Literature Review:

1. **Van Gramberg, Tillett (2006)**
   The author of the book "Managing Workplace Conflict: Alternative Dispute Resolution in Australia" points out that given the importance of employment for most people and the number of disputes that arise, he is surprised at how little attention seems to have been paid to the resolution of workplace disputes in the literature of Alternative Dispute Resolution (ADR) in Australia and this would seem to apply to New Zealand as well. What became apparent in the process of the review was the need to identify themes to help refine the material. With this in mind two themes were selected; the first relates to an explanation of the models and styles of mediation that are currently being promoted in the literature in an endeavour to capture some of the current thinking around the practice of mediation and ADR. The second theme relates more specifically to global trends and reflective thinking about the future emerging in the field of mediation and dispute resolution practice.

2. **Junhyuk park (2010)**
   Mediation is a peaceful method of third-party intervention in resolving regional and international crises without resorting to seemingly inevitable war. The literature on international mediation generally draws four contextual and process variables affecting the mediation outcomes. The three contextual variables are (a) the nature of the dispute; (b) the nature of the disputed parties; and (c) the nature of the mediator. The process variable is the mediator strategies. Unlike international relations theorists focusing on explaining the causes of war between states, most conflicts since 1945 have arisen within, rather than between, states, especially in Third World countries such as those in the African region. With this problem in mind, the research focus of this paper is to investigate the role played by third-party interveners in contemporary African civil conflicts within the same nation state by specifically assessing South Africa's mediating role (especially the facilitating role of the former South African President Nelson Mandela) in resolving the Burundi civil conflict based on the above four variables suggested by mediation literature.

3. **Yuan-ching Chang**
   This article is an empirical analysis of the relationship between economic interdependence and international third-party interactions. When countries seek to protect their trade gains, the trade-conflict model predicts that trade reduces conflict between pairs of countries, designated the ‘actors’ and the ‘targets’. This paper extends the trade-conflict model to garner implications concerning trade and conflict interactions where third parties are involved. The theoretical propositions
supported by proofs are: (1) if the actor increases trade with a third party who is a friend of the target, then the actor will reduce conflict toward the target; (2) if the actor increases trade with a third party who is a rival of the target, then the actor will increase conflict toward the target. A similar relationship is also discussed and tested for situations in which conflict increases or decreases between the actor and the third party. The empirical results of tests using a 30-country sample from the Conflict and Peace Data Bank (COPDAB) generally support the derived hypotheses. Trade increases communication and promotes peace between states. According to the implications of structural balance theory, the imbalance in a triadic relationship can be resolved by international trade. Thus, increased world trade will give effect to the maxim: ‘a friend of a friend is a friend’.


Research efforts tend to categorize organizations solely by the scope of their membership, which obscures important sources of variation in institutional design at both the regional and global levels. International organizations will be more successful conflict managers if they are highly institutionalized, if they have members with homogeneous preferences, and if they have more established democratic members.

5. **Patrice M Marschal**

This research examines the ways in which federal mediators approach dispute resolution in labor management relations. The analyses are based on semi structured interviews that were conducted with 15 mediators at the Federal Mediation and Conciliation Service (FMCS). Mediator’s descriptions of the mediation process are evaluated with respect to three models: problem solving, transformative, and bifocal. Given the success of the FMCS at mediating a widening variety of disputes, the results of this study should generalize to other dispute resolution contexts. Practical implications of this research are as follows: (a) Mediators should adopt a bifocal approach, simultaneously attending to overarching relationship issues as well as the concrete, immediate issues in dispute; (b) the parties to a dispute must be actively engaged in the mediation process; (c) conflict resolution and collaborative problem solving is a long-term affair; and (d) public administrators involved in dispute resolution and collaborative problem solving should be prepared to take small steps.

6. **Lisa B. Bingham  2. Mikaela Cristina**
This article examines a natural field experiment in mediation of employment disputes at the United States Postal Service. Theory suggests that early mediation will lead to earlier, more durable settlements and transaction cost savings. Implementation of the mediation program resulted in a significant decrease in the number of formal discrimination complaints. A well designed employment dispute mediation program can resolve disputes at an earlier stage in the administrative process, and thereby reduce the number of formal complaints filed.

7. **John s. Andrew (2001)**

The literature has established many claims concerning the effectiveness of alternative dispute resolution (ADR) in resolving environmental conflicts, with little empirical research to support them. Using data collected from 54 recent cases in which ADR was used to resolve waste management disputes in Ontario and Massachusetts, this study employs seven criteria of success to test empirically the validity of these claims. Although by some measures ADR has been quite successful in certain types of environmental conflicts, this study shows that it is hardly a panacea for resolving waste management disputes.


In the research paper The mediation literature of the past decade is organized into six topical areas: the determinants of mediation, mediation per se, approaches employed by mediators, determinants of the mediation approaches, outcomes of mediation, and determinants of the mediation outcomes. The literature that describes mediation per se, mediation approaches, and outcomes is very descriptive rather than theoretical. The literature that deals with the determinants of the mediation, approaches, and outcomes is quite descriptive but also provides an ample base for theory development.


This article introduces an evolutionary framework for the de-escalation of protracted conflicts. Key variables are political shocks, expectancy revision, policy entrepreneurship, third-party pressure, and reciprocity. The model is tested in the context of the Israeli-Palestinian case, 1979-98. A quantitative assessment is made with the use of Middle East KEDS data as well as a qualitative assessment of the intervening impact of shocks on the expectations and strategies of key decision makers. The results show that while shocks by themselves did not always change the expectations and strategies of the Palestinian and Israeli leaderships, their combined influence with entrepreneurship, third-party pressure, and reciprocity did indeed improve the frequency of Israeli and Palestinian agreements in the long term. In fact, the joint effect of shocks and entrepreneurship appears to play a crucial first step in the overall de-escalation process.

This study examines perceptions of procedural justice in a natural field experiment. An upstate New York USPS district implemented an inside neutral model of mediation—that is, a model using existing USPS employees trained as mediators, for the period 1996 to 1998. In 1998 to the present, the USPS implemented a new, outside neutral model nationwide. Under this model, outside neutral independent contractors, compensated but not employed by the USPS, provide mediation services.


The purpose of this article is to provide some suggestions with regard to building a successful mediation practice from a business perspective. Be realistic. The odds are that you will not be an overnight mediation sensation, although such cases are reported. Ultimately, clients will come to you because of your well-earned reputation. This reputation will likely be earned in part by your professional efforts prior to becoming a mediator and in part by the reputation you develop as a mediator. Most commonly, for those who are committed to the development, it will take between one and two years to firmly establish a mediation practice and to be able to make a reasonable living.

12. Bobbie Cecchini

This paper will review the following three areas: The Final Exit Network, Crime Victim’s, and Social Security Disability Advocacy. Additionally, it explores the information which is available and links to mediation and advocacy to the human services field. This paper discusses the strengths and weaknesses of each site, the availability of information, and the current trends using advocacy and/or mediation in the human services field. Furthermore, this paper discusses the importance of advocating in all three areas simultaneously for the overall wellness of the human services field and the clients.

13. Ramesh Manocha1, Deborah Black2, David Spiro3, Jake Ryan4 and Con Stough4

The researchers explore the physiological implications of paradigmatic shift. A controlled, observational study of acute physiological changes. Until very recently, the U.S. National Center for Complementary and Alternative Medicine (NCCAM) defined meditation as “a conscious mental process that induces a set of integrated physiological changes termed the relaxation response”. Recently the NCCAM appears to have reviewed its understanding of meditation, by including a new...
central feature: “In meditation, a person learns to focus his attention and suspend the stream of thoughts that normally occupy the mind”, indicating a shift from a physiological (“relaxation-response”) to an experiential (suspension of thinking activity) definition, more in line with traditional eastern understandings.

14. **School of Nursing, San Diego State University, 5500 Campanile Drive, San Diego, CA (2000)**

This article summarizes the conceptual differences between mediators and moderators. Mediators and moderators are variables that affect the association between an independent variable and an outcome variable. Mediators provide additional information about how or why two variables are strongly associated. In contrast, moderators explain the circumstances that cause a weak or ambiguous association between two variables that were expected to have a strong relationship. Mediators and moderators are often overlooked in research designs, or the terms are used incorrectly.


The authors examine the literature on adult education, mediation training, training design and methods, and quality assurance in mediation training. What follows is a summary and analysis of the literature on issues related to mediation training. This core body of knowledge helps to prepare mediation trainers and program administrators as they seek to ensure that the training they provide or sponsor is of the highest quality possible.


This literature review is organized into three subsections. The first subsection defines mediation and discusses its uses, advantages, and disadvantages. The second subsection looks at “justice and ADR program evaluation.” The third subsection depicts the empirical studies that evaluate the performance of mediation programs. The literature on alternate dispute resolution methods, including mediation, can be divided into two categories: theoretical and empirical. Most of the theoretical literature attempts to define mediation and point out its advantages and disadvantages, establish the protocols for mediation, and/or speculate on the uses of mediation in different contexts. The empirical literature includes case studies and surveys. Since mediation is a rather new field of academic research, there is not a significant body of empirical research in the field. Researchers review both theoretical and empirical literature to the extent to which they aid our
investigation, which is to measure participant experiences with and opinions of the EEOC mediation program.

17. Rachel Birnbaum, Ph.D., RSW (June 2009)
The Mangining Director of CRISIL says it is not easy to attract MSME’s to do a credit rating, however it is important to have the credit rating done if the MSME’s wants to position itself in the international market as well as there is a rebate from the bankers in the lending terms. Unfortunately the 75% subsidy is available only for the first time/year the MSME gets its rating done subsequently they have to bear the entire cost next year which is a strain on the purse strings. Producing a new framework for rating SMEs is important, because most would receive low ratings on traditional scales solely because of their small size. The benchmarks used for large corporations have to be abandoned.

The literature deal with the issue Are meditation and psychotherapy compatible? While meditation leads to physiological, behavioural, and cognitive changes that may have potential therapeutic benefits, psychoanalytic and Jungian critics claim that meditation is regressive, fosters dissociation, and neglects the unconscious. In contrast, transpersonal theorists contend that, when used with attention to assessing the individual's developmental stage and choice of an appropriate method, meditation may promote inner calm, loving kindness toward oneself and others, access to previously unconscious material, transformative insight into emotional conflicts, and changes in the experience of personal identity.

This paper reviews the existing literature on school based mediation programs to answer the questions: What is school based mediation and what are the effects of school based mediation? It concludes with a critical analysis of the literature, and recommendations for practice and future research. Schools have been struggling to find solutions to deal with the issue of school violence and student conflicts. Although the literature reveals varying results as to the effects of school based mediation, it has been implemented by a number of schools over the past decade to meet the needs of conflict management for students. The school based mediation model is based on the community mediation model, which does not always take into account the need to have total school support for the program, support systems for student (peer) mediators, or funding for the program.

The document reflects the generous help of people who reviewed a previous draft of this document and sent insightful comments and suggestions.
21. **Sheila (August 2011)**

The Scholar has made an attempt to supply information on the integration of mediation and advocacy in the organizations viz. Community Mediation Inc. (CM), The National Association of Social Workers (NASW), and Child Help (CH), the organizations that outline services for intended clients. The endeavor is to assist individuals to ascertain an understanding of the affirmative effect mediation and advocacy has, for individuals looking for assistance.

22. **Shauna L Shapiro**

This paper reviews empirical evidence related to the use of meditation to facilitate the achievement of traditional educational goals, to help support student mental health under academic stress, and to enhance education of the “whole person.” Drawing on four decades of research conducted with two primary forms of meditation, we demonstrate how these practices may help to foster important cognitive skills of attention and information processing, as well as help to build

23. **Patrice M. Mareschal (2012)**

This research attempts to identify the determinants of mediator competence by examining the knowledge, skills and abilities of mediators in public sector labor relations. The research focuses on the core competencies requirements for mediators with the Federal Mediation and Conciliation Service and suggests which of the competencies may be applicable to mediation in other contexts.


This article presents and assess the state of the art in research on the course and outcomes of international mediation. The review consists of three parts. First, the elusive notion of mediation success is addressed. Second, the key contextual and process factors thought to explain international mediation outcomes are discussed. The final part raises a number of problems with current theorizing, and a plea is made for a more fundamental reflection on the assumptions underlying present research.

25. **Stephen E. Gent - University of North Carolina at Chapel Hill Megan Shannon - University of Mississippi (2008)**

This research explore the bias of third parties and the techniques they employ in the diplomatic management of river, maritime, and territorial claims. Bias is inversely related to the range of issues addressed at a settlement attempt. As such, unbiased third parties are more effective because they are used for the management techniques that have the most potential to resolve conflicts.

This paper focuses on how domestic legal systems influence states’ choices of peaceful dispute resolution methods. In order to increase familiarity with rules of peaceful resolution of disputes, states use their domestic legal systems to provide them with clues about the most trustworthy ways to settle disputes.

27. **Krista E. Wiegand (2011)**

Empirical research suggests that the existence of territorial disputes makes armed conflict more likely to occur. Yet, there are many states that have engaged in militarized interstate disputes that not only maintain normalized bilateral relations, but cooperate with one another on an increasing number of bilateral issues.

28. **John Conybeare (University of Iowa) & Dong-Hun Kim (Korea University) (2010)**

The authors bring together and extend three strands of existing research: the propensity of democracies to ally with each other, the effects of alliances being institutionalized, and the causal impact of democracy in promoting investment. This literature is applied to corporate alliances, predicting the probability that announced alliance contracts will be completed by the participants.

29. **Orna Cohen (2011)**

This study queried ninety-six divorcing parents referred to court mediation in Israel. It examined (i) the impact of their reaching agreement on at least one disputed issue on their subsequent co-parenting and (ii) the contribution of select participant, relationship and mediation/mediator characteristics to the number of agreements they reached. The findings show that a measure of agreement reduced spousal hostility and tension, but did not affect their co-parenting behaviors.

30. **Benjamin L. Read (2008)**

China's elaborate system of local mediation committees has piqued researchers' curiosity for decades and sparked an argument. Crucial questions—concerning how much mediation actually takes place, what kinds of disputes are mediated, who seeks mediation, and how successful it is—have gone unanswered for lack of data. This article addresses these issues using original surveys from Beijing and villages in six provinces, supplemented by participant-observation research on actual instances of mediation.
31. **Karen Harlos (2010)**

This study examined person-centered (gender, work self-esteem) and situational (hierarchical power relations, mistreatment severity, intentionality) variables that determine employee voice to remedy interpersonal mistreatment. Data were collected from graduate business students who responded to a scenario describing exposure to mistreatment by a work colleague.

32. **Tobias Böhmelt (2011)**

If trade affects the costs of 1 conflict, does it also influence the likelihood of mediation attempts? This article argues that dense bilateral trade between antagonists yields high opportunity costs since it is expensive to seek alternative markets and the belligerents will be highly vulnerable to sanctions from their counterpart. This creates incentives for combatants to limit hostility and settle conflicts through mediation.

33. **Stephen L. Quackenbush (2007) and Jerome F. Venteicher**

This article simultaneously examines the relationship between settlements, outcomes, and conflict recurrence through survival analyses of the periods of peace following 2,973 dyadic militarized interstate disputes between 1816 and 2001. The authors find that although settlement type is an important predictor of recurrent conflict, with imposed settlements being the most stable, outcome type has no significant effects on post-dispute peace duration. The article concludes with a preliminary analysis of the factors that lead to the varying forms of settlement.

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35. **Tobias Böhmelt (2009)**

This article extends the existing literature on third-party intervention by developing a theoretical model to explain the effectiveness of different ToDs, which is then empirically tested in a first large-N study.
This article examines how internationalized ethnic conflicts, traditionally the most difficult form of conflict, can be managed and resolved. The case is made that mediation is particularly relevant in such contexts of intractable conflicts. The paper develops a framework of mediation and presents the significant features that may affect its outcome by examining an original data set on international mediation events. The findings from an analysis of 869 cases of mediation attempts in internationalized ethnic conflicts suggest that directive mediation strategies increase the probability of successful conflict management.

The research paper discuss the contribution to the peacekeeping literature, and implications are developed for an agenda of research on mediation processes. Mediation in peacekeeping missions and the role of dispute severity, time pressure, and the peacekeeper's rank in that process are investigated.