

Kluwer Arbitration Blog

Kluwer Mediation Blog – January Digest

Anna Howard (Centre for Commercial Law Studies, Queen Mary University of London) · Monday, February 12th, 2018

From lessons learnt from Lord Hope’s diaries and the memoirs of Ken Newell (a Presbyterian Church minister in Northern Ireland) to a debate at the recent Lex Infinitum competition on whether the role of the mediator can be overrated, the first month of 2018 has offered up the usual variety of posts on the Kluwer Mediation Blog. A brief summary of each post can be found below.

In “[Mediation and Dialogue Facilitators: One Profession or Competitors](#)”, Tatiana Kyselova shares the preliminary findings of her research on mediation and dialogue facilitation in the Ukraine and identifies some distinctions between these two fields.

In the honest and uplifting “[Mediators and Self-Doubt](#)”, John Sturrock draws on Lord Hope’s Diaries to identify what we can learn, as mediators and professionals, from Lord Hope’s admissions of self-doubt and anxiety.

In “[Odd Conversations: four vignettes](#)”, Ian Macduff reflects on recent conversations and identifies mediator strategies to address the challenges presented by these types of conversations.

In “[\(This house believes\) The Role of the Mediator can be overrated](#)”, Greg Bond sets out the key arguments presented during a debate at the recent Lex Infinitum mediation competition on the motion of: “The Role of the Mediator Is Overrated”.

In “[The History of Mediation in the Middle East and its Prospects for the Future](#)“, Negin Fatahi provides an overview of the history of mediation in the Middle East and identifies some of the differences between mediation in this region and the West. Negin also considers the factors which may lead to an increase in the use of mediation in the Middle East.

In “[Reputation Bias](#)”, Constantin-Adi Gavrilă considers whether mediators have their own interests in the mediation processes in which they are involved and, if so, the further issues which this raises.

In “[A Neuro-linguists toolbox – A Starting Point and Building Rapport](#)”, in the first in a series of posts on this topic, Joel Lee provides an introduction to Neuro-Linguistic Programming and explains how it can assist in the practice of amicable dispute resolution.

In “[A Light at the end of the tunnel for labour disputes in Brazil](#)”, Andrea Maia explains recent changes to labour laws in Brazil which may result in the greater use of mediation and negotiation

for labour disputes.

In “[Lex Infinitum – Celebrating Three Years of Inspiration](#)”, Anna Howard interviews the founders of the Lex Infinitum mediation competition, Jonathan Rodrigues and Prof. M.K. Prasad. Jonathan and Prof. Prasad offer their insights on the aspirations behind the competition, its impact on the participating students and professionals, and its influence on the growth of mediation in India.

In “[A Minister’s Mediation Challenges](#)”, Bill Marsh explains how his horizons have been challenged and expanded by reading Ken Newell’s memoirs, “Captured by a Vision”. Ken (a Presbyterian Church minister in Northern Ireland until his retirement some years ago) played a central role in bringing together representatives of both sides of that region’s long-running conflict.

In particular, Bill identifies some of the key characteristics which Ken’s role required of him, and which go with the territory of being “in the middle”.

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The graphic features a black background with white text and a circular icon. The icon depicts a group of stylized human figures, with a magnifying glass positioned over one of them, suggesting a search or analysis function. The text is arranged in a clean, modern layout, with the main title in a large, bold font and the company logo at the bottom left.

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