ANALYTICAL DIMENSIONS OF MEDIATION

REFLEXIVE CONTRIBUTIONS ON SCHOOL MEDIATION IN PORTUGAL

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Abstract - This article aims to highlight some central ideas in the design plan of mediation nowadays, as well as some analytical dimensions underlying the necessary reflection on the specificity of School Mediation. It presents analytical dimensions to specifie different ways to understand the panorama of mediation in societies, balanced between the conceptual complexity *versus* procedure identity, the pulverization of fields *versus* disclosure/discovery potential and the methodological diversity *versus* search for specifities inside fields of mediation. The articulation among these three dimensions, promotes reflections in the analysis plan both regarding the visibility of the mediation practices as of their contributions and limits. The article contextualizes the school mediation in Portugal and supports a critical analysis of limitations in this field of knowledge and practice, arguing for training and research.

Keywords: mediation; conflict resolution; social regulation; school mediation

I. INTRODUCTION

In a first approach, mediation seems to be a paradox in today's society: the scientific and technological findings provide solutions to most problems, the multiplication of laws in all areas seems to address all disputes, without forgetting the communication networks which promote connections and diverse solutions. While the modern world was being built, establishing contacts and connections of all kinds, federations, monetary unions, conventions, there was also the emergence of catalysts. As Paule Paillet mentions [1] "when the citizen protection entities, when the regulation of their relations with the law with the norm and the institution are disturbed or perverted, it is necessary to find a way of connection. Political, associative, union, legal or social, it will always aim to establish the necessary connections. Therefore, mediation represents finding an imperfection in our world and an opening to hope".

The deepening of the democratic system, the economic globalization and the development of information and communication technologies have provided a new impulse to the social and economic relations, highlighting the increase in the relations between citizens and between them and the services and companies. But, although it is true that the democratization of access to credit and other services, whose consumption is anticipated to payment, the diversification of the rights associated to a better knowledge and greater will and ability to exercise them by its owners, have provided the increased demand for a justice that should be fast and efficient, also in the social field mediation has been claiming to be an alternative way of solving conflicts. The growing institutionalization of social relations, whose visibility relies on the increasing access to public and private services particularly in the areas of education, social work and health, which are associated with a change in the family structure and function and a decrease in the influence of church and community, as instances for the regulation of conflicts, contribute to the fact that family, school, social and community mediation constitute a reference paradigm of the professional practices that occur in these areas.

The practice of mediation has expanded by several fields of intervention and takes different roles in everyday life. Nowadays, we witness the proliferation of the diversity of mediators and mediation practices, as a creative response to conflicts that result from inter-personal relationships or from social change. The mediation process is advocated when the conflict takes a leading role in the relationships between people, between them and the organizations and between the organizations in a given territory, and every time that the search for alternatives requires the intervention of a third party that values the communication between the parties and the decision-making ability of the litigants, in order to establish a mutual agreement, without the intervention of the judge or a negotiator. The conflict, the balance and the change are referential poles (centers) of the expansion of the mediating practices; mediation is used in conflict situations, so as to control or prevent conflict, establish or re-establish social bonds, and thus to regulate social relations to promote changes on a personal, inter-individual and social level.

After the adoption of a recommendation by the Council of Europe on 15 May 1981 about amicable conflict resolution, the panorama of mediation practices in different socio-economic and political contexts, allows us to refer, in general, two conceptions of mediation: one connected to the American culture that sees it as an alternative means of dispute resolution, and another more universal, European, inheritor of the Declaration of Human and Citizen Rights of 1789. Bonafé-Schmitt [2] believes that "the forms and the development of mediation in the different countries are directly influenced by the social regulatory systems". A comparative analysis developed by the author and his collaborators on the existing restorative mediation in France and in the United States, reveals different models of social integration underlying the mediation models: The American model is differential or

communitarian, and the French model is universal and republican. These model differences explain why in the United States there is a focus on "community mediation"[1], based on the cult of negotiation, and in France, on "the neighborhood mediation, social or intercultural" in which "the other" is a different being but equal, which is focused on the constant regulation of social relations. It creatively establishes new ties, renewing cut bonds by managing their break.

Pioneers in the field of alternative modes of dispute resolution (ADR), the Anglo-Saxon countries gave a recognized contribution to the expansion of mediation in European Union countries. However, the synthesis of the mediation contours in several continents, conducted by Marta Carrasco [3] highlights the special features that the process has been taking, directly linked to the diversity of the contexts and its legal framework. In Europe, for instance in England there are two mediation types (the public sector and the voluntary sector), in Italy there is a particular emphasis on family school and criminal mediation, in France mediation is essentially developed in the family domain (criminal and civil), in the Scandinavian countries (Denmark, Finland, Sweden and Norway) the most referenced is the mediation of consumption. The study favors a targeted approach to dispute resolution, within an essentially healing perspective, neglecting its preventive and restorative dimension, also promotional of social ties, from a more sociological reading.

The main purpose of mediation lies in the establishment or restoration of the communication between the parties, helping the dialogue between them. Even when the agreement is not possible, and each party takes a radical position, the failure of mediation is relative, as it has been established or initiated a partial communication process that introduces changes. As mentioned by François Six "there is no perfect mediation; all mediation is a moment of catalysis [...]; the most successful mediation, is the one that produces a true communication between the parties, a communication that will really achieve results in the lives of each of the two people or each of the two groups" [4] . Mediation should produce, not a communication simulation, but a real exchange; even when it is not achieved, it should result in each party the awareness that his/her truth is not the only one, and that the other also has a part of it.

In fact, one of the benefits of mediation is to communicate[2] to each party that the isolation/exclusion is harmful to the construction of a solution and the opening towards the other, only values his position. Mediation allows changing the

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[1]   The first example is the Community Board of San Francisco created in 1975.

[2]   In mediation, the production of communication comprises three stages: listening, time and conclusion. Listening allows to understand the situation, the arguments, and the meanings assigned by each party to the matter in hand; Time allows to manage the disputes and favors taking a stand in freedom, without rushes and consciously by the parties involved; the conclusion is the product of the work done so far, in an effort of respect for the identity of the agents involved. "All mediation is different and requires a specific time, different from mediation to mediation, with its own pace. It is up to the mediator to make the mediation to be successful over time; the extension or reduction of the breaks between mediation meetings results from a continuous adaptation; all this to conduct the mediation to an end" Six, J.F (1991). Le temps des médiateurs, Paris : Éditions du Seuil, pag. 144.

arguments of each litigant, making it more rational and far from the personal experience. And this detachment involves a new way of looking at reality, of overcoming constraints and finding alternative ways regarding the conflict.

But this is not it. Mediation enhances the construction of social bonds, and is even a new approach in the process of supporting social inclusion, when operationalized in the social and cultural fields. For example, professionals working with groups of Gypsies, Luso-African and African immigrants in Portugal, are faced with people marked by multiple cultural differences towards the host society, such as differences in ethnic identity, culture, patterns of behavior and social organization. As mentioned by Santos Silva [5] "Given the unequal structure of the distribution of resources, opportunities and powers, these differences tend to be reconfigured as inequalities, tend to induce or to justify, asymmetries, deprivation and marginalization that the members of these groups are subject to. What hinders or even prevents the achievement of their personal rights, the development of feelings of self-esteem and respect, their social, family, labor, professional and civic integration and their relationship with the institutions, the norms and routines of the global society". Mediation and the culture associated with it, characterized by the respect towards the other, focusing on dialogue, the enhancement of citizenship, the importance given to the individuals and to the development of their skills in the process of change, the hope for a solution that exceeds the binomial "win-lose", and which is transversal to the whole relational process, constitute an added value in the "re-sewing" process of social ties under rupture. The mediator as a catalyst is devoid of coercive, decision-making and legislative power. He does not take the place of the protagonists, does not take participate in their disputes, does not promote their merger through the action. Instead, the mediator gathers the conflicting parties, asks them to engage in the course of their lives, their projects, and that they undertake a new path by adopting a new dynamic between them.

II.   ANALYTICAL DIMENSIONS OF MEDIATION.

The conceptual specification allows us to specify analytical dimensions, as if it were a web whose essence falls within the logic of (de)construction of a matrix on mediation, useful to understand the design of school mediation, their contributions and limitations. Which dimensions do we refer to and what are their characteristics?

Regardless of the area of its expression, mediation is built around three binomials, paradoxical by the apparent contradiction they present (see Figure 1), namely: 1 - Conceptual complexity *versus* procedure identity; 2 - Pulverization of fields *versus* disclosure/discovery potential; and 3 - Diversity of methodological perspectives *versus* search for specificities.

The articulation among these three dimensions, promotes reflections in the analysis plan both regarding the visibility of the mediation practices as of their contributions and limits. We shall further briefly analyze some aspects of each axis:
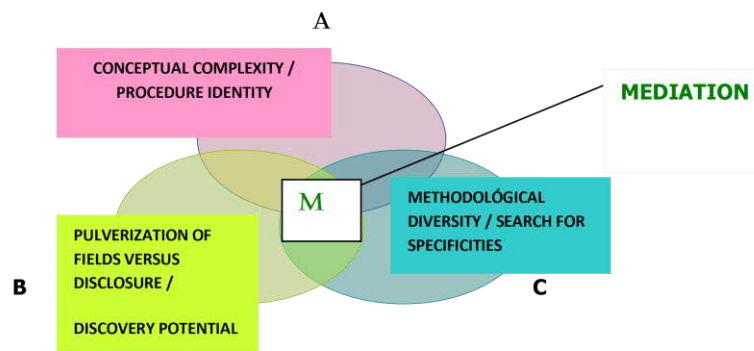
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Figure 1. Figurative analytical dimensions of mediation

A. Conceptual complexity versus Procedural Identity

Mediation is usually recognized as an extrajudicial way, alternative for the resolution of conflicts, distinct from other processes such as arbitration, conciliation or negotiation. The sociological approach of the term, which emerged after the decade of the 90s in the 20th century, defines mediation as a way of social regulation, a mechanism associated with the creation, transformation and disappearing of rules that includes a societal dimension aiming to create or renew social bonds. Thus, it is specified its instrumental and expressive character in the intervention process, particularly in contexts of fight against social exclusion [6] [7] [8].

Mediation occurs in conflict situations (present or latent) between two or more individuals, two or more beings, whose outcome originates rupture processes and translates into a voluntary movement of the litigants aiming to find a solution, either implicitly (on the initiative of professionals and organizations) or explicitly (on the initiative of the individuals involved). This is a process that involves, at least[3], the existence of a third person, impartial, whose action is guided by principles of non-intervention or minimal intervention; mediation puts the power of decision in the hands of the litigants, and creates communication opportunities among themselves which help the emergence of rational arguments and the construction of feasible and responsible commitments/conciliations. Through the construction of a relational environment of confidentiality and equality between the parties, mediation represents a "Sweet Justice" [4], which enables individuals to live in society.

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[3] The third party is one of the fundamental structures of mediation, but in the social and community field, the three-party relationship can diversify and integrate the primary and secondary solidarities, aiming objectively to create or renew social bonds. Almeida, H. (2001). Conceptions et pratiques de la médiation sociale. Les modéles de médiation dans le quotidien professionnel des assistants sociaux, Coimbra : Fundação Bissaya-Barreto, Instituto Superior Bissaya-Barreto.

Mediation is expanding as a means of social regulation with a positive orientation, based on the voluntary involvement and participation of the litigants, aiming the search for alternatives to the conflicts, respecting the rhythm of the individuals involved in the process and without resorting to the "empire" of the judge. Mediation is also considered as a research anchor in various scientific fields, such as economics, sociology, law, psychology, education science, social service. As it is not a specific field structured around a single area of knowledge, mediation takes on a transversal and multidisciplinary identity.

B. Pulverization of fields versus disclosure/discovery potential

Mediation is a reference aspect/element in contemporary societies. It entered the grammar of dispute resolution and is part of the daily lives of citizens, through the media, literature, informal conversations, concerning conflicts of different nature and contexts, such as those related to the consumption, family, the international relations, to life in society. The growing institutionalization of the social relations, the social changes in the forms and functions of the families and the school, the globalization of the economy, the expansion of the information society, the welfare state crisis, are perceived as factors involved in its expansion. Across Europe various mediators have emerged. Each country has adopted mediation as an alternative mode of conflict/dispute resolution and as a form of social regulation[4], with a dual function, latent and manifest, "to make society" and "to regulate conflicts"[4].

From the perspective of the social sciences, mediation is more than the establishment of a relationship between the society and the individual, mediation is defined as the "relationship between two terms and two beings"[4]. It is simultaneously societal and inter-individual, even if the different social actors are not aware of this duality. On the one

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[4] "Social regulation is the set of mechanisms through which rules are created, transformed and canceled. The social regulation is presented as social and inter-individual mediations" [9].

hand, mediation is societal due to the fact that the relationship aims to "provide or develop social bonds and treat or prevent conflicts" [9][5]. On the other hand, mediation is also inter-individual if understood as a non-contentious way of disputes' regulation, under the aegis of a third person. In any mediation it may be considered that there is a micro-mediation (inter-individual) and a macro-mediation (societal) that form a continuum variable according to the representation that the actors (mediators and litigants) have about the process. Mediation "does society" as it creates social bonds grounded in cultural and historical representations of society, but it is also an alternative method of conflict resolution, a way that allows its transformation, relying on a voluntary commitment defined and assumed between the parties.

Nowadays, the family, the school, the community, the intercultural and multicultural relationships, the individual and collective labor relations, the relations between citizens and organizations in the fields of health, environment, consumption, justice and international politics are subject to mediation. There is a diversity of fields, situations and actors involved in the mediation effort, a fact that introduces some analytical complexity. If, to these factors we associate the several objectives, we find an extensive range of possible combinations.

In this regard, Luison and Valastro [11] emphasize different approaches or mediation types:

- *cultural mediation* - specially values the cultural aspects of communication, related to the topic of migration, multiethnic and intercultural societies;

- *school mediation* – aims the socialization and the production of social identities, the creation of new socialization spaces and alternative management models of social relations;

- *social mediation* - reflects the attempt of learning about social life and embodies a project of reconstruction of intermediate structures between the individuals and the State, with a strong social control;

- *conflict/dispute mediation* - in the prevention of social conflict and management of problems as an opportunity to improve social relations;

- *community mediation* - as a culture of participation in the conflict/dispute management and acquisition of learning tools for mediation, able to recreate the social bonds ;

- *institutional mediation* - as a process of professionalization of mediation, creating new fields of intervention, conflicts with other social workers.

Due to the uniqueness of the contexts, the social actors and the issues that it deals with, mediation uses multiple procedures and is currently increasing its importance. Mediators proliferate, the practices diversify; However, not all practices can be considered mediation, although they are designated as such. The formal and professional mediation implies specific theoretical and methodological knowledge.

C. Diversity of methodological perspectives versus search for specificities

The construction of the methodological specificities articulates procedural knowledge, structured around the aimed objectives, the interveners in the decision- making process, the strategies associated with making knowledge on the existing differences between the parties, the mediating time of action, and the origin of the mediator.

The methodological approaches, established according to these reference parameters, when combined, indicate both the diversity of procedures as some basic transversal aspects of the mediating intervention: the analysis of the present time is consolidated as an intermediate stage between the past reality and the expected future. In this process, mediation adopts the role of regulating the action of hope, one of the positive aspects regarding changing attitudes and behaviors.

Although there is a methodology associated with mediation, with the definition of steps and procedures [12] [13] [14], the fact that it is a voluntary process that develops in a democratic context, introduces a feature of procedural flexibility. Dora Fried Schnitman[6] focuses on the communication process and its potentialities, and provides an overview of the different emerging perspectives, emphasizing, in addition to the diversity, the complexity of mediation. According to the author the alternative resolution of disputes proposes to understand the individuals as builders of their realities, and together with them to build bridges between the existing and the possible, validating the diversity, the dialogue, the other in a polyphonic context.

This issue is also analyzed by Jan Marie Fritz [16],[17], although from a different perspective, which sets out five basic paradigms:

- *Mediation focused on participants* - is connected with humanism, psychotherapy, and sociotherapy. This approach generally uses a model in phases and focuses on what individuals wish to work in the mediation process. It is mainly used in therapeutic models of family mediation, in which the mediator is primarily a facilitator;

- *Mediation oriented to the solution* - uses a model in phases and the mediator can facilitate and drive, and suggest a solution. It implies a pragmatic, behaviorist and functionalist approach. The conflict can be seen as a disturbance;

- *Mediation transformation* - focused on the participants' need to change. The conflict is a means for the attitude's recognition and change. This paradigm is connected with humanism and structural

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[5] Within this category are included the mediations of language, law, school, as actions for the construction of reality, social bonds "sensibilities' vectors and matrices of "sociability", in [10]

[6] When analyzing the issue of the new paradigms, the author identifies seven perspectives: systemic, dialogical, argumentative, generating, performing, narrative, transformative. Schnitman, D.F. (1999). Novos Paradigmas na Resolução de Conflitos, in [15].

functionalism, united to a communicating/social vision of the human conflict. Each party is responsible for the result and the mediator is a facilitator;

- *Narrative Mediation* - the mediator works with the parties to develop a story on the subject of the conflict: it involves the participants, decomposes their speech and the narrative argument and recreates a new story with them. It is also associated with humanism, especially with the post-modern thinking; it recognizes the existence of multiple realities rather than an objective reality;

- *Mediation humanist integrated process* - emphasizes humanism, cultural competence, empowerment, respect and creativity. The mediator is reflective, helping to continuously assess the interaction between the groups. It values the context, is focused on the participants, but is flexible and given the circumstances it can integrate a variety of aspects. It is an interactive approach, focused on the free choice and responsibility of the involved individuals (individuals, organizations, communities).

As soon as the structuring objective of the mediation is identified in each specific situation, it must be defined the strategies to use regarding the decision-making and the type of methodology to be adopted.

In this conceptual and methodological diversity, due to the multiple contexts and objects, mediation essentially grounded on the primacy of the construction of alternatives, has undergone a winding path between citizen mediation and professional mediation, between the private and the public domain, a path that searches for specificities by reference to other processes and intervention models. Although mediation is essentially a multidisciplinary field, not all interventions can be considered as mediation, even if they are built around micro-mediations. Mediation implies knowledge, action and reflection.

As Almeida argues, "today mediation is more than a shared word, is a way to equate the search for solutions by denying the deficit model. It has undermined social intervention for decades on all continents and more than has contributed to the perpetuation of conflicts and social problems" [18] [19].

If it is true that the framework of the action framework known as mediation, not dovetails with the imposition of rules without their accession recipients, by promoting exchanges and their active participation in processes, the lack of appropriate training, the uncertainty of the future of all those devoted to it, the lower results on the ground are arguments against definitive establishment of mediation in the sector social [20].

III. Contextualizing School Mediation: contributions for the state of art

Conflict resolution programs are originated in the United States, outside of school in the 70s, during the administration of President Jimmy Carter that drove the creation of Community Mediation Centers. The purpose of those centers was to offer an alternative to the courts, enabling citizens to meet together and seek a solution to the issue that brought them there.

According to Alzate [21], after the implementation of the Community Boards we are witnessing the early 80s to a marked increase in the use of mediation in disputes involving children or young people, particularly in schools.

More specifically, in 1982, in San Francisco began collaboration between the centers of community mediation and school systems. Whereas the skills to work the conflict are essential in a democratic society, Morgado and Oliveira [22;pp:46-47] reported a number of initiatives including: the creation of the "Resource conflict resolution for school and youth" (1982); The creation of the NAME, the National Association of School Mediation, which would serve for the study and implementation of mediation (1984); The NAME merges with the NIDRF, National Institute for Dispute Resolution, being born CRENET (1985), Conflict Resolution Network in Education. After that, educators for social responsibility and the Board of Education of New York City, promoted collaboration among community and school groups, leading to the emergence of the "Program of creative conflict resolution" with the following general objectives:

- Show non-violent alternatives to real conflicts of life for young people;

- Learn to understand and appreciate their own culture and the culture of others;

- Transmit to children and young people their leading role in building a more peaceful world.

Progressively, conflict resolution programs and mediation in the school context extend throughout the world and currently there are consolidated experiences in Argentina, New Zealand, Australia or Canada; in Europe, we can find experiences of this nature in other countries like France, Britain, Switzerland, Belgium, Poland, Germany, Spain, among others.

This transfer of the resolution of community conflict (Community Boards) to school will be gone from the assumption that the same part of the social life and that mediation is an opportunity for learning and personal growth for participants of school life [23].

The school community can, in most cases, resolve their conflicts with the help of other stakeholders, and the preventive nature of the conflict or its scalability through mediation is here valued, calling for a spirit of cooperation, respect and responsibility, values associated with a culture of peace [24] and not a culture of blame and imposing solutions.

The school is a place favorable to the emergence and the outbreak of conflicts. They relate permanently daily actors and different circumstances in the classroom, on the playground, in the halls, in the cafeteria, in interpersonal relationships. It is more than a place of teaching and learning of a compulsory curriculum, as it is lived, it talks, dating is, set up friendly relations, and is where its entirety spend time every day. Arising of interpersonal relationships (family and school), agents / educational actors are organized, forming and changing standards and values [25].

To turn the conflict in the educational context through mediation is necessary to change behavior and interpersonal communication, simultaneously with the capacity development work and skills for the management and resolution of conflicts. Thus, for a school mediation project is successful, it is important to involve all context elements. In this sense, Morgado and Oliveira argue that "the school mediation project implementation requires to be compatible with the learning of their young, an organizational intervention in the conflicts in school: respect teachers / direction regarding teachers / professors, ratio teacher / students ratio teachers / parents; and in the context of the classroom: respect teachers / students ratio among students and respect teachers / parents "[22; p.50].

According Martins e Viana, mediation as socio-educational process should enable "constructive dialogue, dialogical and emancipating, enabling trading decisions aimed comfortable interpersonal relations in coexistence and school inclusion" [26]. Thus, as the authors point out, the educational community of the school in question will be the main actor.

When it comes to socio-educational mediation refers to mediation as a training and prevention strategy and not only as a form of management and conflict resolution. It is an essential strategy for education, responsibility, citizenship and inclusion.

What about the School Mediation in Portugal?

The 90 marks the progressive appropriation of mediation in Portugal in various contexts. This transfer is the result of its integration into the European Union, which allowed access to international programs where mediation was valued and reflected, in particular, in practical conflict resolution in schools [27].

Although the practice of mediation in schools is relatively recent in this country, there are normative documents that allow the framework of the mediator figure and school mediation as regulated formal practice.

As Silva and Machado [28] argue, it highlights the following normative orders:

a) Order No. 147/96 of 8 July, the first document drawn up in Portugal with reference to the mediator figure. It defines the purpose of the Program Educational Territories of Priority Intervention (TEIP) and provides, in the development of their respective projects, the use of workers / mediators;

b) In the same year, the Joint Order No. 132/96 of 27 July approving the program of free time for children and young people of school education and pre-school education, providing that these activities are carried out by mediators;

c) In 1998 it's published a diploma that recognizes the figure of the mediator and the performance of cultural mediator functions for education (the Joint Order No. 304/98 of 24 April);

d) In 1999 the Joint Order No. 942/99, of 3 November regulated the status of mediators and cultural workers;

e) In 2000, the Joint Order No. 1165/2000 of the Presidency of the Council of Ministers, the Ministry of Labour and Social Solidarity and the Ministry of Education created a working group to assess the role of mediators in schools and to survey mediators needs the same;

f) The Law No. 105/2001 defines the legal status of socio-cultural mediator;

g) The Decree No. 15817/2007 of 27 July regulating the functions of the personal and social mediator under the Courses of Education and Training for Youth and Adults.

h) The Bill No. 193 / XI (1st), Assembly of the Republic, March 25, 2010, established support offices for students and family in schools groups and schools not integrated.

These Offices derive from the success of the work created and boosted by SOS Children, Institute of Child Support, which seeks to respond to situations from a local intervention, creating conditions for the development of school mediation. The Offices for Student Support and Family[7] (GAAF) define an individual approach methodology, supported in a climate of trust between professionals (mediators, psychologist, social workers or teachers) and students, and a joint work between the different support services school and community partners, highlighting the important role of associations of parents and caregivers and local associations

The GAAF emerges as a new philosophy of School Mediation starting from the assumption that the active participation and committed students and their collaboration enables improve the climate that exists in the school and community. This office also appreciates the presentation by the students, individual or collective projects of integration in school and in the community contributing to the development of their autonomy and enabling them to exercise their role of conscious citizens in the society where they live. The activities of GAAF as well as the type of intervention, are different from school to school according to their needs and existing problems [29].

School Mediation is a cooperative process, structured, voluntary and confidential conflict management. According Seijo [30] conflicts are considered confrontational situations of conflicting ideas, based on the values; interests; needs; desires, perspectives and attitudes of everyone involved. In this confrontation, the relationship between the parties can be strengthened, weakened or even cease to exist depending on how the parties perceive the conflict. Since always, human beings, as social and turn as members of a community actors found themselves "forced" to deal with conflicts. Indeed, the conflict is "present in various social systems and their clear frequency in the different scenarios of human life is a real and indisputable finding, regardless of time and space" [31]. In this sense, Alves [32], citing Seijo states that "conflicts assume different aspects arise for various reasons and vary in intensity; They are part of people's lives and, according to the way they

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[7]   Gabinetes de Apoio ao Aluno e à Família (GAAF)

are made both can lead to new ways of understanding and social and personal development, but on the contrary, can open the process of destruction and lack of rights and needs, as beings human, we all have "[31; pp:29].

IV. MEDIATION IN THE EDUCATION CONTEXT: AN ONGOING PROCESS.

As emphasized by Bonafé-Schmitt [33], "Mediation is not just a conflict management technique, it is also a learning process of new forms of sociability". It is learning in the relationship and through the relationship, both of understanding proximity and analytical distance between litigants with different powers (peer relationships, relationships between individuals and organizations, relationships between organizations, and with the community). This sociability learning is reflected in the context of the individual and the society. Thus, Briant and Palaut [9] mention that mediation does society. The school is not just a place to acquire knowledge; it is also a place for socialization, a place for learning ways of sociability.

In the educational context, the interveners in the learning process (teachers, students, support staff, and other experts) are diverse from the perspective of education and socio-cultural characteristics. The social, institutional and community surrounding contexts are also different (schools and services in more urban or more rural areas, periphery, coast and interior areas, social housing). Within the same territory, geographical and institutional, unequal resources can be articulated and enhanced, establishing and mobilizing partnerships, networking, whose efficiency and effectiveness is expectedly high. However, the facts do not always happen according to the expected. Mediation, as a process, is achieved in a complex way in everyday life, and is maximized as the actors create bonds and overcome the obstacles arising from such complexity. The objectives aimed, obtain its specificity when they are contextualized. The social and pedagogical dimension of mediation emerges as central, in its training and creation of personal and socio-institutional commitments, anchored in the monitoring of projects with preventive objectives and appropriate to the population involved; but the school mediation also focuses on solving problems or disputes in a more inter-individual, healing and restorative perspective.

Mediation deals with theoretical and practical knowledge, but also with representations. The diversity of the interveners threats the assumption of a team work within a voluntary process by the same in the context of action (for example, teachers, support staff, administrative staff, parents), of the mediators and the litigants (actual or potential). A teamwork that goes beyond the frontiers of the scientific or operational specificity and is materialized in a transdisciplinary knowledge for the benefit of common objectives, within and outside the institutional walls. Each actor (peers, teachers, family, educators, professionals from community and local organizations or other interveners), and every action is part of a puzzle of strategic knowledge with various guises, whose unity and meaning is discovered after their connection. It is not enough to identify the actors and the nature of the actual or potential conflict, which leads to the mediation, or to only master their methodological procedures. It is necessary to learn

and understand the socio-cultural characteristics of the region in which the intervention occurs, to understand the expression of the consequences of the situation in individual, collective and institutional terms, to identify the obstacles, and prepare a project in which mediation is just one of the approaches.

One of the first difficulties to face in the school context consists in the creation of a dynamic of mediation (ac) knowledge, its advantages and limitations. Therefore, it is necessary to invest in the construction of a common identity among the members of the educational community, which in addition to the possible difference in the social origins, basic training and age, might not have common working habits in the school. The sharing of uncertainties, fears, as well as of the positive experiences in regular meetings, since the beginning of the process, the identification and analysis of situations, the involvement in common tasks, the definition of functional rules, may constitute strategies appropriate to the process of definition of the identity of mediators and mediation. Mediation is not a patchwork of individual contributions. The meaning of mediation must be part of a wider educational project. Thus, it is also important the design of mediation projects, within a shared and responsible manner, which consider or might give visibility to the different logics of organizational functioning (economic, organizational, political, social, educational), without the appropriation of target audiences, within a spirit of interpersonal, inter-institutional and inter-professional cooperation, thus contributing to the improvement of the school environment.

Another obstacle to overcome is the management of the powers of the various actors of the educational community. To the mediator it is recognized moral authority, some proponent power, even if it is a micro and shared power [8]. However, when it wavers to the appeal of the decision-making exercise rather than to the other, it ceases to be. In mediation what is truly important, is what those with whom the mediator interacts think and how they act, it is not their perception of the world, it is not their will. It is for the mediator to create opportunities for the discovery of the new, of alternatives that had not been considered, because they were invisible under the emotional and opaque arguments of the litigants. How to achieve this in contexts of tension, contradictions and conflicts, without the intervention of the personal equation of the mediator? It takes two requirements: training and practice.

Mediation is under construction. The path, though long, is already being traveled on the knowledge and action plan. We must invest in training, production of knowledge adequate to the realities and emergency settings of the new. It is mandatory to focus on new ways of dealing with the constraints, new ways of acting due to the difference, within a search for alternatives, which, as Urie Bronfenbrenner [34] mentions, correspond to the rejection of the "deficit" model, a fact also emphasized by Schnitman [15; pp:17-27] , in favor of a research policy and practice committed to transforming experiences that encourage human development and promote citizenship. In this context, mediation becomes a new way of looking at the world and intervenes in it.

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