

Another confirmation of the triumph of mediation

The book “*Mediation to Foster European Wide Settlement of Disputes*” is a wonderful confirmation, that mediation is a very significant method of alternative settlement of disputes in Europa and in Latvia.

Mediation has many advantages, however, its efficiency can be best appreciated by people, who participated in it. Mediation is not a formal legal process, its task is to look beyond interests of parties, to find the cause of dispute and to focus on the benefits for the parties. That is why the goal of the book is to show the universal character and appeal of mediation, thus urging to use it for settlement of disputes.

We can describe mediation using words of a philosopher of moral sentiments Adam Smith, who said that conversation is the most powerful remedy for restoring the mind to its tranquility, if, at any time a person has unfortunately lost it.

Mediation and legal proceedings offer settlements of disputes, based on to fundamentally different and opposite ideas. A court can legally settle a dispute, but it doesn't solve it and doesn't help to maintain constructive relations between parties. Mediation is based on ideals of democracy – mutual respect and cooperation of parties.

The authors of the book come from different countries, cultures and social backgrounds, but they are united in their belief, that mediation is an effective mean of settlement of disputes. The fact that so different people could agree on such a noble idea confirms that mediation is useful for many people, regardless of their background.

The content of the book is interesting and profuse. The introduction of the book gives comprehensive information on its application and contains information on the project.

The book looks at many aspects of mediation. First, there is an overview of national legal frameworks and establishments of different countries, such as Latvia, Lithuania, Estonia and Italy. The book has an international dimension. The authors have analyzed mediation within the legal framework of international law and EU law. Both parts of the book make us evaluate mediation from a more narrow (national) and from a broader (international) perspective.

It is important, that chapters of the book speak about mediation in a much broader context, not just its theoretical and practical application. Mediation can not be looked at separately from the question of conflict management and dispute resolution, as well as role of nationality and culture in

conflict management. It is important to understand the environment where the method of mediation is used.

The authors are very precise, when saying, that: “*broader acceptance of mediation by lay persons among East European countries and cultures – with history of low personal trust and limited sharing of knowledge – remains somewhere in the future.*” At the same time the book urges us not to resign to the state of *de facto*, but to create environment for changes. The book itself, to some extent, is a creation of such an environment.

The book describes mediation phases and principles, as well as defines skills and competences of a mediator. Finally, in the concluding part of the book, the multidisciplinary character of mediation is explained.

The authors of the book deserve our words of thanks for a successfully accomplished project and its material evidence – the book itself. The publication of the book allows our society to gain knowledge, to think critically and to strive for perfection. The book is a well of knowledge for anyone.

The authors of the book add to the triumph of mediation, although sometimes it seems too slow. However, the slow nature of progress is not based on weakness of mediation as such, it is rather the slow change of habit and inadequate understanding of parties of dispute and, perhaps, impatience of fans of mediation.

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