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# Kluwer Mediation Blog

## Mediation for what issue?

Constantin-Adi Gavrilă (ADR Center Romania) · Saturday, November 19th, 2011

Some times I meet friends or acquaintances whom I had not seen in a long while and when we reach the question What have you been doing lately? I also tell them about mediation. Since they aren't familiar with this concept, each time, their reactions are very expressive. Mediation for what issue? or Mediation as what? In fact, from the nonverbal perspective, the reaction I perceive is almost invariably the following: "I do not have even the slightest idea what you are talking about. Can you share this with me?"

The general public is not familiar with mediation as a concept; moreover, we can speak about the existence of a level of empirical understanding of this concept. The discussion is different if, starting from here, we try to deeply explore the general knowledge and perception upon what mediation is or what mediation can be, the existence of a professional legal framework, which are the basic principles representing the basis of the profession, its identity, when can mediation be used and which is its structure.

Considerable efforts have been made worldwide and major developments have occurred in the field of the alternative disputes resolution in general and especially in the mediation field. The efforts themselves show a particular interest for a limited category of people; for most people mediation can even seem boring and uninteresting. What it is interesting to be known by the wide audience instead, is the cultural constituents of mediation, the social peace it promotes, the distinctive items of civilization it has and its undeniable advantages which turns it into a viable alternative to a point where tradition failed, or, even more, in the way of disputes resolution future.

I ask myself how far that future is. In this case we are speaking about generalizing anyone's cultural level which can determine his or her behavior when that person is in conflict situations based on his or her knowledge about concepts such as conflict, dispute, communication, negotiation, self-knowledge and, why not, personal development. Pessimists would say that this is impossible to achieve and we should not bother. Optimists would say that this is perfectly achievable and that we are going in the right direction. Governments have stated that mediation implementation forms an integral part of reform strategies, including in judiciary. Parliaments said Yes to mediation enactment. The European Parliament has said Yes to the directive regarding mediation in civil and commercial matters with implementation deadline in the year 2011. My friends and acquaintances said: "Oh, how interesting!"

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The graphic features a black background with white text and a circular icon. The icon depicts a group of five stylized human figures, with a magnifying glass positioned over the central figure. The background is accented with horizontal lines in blue and green.

This entry was posted on Saturday, November 19th, 2011 at 12:01 am and is filed under [ADR](#), [Developing the Field](#), [Growth of the Field \(Challenges, New Sectors, etc.\)](#)

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