Editor's Note

This issue of *Negotiation Journal* spans highly diverse negotiation and conflict resolution contexts, including environmental negotiations, sports mediation, and the implications for mediators when one or more disputing parties suffers from a mental illness. In each of these contexts, we see how the negotiation process matters and how it can have implications in other contexts. The underlying theory of concessions and reciprocity in negotiations is also examined through the lenses of sociology, anthropology, etymology, and philosophy.

In a case analysis entitled "Municipal Leadership of Climate Adaptation Negotiations," Mark Williams, Alex Green, and Ella Kim describe effective tools and strategies used in flood control negotiations in Houston and seawall negotiations in Fort Lauderdale. In both cases, these municipal negotiations involved multi-party processes—with public goods and private interests at play—and considerable implementation challenges. Both cases offer excellent examples of how understanding interests and identifying options emerge over time, through stakeholder interactions, especially in the case of dynamic issues such as the impact of climate change.

In the public sector labor relations literature, it is well established that the political structure of city or county governments has considerable implications for collective bargaining. In these case studies of municipal negotiation, the authors contrast a strong mayor-driven system in Houston with a departmentally driven city management structure in Fort Lauderdale—with a new mayor driving change in the case of Houston and the public works office leading the effort in Fort Lauderdale. Both leaders needed to create coalitions to be successful, and both cases illustrate the interactions between structure and process in negotiations.

In his article, Paul Godin examines the mediation of high performance sports disputes, with a focus on the experience of the Sport Dispute Resolution Centre of Canada. These are frequently tense, emotionally charged, time-sensitive disputes involving elite athletes, national sports organizations, and complex criteria. Sports management is a growing field and this article is an important contribution; as the author notes, mediation in this domain has great potential but is still not widely utilized. This article also outlines the complex institutional architecture of a new mediation system, with various combinations of "med/arb," "resolution facilitation," process improvement feedback mechanisms, and other institutional innovations assembled together to best match the particular world of high performance sports.

In the alternative dispute resolution (ADR) literature, there has long been attention to the contrast between mandatory and voluntary

procedures. Over a twelve-year period, Godin reports a 94 percent settlement rate for voluntarily requested mediation, in contrast to the 46 percent rate for all cases combined during this period. He argues, however, that this reflects the types of disputes as much or more than whether or not the process is voluntary or mandatory—with more distributive issues more likely to escalate through the mandatory procedures. This has interesting general implications for the administration of ADR systems. Godin also presents concrete case examples of the use of brainstorming and other techniques in mediation that can help disputants unpack the issues and generate mutually beneficial outcomes that would be hard to achieve in a purely adjudicative process. For leaders considering the adoption of mediation systems in sports or other domains, these case examples make vivid the power of this process.

In "A Bridge over Troubled Water," Glen Hickerson focuses on the challenge of managing parties' mental illness in mediation. He addresses the common, unstated assumption that parties will operate within a "normal" range of mentally healthy behaviors. As Hickerson notes, however, parties in conflict may actually have a higher than normal likelihood of suffering from a mental health disorder. The article provides third parties with useful ideas about how to anticipate and address mental health issues, which, by definition, mean that one or more parties will be functioning with some form of impairment whose impacts can be unpredictable and even counterintuitive.

In his article, Hickerson reviews the literature on mental health in dispute resolution and examines some deeply embedded assumptions in our field. Rethinking such assumptions challenges us to adjust our own self-perceptions and worldviews, which can be disorienting. This article is to be commended for the ways it confronts and enriches our assumptions about the parties in dispute and the challenges they may face.

Finally, author Christian Thuderoz asks "Why Do We Respond to a Concession with Another Concession?" He defines concessions as movement designed to address the other party's desires, while compromise consists of concessions in which both parties renounce their positions—typically following a process of reciprocal concessions. Thuderoz asks, "What is the moral, practical, strategic and anthropological foundation of this mutual strategy of renouncing?" In exploring what compels negotiators to make concessions, Thuderoz draws on the work of such seminal thinkers as Max Weber, David Hume, and Jean-Jacques Rousseau. He identifies four explanations for the persistence of concession making but chooses no winner among them. Instead, this pervasive feature of negotiations emerges as over-determined. Thuderoz concludes that the consequences of ignoring concession-making can be costly.

Joel Cutcher-Gershenfeld