
Editor's Note

I sometimes wonder whether our field tilts toward being conflict averse. Count me in, of course, when it comes to celebrating those who end bloodshed. And I tip my hat to others who find more creative ways of resolving legal disputes than rolling the win-lose dice in court. But in cataloging the social and personal costs of conflict — and there are many — we may overlook its positive aspects. On occasion conflict may be the only means of securing civil rights and justice, for instance. Conflict can also energize communities and give birth to new ideas.

Even if conflict's overall costs outweigh its benefits, we still need to understand it better so we can minimize the former while respecting the latter. In some circles, however, even discussing the nature of conflict seems ill-mannered at the very least. For example, a panel at the most recent meeting of the American Bar Association's Section of Dispute Resolution considered the propriety of teaching distributive negotiation and hard bargaining in law school classrooms.

To even pose that question as debatable suggests an element of negotiation correctness in our community, but we will soldier on. In a special section (introduced more fully elsewhere in this issue), we are pleased to publish the concurring opinions of the three panelists — Jennifer Brown, Paul Kirgis, and Nancy Welsh. As it happens, they all agree that distributive bargaining should be taught, although for somewhat different reasons. And as you will see, they use different strategies and materials for teaching it.

Conflict is also the focus of two other major pieces in this issue. Peter Coleman, Katharina Kugler, Lan Bui-Wrzosinska, Andrzej Nowak, and Robin Vallacher offer a new tool for understanding the dynamics of social conflict in their article "Getting Down to Basics: A Situated Model of Conflict in Social Relations." The authors survey the extensive literature on social conflict that has appeared in recent decades, but their review is not a meta-study or a synopsis. Rather, it is a platform for advancing an overarching model that pulls together prior work, much of which has been more narrowly focused on particular aspects of social conflict.

Specifically, the authors describe a three-dimensional space, defined first by goal interdependence on one surface, charting how parties' goals are positively or negatively linked. A second set of coordinates charts relative distribution of power and dominance. A third introduces the nature and degree of relational importance. The authors note both the interactivity among these three domains and the dynamic processes that can move a conflict through this space — more precisely, I should say disputants'

perceptions of a conflict, as people's attitudes and understandings often have more impact on how the process evolves than do external circumstances.

Reading the article, I visualized a cat's cradle of sorts where tension on one strand — say goal interdependence — is also felt on the power and relational strands. The resulting shape of the conflict thus shifts over time, which, as the authors note, requires adaptability on the part of disputants.

Leo Smyth offers a complementary model, also dynamic, in his contribution "Escalation and Mindfulness." Leo illuminates how unchecked irritation and preoccupation with the conflict and its dynamics can spark contentious tactics. Those tactics, in turn, deepen disputants' entrenchment and degrade their judgment. Differences that begin as practical problems become issues of principle. This amplification of conflict is not inevitable, but mental balance is required to counter the spiral. According to Smyth, this balance requires an integration of sensing, feeling, and thinking. Even this may not be sufficient, he cautions. In the hardest cases, we also need the creativity and courage to step outside conflict in order to see it — and ourselves — anew.

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