

CULTURE, LAW AND MEDIATION: SOCIAL PERCEPTIONS IN THE RESOLUTION OF CONFLICTS IN BRAZIL AND POLAND

Sidney Soares Filho¹, Leszek Cichobłaziński²

¹Universidade de Fortaleza (UNIFOR), Brazil

²Częstochowa University of Technology (CUT), Poland

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1 INTRODUCTION

Mediation is defined as a structured, voluntary, and confidential process in which an impartial third party facilitates dialogue between disputing parties to help them reach a mutually satisfactory agreement. It differs from conciliation and arbitration in both process and intention: while arbitration results in a binding decision imposed by a third party, mediation emphasizes collaboration and the empowerment of parties to construct their own resolution. Within the context of sustainable development, mediation contributes to social cohesion, conflict prevention, and institutional efficiency, aligning directly with the United Nations Sustainable Development Goal (SDG) 16—Peace, Justice and Strong Institutions [2].

2 MATERIAL AND METHODS

By analysing variables such as legal maturity, awareness levels, trust dynamics, professional attitudes, and religious-cultural factors, this article explores the deeper roots of resistance and potential avenues for institutional and cultural change. Through this cross-national lens, the study seeks to contribute to a more nuanced understanding of how mediation can be promoted as a sustainable tool for conflict resolution in diverse socio-legal contexts. Furthermore, the comparative data reveals important insights into the development of mediation practices in Brazil and Poland. Both countries share similar structural foundations, with well-established legal frameworks that support mediation. Nevertheless, practical implementation in each context remains limited, pointing to a gap between formal structures and deeper cultural integration [1, 3].

3 RESULTS

While Brazil and Poland share many of the same challenges in embedding mediation within their legal and cultural frameworks, both countries also have distinct opportunities to develop robust, culturally resonant mediation systems. Future efforts should prioritize awareness-building, professional engagement, and educational outreach to ensure that mediation becomes not only legally accessible, but also socially embraced.

4 CONCLUSIONS

The comparative analysis between Brazil and Poland reveals that the advancement of mediation as a sustainable method for conflict resolution depends not only on legal frameworks and institutional policies, but also – critically – on cultural legitimacy and social trust. Both countries have developed comprehensive mediation laws and judicial mechanisms, yet these remain underutilized due to deep-rooted adversarial legal cultures and a general lack of awareness among citizens and legal professionals.

Despite structural similarities in their challenges, Brazil and Poland also present unique opportunities to strengthen mediation practices. Brazil benefits from a growing movement toward community mediation and a legal education system that increasingly incorporates alternative dispute resolution. Poland, on the other hand, demonstrates promising judicial engagement and the potential for EU-backed reforms to stimulate broader adoption.

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Contact information

Corresponding author's e-mail: leszek.cichoblazinski@pcz.pl