

Public Disputes & Consensus Building Digest



PUBLIC ENGAGEMENT
PUBLIC DISPUTE RESOLUTION
PEACEBUILDING
CIVIL PUBLIC DISCOURSE
PUBLIC ISSUES FACILITATION

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Introduction

Welcome to the first issue of the *Public Disputes and Consensus Building Digest*, a new quarterly publication prepared by the Public Disputes and Consensus Building Committee of the ABA Section of Dispute Resolution. Each issue of this quarterly *Digest* will bring together a recent selection of publications and other media offerings on public dispute resolution, consensus building, civil public discourse, peacebuilding, and related practice areas.


Each content piece will feature basic information (name, author, source / link), a short synopsis, icons to indicate the content type (e.g. book, podcast, video, etc. 🎧 for Audio, 📖 for Book, 📰 for Article, 📺 for Video), and the very rough estimate of the time needed to read, watch, or listen to the item. We hope this format will neatly and conveniently organize the information and allow the reader to easily decide what content to review based on the topic, format, and the time you have to spare.

With the help of the Committee Co-Chairs Terry Amsler and Loraine Della Porta, and Vice-Chair Tina Patterson, the Dispute Resolution Section Fellow Alec Chapa will curate 8 *Digest* content pieces for circulation each quarter – and yes, we welcome your content suggestions! Now more than ever, the ocean of sources and content can be overwhelming. Rather than selecting a list of “top” or “recommended” items, we hope to provide a list of notable pieces that are diverse enough to appeal to many interests and schedules and for those wanting an option for a quick read or a deeper dive.


Digest Selections

Divided We Fall TV | Dan Rather, New Voice Strategies | National Institute for Civil Discourse | <https://www.dividedwefalltv.org> | Video  | Est. Time: 1 hour

In this engaging short film, small groups engage in facilitated dialogue about hot button issues like race, education, immigration, social media and more. Selected participants are intentionally politically diverse (both "blue" and "red") and from varying socioeconomic and demographic backgrounds. The goal is simple: bring people out of political echo chambers and into real, in-person dialogue to explore what it means to be an American. This short film is inspiring, challenging, curious and undoubtedly engaging. **Free to access.**

Psychological Phenomena in Democratic Deliberation | Richards, Morrell, Brinker, Reedy | Journal of Deliberative Democracy | <https://delibdemjournal.org/article/id/1277> | Article  | Est. Time: 20 minutes

The articles in this special issue offer fresh theoretical and empirical insights on several recent topics concerning psychological aspects of deliberation, while extending knowledge on long-standing topics in the field. This issue explores the effect of frames, the phenomena of group polarization, affective intelligence both in person and virtual, perspective taking, public decision-making epistemologies, memes as public influencers, group identity, social learning; moreover, it relays cumulative study results showing the emotional effects of group deliberation, and more. This is great for someone who is just being introduced to these topics, or who wants a refresher on recent developments. **Free to access.**

Community Dispute Resolution Exercises | Lara Sanpietro | Harvard Project On Negotiation | <https://www.pon.harvard.edu/daily/teaching-negotiation-daily/teaching-community-dispute-resolution-exercises-to-facilitate-positive-change> | Article  | Est. Time: 15 minutes


This brief article offers 4 exercises with free downloadable content to address common community disputes. Issues and scenarios include churches as community mental healthcare facilities, racial tensions in residential and commercial areas, homelessness, and development disputes. **Free to access.**

Scaling Up Community-Delivered Mental Health Support and Care: A Landscape Analysis | Siddiqui, Morris, Ikeda, Balsari et al. | Frontiers in Public Health |

<https://www.frontiersin.org/articles/10.3389/fpubh.2022.992222/full> | Article  | Est. Time: 1 hour


While this article doesn't address public dispute resolution, it addresses a condition that dramatically affects a community's ability to effectively engage in civil public discourse: community mental health. It's common knowledge that existing mental health support is insufficient, a problem exacerbated since the COVID-19 pandemic, and existing research has documented that individuals suffering from poor mental health struggle more in conflict. This article offers a promising model that can potentially meet existing community mental health needs, which is a key factor in constructive civil public discourse. **Free to access.**

Committee Member Profiles | Tom O'Keefe | ABA |

https://www.americanbar.org/groups/dispute_resolution/resources | Article  | Est. Time: 1 hour

Former ABA Section Fellow Tom O'Keefe, then working with the Public Disputes and Consensus Building Committee interviews and profiles over a dozen practitioners of public disputes resolution, community problem solving, consensus building, public issues facilitation, community mediation, and related practices compiled by the Public Disputes and Consensus. Get to know who's who with this great resource. To download, scroll down on the link page until you see "Directory of Public Policy Dispute Resolution, Consensus Building and Related Practitioners" then click on the text to download the document. **Free to access.**

Book Chapter: Communities & Justice | Amsler, Smith, Martinez, Dispute System Design: Preventing, Managing, and Resolving Conflict (2020, Stanford University Press)


<https://law.stanford.edu/publications/dispute-system-design-preventing-managing-and-resolving-conflict> | Book  | Est. Time: 30 minutes

A first of its kind, this award-winning book collects and reviews the vast majority of literature and knowledge available on the topic of Dispute System Design (DSD). The chapter on Communities and Justice applies the book's novel analytic framework for DSD to cases in the public disputes and consensus building arena. It takes various policy issues through processes from focus groups, to key themes, to recommended solutions adoptable by policy makers and public issue decision makers. Anyone who's interested in seeing how

far the field has come would benefit from this chapter, and the book as a whole. **Available for Purchase; Use “DISPUTE20” for 20% off** (<https://www.sup.org/books/title/?id=17595>)

Conversations Guide | ABA Staff | ABA |

https://www.americanbar.org/groups/bar_services/resources/resourcepages/cornerstones |

Article  | Est. Time: 4+ hours

This practical guide frames polarizing hot topics as challenges that can be met through the legal community's resources, transforming these destructive forces through the cornerstones of Democracy: civics, civility, and collaboration. Through the conversations guide, community stakeholders, decision-makers and constituents can all converge on similar dialogue practices and begin repairing relationships, trust, and democracy. The guide walks practitioners through the stages of hosting facilitated conversations, from planning and organizing, to budgeting, goal-setting, and finalizing last-minute details - a true gem! [To download, see the 2nd paragraph and click the live link titled "Cornerstones of Democracy Conversations Guide "]. **Free to access.**

Power in Mediation | Liza Lawson Risoldi | ABA |

https://www.americanbar.org/groups/dispute_resolution/publications/dispute_resolution_magazine/2023/january/power-in-mediation/ | Article  | Est. Time: 15 minutes

Among other tools in facilitating public disputes and consensus building efforts, mediation is certainly a key instrument. Yet, diverse scholars and practitioners have yet to agree on a shared definition of power. Given that public disputes often involve a wide range of people across many different socioeconomic backgrounds, there is a wide range of power; as long as this goes unaccounted for and unmanaged, it may pose serious issues for making headway in public disputes. This author sheds light on the topic of power in mediation, and proposed a universal definition worth considering for typical mediations, as well as mediation in the context of public disputes. **Free to access.**

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