

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 fourth issue of the *Public Disputes and Consensus Building Digest*, concluding volume 1 and content for 2023 prepared by the Public Disputes and Consensus Building Committee of the ABA Section of Dispute Resolution. As we begin 2024 and continue with the Digest, we are thrilled to bring you another issue filled with illuminating and inspiring content.

As our readers already know, each issue of this quarterly *Digest* brings 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.

As always, 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

The Fight Over Free Speech on College Campuses | Scott Detrow, National Public Radio (NPR) | <https://podcasts.apple.com/us/podcast/consider-this-from-npr/id1503226625?i=1000638622471> |

 | Est. Time: 17 min.


While debates over free speech are nothing new, the issue has fueled rising tensions to new heights in recent months for colleges and universities, in particular. From polarizing students and faculty, to stirring up legal questions and stakes and even acts of violence, some school administrations have chosen to do little to nothing — and sometimes per the advice of counsel. Listen in for the details, including simple and direct questions like “is it a breach of your school's policy to call for the genocide of a people, yes or no,” which often fail to receive clear and direct answers. This is a practical example of the distinction often made between neutrality and impartiality when it comes to action. Open access.

Palma Strand: A Path Out of Polarization: The Strengthening Democracy Challenge and the Civity Storytelling Intervention | Heidi Burgess, Guy Burgess, Beyond Intractability |

<https://www.beyondintractability.org/newsletter-123> |  | Est. Time: 15 min.


Responding to the clearly escalating issue of political and social polarization, one concerned professor issues a call to action to the general public, requesting a recorded intervention focusing on the political divides. No more than 8 minutes in virtual format, it seemed reasonable, yet they didn't expect as many submissions as they got. The profound, yet surprisingly simple discoveries made underscored that exiting polarization and reinforcing civic infrastructure need not be an endeavor in creating deep or intimate relationships — rather, simple storytelling, exposure to the unfamiliar, and creating lived experience that transcend labels can be plenty. Read on for encouraging insights generated by the mega study following the initial call to action. Open access.

RSI Guide Will Help Courts Make ODR Communications More Accessible | Rachel Feinstein, Resolution Systems Institute (RSI) |


<https://blog.aboutrsi.org/2023/research/rsi-guide-will-help-courts-make-odr-communications-more-accessible/> |  | Est. Time: 8 min.

No surprise to many in the dispute resolution world, there has been a dramatic increase of self-represented litigants in recent years across the U.S.: as many as 72% in family law, and 76% in civil cases. We know that brings a host of challenges aside from the well-anticipated

issues (e.g. lack of legal knowledge and skill). This article dives into these issues and details other work by the Resolution Systems Institute (RSI) to improve these issues, from simplifying the language in court documents, to accommodating lower literacy reading patterns, and much more. At its core, this is important Access To Justice (A2J) work being done on issues that need addressing in real time. Some readers may recall a previous RSI article on how courts can more effectively adopt ODR processes in Digest issue 3: think of this article as a continuation of their work, putting their previous research to good use. Open access.

Understanding America's partisan divide and how to fix it | Staff, Public Broadcasting Service (PBS) | <https://www.pbs.org/video/america-at-a-crossroads-1685565513/> |  | Est. Time: 12 min.

As it turns out, scale can work in favor of depolarization and deescalation, boosting conflict management efforts for issues of public controversy. Case in point: typically we see Democrats and Republicans overestimate that the other supports political violence 3-4x more than they really do, and this can be reversed with even minor “doses” of stats, enabling lower threat perceptions and, in turn, lowering the party's own support of violence. In the wake of dramatic increases in partisan animosity and even violence, this brief but moving look into Judy Woodruff’s work sheds an inspiring light on what we can do to reverse these trends. Open access.

How Family Trauma Perpetuates Authoritarian Societies | Madhusree Mukerjee, Scientific American | <https://www.scientificamerican.com/article/how-family-trauma-perpetuates-authoritarian-societies/#> |  | Est. Time: 25 min.

Recognized to have produced the most pivotal work since Charles Darwin’s Origin of Species, Riane Eisler addresses the question of why some societies are dominating, coercive and warlike, while others are much more peaceable, cooperative, and partnership-based. The family is the microcosm of the society, and it is the incubator, the place where these norms are passed down to the next generation, making those relationships fundamental for a nation's social and economic fabric. This interview dives into her work, as well as the life she led which served as a profound motivator for her work. Her most notable work, *The Chalice and the Blade*, was fueled by the question of why it is that, in having the capacity for such good and such horrible actions, civilization as a whole has been so geared towards destructiveness. Read on for a lively interview. Open access.

Submit your suggestions!

We're always looking for more resources to share with committee members. Submit your suggestions [here](#).

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