

# The Role of Lawyers in Interaction

---

## Mediation, ADR and Legal Thinking

Prof. dr. Frank Fleerackers  
Brussels





# Society and Identity

---

- *multi-moral*
- *multi-cultural*
- *multi-individual*

# Conflicts

---

- *paradigms ? (van Gogh, 9/11)*
- *conflict as neutral*
- *locus of convictions*

# Objectivist thinking

---

- *archeological truth*
- *essentialism*
- *static certainty*

# Legal thinking

---

- *(legal) positivism*
- *(legal) certainty*
- *(legal) discourse:  
rationalizing*

# Public Reason

---

- *Rawls & Habermas: logos*
- *political liberalism*
- *rule of law ?*



# Different & Dynamic

---

- *Duncan Kennedy*
- *Derrida & Deleuze*
- *liberate contradiction*

# ICI

---

- *interdisciplinary*
- *case-driven*
- *interactive*

# Affective Legal Analysis

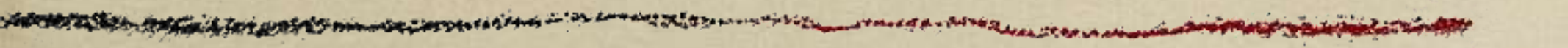
---

- *interactive/interdisciplinary*
- *conflict analysis*
- *resolution enhancement*

# Legal Education and Mediation

---

- *professional paradigm*
- *dynamic conflict directors*
- *interactive truth/meaning*



“Lawyers will be the  
Philosophers of the XXIth  
Century.”

*Jacques Derrida*

# *Affective Legal Analysis*

---

*E-post:  
fleerackers@post.harvard.e  
du*