

Public Disputes & Consensus Building Digest







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

Volume 1, Issue 2: July, 2023

Introduction

Welcome to the second 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 8-10 *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

Brain Health-Directed Policymaking: A New Concept to Strengthen Democracy | Dr.

Sebastian Winter, et al., Global Economy and Development at Brookings |

<https://www.brookings.edu/research/brain-health-directed-policymaking-a-new-concept-to-strengthen-democracy/> | Research Paper  | Est. Time: 2+ hours

Amidst the backdrop of global democracies under immense pressure and preliminary research suggesting a positive correlation between healthy democracies and positive health outcomes, this research directly investigates the relationship, pioneering the concept of "brain health" in the process. The article posits that brain health, which aims to represent a culmination of health factors (eco, bio, psycho, social), exists in a reciprocal and mutually interdependent relationship with democracy: strengthen one, strengthen the other; weaken one, weaken the other. Although further research is required to validate the concept, it serves as a bedrock upon which further inquiry can occur, and which better policymaking can happen. The recent tragedy of Jordan Neely, a man experiencing an apparent episode of poor mental health who was killed by a subway passenger in New York, is a recent and clear demonstration of the need for evidence-based policies regarding public health issues, around which much public disputes revolve. **Open Access.**

DCP Democracy Report: Speaking Out to Strengthen to Guardrails of Democracy | Ohio

State's Divided Community Project (various authors), Ohio State University |

<https://go.osu.edu/dcpdemocracy> | Report  Est. Time: 2 hours

US Democracy is on a downhill slide, and it's no secret. This guide offers a concise review of the journey of how this came to be, as well as opportunities for "speaking out" to strengthen democracy, irrespective of purely partisan ambitions. If there's one upside to the perpetual threat of authoritarian regimes, it's that they've been around long enough that the go-to playbooks are well-known, enabling better pro-democratic counter measures. The product of many leaders, scholars, and practitioners, this guide culminates that wealth of information in one practical, convenient format. **Open Access.**

Consider This: Local Newspapers are Vanishing – Here’s Why You Should Care | Jeanette Woods, et al., NPR |

<https://www.npr.org/2023/04/19/1170919800/local-newsrooms-are-vanishing-heres-why-you-should-care> | Podcast  | Est. Time: 15 minutes

This brief but insightful podcast reviews the downward trend of local papers and why communities ought to pay attention. Research has shown that when local newspapers are lost affected communities experience lower voter turnout, decreased civic engagement, and increased polarization. Investors are buying up and gutting or even dismantling local papers alarmingly fast. This brief podcast prods at the question, “what conditions sustain and detract from civil public discourse?” To this question, it offers the meaningful contribution of the role of local papers, where present and thriving, contributing to civic engagement, and where absent or struggling, the opposite. **Open Access.**

Cops and Ex-Felons Seek To Find Common Ground | Jubilee Media |

<https://www.youtube.com/watch?v=kbdJqkKQCzc> | Video  | Est. Time: 15 min.

Between edgy and composed, this video demonstrates what's at the heart of conflict resolution community-building: dialogue can happen even around tough topics among unlikely individuals. This well-produced and facilitated 13 minute video features a law enforcement agent, a judicial worker, and three ex-convicts of various demographics, who speak at-will about their views and points of disagreement, but also find areas to relate and show respect for those differences. Moreover, the conversation reflects on systemic issues such as inequalities in sentencing and the distinction between the map and territory, exploring the role of choice within all of it. Witness a unique facilitation technique and the fruit it bears with a dialogue that ends on a positive note. **Open Access.**


The Harold Hodgkinson Lecture 2022: Census 2020, Racial Demographic Trends, and Narratives of Interpretation | Dowel Myers, The Kettering Foundation |

<https://www.kettering.org/catalog/product/hodgkinson-lecture-2022> | Lecture Transcription  | Est. Time: 1.5 hours

Renowned lecturer specializing in demography and urban growth dives into an analysis of the politicized 2020 census, asking 3 big questions: What are the key trends in racial demographics? What were the major challenges in conducting the 2020 census? And, what are the key narratives that have emerged in public discourse about all this? While it doesn't directly address public disputes & consensus building, it does set the backdrop to rising


political polarization, a topic the lecturer specifically addresses, establishing factors that are bound to play a role on some level. One question, raised by a listener, asked "what conversation should we be having about diffuse responsibility?" which gives way to constructive frames that can drive collaboration and cooperation, rather than divisiveness, as well as who may best fulfill that role. Thoughtful, digestible, insightful, and enabling responsible action. **Open Access.**

In Communities Where Civic Health Is Poor, Lives Are Shorter | Carl Smith, *Governing: The Future of States and Localities* |

https://www.governing.com/now/in-communities-where-civic-health-is-poor-lives-are-shorter?hsmi=253500032&hsenc=p2ANqtz-mzq5-hKgyH1_6uak4MRi-zKMILNoBIY4TIvs4n1igwwiq41rDvb3i23IX4EhF7qyGEDMYT2UyqOfa0WeyW_1Q8Rwuw | Article  | Est. Time: 15 min.

As it turns out, the civic infrastructures (or lack thereof) making up communities impacts the health of those communities, adding another layer to the established knowledge that social wellbeing is essential to health. This brief but captivating article touches on new research from University of Wisconsin's Public Health Institute showing how this linkage plays out across the U.S., then focuses in on a small Oregon town of about 13,000 that has intentionally created more civic infrastructure to enhance the local community. If you're looking for content that demonstrates the empirical importance of civics, look no further than this brief yet informative, easy reading piece. **Open Access.**

These Radically Simple Changes Helped Lawmakers Actually Get Things Done | Amanda Ripley, *The Washington Post* |

<https://www.washingtonpost.com/opinions/2023/02/09/house-modernization-committee-bipartisan-collaboration-lessons/> | Article  | Est. Time: 20 min.

Take a deeper dive into the House Select Committee on Modernization of Congress than what the featured interview covers, uncovering the details of the stellar results that were achieved and more importantly how it was accomplished. The concise piece draws readers in, depicting the lived experiences of lawmakers on January 6th, what it was like to retell those events to their counterparts across the aisle and, in good conflict resolution fashion, to have counterparts paraphrase and acknowledge these experiences whether in agreement or not. This piece illuminates not only more about the January 6th aftermath, but about how in spite of deep divides in even the most iconic dysfunctional arenas, restoring functional relationships is well within reach with the right approach. **Open Access.**

Collaborative Governance: Principles, Processes, and Practical Tools | Stephen Greenwood, Laurel Singer, Wendy Willis, Routledge |

<https://www.routledge.com/Collaborative-Governance-Principles-Processes-and-Practical-Tools/Greenwood-Singer-Willis/p/book/9780367776015> | Book  | Est. Time: 8+ hours

Collaborative governance is of increasing interest to those in and outside of government, and this book marks a major contribution to the topic as the first comprehensive guide on the topic, weaving together several disciplines to benefit both theory and practice. As the publishers state, "Traditional governance, even when it is functioning effectively and fairly, often produces clear winners and clear losers" -- combine this win-lose dynamic with political polarization and growing disparities for a powerful recipe for widespread resentment and entrenched public conflict. In stark contrast, this book aims to advance collaborative governance as an approach for addressing the concerns and needs of a government's entire constituency, drawing from the fields of negotiation, mediation, sociology, political science, and public administration. While still relatively new, it has received positive reviews on an increasingly popular and important topic, relevant to all interested in public disputes and consensus building. **Purchase Required.**

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