

Contents

Abstract 3

1. Introduction 5

1.1. Justice matters 7

1.2. An alternative view of justice 9

1.3. Overview 9

2. Levinas' Theory of Justice 11

2.1. Introduction 11

2.2. Critique of liberal justice 11

2.3. Rethinking freedom 16

2.3.1. Ethical relation: Levinas' big idea (part one) 18

2.3.2. Describing proximity 19

2.3.3. Substitution 20

2.3.4. Responsibility: The deeper freedom 21

2.4. From proximity to justice 23

2.4.1. Comparing the incomparable: Levinas big idea (part two) 25

2.4.2. A different Leviathan 27

2.5. Justice through dialogue 29

2.6. Levinas, justice and mediation 31

3. How mediation achieves justice 33

3.1. Three essential characteristics 33

3.1.1. Encounter with alterity 33

3.1.2. Stepping into the other's shoes 34

3.1.3. Beyond exclusivity 36

4. Mediating for justice in practice 38

4.1. Phase one: Preparing the ground 38

4.2. Phase two: Leaving safety behind 40

4.3. Phase three: Empowerment through responsibility 41

4.4. Phase four: Determining justice 43

4.5. Phase five: Not a conclusion	46
5. Bringing the judge back into mediation	48
6. Conclusion	51
Bibliography	53
About the Author	56