

## Review

*Communication and conflict.  
Communication management  
in the alternative dispute resolution*

Author: **Laura Maria MARUȘCA**  
Tritonic Publishing, 2010

Mediation as an activity and also as a field of research, has benefited, especially during recent years, from an important increase of interest and, of course, of books written on this topic. This is characteristic for not only for the American culture, but also for the European space, where specialized departments and structures have occurred in all public and even private institutions, a lot of professional specialized structures were formed, specialized departments in the field of higher education have been created, and legal bases and professional standards for mediation have been established.



One of the recent books on the domestic market, called *Communication and conflict. Communication management in the alternative dispute resolution*, is a research that tries to underline the importance of communication techniques in the process of solving any kind of conflict, and also to present some of the possible causes of conflicts, be they personal or diplomatic. From this point of view, the central hypothesis of the book is that almost all conflicts in the modern society, going from simple quarrels to diplomatic incidents, are based on poor communication.

According to the author, every modern contact, starting with the interpersonal relationships and going all the way through to diplomatic relations, is based on relationships and power, which automatically involves the need to master subtle communication, negotiation and mediation techniques. When any minor or major conflict occurs, the mediator has to solve it and to help repair the breaches of the communicational system, in order to preserve the relationship.

The introductory part of the book presents various techniques of communication whose failure can lead to conflicts and to the deterioration of relations on to a certain

level, raising the need for mediation techniques to avoid any further development of the conflict. In order to better understand mediation as a phenomenon, the book presents a sort of historical view of this activity, starting from early primitive organization of communities, going through the first social and political order and reaching the modern, developed and complex society. All of them had the need and used a certain type of mediator or decision maker(s) in order to solve existing or potential conflicts.

Reaching this point, the author tries to provide a definition of conflict and to present various types of conflicts, depending on the stakes of conflict, the parties, and the relationship between adversaries, the means and outcome of the conflict.

Also, different possible techniques of mediation are presented and explained depending on the nature of the conflict, taking into consideration the analysis of crisis situations, emergency planning and standard operating procedures, communication strategies and communication failures. According to all these aspects, the book presents various types of procedures used in conflict resolution, in order to find an optimal structure of the mediation process.

The study offers a comparative analysis of Romanian and international law of mediation, and also the main frame of the way that the conflicts are mediated, from an ethical perspective.

One of the most interesting parts of the book is though the final part that illustrates all theoretical premises and models with the help of three very different real situations. One of them offers the reader a comparative analysis of constitutional provisions on the procedure of mediation, comparing some of the fundamental laws of the countries with a long tradition in alternative dispute resolution. The second one presents and analyzes the involvement of the President of Romania, as mediator in the resolution of conflicts triggered in 2005 between the Education Unions and the Romanian Government, while the third analysis offers an overview on the involvement of the European Union and some of their representatives to settle the conflict triggered at the end of 2008 and the beginning of 2009 between Ukraine and Russia on the supply, transport and especially on the price of Russian gas intended for the European countries.

The book is not by far designed to provide an exhaustive analysis of the mediation process, but can be a start point for any study in the field, as it covers, as shown above, topics as the possible origins and causes of conflicts, the evolution of mediation, mediation techniques and also legal and ethical aspects of alternative conflict resolution.

Reviewed by Cosmin Irimieș  
Department of Communication, Public Relation and Advertising  
Babes-Bolyai University, Cluj-Napoca, Romania.  
Email: [cosmin.irimies@ubbcluj.ro](mailto:cosmin.irimies@ubbcluj.ro)