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**Title: A Discussion on Concepts of Values, Needs and  
Interests in Mediation Theory.**

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# Dissertation Submission Form

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### **Abstract**

Needs, interests, and values are maybe three of the most essential notions in mediation theory. Our objective is to explain these principles in accordance with some of the major thinkers of the recent decades. The bibliography will provide a theoretical framework to analyse the ideas of needs, interests, and values. Mediation is a kind of conflict resolution that involves a neutral mediator and two parties involved in the disagreement. Most mediators use some facilitative and some evaluation tactics, based on their particular talents and preferences. The research aims to discuss and elaborate the concepts of values, needs and interests in Mediation theory. It also aims to understand the value of concepts, interests and needs in mediation theory. Many arguments have negotiable interests as Roger Fisher and William Ury claim. Developing a strategy that is appropriate for a certain kind of disagreement is the first step in the process. When looking for a remedy, you must first understand the problem. It's possible to resolve conflicts between ideals and requirements in a constructive manner. For example, conflicting needs are typically addressed via problem-solving workshops. The Mediation theory's conceptions of values, needs, and interests. How the notion of mediation impacts and helps to develop conflict resolution at the national, macro, and micro levels. Findings of this study will help fill knowledge gaps that have been identified in the current literature. Research design is the overarching structure of a research endeavour. The two most common methods of doing research are the qualitative and quantitative techniques. Because it is less complicated and time-consuming than a quantitative research approach, the researcher decided to use a qualitative research technique for this particular investigation. Research may be carried out using either an inductive or deductive approach. Quantitative research lends itself particularly well to the deductive method of inquiry. The

inductive research approach concentrates on qualitative issues and strives to foster new ideas, such as hypothesis-generation. Research participants have to be chosen arbitrarily from a huge population in order to calculate the appropriate sample size. Borges Migliavaca et al., (2020) contends that it is necessary to do sampling since it is difficult to communicate with a large population. The researcher will use sampling to make certain that only relevant studies are gathered for the analysis.



## CHAPTER ONE: INTRODUCTION

One of the initial phases in academic study may be the formation and explanation of ideas. Needs, interests, and values are maybe three of the most essential notions in mediation theory. We will explain and explore the significance of the ideas of human wants, interests, and values – to the academic and practical discussion of mediation theory – in this research project. To accomplish so, we shall apply certain historical aspects to the notion, as discussed further below.

To begin the topic, we will provide short definitions of interests, needs, and values, emphasising their significance in mediation theory. The next item will present the dispute between Quentin Skinner's *History of Ideas* and Reinhart Koselleck's *History of Ideas* and how their theories might add to analyses of the aforementioned concepts. Finally, we will create a research project based on this line of reasoning, utilising this theoretical framework to analyse the ideas of needs, interests, and values in the mediation theory bibliography.

Mediation is a great technique for avoiding confrontations that escalate into violence or that have already devolved to the point that discussion is scarcely possible and anger persists (Memon *et al.*, 2018). In such a case, we may question ourselves, "What are the negotiable limitations for a disputed party?" The degree to which an individual or an organisation is prepared to abandon a viewpoint in favour of a more conciliatory posture. We know, for example, that Human Rights are non-negotiable for the United Nations (Heller, 2018). Nobody, under any circumstances, has the right to delay, threaten, insult, or ignore the basic rights of others.

However, the problem may not be as straightforward as it seems. What do you regard to be important, indispensable, or essential? What are the values that a person or society desires or holds dear? What is the genesis of potentially conflicting positions? To create a relational community based on conversation, respect, and collaboration, we must establish theoretical tools that help us comprehend the conflict's origins and motivators. Many writers tackled the subject throughout the twentieth century, laying the groundwork for comprehending conflicted relationships. Our objective in this essay is to explain these principles in accordance with some of the major thinkers of the recent decades.

### **Research Background**

Mediation is a kind of conflict resolution that involves a neutral mediator and two parties involved in the disagreement. This unbiased third person acts as a mediator to help the disputing parties

come to an agreement (Caputo *et al.*, 2018). To understand mediation, you must first understand why it is necessary. So, why do we need a mediator? The ability of a mediator to be effective depends on the willingness of the parties to work together. Therefore, a mediator must be able to observe and diffuse tensions rather than make judgments. Writing services that relieve students of the burden of writing papers are examples of mediators that share the dedication to resolving a dispute (Zhang *et al.*, 2017). They go to great lengths to eliminate any and all barriers that could stand in the way of a productive, non-aggressive discussion.

### *History of Mediation in Different Parts of the World*

Mediation has become a common component in human-society relations. Let's take a look at how mediation has evolved throughout the world (Baldassarre *et al.*, 2017). We will have a greater understanding of the history of mediation and how it has evolved through time thanks to the material we uncover.

### *Mediation in the United States of America*

In the United States, mediation dates back to the labour and social unrest of the early twentieth century. In 1970, the government started using courtrooms to resolve disputes since dockets were often overflowing during the upheaval (Cook and Artino Jr, 2016). In the United States, scientists and academics began to assume that mediation was an easy way to resolve conflict.

### *Mediation in (Biblical) Israel*

Throughout history, Israel has served as a model for alternative dispute resolution (ADR). In ancient Israel, King Solomon acted as a mediator between two women (about 960 B.C.). The case has been referred to as one of the most high-profile custody battles in history. Previously, two women battled about who was the mother of a child. Fortunately, King Solomon stepped in and came up with a solution that benefited both females equally (Zolkepli and Kamarulzaman, 2015). Due to their neutrality, mediators are almost always necessary when cases are settled out of court. Disputes between Israelis and citizens of other nations have been settled via the mediation of this manner for many decades now. The establishment of community mediation centres to resolve disputes with Palestine was a result of Israel's declaration of independence in 1948. Reducing political hostilities between the two countries is made possible in large part because to these institutions for conflict settlement.

### *Mediation in the Middle East*

The Sumerian civilisation, according to many experts, is where mediation had its start. Sumer was a Mesopotamian civilization that existed from 4500 and 1900 B.C. in what is now the Middle East. It used to be that before each case went to trial, the mashkim had a look at the merits (Van Ness and Strong, 2014). Additionally, the mashkim provided assistance to opposing parties in settling their issues amicably. As a modern-day mediator, this position is akin to this one. A dispute might be taken to court if the mashkim failed to negotiate a resolution between the parties. The role of a mediator is encouraged by Shari'a Law as well. An impartial and neutral mediator is often expected in these situations. By expressing ideas and proposing solutions, they can only resolve conflicts. There is a choice for the parties to accept or reject the mediator's advice (Hörisch, Freeman and Schaltegger, 2014). Mediation in the Middle East is seen in the life of the Prophet Muhammad. Many scholars think that the Ka'ba's tribes enlisted the Prophet Muhammad as a mediator when he was only a youngster. Rather than let tensions fester, the Prophet offered an amicable solution that satisfied the interests of all parties involved.

### *Mediation in China*

According to Confucius, the primacy of law and its accompanying controversies could not be overstated. China, according to some scholars, sponsored mediation nonstop throughout Mao's leadership (from 551 B.C. to 479 B.C.) (Guay *et al.*, 2010). The greatest remedy to difficulties, according to the philosopher, was ethical reconciliation. It is important for Confucius to emphasise that the two parties involved in the dispute voluntarily agree to this reconciliation. In the past, mediators would meet with each of the parties separately and have a conversation with them about their concerns. On a regular basis, these meetings were used to resolve disputes. The mediators would also confer with persons who have a deeper grasp of the causes of the issue in order to ensure fairness and ultimate success (Clark, 2011). Confucius had a profound impact on Chinese society, and mediation became the dominant technique of settling differences for thousands of years.

### *The Relevance of Mediation in Modern Society*

Today's world demands that we use mediation on a regular basis. Conflicts in the workplace, society, and family may be resolved via mediation. Disputed parties get a rare look of the opposing side's perspective this way (Wigfield and Cambria, 2010). Mediation offers a level of clarity that

is seldom seen in judicial procedures. For a number of reasons, mediation and mediators are becoming more and more significant. The following are included:

### *Empowerment*

The parties regain control of the decision-making process via mediation. Whether or not to handle a specific issue is entirely up to them. The mediator's only responsibility is to provide them with guidance in making their own decisions (Reeve, 2012). The component of the mediation that promotes empowerment appeals to a person's need to maintain control while at the same time letting go of some of that control. People's aspirations for self-sufficiency and a carefree way of life are well aligned with this ideology. Because of these traits, mediation is an excellent tool for alternative dispute resolution.

### *Confidentiality*

If you want to keep your dispute out of the public eye, mediation is the best option. In addition, the parties engaged in a dispute handled by mediators agree on the level of confidentiality. As long as both parties agree to keep the agreement confidential, it is legally binding (Johnstone, 2013). Finally, the confidentiality is unaffected by whether or not the parties choose mediation before or after filing a lawsuit. As a consequence, any communication that comes out of mediation cannot be utilised as evidence in a lawsuit.

### *The Quality of the Resolution*

Participants in a mediation case are more likely to adhere to the agreement reached in mediation than they are to adhere to a court ruling (Valeri and VanderWeele, 2013). Even more so than a courtroom, there isn't the same level of tension here. Face-to-face mediation is preferable to breaking a court order because it allows for a more amicable resolution.

### *The Speed of Settlement*

Mediation is a considerably more efficient method of resolving disputes than litigation. In a culture where time and money are intrinsically linked, speed is essential. With ADR's ephemeral nature, it continues to be useful for today's busy executives. Proceedings in the courts may go on for months or even years at a time. Legal bills will only rise as the case drags on. Considerations such as these highlight the need of mediation in today's society (Eyal and Roth, 2011). Additionally, every business and individual wants to avoid costly legal bills and protracted court battles. It is because of this that a growing number of people are relying on professional mediators. Mediation

has been around for almost as long as conflict itself (Reeve, 2012). Man's quest for a better life will always lead to disagreements. Distinctive, effective, and most importantly, fair to all parties are the hallmarks of the best mediators. Mediation takes less time than a court case. It's also less expensive, and it helps the parties involved come to an agreeable arrangement (Wang and Eccles, 2013). For businesses and individuals involved in a dispute, conflict resolution has significant benefits in that it emphasises their interests while neglecting their challenges.

### *Mediation Theory*

The concept of technological mediation gives a lens through which to examine the role technology plays in our lives and society. Its core premise is that when technology is used, it helps to shape human-world connections. It sees technology as an intermediary between humans and the rest of the world, rather than as a mere extension of human people (Eyal and Roth, 2011). Don Ihde's 'post-phenomenological' approach to technology philosophy informs mediation theory.

Philosophical theory as well as design and technology development processes are affected by this phenomenon of technological mediating. Key philosophical subfields such as epistemology, ethics, and metaphysics may be re-examined theoretically (Wang and Eccles, 2013). In what ways does the use of technical instruments to sculpt the reality that scientists view affect the validity of their claims to knowledge? As a result of diagnostic and therapeutic devices' effect on our ethical judgement, how does this affect our moral standards, and what new duties do they create? What implications does this have for philosophical concerns such as the subject-object distinction and the link between the technical and transcendent if technology play such a big part in previously thought-to-be wholly human sectors? This idea allows for designers to examine, anticipate, and experiment with how people and commodities interact with one another and how technological advancements affect these two aspects of human experience and behaviour (Heller, 2018). Practical mediation techniques include a variety of different types of mediation include facilitation, evaluation and transformation. Each has a position in the hierarchy of methods for resolving disputes. For the most part, mediators, according to Imperati, employ a combination of these methods, along with their own unique style of mediating. Some seasoned mediators advise clients and attorneys on which mediation strategy is best suited to their situation. It's very uncommon for parties and attorneys to recognise the distinctions between mediation types and to seek a specific kind for their case (Caputo *et al.*, 2018). I think it would be helpful for mediators to communicate

what style(s) they usually use, along with the assumptions or principles that these styles are predicated on, to the parties and attorneys. Mediation services will become more transparent and clients will be happier as a consequence. Mediation's legitimacy and utility will only rise as a result of this development.

These strategies, according to Samuel Imperati and Leonard Riskin, are more like a continuum than substantial differences, ranging from the least interventionist to the most interventionist, according to their findings. SPIDR Survey results and other informal surveys show that most mediators use some facilitative and some evaluation tactics, based on their particular talents and preferences as well as the unique needs of a given circumstance (Zhang *et al.*, 2017). The differences between "top-down" and "bottom-up" mediation are more apparent to Folger and Bush. To put it another way: They believe legal knowledge may be taken too seriously, and that party-generated effects are much more deep, long-lasting, and beneficial. It's not uncommon to hear practitioners who employ the transformational model describe their approach in casual conversations as a mix of facilitative and transformative tactics (Zolkepli and Kamarulzaman, 2015). As a general rule, mediators seem to lie somewhere along a continuum between transformative, facilitative, and evaluative mediation.

### **Research Aims**

The research aims to discuss and elaborate the concepts of values, needs and interests in Mediation theory. How mediation theory can influence the conflicts and helps to resolve it on national, macro or micro level situations.

### **Research Objectives**

- To assess the mediation theory and its uses
- To understand the value of concepts, interests and needs in the mediation theory
- To assess the need of mediation in the conflicts

### **Research Questions**

1. What is the role of mediation theory and concept in conflict resolving?
2. What are the types of Mediation Theory and how it influence the situation of conflict?
3. What is the present use and implication of Mediation theory?

## Research Rationale

Interests and attitudes are distinct concepts in the minds of many philosophers. Many arguments have negotiable interests as Roger Fisher and William Ury claim in their best-selling book. In other words, when people talk about their differences in terms of opinions, it makes it look like they're stuck in a dead end (Heller, 2018). A dispute may therefore be described in terms of the reasons that support the views of the parties rather than in terms of what they want to achieve. If you focus on the underlying interests rather than outward positions, you can often overcome situations that seem intractable at first. This is due to the fact that, in many situations, people's interests and viewpoints coincide (Caputo *et al.*, 2018). There are no clear answers to problems when the issues are characterised in terms of opinions when the parties concentrate on interests. Shifting from opinions to interests may help even in apparently intractable conflicts. It's fairly uncommon for a minority group to want complete independence from the country in which it lives, even if the motivation isn't independence per se but rather greater political clout and economic prominence (Zhang *et al.*, 2017). Mutually beneficial solutions may be discovered if these "interests" can be addressed without sacrificing independence.

There are times when parties can't find a method to work together to achieve a common goal. Disputed resources must be shared between two or more parties or organisations when there is a distributive conflict. To "enlarge the pie" may be difficult since the more one gets, the less everyone else gets (Baldassarre *et al.*, 2017). Finding solutions that benefit both sides is impossible when everyone is focused on their own interests. In other theories, interests, human needs, and values are examined. There are others who believe that human desires are powerful motivators. Theorists such as John Burton[4] disagree, arguing that even while interests and desires are sometimes conflated, human needs are distinct. Human needs theorists argue that needs are more fundamental than interests, despite the fact that both are underlying desires. Essentials such as the ability to identify oneself and feel secure cannot be traded or misused as hobbies may. Attempts to reconcile interests when the issues at stake are non-negotiable tend to fail and make the disagreement much more difficult to resolve (Ranjan and Read, 2016). As a result, human needs theorists argue that conflicts based on human needs or fundamental value differences should not be handled the same way as disputes based on conflicting interests between parties.

### **Research Significance**

Also important is to distinguish between interests and essential ideas. There are occasions when conflict emerges because of a clash of different worldviews. People and organisations with divergent views on the best way to live are more likely to place a high value on things that are fundamentally different and have goals that are diametrically opposed. A person's core values, like the essentials of life, are immutable. These obstacles are likely to be insurmountable if the participants' moral ideas are at the heart of the argument. A solution based only on mutual interests is doomed to failure (Zolkepli and Kamarulzaman, 2015). Even if interest-based bargaining is suitable for conflict involving interests, human needs theorists argue that interest-based bargaining should not be employed in disputes involving human needs or fundamental value differences. Why interest-based bargaining cannot be used to resolve the abortion debate? Because underlying interests are also core values that cannot be exchanged (Baldassarre *et al.*, 2017).

### **Future Implications**

Politics is typically waged on the basis of ideology, rather than on the basis of a specific goal. Our families' well-being, safety, and ability to achieve are among the most important values we hold dear here in the United States. Our disagreements about how to get there are mirrored in our positional discussions. Some people demand universal access to government-funded health care, while others prefer private health insurance. Some people favour stricter limits on gun ownership, while others want none at all (Guay *et al.*, 2010). In the United States, there are those who want to stop immigration and others who want to keep or even increase immigration. These are actual job descriptions. And we'll never find the solutions to our numerous problems as long as we're arguing about different opinions. We're more inclined to be sucked further and deeper into the fog of confusion (Wigfield and Cambria, 2010). Disputes over values and the requirements of life, on the other hand, are seldom susceptible to compromise. It's possible to resolve conflicts between ideals and requirements in a constructive manner, though. Developing a strategy that is appropriate for a certain kind of disagreement is the first step in the process. For example, conflicting needs are typically addressed via problem-solving workshops, whereas conflicting ideals are usually addressed through dialogue. When looking for a remedy, you must first understand the problem.



**Struture of Dissertation**

The first chapter would be the introductory and would introduce to the background, rationale, aims and significance of the research. The second chapter would be the literature review that would used to support the findings of the research from the scholarly published articles, studies and journals (Clark, 2011). The third chapter would the methodology chapter that would represnt the methods applied to conduct the research to reach to findings and to reach to conclusive results. The fourth chapter would be reults and discussion that would be based on thematic analysis. The final chapter would be the conclusion which will summarise the findings and results in an understandable manner.

## CHAPTER 2: LITERATURE REVIEW

### Introduction

Our knowledge of conflict and the factors that contribute to it has evolved substantially over the last few decades. The risk of major interstate clashes, especially high-intensity clashes, has decreased; the world has not witnessed a full-scale war involving major powers since 1945, national liberation wars have decreased significantly since the 1950s, and proxy wars and decolonization wars, which were so prevalent during the Cold War, have virtually vanished. Nevertheless, as seen by the conflicts in Syria, Ukraine, Afghanistan, and the Democratic Republic of the Congo, foreign engagement has the potential to worsen local conflicts. In spite of this, conflict has remained, although in different forms: interventions in the context of the "war on terror," insurgencies, coups, and civil unrest such as the "Arab Spring" upheavals, as well as conflicts over natural resources, all unfold with devastating and often murderous effects. As a result, both the use of and interest in insider mediation have increased (Shen, Dumont and Deng, 2018).

### Mediation and Values

The core principles of mediation (self-determination, impartiality, confidentiality, safety, and quality) drive the work of mediators and serve as the foundation for our capacity to give the best quality service to our clients. Mediators that adhere to these guidelines may be able to help their clients more effectively. A third party aids two or more parties in reaching an agreement or settling a disagreement during mediation. The mediator's function is to help disputing parties in settling their differences and formulating acceptable solutions (Himes and Muraca, 2018). This provides for a greater grasp of one's own interests as well as those of the person with whom one is negotiating. This heightened comprehension may sometimes result in the discovery of unexpected, imaginative, and mutually advantageous long-term results. By transforming antagonists into allies, mediation has the capacity to raise rather than diminish the size of the pie. To assist parties in resolving their conflicts and obtaining better results, the majority of mediators adhere to a fundamental set of beliefs or guiding principles. It is assumed that mediators who adhere to these guiding principles will deliver excellent service and ethical mediation (Heller, 2018). Here are some concepts that influence our work:

### *Self-Determination*

Mediation is first a self-initiated practise. The parties must want the connection and be free to end it at any moment if it is not working for them. Second, the parties have a say in the case's resolution. It is their responsibility to determine what the solutions are, what they want, and how they might be accomplished. The mediator is responsible for directing the procedure and establishing communication channels between the conflicting parties. Mediators do these duties without offering their own opinions or remarks or attempting to push the discussion in a certain direction. If an agreement is achieved, both sides will be happy and, ideally, satisfied (even if that means consenting to walk away) (Chiu, Lee and Chen, 2014).

### *Neutrality*

To preserve the parties' control over the final resolution, it is essential for the mediator to remain impartial and avoid taking sides. This does not preclude the mediator from empathising more with one side than the other. Their reactions to circumstances are not always positive. Good mediators recognise that they are human and has emotions about what they see and hear. They are also aware that the process can only be effective if the parties trust and feel comfortable with the mediator. A mediator is aware of his or her personal biases in order to ensure that all parties are handled fairly and equally. The mediator's actual purpose is to establish a feeling of multi-partiality, that is, to operate in the best interests of all parties at the table (Hörisch, Freeman and Schaltegger, 2014).

### *Confidentiality*

Participants are able to freely share their issues, worries, and possible solutions in a mediation session. This indicates that attendees are authorised to take notes but not record sessions, as would normally be the case. Both the mediators and the parties sign confidentiality agreements prior to the start of the mediation to reconfirm their mutual commitment to secrecy. Mediation confidentiality agreements vary across mediators, but in general, they provide protection in the event that the issue is litigated. As a result, there is a greater likelihood of an open discussion and sincere efforts to achieve an agreement. Before the parties agree to participate in mediation, all exclusions are made known (Pekrun and Perry, 2014).

### *Safety*

In the field of mediation, safety encompasses both physical and mental well-being. To offer physical security, one must ensure that no one suffers bodily injury, including oneself and other

parties. The mediation cannot be productive unless both parties feel emotionally safe. When the safety of one or more parties is in jeopardy, the mediator must interfere, while being required to maintain impartiality and independence throughout the mediation process. This involves asking questions on the applicability of the results, checking in with one or both parties, and, if required, participating in further activities. A neutral mediator who provides a conducive environment for unrestrained communication increases the likelihood of a successful mediation (Strömbäck, 2014).

### *Quality*

In terms of mediation quality, this involves incorporating all of these and other concepts into the process, as well as putting our training, experience, and talents to work for the clients we represent (Leroy *et al.*, 2015). These factors guarantee that consumers get the highest quality service available. As a mediator, you must be dedicated to procedural fairness, thorough preparation, and constant advancement. Maintaining neutrality and autonomy demands substantial emotional control. A skilled mediator knows that the finest solutions may be discovered by being well-prepared, in the proper frame of mind, asking the correct questions, and being receptive to the input of all parties. Good mediators aid parties in evaluating the viability and longevity of prospective outcomes. They are also aware that if they do not think they are acting in the best interests of their customers, they will be required to resign (Van Ness and Strong, 2014). These guiding principles are used by Venn Mediation to assist parties in resolving their disputes expeditiously and effectively. At every level of the legal process, from the beginning to the finish, Venn aids our clients in selecting the most advantageous settlement terms and arrangements. Contact Venn Mediation if you or a friend are entangled in a conflict (Yoshida *et al.*, 2014).

### **Evolution of Mediation**

There is a growing desire for new conflict resolution models as it becomes evident that short-term international interventions are insufficient for addressing complex and linked conflicts, as well as the constant change impacting civilizations. Rather than utilising a single technique or framework, the best way to find solutions to these sorts of challenges is to utilise a strategy that focuses on procedures that can be sustained inside a certain community or nation. It is impossible to address the intricacy of these conflicts and transformation processes with a single action; these conflicts are frequently widespread and produce political crises at the national level as well as tensions between communities at the local level. Within a community or country, preventive and post-

conflict peacebuilding programmes must be coordinated at several levels and places (Guo et al., 2015). The necessity for insider mediation and insider mediators has risen as a result of several shifts in the landscape of conflict and conflict resolution. Several of these enhancements and their implications for insider mediation are described in further detail in the section that follows. On the increase is continuous and decentralised violence: Between 1980 and 2000, the incidence of high-intensity conflicts decreased by half, whereas violence fueled by organised crime, local conflicts over land and natural resources, and inter-ethnic or communal violence rose. According to the 2011 Global Burden of Armed Violence Report, decentralised violence, which includes local crime, gangs, and transnational criminal networks centred on illegal business, is responsible for almost three-quarters of violent fatalities (Zolkepli and Kamarulzaman, 2015). The 2011 World Development Report estimates that the yearly cost of this violence surpasses \$100 billion. Mediation is a political tool that brings together a diverse group of persons to work toward a similar goal. At the local level, mediation promotes local cohesion and aids communities in safeguarding their own livelihoods and public spaces. Mediation is one of the ways required to overcome these difficulties (Hsiao, Lee and Chen, 2015). As governments have become more adept at resource extraction, the number of conflicts over oil, gas, and mining expenditures and benefits, as well as land given to or negatively impacted by these firms, has skyrocketed. Land and natural resource conflicts. Due to the recurrent nature of land and natural resource disputes, as well as their connection to wider social conflicts and popular movements, societies need permanent, dependable, and readily accessible mediation services. Even while companies and international actors have made substantial attempts to participate in more responsible engagements in unstable and conflict-affected countries, more should be done at the local level to guarantee that continuing activities are conflict-aware. Insider mediators may play a crucial role in the peaceful and truthful resolution of conflicts between businesses and communities (Zolkepli and Kamarulzaman, 2015). At least twelve nations have seen an uptick in large-scale demonstrations and the use of guns against authoritarian authorities since 2010. d. People's revolutions in Cote d'Ivoire, Kyrgyzstan, and Niger ousted their respective rulers. In 2011-2012, organised individuals played a crucial part in Guinea's political transition; these protests occurred beyond the country's boundaries. Protracted transitions, such as those now occurring in the Arab world and, to a lesser degree, the former Soviet bloc, have resulted in periods of unstable administration, decision-making gridlock, and heightened polarisation. Insider mediation abilities may be necessary not just to resolve individual

conflicts, but also to facilitate the efficient, effective, and inclusive establishment of consensus on new developments and objectives. Voting-related worries are on the rise. In the preceding decade, election-related conflicts have grown considerably. In at least fifteen nations during the last five years, elections have led to violence, potentially violent tensions, and extended periods of gridlock. Elections are a well-established method for peacefully electing representatives, distributing political power, and facilitating transitions between governments in a manner that reflects the will of the people; as such, they are highly politicised events that tend to reflect rather than alleviate pre-existing tensions and divisions. These constraints preclude one-time mediation techniques, needing inner mediation experience with a longer duration (Cook and Artino Jr, 2016). Moreover, official procedures for addressing election difficulties that promote legal compliance are unsuitable for such disagreements/conflicts. Therefore, insider mediation is a crucial supplement to normal electoral dispute resolution approaches because it targets and mitigates the influence of deeper issues on the conduct of peaceful elections. As was the case in Kenya in 2008, when election administration systems lacked the necessary capabilities, violence ensued (Prebensen, Kim and Uysal, 2016).

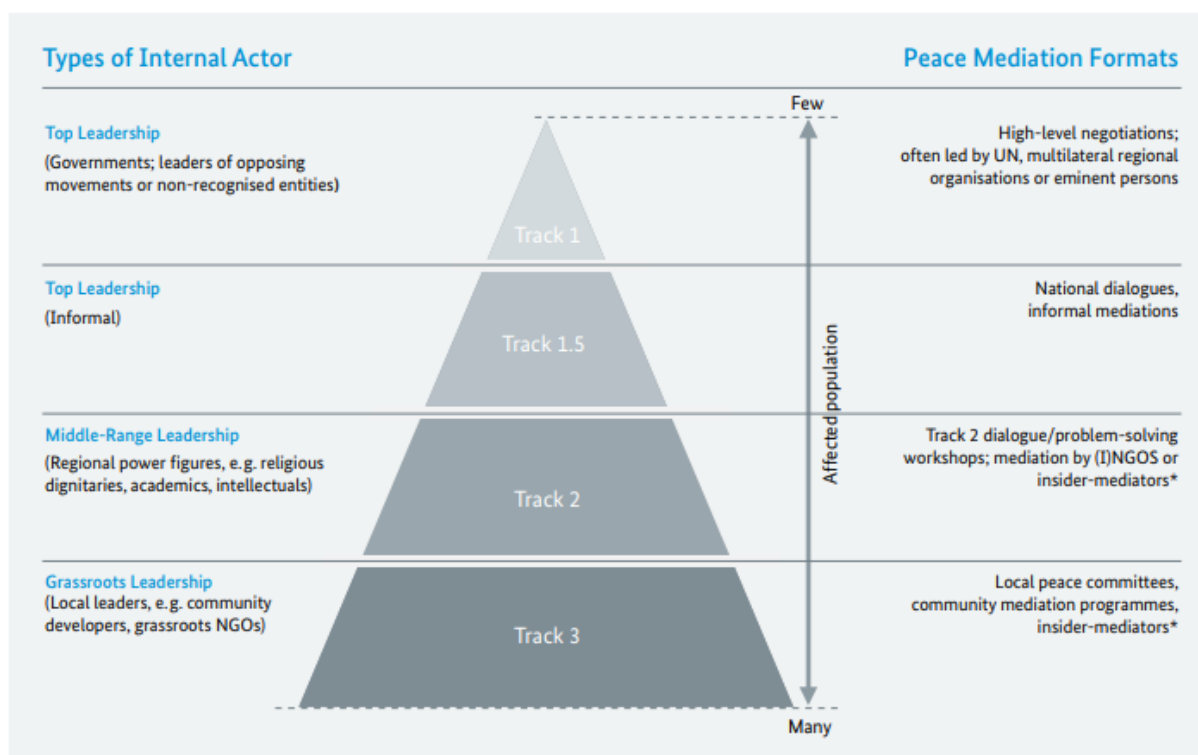
The word "peace mediation" refers to a number of intra- and inter-state conflict conflicts. It includes mediation, mediation assistance, and communication activities based on mediation. Such discourse and mediation procedures might be actively assisted by third parties with the necessary mandates and mediation frameworks. States play a crucial role and often achieve their objectives. As a single point of contact for mediation and mediation assistance, the Federal Foreign Office established the Directorate-General for Crisis Prevention, Stabilization, and Post-Conflict Reconstruction in March 2015. In addition, the Federal Foreign Office is in communication with a number of German civil society organisations that have formed Initiative Mediation Support Deutschland (IMSD) (Ranjan and Read, 2016).

According to the United Nations Guidance for Effective Mediation, mediation is a practise "in which two or more parties help each other in avoiding, managing, or resolving conflict by allowing them to develop mutually acceptable solutions. Peace mediation" refers to the whole systematic process of mediating discussions, starting with the first contact between mediators and conflict parties and continuing through ceasefire negotiations and the execution of peace treaties. Therefore, mediation may be used at any stage of a conflict. As with diplomacy in general, peace

mediation tries to confront and resolve conflicts in a constructive and peaceful way. Diplomacy focuses on the goals and objectives of a country's foreign policy, whereas consensus-building strategies, such as mediation, serve the requirements of all parties involved. This leads in diverse understandings of the responsibilities of diplomats and mediators, as well as diverse strategies. Diplomats are restricted to dealing with specific conflict parties, but a mediator is allowed to include any conflict party in the mediation process (especially violent non-state actors). Therefore, the potential for cooperation between diplomacy and mediation is immense (Afsar and Badir, 2017).

### **Approaches to mediation**

There are several academic and practical schools of thought on the mediator's job and technique. Three basic tactics are required for peace mediation: Facilitative mediators use non-directive techniques to unearth the interests and needs hidden behind the conflict's surface. It is essential that the mediator refrain from making substantive claims or suggestions, since doing so might undermine the concept of multipartiality. In formulaic mediation, the mediator has more control. In addition to organising the process and collecting potential solutions, the mediator offers other services, such as producing option papers and agreements. In addition, the parties' consent is required for this kind of mediation. In power-based mediation, the use of the mediator's influence to obtain an agreement is important (Zhang et al., 2017). A powerful mediator employs intricate strategies and utilises his influence. (Incentive and punitive approach) Conflict parties are persuaded to reach an agreement via the employment of threats of punishment and promises of reward (carrot and stick approach). At certain points of the mediation process, mediators may use these strategies alone or in combination. In mediation, there is often no apparent demarcation between them. The UN Guidance for Effective Mediation misses three crucial characteristics of mediation: conflict between opposing parties, impartiality of the mediator, and involvement in the process (Baldassarre et al., 2017).



### *Multiple tracks of engagement*

Peace processes may include many social levels (or "tracks") and the assistance of external parties. The first level (track 1) comprises the political and/or military leadership of a nation. The second tier (also known as "track 2") consists of prominent members of society, including religious and political leaders, academics, journalists, and politicians. Track 3 incorporates notable local civil society players and engagement from the grassroots. Work on the ground indicated the need to add a third level to this three-level framework: track 1.5, which refers to political decision-makers at the highest level in informal, non-official contexts. These track 1.5 mediation/dialogue sessions often help in the planning and preparation for track 1 dialogues, provide alternatives, and enhance conflict parties' knowledge and comprehension. To fully realise the potential of peace mediation, coordination of communication across several channels is essential. Often, a multifaceted strategy is necessary to create permanent peace, which entails not only finishing operations on all fronts but also combining them to maximise their efficacy (Bavik et al., 2018).



## **Language as Cognitive Restructuring**

The unexpected consequence of a multilingual mind is the rewiring or expansion of one's cognitive capability. When a cognitive system acquires the ability to communicate in a language other than its native tongue, its fundamental capabilities shift and new opportunities appear. A Whorfian effect may be seen as an example of cognitive restructuring, but there are new possibilities at the representational and processual levels: what may be thought and how. The originator of this broad approach, Vygotsky (1934), said that language fosters the adaptability and originality of human higher cognition. I will not criticise his work here (for the significant displays of his long-standing contribution). However, Wertsch's work (in 1981 and 1985) seeks to convey concepts that may be beneficial in the future, as opposed to predicting what will occur. The ultimate objective of Vygotsky was to explain how new generations become contributing members of society. It is evident, from an evolutionary standpoint, that our predecessors experienced the strongest selection pressure in the social world. Even before they can verbally communicate, children are born with a set of social tendencies (including a preference for human stimuli, an emotional proclivity to connect, and systems for intersubjective communication). Vygotsky was concerned with how to describe this process, which resulted in a subject with social maturity (Bavik et al., 2018). According to him, language contact is a vital aspect that enables the dual mental and social quality of this activity. Regarding the cultural growth of children, his "universal genetic rule of cultural development" asserts, "every function occurs twice, or on two levels." It initially emerges on the social level, followed by the psychic level. It occurs between individuals; intrapsychologically, it occurs inside a certain kid... However, internalisation has an effect on the structure and operation of the process. These principles include the ability to focus one's attention, recall information logically, and generate novel ideas, among other things (Galbreath, 2018).

The philosophy of Lev Vygotsky may be summed up in a single insight: children's talents originate first in a social environment and are later acquired on an individual level. This is true despite the proliferation of psychological jargon, namely the disappearance of the term "psychology of the will," which has been replaced with the phrase "executive functions" in contemporary discourse. Interiorization and mediation are the two fundamental notions that appropriately describe this method. Interiorization, the transformation of open social behaviours (such giving and receiving) into mental processes, is a central concept in Vygotsky's theory of psychological development (Himes and Muraca, 2018). The internalisation of behaviours undertaken in social interaction is

supposed to result in higher-level processes. Vygotsky regards voluntary attention, logical reasoning, the production of hypothetical concepts, and voluntary acts in general as individual processes as a consequence of the interiorization of earlier social behaviours. The algorithmic technique that first guides, instance, paper-and-pencil subtraction supplies the basis for brain computations following interiorization. The use of images to convey information is comparable to logical reasoning. As a result of this process of interiorization, voluntary mental functions are developed. To use more contemporary language, offline cognitive processes may be seen as dependent on mental models of operational schemas acquired during online processing (Bavik et al., 2018).

### **Maslow's hierarchy of needs, Maslow's hammer, and workplace mediation**

In every authorised workplace mediation training course that we provide, Abraham Maslow's Hierarchy of Needs is addressed as a starting point for new mediators to comprehend the expectations that parties in conflict may bring to a workplace mediation. Whether it's about mutual respect, feeling appreciated as a team member, or feeling heard, all mediations include an evaluation of human needs. Someone from the twenty-first century comparing WiFi to Maslow's hierarchy of requirements was funny. This week, I learned about Maslow's hammer from Professor Paul Latreille, Deputy Pro-Vice-Chancellor for Learning and Teaching at Sheffield University Management School. In *The Psychology of Science*, published in 1966, Maslow said, "It is enticing if your main instrument is a hammer." (Baldassarre et al., 2017) According to Paul Latreille, because mediation is their only option for resolving workplace conflict, many organisations regard all sorts of workplace conflict to be suitable for mediation. While the analogy between mediation and a hammer is not obvious (since mediators do not "bash people into a wall"), it prompted me to consider other tools available to help managers prevent conflict from escalating, such as "courageous conversations" training, conflict coaching, and "facilitated meetings (Hasan et al., 2018)." To counter Maslow's hammer, the mediation business must expand the definition of conflict resolution beyond workplace mediation. If HR professionals and other stakeholders are made aware that mediation is not the only option, workplace conflicts may be resolved more swiftly and amicably (Hörisch, Freeman and Schaltegger, 2014).

### *What are needs & interests?*

We'll use the terms "needs" and "interests" to describe the underlying motives for the various points of view. There is only one proper response for a given scenario, despite the fact that there are often several possibilities to satisfy a certain need or interest. Appreciation, affinity, autonomy, respect, status, and function may be included in a non-exhaustive list of wants and interests (Chiu, Lee and Chen, 2014).

### *Emotions, desires, and interests attract us to the flame.*

Typically, participants have strong opinions on an issue but are unclear about what they desire. Therefore, despite the fact that emotions are not necessities in and of themselves, they may signify what a community requires. Understanding what motivates our emotions is crucial, which is why we use expressions such as "going toward the heat." Understanding and expressing one's emotions is just as important as expressing one's goals and passions. As mediators, we recognise and communicate emotions in order to understand their underlying causes (Van Ness and Strong, 2014).

### *The Wrecked Truck Mediation Is Not Always About Money*

Money is sometimes misunderstood as a need, particularly by untrained mediators. In contrast, money is a means to a goal and not an end in itself. During mediation, one side may insist on covering the cost of an automobile repair. According to their perspective, the other party should pay for the repair. But why do you take such a position? What is wrong with the vehicle that it need repair? What do they anticipate the other party to pay for?

Joe Gosselin, a CCR trainer and volunteer mediator, explained resolving a vehicle repair conflict between two sister-in-laws during his presentation. One of the women had damaged the automobile of the other. The plaintiff sought the automobile's market value. The defendant is financially unable of making even a small payment. It was determined after considerable thought that the plaintiff did not need the money for the automobile at this time. As a result, each member of the extended family had an opinion. Several close friends and family members of the plaintiff urged her to hold the defendant responsible for her behaviour. The parties were able to agree on a minimum price that the defendant could pay over time since the money for the vehicle's value was not a true requirement for the plaintiff, but rather a symbol of the demands of the extended family. This was ideal for all parties involved. The plaintiff held the defendant accountable for his conduct

(Strömbäck, 2014). Furthermore, the defendant displayed a desire to accept responsibility for her acts. This describes the rationale behind our needs and objectives. Money used as a substitute for genuine aims and interests is a prominent illustration of this (Hörisch, Freeman and Schaltegger, 2014).

### *How do you identify needs and interests?*

As mediators, one of our roles is to help the parties in seeing the order inside the chaos. According to Joe Gosselin, one of the major obstacles for mediators shifting from training simulations to real-world mediations is that real-world parties do not have their desires and interests written down and ready for the mediator to ask the right question. The parties offer their contradictory narratives at the table of mediation. The purpose of mediation is to improve the situation for all parties involved (Guo et al., 2015). The following steps will aid you in analysing your goals and needs:

### *Listen and explicitly identify.*

Active listening necessitates the capacity to identify needs and interests that develop throughout the mediation process. We are able to retain and retrieve interpersonal information in our daily lives, but it is more difficult to do so during a mediation. Therefore, the most challenging challenge is articulating needs and desires as they occur. Summarizing is an active component of listening that requires confirming that the information was heard clearly and then summarising and emphasising needs and interests concisely (if not eloquently; more on this later). "It seems that you need X." This will benefit both parties (Yoshida et al., 2014).

## **What Is Community Mediation?**

Individuals, groups, and organisations may find community mediation useful for settling disputes and conflicts. Develop solutions to avoidance, negative confrontation, lengthy litigation, and violence that put individuals in charge of their own actions. Participants in community mediation are able to voice their problems and desires. In addition, it encourages interpersonal interactions, builds connections between individuals and organisations, and offers rules that allow communities to operate effectively for all members. Intervening mediators give participants with a secure atmosphere in which to vent their issues and make decisions while maintaining control of the process. Depending on the requirements of the participants and the capability of the centre, community mediation centres offer a number of conflict intervention approaches that help

participants in resolving personal and community-specific conflict situations (Pekrun and Perry, 2014).

Community mediation began in the United States during the 1960s civil rights movement, when attempts to promote racial, ethnic, socioeconomic, and gender equality intensified. As part of the 1964 Civil Rights Act, the federal government created the Community Relations Service (CRS) under the Justice Department to promote the expansion of community mediation. This prompted the establishment of a presently used peaceful and constructive solution to communal conflict (Bavik et al., 2018).

Local conflict mediation services are becoming more prevalent as non-profit organisations spread throughout the country. As part of conflict-related prosecutor-sponsored programmes, community members addressed minor criminal conflicts and neighbour disputes. One of the objectives of the campaigns was to reform the judicial system (Zolkepli and Kamarulzaman, 2015) Regardless, a second parallel route emerged. Early adopters devoted greater attention to the intellectual basis of social and political activity, realising that community conflict may be resolved more effectively inside the community itself, as opposed to within control-oriented institutional organisations. Those who have adhered to this conceptual framework more closely have blazed this road (Shen, Dumont and Deng, 2018).

## **Historical conceptions**

### *Greek and Roman precedents*

Ancient Greece may be the cradle of the Western nation. According to Plato and Aristotle, the city-state (polis) is the most effective form of government because it can satisfy the religious, cultural, political, and economic requirements of the whole people. This city-state, renowned for its autonomy and self-sufficiency, served as a model for Aristotle's conception of human moral development. However, the Roman idea of "commonwealth" is closer to our understanding of "res publica," or the commonwealth of all Roman citizens, than are the Greek conceptions of "country" and "state." The res publica was a legislative structure that safeguarded and regulated the rights and responsibilities of all Roman citizens. As a consequence of the fall of the Roman Empire, feudal lords in Europe engaged in a protracted conflict for power and safety (Heller, 2018).

### *Machiavelli and Bodin*

In order to restore order, Niccol Machiavelli and Jean Bodin (both from France) developed the present concept of the state as a stabilising factor in Italy during the sixteenth century. In *The Prince*, Machiavelli put the utmost importance on the length of the ruler's reign, disregarding moral concerns in favour of the ruler's vigour, bravery, and independence. According to Bodin's contemporaries, power alone was inadequate to produce a sovereign; for authority to be sustainable, it must be consistent with morals and have continuity, i.e. a system for ensuring succession. Bodin's argument was the basis for the 17th-century notion known as the divine right of kings, which resulted in the monarchy being the predominant form of administration in Europe. In the seventeenth century, reformers like as John Locke and Jean-Jacques Rousseau found fertile ground in England and France to study the origins and goals of government (Galbreath, 2018).

### **Politics and Mediation**

Dr. Leonard Suransky has taught at many colleges and institutions, including as the University of Durban-Westville in Durban and Webster University in Leiden and St. Louis. He is both a curriculum expert and an international affairs-focused political development analyst. He serves as the executive director of the Pax Ludens Foundation, which he co-founded and for which he is a significant game developer. This is a must-read for mediators who employ innovative, non-traditional methods to establish peace and eliminate conflict in our diminishing global society. Its contributions span from historical efforts, such as those of Pope Alexander VII during the Thirty Years' War, to the mediation of some of the most complex geopolitical conflicts in Africa, Central America, and Northern Ireland. Among its contributions are historical endeavours (Hörisch, Freeman and Schaltegger, 2014).

Professor Jacques Faget, a legal scholar and researcher, endeavours to go beyond the state-centered, Western-centric politics of the Realist era. He wants to examine the application of a new culture of "soft power" mediation in settling global conflicts. He and his colleagues contend that their new paradigm is more adapted than conventional diplomacy or power politics to addressing the complex international issues of the twenty-first century. What function does soft power serve? They are mediators, who do not carry firearms. They rely on persuasion and a professional comprehension of the conflict to provide fighters with fresh solutions, as well as the authority of (mediator) skill and charisma (Van Ness and Strong, 2014).

This new mediation tendency begs the issue of whether it is another 'Western' cultural imposition, since Faget is well aware that his soft mediation talent may be an ethnocentric wolf in sheep's clothing. He utilises Hareide to support his argument on the several Norwegian efforts at mediation (Jakhar *et al.*, 2018). In the past, missionaries preached about God and salvation, but missionaries now teach about peace and democratic governance. The elderly remained for an extended period of time on modest salaries and mastered the local languages. The children travel often, earn a comfortable livelihood, and are fluent in English. This is akin to a well-developed intuition for the broader notions of Good and Evil. Both faiths preach that a Westerner will rescue the rest of the globe, despite their denials (Guo *et al.*, 2015). As a result of international political mediation, a "new global code of ethics" may arise, in his opinion. Respect for human rights and the sovereignty of those categorised as "others" is necessary for a democratic, participatory result. In a departure from conventional negotiation, mediators must immerse themselves completely in the target culture and rely on local peacemakers and resources for their peacemaking skills. The most challenging aspect of their job is getting the outcomes of their research into the troops' heads. These strategies aim to assist individuals comprehend what it is like to be in another person's shoes. The ability of opposing parties to voice their concerns and sentiments of injustice or inequity against one another is the first step towards identifying new areas of agreement (Ranjan and Read, 2016).

As a consequence, the authors of this book recognise how crucial it is to openly address the elite politics of realism. In the 10 chapters of his book, therefore, Faget claims to have examined and generally demonstrated his two major hypotheses. He states: In order for government initiatives and mediation attempts to be effective, they must function in tandem. As a result of continued attempts at bottom-up mediation, "the distinctions between state and non-state actors may become blurred." [...] the development of a [profitable] "company" as a means of promoting democracy. While acknowledging that "legitimacy cannot be achieved only via the use of force," he proposes an alternate method (Nie *et al.*, 2015). As a result, a group of mediators capable of functioning in a range of cultural contexts and unaffiliated with government power brokers might arise. Complex conflicts were successfully resolved by the use of soft instruments, as opposed to conventional

paternalistic, authoritarian, and coercive diplomacy. Only two of the six case studies are currently being extensively investigated (Afsar and Badir, 2017).

Aurelien Colson and Alain Pekar Lempereur discuss their mediation work in Burundi and the Democratic Republic of the Congo, two central African states that have recently seen some of the continent's most terrible massacres. The imbizo culture of South Africa is the primary influence on their work. They explain how reconciling the reconcilable is a requirement of their work. This is comparable to the first South African discussions in Dakar that led to the Codesa settlement. As a result, their first contacts were fraught with apprehension, mistrust, and even animosity. In actuality, it is normal for representatives to begin meetings with intense opposition. It is the mediator's role to urge both sides to communicate their true feelings of annoyance and despondency and to listen to one another with courtesy and without judgement (Cook and Artino Jr, 2016). Due to the possibility of dependence in this kind of discussion, former rivals now share a future reference point. If possible, a reconciliation process should be initiated during the actual dialogues so that the former adversaries may plan a common future. One of Israel's negotiators warned in the Oslo Accords that "some may perceive an opportunity for redemption, while others may see a chance for capitulation." You cannot make things worse by trying to make them worse. Importantly, ALL participants are required to attend the sessions as part of Colson and Lempereur's reconciliation endeavour. Women, professional organisations, local and ethnic representation, senior and junior generations of leaders, and a variety of perspectives must all be included in this agreement; otherwise, it will fail (Zolkepli and Kamarulzaman, 2015).

At the Ethiopian border town of Gambella, hundreds of Anywaa men were killed. Her study emphasises the difficulties of mediation by urging mediators to immerse themselves in native cultural realities. In the immediate neighbourhood of the conflict, she saw eight separate ethnic groups. Each culture had its own way for settling conflicts, which often included animal sacrifice. As were community education programmes intended at avoiding violent or conflictual situations. settlement punishments ranging from fines to the death sentence were also used. Despite the fact that the great majority of these cases are handled outside of state courts, a hybrid approach is sometimes used. To document this micro-specific study in an obscure region of Africa, I will describe two rituals (Hörisch, Freeman and Schaltegger, 2014). The citizens of Anywaa formed a committee to ascertain the "truth" about a murder. Building agreement is a crucial cultural need



for conflict resolution in Africa. In "Western" nations characterised by more individualism, consensus-building is difficult. Regarding this, Africa has much to teach the "West." At this point, a (biblical) animal is sacrificed as a ritual offering, and a spear is prepared for use in the ceremony. During Haddiya religious festivals, pilgrims are required to pass through animal blood and pay a charge, although they are otherwise equivalent. All of this must be performed openly in order to educate the community (Himes and Muraca, 2018).

Intermarriage between the Tigray and the Nuer is a very successful method of preventing disease recurrence. As well as other communities across the globe, the European monarchy adopted the practise of mixing families to maintain peace. The weddings of famous individuals may be used to broker peace between warring factions in our purportedly "more modern" civilizations, such as the Protestant and Republican Catholic Northern Irish, Greek and Turkish Cypriots, and even Israeli Jews and Palestinians. This small but very valuable collection of books provides several pearls of wisdom for mediators striving to eliminate conflict and violence from our deteriorating world. The constructivist and pluralist school of international relations theory foresees a future of more peace. In contrast to their opponents, they think that in the present era of peacemaking, international civil society and ordinary people may augment more conventional peacemaking efforts and even turn swords into ploughshares (Strömbäck, 2014).

## CHAPTER THREE- METHODOLOGY

### **Introduction**

As part of the research process, the researcher has selected a particular study design, research strategy, sample technique, data gathering method, and data analysis method. In addition, the researcher has addressed issues of ethics to guarantee that the study adheres to standards of decency. The following topics have been discussed in conversation:

### **Review Context**

The findings of health-related research are the subject of a systematic review, which seeks to unearth, investigate, and assess the implications of such findings. Previous research is analysed in systematic reviews in order to produce a synthesis of the findings from many studies. This provides the general public, health care authorities, and organisations that make policy with more information. In order to aid the research community in growing its body of knowledge and filling knowledge gaps that have been identified in the current literature, a complete literature review may be of assistance. An effective search strategy is essential for these assessments since the articles that are obtained are dependent on it (Belur *et al.*, 2021). This study will analyse and expand upon the Mediation theory's conceptions of values, needs, and interests in order to further our understanding of the theory. How the notion of mediation impacts and helps to develop conflict resolution at the national, macro, and micro levels.

### **Search Strategy**

In order to achieve the goals of this study, it is required to do background research on the Mediation theory's concepts of values, needs, and interests. Studies have been done on national, macro, and micro conflicts to see whether or not the notion of mediation may help in the systematic settlement of these conflicts. Through the use of reputable internet sites, keywords, and search

phrases, relevant research articles were located. Through the processes of collecting, categorising, synthesising, and analysing the data included in this systematic review, the purpose of the research was successfully attained.

### **Research Design**

The overarching structure of a research endeavour that contributes to the accomplishment of its goals and aims is referred to as the research design. The two most common methods of doing research are the qualitative and quantitative techniques. According to Valverde-Berrocoso *et al.*, (2020) who conducts qualitative research, the findings of the study may be generalised in two distinct ways: substantively (meaning that they are beneficial for a particular problem), or formatively (meaning that they are valuable for a given goal) (relevant to different areas and levels). On the other hand, the purpose of quantitative research is to determine the factors that led to a certain occurrence and its outcomes so that conclusions may be drawn about what will happen in the future (Burman and Goswami, 2018). The philosophical and meta-theoretical foundations of quantitative and qualitative approaches are different in terms of the nature of reality (ontology), knowledge (epistemology), the principles that guide and inspire scientific investigation (methodology), and the instruments used for research implementation (research methods and techniques) (research methods and techniques) (Turan and Akdag-Cimen, 2020). Because it is less complicated and time-consuming than a quantitative research approach, the researcher decided to use a qualitative research technique for this particular investigation. Because of the time limits of this inquiry, qualitative research is the approach that will provide the best results. The results of this study, because of their applicability to the notion of mediation, are capable of being extrapolated to a more extensive setting.

## **Research Approach**

Research may be carried out using either an inductive or a deductive approach. Quantitative research, in which the researcher must explicitly examine the study's premises, lends itself particularly well to the deductive method of inquiry. On the other hand, the inductive research approach concentrates on qualitative issues and strives to foster the creation of new ideas. Due to the fact that a deductive research strategy is dependent on the generation of a hypothesis based on evidence facts from an applicable test or statistical data, a deductive method is not suitable for this study (Gupta *et al.*, 2018). The deductive method is the one that should be used most often in social science courses since it makes use of rules to explain arguments. This is because the research in question are able to forecast future occurrences and/or control how those occurrences will play out (Newman and Gough, 2020). In light of the qualitative character of the research, an inductive approach is the most suitable method for accomplishing the objectives of the investigation. As a consequence of this, qualitative results have the potential to be applied to a wider range of contexts, and fresh ideas, hypotheses, concepts, and pieces of information may be generated and contributed to existing knowledge sets. In addition, the inductive research approach requires the collection of data as well as its interpretation in order to allow for the incorporation of essential information into the formulation of the hypothesis. As a consequence of this, it is very necessary for a researcher to get material from trustworthy secondary sources, such as academic journals and publications that have been evaluated by other academics.

## **Sampling**

Research participants have to be chosen arbitrarily from a huge population in order to calculate the appropriate sample size. Borges Migliavaca *et al.*, (2020) contends that it is necessary to do sampling since it is difficult to communicate with a large population. The results of the sample will allow the researcher to choose a subset of the participants in the study that most

accurately represents the whole population. A similar approach was used with the sample for this investigation. All publications and research that address the categories of values, needs, and interests as outlined by the Mediation theory will be combed through to find potential participants. Because there are too many studies on this topic for the researcher to include them all, they will choose a subset of the studies that are relevant to the objectives of the study. The researcher is required to choose samples using a strategy that is not based on chance in accordance with this methodology (Borges Migliavaca *et al.*, 2020). This method is used by the researcher to collect data in accordance with the prerequisites of the study rather than using a random technique to accomplish so. Because the study phenomena are concerned with Mediation theory's principles of values, needs, and interests, which are not new but have become a critical problem, the researcher avoided collecting random data and instead focused on getting only relevant and timely information. This is because the principles of values, needs, and interests are not new but have become a critical problem. Convenience The researcher will use sampling to make certain that only relevant studies are gathered for the analysis. In addition, only research that has been published within the past five years will be evaluated for inclusion in the study, and studies that are much older than that will be omitted from the full evaluation of all previously published research. No more research will be carried out unless it is founded on the concepts of values, needs, and interests that are outlined in the Mediation theory. No information from dubious sources, such as blogs or websites, was included in this research study because the researchers wanted to guarantee the reliability of their results. Instead, they relied only on peer-reviewed academic papers retrieved from reliable databases. As a direct result of this, the researcher will be able to use this form of sampling to collect accurate data on the issues that are being investigated in this study.

## **Data Collection**

Data collection is a strategy that, in conjunction with the other aspects of the research process, enables the researcher to make contact with the population or sample that is the focus of the study and collect the necessary data. The two most basic types of data collection strategies are known as primary data collection techniques and secondary data gathering procedures. When it comes to collecting data for a study, researchers have the option of using either primary or secondary techniques, or even combining the two (Mohajan, 2018). The design of the study and the technique that was used to conduct the research will determine which of the two methodologies is selected. The researcher relied mostly on secondary sources of data as the primary source of information for data collection. This is as a result of the fact that the researcher did not carry out any surveys or interviews, relying instead only on previous studies carried out by other researchers within the context of the Mediation theory's values, needs, and interests instead. The reason for this is as follows: Reputable databases such as EBSCO, Science Direct, Emerald, and Wiley, to name a few, were searched in order to get some of the material that was found to be the most significant. Research that is based on data and has been evaluated by peers may provide knowledge that is accurate and dependable for crucial generalisation. Researchers were able to collect a limited but trustworthy data set by using the inclusion and exclusion criteria that are given below, and then extract the information that was most pertinent to their study.

### **Data Collection Criteria**

#### **Inclusion Criteria**

According to the objective of the research, some criteria have been set to retrieve pertinent data. Snyder, (2019) state that creating inclusion and exclusion criteria improves the relevance of data from diverse sources. These inclusion criteria are used to restrict search results.

- This list contains works released between 2015 and 2022.

- Published evidence in English
- Original research papers
- Research articles reflecting the values, needs, and interests of Mediation theory
- The data was incorporated with regard to mediation theory.
- If a study dealt with Conflicts, it was thought essential to Mediation theory.

### **Exclusion Criteria**

Contrary to popular belief, research has been neglected for the following reasons:

- Translations into languages other than English of pertinent evidence
- Articles of secondary research published before to 2015
- In research publications on mediation theory, examination of values, needs, and interests is scarce.
- Information unrelated to mediation theory or other challenges.
- It was not determined if the material came from academic papers, books, or accounts that are regarded as credible.

### **Data Analysis**

It is possible to define data analysis as a process or procedure that examines the data that has been acquired with the goal of gaining significant insights into the issue that the study is attempting to solve and providing a conclusion that is correct (Snyder, 2019). As a consequence of this, the researcher carried out a theme analysis on the qualitative data that had been obtained in the past from a variety of environmental protection organisations, in addition to recent and historical studies and publications. After the review of the relevant literature, the main findings shown in the table will be compared and analysed. Because a description of the research questions and goals has been provided, this investigation should be successful in meeting its primary

purpose. At that point of time, the method of theme analysis was quite common. This procedure may be broken down into either five or six parts. The first step in doing research was becoming acquainted with the relevant information, and then the next step was developing research programmes. The search phrases that were utilised in the third iteration of the search were largely mirrored in the codes. After we had gathered all of the necessary information, we synchronised it, and then we developed some subthemes from it. The researcher compared and contrasted the ideas and opinions of the data, and included the discussion, in the last section of the study.

### **Data Sources**

The relevant research articles were located via searches in online databases. In order to discover material that is important, it is common practise to utilise online databases such as Google Scholar, CINAHL, and Medline. In order to look for signs of study, the database was sifted through using inclusion and exclusion criteria. The authors Poynton, DeFouw and Morizio, (2019) state that a number of online databases make it easier to locate content that is important to study. In addition, Rajabov, (2019) emphasised a database's strength, which is that high-quality databases give research information sources in a cost-effective manner.

### **Search Terms**

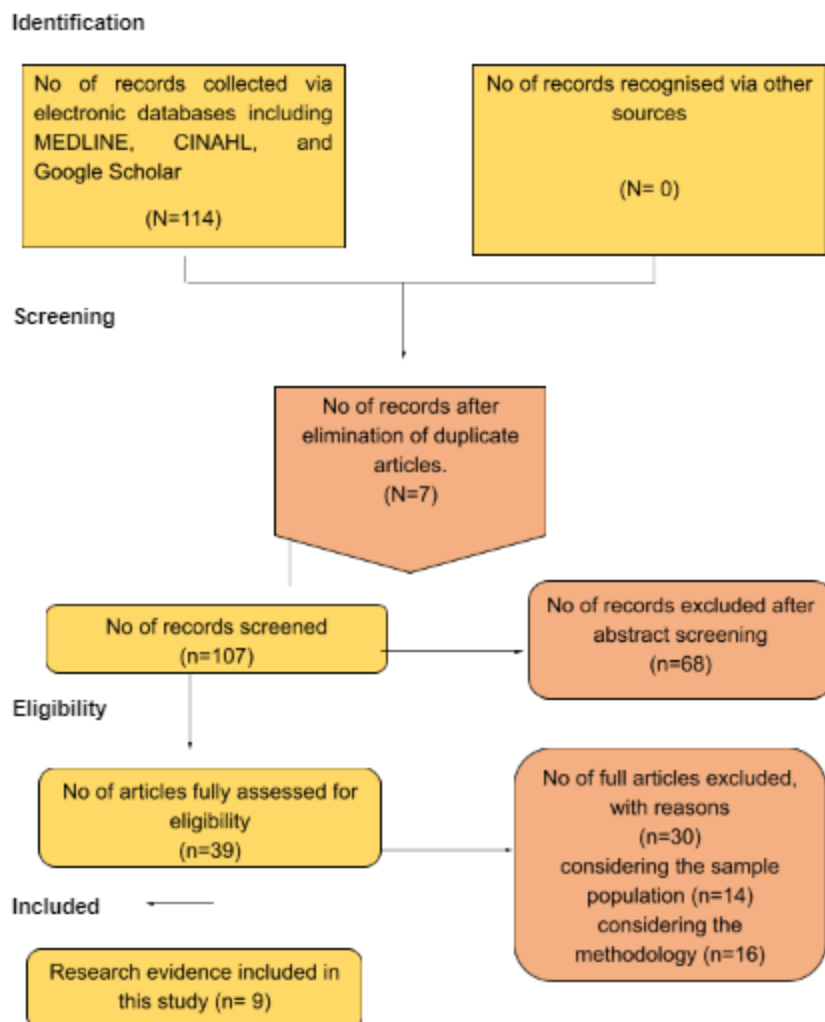
For the purpose of accumulating useful data, certain key phrases are selected in accordance with the objectives of the study. The research purpose is used to derive the search terms, which are then used to guarantee that the articles provided are applicable. It is difficult to conduct useful study in the absence of a stable foundation consisting of essential terms (Snyder, 2019). This research looked for relevant information by using a variety of search phrases, such as "Mediation Theories," "concepts of mediation," "values in mediation," "role of mediation," "interests in Mediation theory," and "conflicts and mediation." Because of the use of keywords, several research articles, numbering in the hundreds, were generated. The process of sorting through



important data is difficult and time-consuming in and of itself. As a direct result of this, an additional restriction that is based on Boolean expressions has been added to the inclusion criteria in order to further limit the available alternatives. Search results are often narrowed down when using Boolean terms like "AND" and "OR." In order to do this search, both of these terms were used. The use of such stringent constraints may result in the removal of critical pieces of information.

### **Search Outcomes**

The first search conducted in the internet database yielded 114 articles. During the preliminary stage of the investigation, it was required to get rid of any studies or articles from the studies' titles that were unnecessary or redundant. As a direct result of this, the abstracts are assessed in order to determine which publication satisfies the requirements of the study the most effectively. Through the use of abstract filters, almost half of the publications were eliminated, leaving just 39 for a more in-depth investigation. After carefully considering the contents of the full texts of the other 39 publications, we decided to include just nine of them in our analysis. Graphical representation of the data collection process is provided by the PRISMA diagram (Figure 1).



**Figure 1:** “PRISMA diagram explaining the process of search outcomes”

### Quality Measurement

It is critical to make sure that the research evidence is trustworthy and impartial. As scientific expertise expands, there is a growing risk that information may be delivered with an inherent bias. In this respect, Leatherdale, (2019) said that doing a critical analysis of the data helps to distinguish between research that was unsuccessful and that which was successful. It is possible that the patient's health would suffer as a consequence of decisions made in the context of healthcare that are influenced by erroneous research findings. In order to guarantee that their

findings are reliable, researchers who participate in pertinent research projects are obligated to do an exhaustive analysis of their findings. This analysis must take both the sample size and the research technique into account. The quality of the selected research evidence is evaluated using a critical evaluation instrument that asks a set of predetermined questions as part of the quality assessment process. The Caldwell Framework was used in this investigation to evaluate the quality of the nine studies that were selected. Analysis may be made much more straightforward by using a method that takes into account both the positive aspects and the restrictive aspects of the data. In addition, the Caldwell Framework makes it possible to comprehend the reasoning, methodological approach, research design, sample, generalizability, and transferability of results that have been published. Caldwell's Model

### **Data Analysis**

The previous studies that were looked at for this examination used a variety of different research methodologies. As a result, it is possible that the research concentrated on different parts of mediation theory and topics that are connected to it. In light of this, the outcomes of the research were evaluated and analysed using a method known as theme analysis. According to \_\_\_\_\_ thematic analysis is a method that makes use of evidence to discover and report on ongoing themes. The concepts of conflict, interests, and values were investigated, as well as many other aspects of mediation theories. The results of the survey were subjected to a comprehensive analysis, after which themes were established, and the data was thoroughly regulated.

### **Ethical Consideration**

According to Ullah and Ameen, (2018) research ethics need to be followed to in order to prevent ethical concerns that may occur during a study owing to the use of unsuitable technology. This problem might be caused by the use of improper technology (Munn *et al.*, 2018). In addition to the procedures described above, the researcher has also taken ethical considerations into

account, therefore guaranteeing that the research was carried out according to standards of ethics that are acceptable. By following to the plagiarism criterion, the researcher made sure that the work of other researchers was not duplicated in any way. The credibility of the research will also be bolstered by the inclusion of secondary sources that have been identified and cited. This ensures that the researcher followed ethical standards and referenced the work of previous authors in their study.

### **Research Limitations**

In addition, the study has several flaws that need to be ironed out in further research that is conducted in the future. Due to the fact that the researcher in this investigation does not have access to any trustworthy data collection techniques, the investigation may only consist of qualitative approaches. Only secondary sources or data or information that has already been made public are relied on by scientists for their study. As a result of this, it is quite likely that the researcher will not produce any new findings or insights about the ideas of values, wants, and interests that are associated with the Mediation theory. Because the researcher will only collect five articles to present in a systematic review and compare in order to answer the research question, the second limitation is related to sampling. If the researcher solely considers the findings and viewpoints of previous researchers, this may make it more difficult for them to learn the skills necessary for effective data collection. As a consequence of this, future researchers should keep these limits in mind when they are gathering data on the topic at hand in order to ensure that a response that is more suitable to the conditions may be offered.

## CHAPTER FOUR: DISCUSSION AND RESULTS

**Systematic Review Table**

Author (s)	Research Aim	Research Design	Research Findings	Research Value
Nagaraj and Sapna (2018)	Millennials are well-known for their passion for fashion and identification with certain brands. This study reveals surprising findings on brand involvement and self-concept (BESC). This article will examine how BESC influences millennial brand loyalty and support for their preferred fashion companies. In addition, the research examines the moderating influence of millennial	This data was collected from 621 graduate students of the millennial generation at a single institution. The Hayes method is used to test the hypothesis of moderated mediation.	As a result of the findings, the mediating function of BESC is confirmed, and the moderating roles of participation and knowledge are strengthened. Brand loyalty, BESC, and brand advocacy all profit from the active engagement and understanding of millennials.	This research explores the self-concepts of Millennials, providing fashion marketers with further data on the topic.

	participation and knowledge.			
Özkan et al. (2019)	According to this poll, Turkish banks rely their long-term client relationships on factors such as customer satisfaction with service quality, service value, and the image and reputation of the brand. In addition, the influence of perceived value on mediation effects is studied. When management understands how the components that contribute to client loyalty to a bank interact, they may exploit company image	Using this strategy, we may be able to get a better understanding of how service quality, customer happiness, and perceived value influence the brand reputation of the bank. This survey employs a SEM analysis to study the nature of correlations between components of interest thought to influence consumer behaviour and customer loyalty. Mediation may	The poll findings recommend using a bank's corporate image and reputation as a marketing standard. Consequently, customers' perceptions of value, image, and reputation influence their brand loyalty in three ways.	This article examines customer loyalty in the Turkish banking sector, as well as the impact of a company's image and reputation on customer loyalty. This is not addressed in Turkish bank marketing literature or academic research.

	and reputation more effectively.	be used to evaluate the image and reputation of a firm.		
Khan et al. (2021)	This study's objective is to evaluate if servant leadership and employee engagement are substantially related. In the research, work happiness and servant leadership are also studied.	Surveys were conducted with 704 Pakistani service industry professionals to obtain data. Using PLS-Smart and SPSS, the data were analysed using structural equation modelling and hierarchical regression, respectively.	According to the study's findings, servant leadership is associated with both job satisfaction and meaning. Happiness at work has been linked to a sense of purpose in one's work. Meaning was proven to be a bridge between servant leadership and employee dedication once everything was said and done.	The findings of this study suggest that the link between servant leadership and employee engagement may be best understood via the lens of purpose.
Ismail et al. (2020)	This research examines how brand engagement influences the	346 Malaysian students were given self-administered questionnaires.	346 Malaysian students were given self-administered questionnaires. The suggested	Both BESC and VC have a good effect on Generation Z's brand loyalty,

	<p>self-concept, value awareness, and brand loyalty of Generation Z consumers. To better comprehend Generation Z, researchers will use BESC and VC to create two distinct client groups.</p>	<p>The suggested structural models are evaluated using structural equation modelling and partial least squares. The research also used cluster analysis to segment the Generation Z market.</p>	<p>structural models are evaluated using structural equation modelling and partial least squares. The research also used cluster analysis to segment the Generation Z market.</p>	<p>according to the study. According to the research on mediation, BESC also served as a connection between venture capital and customer loyalty. In addition, the survey identified four distinct customer groups: the attentive group, the devoted group, the prospective group, and the switchers group. Establishing marketing plans using BESC customer categorization is possible for</p>
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				marketers and executives.
Chua et al. (2019)	In this study, VC and brand loyalty are linked to BESC using a model that was created and assessed specifically for this purpose. The study on BESC and VC-based market segmentation is scarce. There has been a dearth of research on Generation Z clients. This research meets that requirement.	The results were derived from a survey of 251 farms. The performance of the model was tested using PLS-SEM (partial least square structural equation modelling).	The results were derived from a survey of 251 farms. The performance of the model was tested using PLS-SEM (partial least square structural equation modelling). According to the PLS analysis, the causal sequences of variables in the VBN model exhibit both direct and mediated effects.	With very few research concentrating on non-Western cultures, this study examines and verifies whether VBN theory may be used to predict ECB in Malaysian contexts.
Iqbal et al. (2020)	This research aims to examine the moderating effect of psychological well-being on the relationship between servant leadership and	Using a cross-sectional study method, 347 workers of well-known Pakistani IT companies were surveyed. Using partial least	According to the findings of the research, servant leadership has a positive effect on the creativity of employees. Additionally, psychological	This is the first study to give empirical data on the function of psychological safety and well-being in translating the

	creative behaviour among workers.	squares structural equation modelling, the data was analysed (PLS-SEM).	health and safety impact this relationship.	effect of servant leadership on the creative behaviour of workers.
Sholikhah et al. (2019)	Two mediators in the link between spiritual leadership and organisational behaviour will be studied for the goals of this research (OCB). This research examined organisational self-respect and workplace spirituality to understand what motivates and inspires followers. In terms of the moderating influence of perceived	A survey employing in-person questionnaires was necessary. A five-point Likert scale was used to assess the qualities and objects. The partial least squares approach was used in this investigation. The survey involved 234 faculty and staff members from an Islamic university in Indonesia.	Five of the eight hypotheses of the researchers were supported by the data. OBSE seems to function as a bridge between organisational citizenship and spiritual leadership.	In the classroom and in practise, scholars and practitioners are increasingly examining the OCBs of teachers and academic staff. This research contributes to the existing body of information by analysing the impact of spiritual leadership.

	organisational support, workplace spirituality and spiritual leadership were also examined.			
Yang et al. (2020)	A chain mediation model is used to examine the relationship between spiritual leadership and creative behaviour by assessing workers' personal beliefs and sense of work identity.	A field survey was conducted to gather 309 legitimate questionnaires from 10 Internet organisations and 22 industrial businesses in China. Using structural equation modelling and bootstrapping, the hypotheses were evaluated.	According to the study, spiritual leadership has a good effect on workers' creative behaviour. Spiritually driven employees are more likely to engage in imaginative behaviour because they avoid uncertainty and connect to their creative tasks.	There have been few investigations on the connection between a leader's style and the personal values of his or her team. Personal values (such as avoiding ambiguity) may influence the self-perception of employees (creative role identity). Spiritual leadership has a greater impact on staff innovation than

				was previously believed, according to one study.
Zietsman et al. (2018)	In this research, consumers' perceptions of price fairness and service quality serve as mediators between microbusiness and bank service interactions.	This research used data from an online survey that individuals in the financial services sector completed for their own benefit. The majority of the sample consists of South African small businesses with less than two workers.	Theoretically and practically, customers' views of the price and quality of the service supplied influence their opinions towards pricing fairness and service quality.	This article reveals how perceived pricing and service quality mediate between price fairness and perceived value in business contacts, which is beneficial to microbusinesses and their banks.

### Discussion and Analysis

BESC mediates involvement and knowledge, according to the results. Millennials' active engagement and brand awareness benefits BESC and brand advocacy. This study explores Millennials' self-perceptions and provides fashion marketers new insights (Samala and Singh, 2018). According to the survey, banks should sell using their image and reputation. Perceived

value, image, and reputation affect brand loyalty. It looks at how a company's image and reputation affect client loyalty in Turkish banking (Zietsman, Mostert and Svensson, 2018). This subject is not covered in Turkish academic or marketing literature. Servant leadership is linked to job happiness and workplace purpose. Purpose is key to work satisfaction. Meaning links servant leadership and employee engagement. This study found a purposeful relationship between servant leadership and employee engagement (Chua, Quoquab and Mohammad, 2019). SEM and PLS are used to analyse the recommended structural models. Also, the generational market was clustered. BESC and VC boost Gen Z's brand loyalty, according to the research (Özkan et al., 2019). According to the study, BESC acted as a link between venture capital and customer loyalty. The study revealed four client groups: attentive, dedicated, prospective, and switchers. Results are below. Marketers and executives may utilise BESC consumer segmentation to plan marketing campaigns. This investigation evaluated 251 farms to get this conclusion (Sholikhah, Wang and Li, 2019). PLS-SEM was used to evaluate model performance (partial least square structural equation modelling). PLS analysis shows VBN causal sequences have direct and mediated effects. Given the lack of research on non-Western cultures, this study examines if the VBN hypothesis may predict ECB in Malaysia. Servant leadership boosts staff inventiveness (Iqbal, Latif and Ahmad, 2020). Mental health and safety affect this connection. Psychological safety and well-being is the first research to prove servant leadership boosts worker creativity. The findings verified five of the eight hypotheses. OBSE appears to bridge them. Researchers and practitioners are increasingly focusing on teachers' and academic staff's OCBs (Ismail et al., 2020). Spiritual leadership's repercussions are studied to increase knowledge. Studies show spiritual leadership boosts employee creativity. The spiritual side of a job inspires a worker's creative thinking. Few studies have examined a leader's style and team members' values. Values such as avoiding

ambiguity might affect workers' self-perception (creative role identity) (Yang et al., 2020). According to a recent research, spiritual leadership affects staff creativity more than thought. Customer evaluations of a company's pricing fairness and service excellence affect both theoretically and practically. This study shows microbusinesses and lenders how pricing and service quality may offset price fairness and perceived value (Khan et al., 2021).

Our work as mediators is guided by the fundamental principles of mediation: self-determination, impartiality, confidentiality, safety, and quality. Consequently, companies may be better able to service their customers. In the event of a stalemate or dispute, mediators aid in bringing the parties together to seek a resolution. Conflicting parties seek the aid of a mediator to assist them in resolving their differences and identifying appropriate solutions. This is helpful for better understanding one's own interests as well as the other party's interests. This newly acquired information may have surprising and good long-term repercussions. By transforming antagonists into friends, mediation has the ability to enlarge rather than reduce the size of the pie. In the majority of cases, mediators adhere to a core set of views or guiding principles to aid parties in resolving their differences and attaining better outcomes. Mediators who adhere to these guidelines may provide excellent service and ethical mediation (Yan, Zhang and Fan, 2018). The topics covered influence our work: Meditation started by oneself is the most basic kind of meditation. For a relationship to be successful, both sides must be ready and able to end it at any time. It is also important to note that the outcome of the lawsuit is decided by all involved parties. It is up to individuals to choose what they want, how they want it, and how they want to achieve their goals. A mediator is a neutral third party who assists parties in settling their conflicts. Mediators keep their thoughts and views to themselves and do not seek to influence the discussion. When two

parties achieve a mutual agreement, they should feel glad and ecstatic, even if it means deciding to part ways (even if that means agreeing to walk away) (Shen, Dumont and Deng, 2018).

To preserve the parties' control over the ultimate decision, the mediator must maintain neutrality and avoid taking sides. This does not prevent the mediator from empathising with one side more than the other as a mediator. They do not always look on the bright side. Good mediators are aware of both their humanity and the emotions produced by the events they see or hear about. In addition, they acknowledge that mutual respect and trust are necessary for a successful mediation. For mediation to be successful, all parties must be treated equally, regardless of personal bias. To be effective, the mediator must cultivate a sense of multipartiality, which requires working in the best interests of all parties present (Memon et al., 2018). In a mediation session, participants are allowed to express their feelings, worries, and potential solutions. Under this guideline, attendees may take notes but are not authorised to record sessions. Both parties and their mediators sign confidentiality agreements before to the mediation session as a reminder of their commitment to secrecy. Mediation confidentiality agreements provide protection in the event that the subject matter is litigated. Consequently, the chance of an open discussion and genuine attempts to reach an agreement improves. Before parties agree to engage in mediation, they are made aware of any exclusions (Himes and Muraca, 2018).

The practise of meditation demands both mental and physical health. Providing physical protection when one's safety or the safety of others is threatened. When both parties are uncomfortable, it is difficult to do mediation. While maintaining impartiality and independence throughout the mediation, the mediator must intervene when the safety of one or more parties is threatened. This process involves queries on the relevance of the findings, as well as follow-ups

with the client or the vendor and any other processes that may be necessary. It is more probable that mediation will be successful if the mediator establishes an atmosphere that encourages open communication between the parties (Himes and Muraca, 2018). To achieve a high degree of mediation excellence, we must put our knowledge, talents, and abilities to use for our customers. A plethora of elements must be considered to ensure that customers get the highest quality service available. To be a competent mediator, procedural fairness and enough preparation are necessary. To maintain objectivity and independence, one must have emotional control. A successful mediation needs preparation, the right frame of mind, and the asking of the right questions. Mediators help parties in assessing the practicability and sustainability of prospective solutions. Customers have the right to expect the highest quality of service, and those who fail to deliver may be asked to leave (Heller, 2018).

These guiding principles enable Venn Mediation to help parties in swiftly and efficiently settling their problems. At each and every stage of the legal procedure, Venn aids clients in choosing the most favourable settlement terms and agreements. If you or someone you know is involved in a dispute, Venn Mediation might be useful (Galbreath, 2018). International operations aimed at resolving long-term problems on a short-term basis have failed, and the evolution of civilizations has spurred efforts to find new approaches to manage disputes. Instead than relying on a single strategy or framework to address these issues, look for solutions that may be embraced by specific communities or countries. The complexities of these conflicts and change processes cannot be resolved with a single action; these disparities are often huge and produce national and local political crises. A community or nation's peace initiatives must be coordinated on numerous levels and in different sectors (Caputo et al., 2018). As methods to conflict and dispute resolution expand, the significance of insider mediators and insider mediation grows. In this section, we will



go further into these developments and how they impact insider mediation. The pace at which violence is on the rise is alarming: Throughout this time period, organised crime, land and natural resource disputes, and inter-ethnic or community violence fuelled violent conflict, despite the fact that high-intensity conflicts decreased by half. According to the 2011 Global Burden of Armed Violence Report, local crime, gangs, and transnational criminal networks centred on illicit commerce are responsible for more than three-quarters of violent deaths (Zolkepli and Kamarulzaman, 2015). According to the 2011 World Development Report, the annual cost of this violence exceeds \$100 billion. Mediation, a crucial tool in politics, brings people from diverse backgrounds together to work towards a common objective. Local mediation may be used to maintain public space and community harmony. Under these conditions, mediation is essential. Governments are getting more involved in disputes over the exploitation of natural resources, such as oil and gas businesses' access to or control over land. Land and natural resource disputes are widespread. Land and natural resource disputes, as well as their links to larger social tensions and mass movements, need long-term and easily available mediation services (Bavik et al., 2018). Despite efforts by corporations and international organisations to engage in more responsible activities in conflict-affected and unstable regions, the demand for more local involvement persists. Insider mediators may play a crucial role in the amicable resolution of disagreements between businesses and their communities. Since 2010, large-scale protests and the use of force against authoritarian governments have increased in at least twelve countries (Zhang et al., 2017). There have been democratic revolutions in Cote d'Ivoire, Kyrgyzstan, and Niger. Guinea's 2011-2012 political shift, which happened outside of the country's borders, was significantly influenced by organised individuals. Long-term developments, such as those in the Arab world and the former Soviet bloc, have led to unstable governments, decision-making paralysis, and greater polarisation.

For the efficient, successful, and all-inclusive building of agreement on new developments and objectives, it may be necessary to have mediation abilities that go beyond resolving individual disputes. Election anxiety is on the rise. In terms of election-related concerns, the recent decade has seen significant change (Schukajlow, Rakoczy and Pekrun, 2017). At least fifteen countries have experienced murder, potentially violent tensions, and lengthy periods of deadlock as a result of recent elections. Elections are a well-established means of power transfer and regime transition. Frequently, these activities are very partisan, reflecting rather than reducing the polarisation that already exists in our society. A one-time mediation approach is no longer acceptable, since a sustained mediation practise is required. Traditional methods of resolving election disputes, which focus on following the letter of the law, are ineffective. Insider mediation is an essential addition to traditional tactics for the peaceful conduct of elections, since it addresses and mitigates the effects of more underlying problems. The likelihood of violence increases if the election administration system lacks essential characteristics. This was the condition of Kenya in 2008 (Baldassarre et al., 2017).

The term "peace mediation" spans a broad spectrum of inter- and intra-governmental conflicts. Mediation encompasses all forms of communication that involve mediation. If required, parties with appropriate mandates and mediation frameworks may participate actively. Nationhood is very influential and often successful. As a liaison between the Federal Foreign Office and the international community, the Federal Foreign Office created it in March 2015 as a single point of contact for mediation and mediation support. The Federal Foreign Office is in touch with Mediation Support Deutschland, an initiative founded by German civil society groups (IMSD) (Afsar and Badir, 2017). According to the United Nations Guidance on Effective Mediation, in the context of mediation, "two or more parties cooperate to prevent, manage, or resolve conflict by

allowing each other to explore solutions that are acceptable to both sides." The settlement of a conflict begins with the first contact between peace mediators and opposing parties and continues through cease-fire negotiations and the implementation of peace treaties. Thus, mediation may be used at any time throughout a disagreement. Peace mediation involves diplomatic strategies to address and resolve conflicts amicably. Diplomacy prioritises foreign policy objectives, but measures that facilitate agreement, such as mediation, are advantageous for all parties. Diplomats and mediators are in high demand because they fulfil a range of roles, duties, and strategies. Diplomats, unlike mediators, may collaborate with any or all sides to a disagreement (especially violent non-state actors). Therefore, diplomacy and mediation have a great deal of space for partnership (Afsar and Badir, 2017).

There are several intellectual and practical opinions on the mediator's role and methodology. To achieve peace via mediation, three fundamental tactics must be employed: In a dispute, non-directive mediation techniques are used to uncover the interests and requirements of all parties. Due to the presence of many parties, the mediator must avoid from making substantial claims or recommendations. In formulaic mediation, the mediator's authority is great. Option documents and agreement drafting are two more services provided by a mediator. Additionally, both parties must agree to engage in this kind of mediation. Power-based mediators use their authority to affect the dialogue's outcome (Ranjan and Read, 2016). A skillful mediator may have power comparable to that of a warrior. There are both positive reinforcement and negative consequences. The "carrot and stick" strategy employs threats of punishment and promises of reward to induce opposing parties to achieve an agreement (carrot and stick approach). At various stages in the mediation process, mediators may use one or more of these strategies alone or in combination. In the majority of mediations, there is no distinct distinction between the parties.

Removing from the UN Guidance for Effective Mediation the parties' dispute, the mediator's neutrality, and the mediator's involvement in the process is a significant change (Prebensen, Kim and Uysal, 2016).

A third party may also contribute to the achievement of peace on several socioeconomic levels (or "tracks"). The top tier comprises of the political and military leaders of the nation (track 1). Religious and political leaders, intellectuals, journalists, and politicians comprise the second echelon of society. This genre is often known as "Track 2." Track three includes significant members of the local civil society as well as interaction at the grassroots level. It became apparent that this three-tiered organisation required Track 1.5, which refers to non-official, informal political decision-makers at the highest levels. Occasionally, these track 1.5 mediation/dialogue sessions may aid in the preparation for track 1 conversations, provide alternatives, and enhance the knowledge and skills of the disputing parties (Cook and Artino Jr, 2016). To be successful, peace mediation requires effective communication across several channels that must be coordinated. Often, achieving long-term peace requires a comprehensive approach that takes into account both the completion of several tasks and their synchronisation in order to have optimum effect. The ability to speak in two languages has a surprising effect on one's cognitive abilities. Learning a language other than one's mother tongue significantly alters a person's cognitive system and opens up new pathways of opportunity. The Whorfian effect, which is an example of cognitive reorganisation, may provide novel representation and processing choices (Zolkepli and Kamarulzaman, 2015).

According to Wang, Degol and Ye, (2015) language may make human higher cognition more adaptive and distinctive. In this article, I shall not criticise his work (for the significant

displays of his long-standing contribution). Instead than predicting what will occur in the future, Wertsch's (1981-1985) approach seeks to convey concepts that will be useful in the future. He aimed to discover how new generations become useful members of society via his research. Evolutionarily speaking, social interaction was the most major selection pressure for our ancestors. Despite their inability to communicate verbally, infants are predisposed to certain social behaviours from birth (including a preference for human stimuli, an emotional proclivity to connect, and systems for intersubjective communication) (Zolkepli and Kamarulzaman, 2015). The desire to characterise this process gave birth to Vygotsky's notion of social maturity. The dual cerebral and social parts of this activity, according to him, can only be realised via the employment of many languages. According to "universal genetic rules," every function in children's cultural development happens on two levels or on two occasions. It begins on the social level and progresses to the psychological level. Inside the mind of a kid, interpersonal connections, etc. Internalization, on the other hand, affects the design and flow of the process. These notions also include the capacity to recollect information (Wang, Degol and Ye, 2015).

According to Lev Vygotsky, a child's skills are first developed in a social context before being nurtured individually. Although "executive functions" has replaced "psychology of the will," despite the plethora of psychological terms, this notion is still valid. Internalization and mediation are terms that might be used to define this method. According to Vygotsky's theory of psychological development, open social behaviours (such as giving and receiving) are transformed into mental processes via the interiorization process. It is believed that internalising social interaction behaviours promotes higher-level processing. According to Vygotsky, the ability to pay attention, to reason logically, and to form hypothetical conceptions are all the outcome of the brain internalising previously taught social behaviours. After internalisation, the brain adopts

techniques such as paper-and-pencil subtraction (Hsiao, Lee and Chen, 2015). According to Guo et al., (2015) the use of images for information transmission is comparable to logical cognition. This process of internalisation leads to the formation of voluntary mental functions. Current terminology suggests that online processing of operational schemas may serve as the basis for offline cognitive processes (Guo et al., 2015).

Abraham Maslow's Hierarchy of Needs is included in all of our licenced workplace mediation training courses to help new mediators comprehend the expectations that opposing parties may bring to a workplace mediation. Regardless matter whether the problem at hand is mutual respect, cooperation, or a sense of being heard, all mediations include an evaluation of human needs. I laughed out loud when a twenty-first-century person compared WiFi to Maslow's hierarchy of needs. Last week, Paul Latreille, a professor at the Sheffield University Management School, educated me about Maslow's hammer (Hsiao, Lee and Chen, 2015). According to Maslow's book *The Psychology of Science* from 1966, the ideal primary tool is a hammer. Numerous organisations feel Paul Latreille is capable of mediating any kind of workplace dispute. Even though there is no direct comparison between "facilitated meetings" and mediation, I began to investigate alternate options for aiding managers in avoiding the development of conflict, such as "courageous dialogues" training and "facilitated meetings" (as mediators do not "knock people into a wall"). To defeat Maslow's hammer, the mediation industry must expand conflict resolution outside workplace mediation. If HR professionals and other stakeholders are aware that mediation is not the only feasible option, workplace problems may be addressed more efficiently and peacefully (Wang, Degol and Ye, 2015).

Individuals, groups, and organisations are able to use community mediation to resolve conflicts and difficulties. Instead of avoiding unpleasant situations or engaging in protracted legal

battles, utilise creative solutions. Individuals participating in community mediation are free to express their thoughts and feelings. A further benefit is that it fosters relationships between persons and organisations, sets community-supporting norms, and encourages social engagement. During mediation, participants are given a safe environment in which to express their concerns and make choices while maintaining control of the situation. Community mediation centres provide an array of conflict resolution techniques, each tailored to the needs of the participants and the center's resources (Prebensen, Kim and Uysal, 2016). In the United States, efforts to promote racial, ethnic, socioeconomic, and gender equality increased during the civil rights movement of the 1960s. In the United States, community mediation was formed for the first time. The Civil Rights Act of 1964 mandated the Justice Department to develop a Community Relations Service (CRS) to encourage local mediation. As a consequence, a calm and constructive strategy of handling community problems has been formed. Conflict resolution services are becoming more widespread as non-profit organisations grow throughout the country. Conflicts between neighbours and petty criminals were handled through conflict resolution workshops supported by prosecutors. One of the campaign's objectives was to change the legal system (Ranjan and Read, 2016). As a consequence, a new way was discovered. Early adopters paid greater attention to the intellectual foundations of social and political action because they recognised that community differences might be addressed more efficiently inside the community itself rather than within control-oriented institutional organisations. There is a new route for individuals that adhere to this framework more closely (Cook and Artino Jr, 2016).

It's probable that the Western nation has Greek ancestors. According to Plato and Aristotle, the most effective style of government in a city-state (polis) is one that can accommodate the requirements of the whole population. Because of its independence and self-sufficiency, Aristotle

saw this city-state as a paradigm for human moral improvement. In truth, Rome's idea of "commonwealth" is more similar to our understanding of "res publica," or Rome's commonwealth for all Romans. Res publica was the Roman Republic's legal system, which safeguarded and governed all Romans' rights and responsibilities. Following the fall of the Roman Empire, a fierce fight for power and safety ensued (Schukajlow, Rakoczy and Pekrun, 2017). Frenchmen Niccol Machiavelli and Jean Bodin arrived in Italy in the sixteenth century and established the current understanding of the state as a stabilising factor. When it comes to picking a powerful, courageous, and independent leader, Machiavelli believed that the length of a ruler's reign was more essential than moral concerns, as detailed in *The Prince* (Lyubovnikova et al., 2017). Power alone, according to Bodin's contemporaries, is insufficient to generate a sovereign; authority must be founded on moral values and be transferrable in order to be durable. It was developed in the 17th century in response to Bodin's argument and remained Europe's dominant administrative system for the next three centuries. The basic principles of government provided a rich area of study for 17th century English and French reformers such as John Locke and Jean-Jacques Rousseau (Zhang et al., 2017).

Leonard Suransky has also taught at the University of Durban-Westville in Durban and the University of St. Louis, in addition to Webster University. This political analyst is an expert in curriculum design as well as international affairs and political development. He co-founded the Pax Ludens Foundation and is the executive director of the Pax Ludens Foundation. A must-read for mediators who employ novel techniques to create peace and resolve conflict in a quickly decreasing globe. Pope Alexander VII, for example, mediated the Thirty Years War, and modern instances include diplomatic mediation efforts in Africa, Central America, and Northern Ireland amid war. It has made significant contributions to the study of history (Caputo et al., 2018).



Jacques Faget, a law professor and researcher, is challenging realism's state-centric concentration on the United States and Western Europe. His study is heavily focused on the possibility of "soft power" mediation to resolve global crises. He and his colleagues feel that their new paradigm is more equipped than conventional diplomacy or power politics to coping with the complex international concerns of the twenty-first century. What exactly is the goal of soft power? mediators who do not carry guns in order to settle disputes. Fighting warriors rely on the (mediator's) ability and persuasion to provide them with fresh perspectives and a professional grasp of the disagreement (Afsar and Badir, 2017).

As a consequence, the issue of whether Faget's newly acquired soft mediation talent is an ethnocentric "wolf in sheep's clothing" emerges, given his understanding that his soft mediation ability may be a "Western" cultural imposition. He quotes Hareide when arguing that Norway has attempted to mediate various situations. Missionaries are increasingly campaigning for peace and democracy rather than teaching about God and salvation. Because of their low earnings, the elderly people were able to remain in the region for extended periods of time and learn the local accent. All of the young people are well-educated, financially secure, and fluent in English. This is analogous to having a developed sense of good and evil. Despite their protests, both faiths think that a Westerner can save the rest of the world (Yan, Zhang and Fan, 2018). According to him, international political mediation may result in the emergence of an "all-new global code of ethics." In order to attain a democratic, participatory conclusion, human rights and the sovereignty of those referred to as "others" must be respected. Rather than conventional bargaining, mediators must immerse themselves in the target culture and rely on local peacemakers and resources for peacekeeping knowledge. According to them, the most challenging aspect of their work is communicating research findings to military echelons. These techniques are intended to assist

individuals' better grasp what it's like to be in someone else's shoes. To begin, persons on opposing sides of a dispute must be able to communicate their animosity and hate against one another (Shen, Dumont and Deng, 2018). Aurelien Colson and Alain Pekar Lempereur investigate two central African nations that have recently seen some of the continent's most terrible tragedies. South Africa's imbizo culture has had a significant impact on their work. They believe that resolving the incongruous is an important aspect of their job. After this encounter in Dakar, Codesa is one step closer to being a reality. As a result, their initial interactions were fraught with distrust, fear, and even hatred. When it comes to opening meetings, reps are well-versed in a hostile environment (Memon et al., 2018). As a result, the mediator must urge both parties to express their discontent or despair honestly and to listen to one another without passing judgement. This is the role of the mediator! Former opponents have created a shared vision for the future as a consequence of this dialogue. Reconciliation should start as soon as possible so that former adversaries may plan for the future together. "Some may see a chance for redemption, while others may see a chance for submission," one Israeli negotiator warned during the Oslo talks. You can only make things worse by attempting to improve them. As part of Colson and Lempereur's reconciliation efforts, all registrants are expected to attend the workshops. Women, professional organisations, local and ethnic representation, senior and junior generations of leaders, and a diversity of viewpoints are all critical to the agreement's success (Himes and Muraca, 2018).

Several Anywaa men were killed in Gambella, an Ethiopian border city. When mediating between individuals from varied cultural backgrounds, mediators should immerse themselves in the reality of those cultures. She had a list of eight ethnic groups that were close to the dispute. Many civilizations utilised animal sacrifice to settle conflicts. It was the same with community programmes designed to reduce the likelihood of violent or contentious situations. In addition to

fines and the death penalty, settlement punishment was a common occurrence in court. On occasion, when the bulk of cases are resolved outside of court, a hybrid procedure is adopted. Due to my micro specific investigation, I was able to identify two festivities in a distant African location. To examine the tragedy, the citizens of Anywaa created a commission to probe murders. The settlement of conflicts in Africa requires a robust cultural foundation for agreement. Individualism in so-called "Western" countries makes it more difficult to establish an agreement. Regarding this, Africa has much to teach the "West." Here, a biblical animal sacrifice is taking place, and a spear is being readied for the event. Passengers must pay a fee and pass through animal blood for religious Haddiya festivals, which are essentially identical. All of this must be conducted publicly for the purpose of public education (Caputo et al., 2018).

Tigray and Nuer should wed to prevent the spread of sickness. Intermarriage between families was a common practise among European monarchies and many other countries. Some of our apparently "modern" civilizations, such as Catholic and Protestant Northern Ireland, Greek and Turkish Cyprus, and Israeli Jewish and Palestinian factions, may employ celebrity marriages to broker peace. This modest but significant collection of books includes pearls of wisdom for mediators seeking to lessen conflict and suffering on our planet's deteriorating surface. Future peace is predicted by the constructivist and pluralist school of international relations theory. According to this organisation, civil society and ordinary persons may enhance or even replace traditional peacemaking efforts in the current day (Schukajlow, Rakoczy and Pekrun, 2017).

## **CHAPTER FIVE: CONCLUSION AND RECOMMENDATIONS**

Many mediators are ignorant of the volume of information they provide to other parties. Even while there are unquestionably disparities in practises, these distinctions may be seen both inside and across delivery domains. In spite of its origins as a community-based method to maintain social cohesion in the face of conflict and dissension, mediation has become more intertwined with the civil legal system and, in certain places, has become synonymous with settlement. When it comes to resolving differences, mediation cannot just be a case settlement tool. In hybrid professions such as lawyer-mediator, the discrepancy between mediation and the law and between attorneys and mediators is particularly apparent. Because the mediation industry is so fragmented, cross-sector cooperation is still lacking. Many firms reject even "light touch" regulation due to the absence of a single representative voice in mediation. Until a greater understanding of what it can accomplish, mediation will continue to be maligned and fractured.

Long ago, mediators felt that mediation varied based on the nature of the dispute at hand. Family and business mediators, for instance, see themselves as dealing with a diverse array of events, relationships, and working methods. Family law is more appealing to community mediators, especially those who specialise in dispute resolution and communication obstacles, than civil justice. Mediation in SEN, human rights, and health care all evolved separately. This viewpoint is the result of a lack of interdisciplinary in England and Wales. There are just a few locations where mediators from diverse industries may meet and share ideas and experiences. In general, the Civil Mediation Council and the College of Mediators are governed by their respective fields of origin, which is why they promote contact across service areas. Despite appearances to the contrary, the Scottish Mediation Network (SMN) and the Mediators Institute of Ireland (MII) have shown that some amount of cooperation may be both beneficial and feasible. Individual differences affect training methodologies. There are several organisations that offer mediation training for family,

community, workplace, and civil/commercial disputes. In the United Kingdom, training providers do not provide courses in which participants are taught the core ideas of mediation prior to learning how to manage minor process deviations at work. 1 True, regardless of how many courses seem to cover the same content. In recent years, conversion courses that account for earlier mediation training and experience have emerged. Because these courses are simplified and provide the necessary foundation, you may be able to pursue a new job as an experienced mediator after completing them. The Centre for Effective Dispute Resolution and the Family Mediation Council, two well-known organisations, refuse to recognise these courses as valid and demand that all mediators, whether new and seasoned, must complete the same courses. If my study sample of mediators is representative of the whole mediator population, this is a huge underestimate. 31% of respondents claimed they had served as a mediator in three or more places, compared to 41% who said they had only served in this capacity once. People spend more time meditating, regardless of whether or not it is their main occupation. This trend is becoming more widespread. Seventy-one percent of the respondents to my survey were mediators, mediation students, or mediator supervisors. The study indicates that there are more similarities than differences. Globally, mediators believe that the mediation process must be voluntary, private, unbiased, and include party selection. Despite the limitations, mediators assert that they adhere to this set of rules as precisely as feasible. According to a representative sample of mediators, their primary objective is to help parties make informed choices about whether or not to engage in the mediation process in order to reach a mutually beneficial resolution of their disputes. Obviously, there will be variations, and it has been established that environment influences the intended outcome. According to my results, a settlement-driven strategy may incorporate relationship rehabilitation via enhanced communication and comprehension. Mediation involves far more than just determining where to

begin a conversation between two parties. Beginning points are greatly influenced by what both parties are seeking to achieve in the first place. Regarding the demands of their clients, mediators are modifying their style and approach to reflect the current academic excitement for 'process pluralism,' which emphasises not only the relevance of results but also the significance of the method utilised. Differences in personal style, self-confidence, individual choice, and contextual information are more significant than differences in mediation practises when it comes to variances in mediation. For instance, a business mediator warned me that he could not deal with the future of children whose parents were divorcing because it was too emotionally sensitive. Another author stressed the need of identifying "your subjective limitations and assumptions." The "salami slicing" method to business mediation emphasised personal connection and engagement, according to a third party. A universal code of conduct may assess the ability of mediators to use their expertise across a number of industries. With the exception of a few people, the vast majority of my sample said that they could. In response to a question, a number of respondents said that the lowest common denominator should be quite wide and take into consideration the requirements of various situations (such as the need for specialised skills or an understanding of how process stages may change) (for example, the need for specific knowledge or an appreciation of how steps of the process might vary). The vast majority of responders reported having little difficulty adhering to an ethical framework. In terms of their understanding of their profession and the principles that underlie it, mediators have a common identity. More people should be made aware of this similarity.

There are several ways to adjust mediation to the parties' respective interests. Many mediators see their responsiveness as a strength. Initially, mediation was used to promote community bonds and encourage people to address conflicts constructively at an early stage. This is true even when

mediation expands into new fields. Mediation is being used to resolve a wide variety of concerns, such as homelessness, education, human rights, and the environment. The ADR movement has had a substantial effect on people's perceptions about mediation. Even those who prioritised conflict resolution valued outcomes such as improved communication and relationship restoration. As a consequence, mediation's potential to help people communicate better, repair relationships, and settle conflict, as well as provide them with the skills to manage conflict independently, is severely restricted. This proposal asserts that the efficacy of mediation may be evaluated using standards set by courts, tribunals, or other formal organisations with an adjudicative function. These qualities are often associated with cost reductions, greater speed, and enhanced effectiveness. Despite the obvious advantages of these outcomes, mediation practise is not distinguished by its use of mediation.

In contrast to arbitration, mediation enables parties to assume responsibility for resolving their own issues and achieving a mutually acceptable agreement. These advantages, in my opinion, contribute to the well-being of individuals and society as a whole. It may be able to recast mediation in more inclusive terms if it implements initiatives such as the Wellbeing Agenda and educational practises that emphasise individual and social standards to maintain a feeling of communal cohesiveness. It is a tactic that assists disputants in recognising and resolving their own issue while using mediation. To better comprehend the potential benefits of mediation, mediators from a variety of professions should engage in more transparent communication. The mix of secrecy, voluntariness, self-determination, and impartiality is what makes mediation successful. Due to the fact that it combines all of these features, it is a one-of-a-kind conflict resolution strategy. The objective is to create an atmosphere in which they can be used in all situations, independent of context. This leads in a new viewpoint and taking action to resolve the issue. In

any of the three dispute resolution procedures, however, mediators must refrain from functioning as subject matter experts and instead allow the parties to "create their own accord." In previous parts of this thesis, it was argued that mediation diminishes the function of courts and restricts access to formal justice administered in accordance with the law. This has several ramifications, each of which must be comprehended. As judicial adjudication declines, law enforcement becomes less predictable. According to Genn, mediation is only one of several pre-trial conflict resolution techniques aimed at achieving a settlement. The most prevalent use of mediation is as an alternative for litigation. Not just mediation, but the whole ADR movement is responsible for the fall in trial use. If justice is associated with the rule of law, then the results of mediation and the legal system are opposite. According to my research, mediators believe the process allows them to reach solutions that are not legally binding but are acceptable to the parties. Despite the importance of respecting the rule of law, there are situations in which a fair resolution may be achieved outside of the court system. The foundation of these agreements is mutual understanding and a desire to find a solution that benefits both parties. The mediators consider it essential that all parties have a voice throughout the negotiation process. These individuals assert that they are able to do so because they offer people a voice and a say in decisions that impact them, while also fostering a culture of mutual respect, objectivity, and fairness. Based on my findings, the goal of a "fair" mediation conclusion seems to be predicated on the idea that both parties started the process in good faith and are prepared to negotiate a compromise that takes both sides' interests into consideration. Even though mediators are interested in justice in the widest sense, the legal relationship between mediation and the law is murkier. Despite having the same objective of settling differences, the two approaches may at times seem irreconcilable. While the law attempts to establish right and wrong in order to settle a dispute, mediation avoids assigning blame and



focuses instead on addressing the issue via conflict resolution. Both approaches are agreement-based rather than based on independent legal judgement. The law protects individual rights and serves the public interest, while mediation focuses on the parties' mutual interests and a private solution. As described in Chapter 9, legal and mediation professionals may adopt distinct methods, which may be detected in the language spoken and actions taken by both parties. To secure a settlement or, perhaps more cynically, to preserve dominance in the civil court arena, attorneys are increasingly turning to mediation. There is a risk that mediators with expertise in counselling, therapy, or social work would prioritise a legally acceptable settlement above the mediation's greater ideological aims, which are to resolve conflict, enhance communication, and heal relationships. Frequently, rival ideologies' clashing interests are neglected. The problem has become worse as a consequence of recent alterations to legal aid. Due to the fact that mediation is no longer recognised by the law, low-income families must choose between paying for mediation and hiring an attorney, assuming they can afford one.

According to him, there has been an overemphasis on mediation as a means of resolving conflicts, while in reality it is only one of many strategies that might lead to a settlement. As a consequence, the mediation process, the legal system, and the professionals who provide these services are negatively affected. To find a solution outside of the system, mediation is essential. Inside and outside of the legal system, it may be helpful to clarify norms and procedures in order to promote more clarity. Prior to filing an application, judicial review distinguishes between dialogue and negotiation, the employment of an ombudsman, an early impartial investigation, and mediation as distinct possibilities. The aim was achieved. To achieve success, the parties must be able to listen to one another, identify their own needs and interests in order to cooperate, and recover control over the result of their dispute. In my view, mediators are more similar to arbitrators than to

problem solvers. Due to the differences between conflict resolution and issue resolution, separating mediation from the civil court system would benefit mediators, clients, and other parties involved. The lack of a single prominent individual in the UK mediation community is a key finding of my study. Despite the fact that my research demonstrates that goals and objectives are similar across sectors, the profession as a whole is fragmented. The concept of confidentiality impedes the analysis of practise and the establishment of common ground in mediation. Consequently, identifying and removing mediation becomes more difficult. According to studies, it is desirable to enable practitioners to adopt any technique without being held accountable; this notion is known as "process pluralism." mediation assists the settlement of both present and future issues. By facilitating the exchange of information, mediators aid parties in gaining a deeper understanding of one another and achieving a mutually beneficial agreement. In a mediation process, the usage of such materials for other objectives, such as advice-giving, creates complications. We can no longer avoid addressing this issue by ignoring it. There is no way to assess the frequency with which mediators give advice, provide solutions, enforce conclusions, or advocate for the weaker party in a discussion. Although supervision is ubiquitous in the family and society, other sectors have been reluctant to acknowledge its importance or to adopt more stringent requirements, such as post-training certifications. 'Supervision' in the absence of systems such as peer review and monitoring, there is a risk that mediators' practises would diverge. Despite the fact that my research demonstrates that mediators share similar beliefs and practises, there is a shocking dearth of evidence to support these assertions. This, in my view, exposes the profession to accusations of inattention and may lead to a lack of practise consistency. Internally and externally, the field of mediation must be better organised and harmonised, in my opinion. Each case analysed in this dissertation has all three of Marian Roberts' professional status characteristics: "a recognised and

unique body of knowledge"; "means for sharing that body of information"; and "self-regulation and assessment procedures" 5 as a result, the structure of the profession differs considerably across industries. Differences in delivery and an unwillingness to share experiences have hampered expansion as a result of perceptions of regional differences and a reluctance to exchange experiences. As a consequence, artificial boundaries are erected in areas that are basically similar and lack significant variation. It is reasonable to assume that mediators have enough characteristics with other professions to be seen as a single entity rather than a collection of experts from several domains.

For mediation to be recognised as a profession, it must be governed by a single governing body that controls all aspects of service delivery. This may be accomplished in a number of ways. As a result of this research, regulators and membership organisations from various sectors must engage in dialogue regarding similarities and differences in order to arrive at a shared understanding of mediation practise: the profession must define itself more precisely and openly acknowledge the existence of commonalities across all delivery fields. To be effective and relevant, mediation must be able to handle a wide range of situations. Professionals in conflict resolution, on the other hand, should not be afraid of a little diversity. They may also investigate the likelihood of these contextual shifts occurring and their consequences for practise. A unified code of practise articulating the fundamental principles of mediation practise would bring clarity to those inside and beyond the profession, while recognising the necessity for contextual adaptability. This unwillingness to analyse current practises originates from a lack of adaptability and a fear of regulation, in my opinion. As a result, the need for a practitioner-led effort to correctly define mediation has grown. The family sector's past demonstrates that if practitioners cannot agree on more regulation, it will be imposed from outside. Without effective internal leadership, the

profession of mediation risks fragmenting and losing its *raison d'être*. Mediation loses its uniqueness when practised outside of the practitioner's stated goals and procedures. Training is the next obvious step in building a distinct professional identity. Membership organisations may recognise and certify past training and expertise in another mediation profession for actively practising mediators. Therefore, it is advantageous for more mediators to operate in a wide variety of service sectors. Before pursuing specialised training, several of these organisations may provide an introduction to mediation. Depending on the circumstances, more training may be necessary to address these issues. To move away from the existing focus on skill development, it is feasible to provide vocational training with a more theoretical and intellectual basis. Counselling, therapeutic, and legal training would be more extensive, longer, and of a higher educational standard than mediation training. It is only logical to create accreditation procedures that result in a recognised and standardised certification for mediators. These techniques would be challenging to apply in the diverse mediation industry. The most crucial next step is gaining everyone's support for this conversation. In order to do this, the firm would have to embrace the existing competitive and oftentimes hazardous climate. Combining the knowledge and skills of many organisations would be a fantastic idea. This information may be beneficial, for instance, to mediators and referral providers. They may be able to resist civil justice systems and government-led campaigns that favour mediation, but they place an excessive amount of focus on saving money and time using this method. This is due to the advantages. In order to avoid promoting mediation's traditional premises, such as conflict transformation, increased communication, and relationship healing, they are often presented as alternative methodologies. To distinguish mediation from other problem-solving methodologies or as a low-cost alternative to legal counsel, it is essential to safeguard mediation as a vocation in conflict resolution. It is simpler for mediators with a stronger internal

identity and professional organisation to express to people, communities, and the larger community what they do and the benefits of mediation. The mediator's primary responsibility is to be an expert in conflict dynamics, able to aid parties in negotiating and communicating, and to manage power dynamics and foster an atmosphere conducive to dispute resolution. Party judgement and objectivity should be used for all of these positions. This is influenced by the need for contextual knowledge, the varying emphasis on purpose, and the mediators' own preferences and propensity to deal with particular types of disputes but not others. This is the result of a number of variables. To achieve a more uniform approach, we need a credentialing system for mediators that is both general and flexible enough to accommodate specialisation. If accreditation and certification follow a similar path, the function of mediators and their many applications may be examined in further detail. Successful mediators must address this issue and find a means to communicate both the similarities and contrasts between the objectives and activities of various sectors. To be fully recognised and understood by other professions and the general public, the common ground in all mediation work must be made apparent.

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