There are no data independent of theory, no observations not made from a perspective. Data alone do not tell us anything; they do not speak, but are interpreted by people.


**About this course:** This interdisciplinary course introduces students to important theoretical perspectives on our understanding of conflict, which has a profound impact on how we view conflict response. This class provides the necessary foundation and context for understanding and evaluating the dynamics of conflict interactions, and the assumptions underlying specific approaches to intervention.

After a general introduction to the concept of perspectivism and the connection between theories and perspectives, students will survey various perspectives on conflict and attendant theories. Specifically, students will explore the biological/physiological, social psychological, communication and sociological/political perspectives on conflict by reading and discussing major theoretical works within each perspective. Emphasis will be on comparing and distinguishing key dimensions of these theories, such as the nature and sources of conflict, conflict escalation, conflict resolution, and the nature of the third party role.

The class will follow an interactive format, using exercises and group discussion to draw upon personal experience and demonstrate the usefulness of each theory to understanding the experience of conflict, whether in the context of interpersonal, inter-ethnic, domestic or international disputes. Class participation is essential, which means that class preparation is essential.

**Readings:** Because this is a theory (as opposed to a primarily skills) course, there is a fair amount of reading, some of which is different than standard law texts. To the extent possible, I have distilled down the readings to accommodate the intensive schedule of this course. All readings are either in the course compendium or books that have been distributed to you in advance of the course. **Because of the intensive schedule, I strongly recommend you complete**
all readings in advance of the course. At a minimum, I will assume you have read and understood each reading assignment before the class in which it is covered.

Reading Worksheet: In order to assist with course readings, I have included a Reading Worksheet which is for your use as you complete the various readings. The worksheet can help you in three ways: First, it will assure that you are prepared for class, and have focused your efforts on understanding those portions of the readings that are most relevant (i.e., it supports selective skimming if you really, really must!). Second, it will help you remember things that you read before class, and save you the trouble of rereading. Third, it will help you organize your thoughts for the final paper as you go along at each class meeting, so it is not too large a project at the end.

Attendance and expectations: Timely attendance at all class sessions is mandatory. I hold high confidence in, and expectations of, you. I expect you will have completed all required readings and have given them serious, thoughtful and critical reflection in preparation for the class for which they are assigned. I further expect that you will come to class ready to use those readings in discussion and other activities designed to expand on, and challenge, the ideas contained in them. Your preparation will support both your, and your fellow classmates’ learning.

Grading: Your grade will be based on the following criteria:

- 20% Class participation and evidence of completed readings
- 20% Reflective journal
- 60% Final research paper of 12-15 pages

Class participation. This is not a lecture class where you can be a passive receptacle of information. It is designed to be interactive. You will learn best by becoming a fully engaged and participating member of the learning community. Understanding that each person contributes in their own ways (some are more expressive while others are more introspective and deliberate before contributing), we will have a variety of ways for you to contribute.

You will share responsibility for rating your level of preparation and participation. At the end of each class you will rate yourself, using the guidelines on the attached Participation Worksheet. I believe this approach accomplishes a couple of things. First, it makes you responsible for your own learning. And second, it also accommodates (to some extent) the uniqueness of each person’s learning and interaction styles, including the fact that what is active participation for someone who is quite introverted may be merely average engagement from someone else. Nonetheless, honesty is the best policy, and I reserve the right to override any rating that does not reasonably comport with my perception of reality (whether too lenient or too harsh)! Your Participation Worksheets will be collected at the end of each class.

Reflective journal (4-6 pages, excluding cover page): One of the more important outcomes of this class is your increased level of self-awareness as a conflict responder. I want you to address two questions in this journal (at least two pages on each question):

1) From our four (4) class sessions together, what are the most important insights or
lessons you have learned about yourself as someone who will work with conflict and lessons you have learned about the nature of conflict itself? You may refer to specific readings and/or exercises to respond to this question, but I do not want you to fill space describing the facts of any reading or exercise; and

2) How do these insights and lessons shape or inform your understanding of the law and your role as a lawyer?

I am not looking for an essay that you wrote off the top of your head; rather I will be grading you primarily on the degree to which you have challenged yourself to think deeply and critically about what we have studied. This reflective paper may take more time to write than you initially think.

Final research paper (12-15 pages, excluding cover page and bibliography): I have several objectives in assigning you this final paper. At the most general level, I want to encourage your critical thinking and ability to synthesize the material we covered. Second, I want you to identify a topic that you find personally interesting (but related to the course material) that you can explore in some depth. Finally, I want you to be able to demonstrate a cohesive treatment of a topic related to the analysis of (as opposed to response to) conflict. You may choose any topic you like related to the material we will cover. As a research paper, you will be graded on your analysis and critical treatment of the material (as opposed to your personal opinion). You should make appropriate reference to course readings, using proper citation format, and to relevant class discussion (giving proper attribution). Include a bibliography. You may, but are not required to, research and cite additional outside sources. We will discuss possible topics in class, and I encourage you to discuss your own ideas with me.

Technical Information for journal and paper: The reflective journal and final research paper should both be double-spaced, 12-point New Times Roman type face with one inch margins all around. Please indent new paragraphs. Identify yourself with your student number (which will be distributed to you on the first day of class) rather than name on your final paper and other submissions. If you want your paper and journal returned to you, you must also provide a pre-addressed large manila envelope (which will be separated from the papers before the professors receive the papers for grading).

When and Where Due: Both the reflective journal and final paper are due no later than 4:30pm, Monday, January 21, 2008 in the Hamline University School of Law Registrar’s Office (sixteen (16) days after the end of the course). You must keep a copy of both papers and obtain a time-stamped receipt for each when you turn them in. Students not residing in the Twin Cities may mail their papers to Debra Bergoff, Dispute Resolution Institute, 1536 Hewitt Ave., Ps. Paul, MN 55104. These papers must be post-marked no later than January 21, 2008. I strongly suggest you obtain a receipt from the post office in case you need to verify that the paper was mailed on time.
This syllabus is the result of an evolution in thinking over nine years, including important contributions of others besides Professor Fox. Ken wishes to acknowledge the important contributions of Professor Jack Schaffer, with whom Ken originally developed this course in 1997 and with whom he teaches the course in the Hamline University Graduate School of Management. Ken further acknowledges the role Professor Dorothy J. Della Noce played in the more recent development of this course. In turn, Dorothy would like to acknowledge her gratitude to Professors Joseph P. Folger and Randall K. Stutman, whose courses on Conflict Theory and Communication Theory at Temple University have had a profound influence on her work in the development of her teaching.

PLAN OF STUDY

WEDNESDAY, JANUARY 2
(9:00am — 4:30 pm)

Course overview and introductions

Introduction to Perspectivism
Perspectivism and Conflict Theory
Key questions in analyzing conflict theories for understanding perspective

Required reading:
Tab 1  Lisa Bingham, “When We Hold No Truths to be Self-Evident: Truth, Belief, Trust and the Decline in Trials” 2006 Journal of Dispute Resolution, No. 1 (Spring, 2006)

Individual, Social Identities and other Cognitive perspective (who we are in relation to conflict)

Biological Perspective

Required reading:

Additional Request for today:
We will be starting class with a discussion of the question “what is conflict?” To prepare for this discussion, I invite you to think about an important conflict in your own life that has had an impact on you, and that you would be willing to discuss (at least in general terms) with other class members (whether it is current or from the past). As a preliminary matter, we will talk about how to be respectful of such discussions and how to
protect classroom safety and confidentiality. I will not ask anyone to discuss any matter they would prefer not to disclose.

**THURSDAY, JANUARY 3**
*(9:00 a.m. to 4:30 p.m.)*

Cognitive and Social Psychological Perspective

**Required Reading:**

- **Text**
  *Social Conflict: Escalation, Stalemate, and Settlement, Third Edition*  
  Chapters 1, 2, 3, 4, 5, and 9. I also recommend chapters 10 and 11.

- **Tab 4**

**FRIDAY, JANUARY 4**
*(9:00 a.m. – 4:30 p.m.)*

Social Constructionist and Relational Perspective

Introduction to social constructionist and relational worldviews

Application of worldviews to conflict analysis

**Required Readings**

- **Tab 5**

- **Text**
  Chapters 1, 2, 3, and 5. I also recommend chapters 7 and 9

**SUNDAY, JANUARY 6**
*(9:00 a.m. – 4:30 p.m.)*

Relational perspective, continued

- **Relational theory**
- **Communication theories**

**Required Readings**

- **Tab 6**

**Social Structural perspective**
- systems theories
- social domination theory

**Required reading**

**Summary and Application**