicts.

Once it became obvious that conflicts are brought about by a series of different simultaneous causes, thus requiring a multidisciplinary approach, both psychologists and lawyers have got together to manage them. That also made it possible to include Legal Psychology as an interdisciplinary guideline in dealing with conflicts. Legal Psychology has allowed more encompassing approaches to emotion once legitimized by it.

Modernity also brought about the belief in a State that provides its citizens with their needs. The paradigm of welfare state made the State responsible for the welfare of its citizens concerning issues such as health and education, including conflict resolution under the same 'shelter'.

The patronizing attitude of the State in the field of conflict management explains the citizens' passivity as to conflict resolution. Due to that they rely very often on official institutions to solve their conflicts. In Brazil the government has encouraged access to justice, by taking different measures such as offering free legal support and setting up small claim courts. One of the consequences of such policy is a recurring conflict resolution pattern based on adversarial practices and on the judicial sentence.

In the mid 1900's there was a social movement throughout the world that opposed confrontation and the ever growing number of wars. It was meant to encourage peaceful relationships. The field

of peaceful conflict resolution kept up with this movement and the non-adversarial conflict resolution practices became a study field. Mediation is an outcome of such movement that brought about the win-win tools to deal with diversity.

An essential step in this proposal was the Harvard Law School Negotiation Project which suggested changing the guidelines in the negotiation processes worldwide – from bargain to interest based negotiation.

A great move towards peaceful conflict resolution came next: focus on interest based negotiation, legitimacy as to what the core matter is and the relationship among people involved in win win solutions. Soon the quality of such initial steps was improved due to the contribution of both scholars and practitioners from multidisciplinary groups. Once Conflict Mediation does not object to the participation of people from different fields of work, all the contributions from Sociology, Communication, Anthropology, Law, Philosophy and others were welcome.

These different theoretical and practical contribution enabled Mediation to expand its initial goal of consensus building to include the rebuilding of social relationships and the maintenance of dialogue.

So two significant advantages were brought by Conflict Mediation in the field of conflict resolution: a multidisciplinary viewpoint in dealing with conflicts and the reinstating of the participants' main role. Being proactive implies making an effort not only towards resolving conflicts but also towards preventing future ones.

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