

NEW DEVELOPMENTS

Morris Dees to Speak at ACR Annual Conference

ACR is proud to welcome Morris S. Dees, Jr. as the keynote speaker for the 2006 Annual Conference. As an attorney, humanitarian and civil rights activist, Mr. Dees has emerged as a prominent voice for the underrepresented in our society. Dees' keynote speech for ACR will address conflict resolution as it relates to antiracism work, civil rights and the continuing work of teaching tolerance.

Dees was born into a farming family in Shorter, Alabama. He attended the University of Alabama and as an undergraduate student founded a successful direct mail publishing business. After graduation from the University of Alabama School of Law, he relocated to Montgomery and opened a law office. It was here that he became actively involved in the civil rights movement of the 1960s. He began to take on unpopular cases that challenged white-dominated institutions such as filing suit against the construction of a white university in a town with a predominantly black state college and desegregating the Montgomery YMCA. He gave his new mission a public face in 1971 when he co-founded the Southern Poverty Law Center with his partner, Joseph J. Levin, Jr.

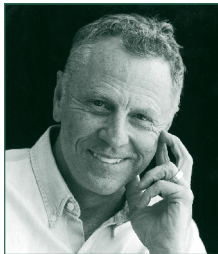
From its humble beginnings as a small civil rights

law firm, today the center is internationally known for its tolerance education programs, its legal victories against white supremacists and its tracking of hate groups. The Southern Poverty Law Center actively promotes diversity and fights to end racial hatred.

Today, Morris Dees serves as the Chief Trial Counsel for the Center. He devotes much of his time to suing white supremacist groups and developing the Center's Teaching Tolerance education project. A recipient of numerous honors and awards in conjunction with his human rights work, Mr. Dees is also an acclaimed author and autobiographer.

ACR's sixth Annual Conference, "Celebrating Our Past, Shaping The Future," will be held in Philadelphia, PA at the Sheraton Philadelphia City Center, October 25-28. With more than 160 workshops, lectures, panels and roundtable discussions touching on all aspects of the conflict resolution field, this will be an event you won't want to miss. Come reconnect with old friends and colleagues, make some new connections and enjoy all that the City of Brotherly Love has to offer!

Log onto <http://acrnet.org/conferences/ac06/ac06-homepage.htm> to learn more about Morris Dees and ACR's 2006 Annual Conference.



BOOK REVIEW

Reviewed by David Hoffman

The Blackwell Handbook of Mediation: Bridging Theory, Research, and Practice

Edited by Margaret S. Herrman. Blackwell Publishing, Oxford, 2006, 448 pages, \$119.95

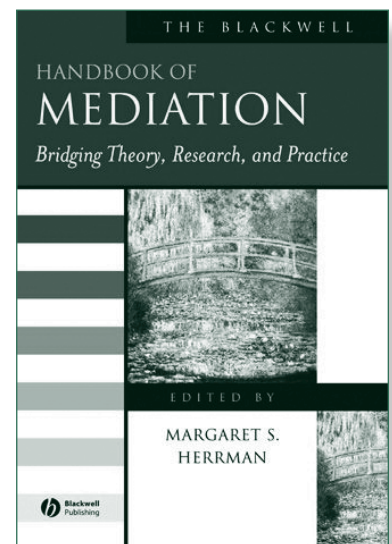
During the last 30 years, as mediation has become an ever-more common feature of civil justice systems and community life, mediation theory has raced to keep up with mediation practice. Researchers have recognized three problems that confound the development of sound theory.

First, the subtlety of cause and effect in the mediation room makes it difficult to observe, much less classify and measure, the behaviors that researchers seek to understand. Second, the complexity of the social and psychological systems that come into play in mediation requires a highly sophisticated systems-oriented lens through which to observe and analyze those behaviors and the contexts in which they occur. Third, the effects of culture, class, gender, race, ethnicity and a host of other variables influence not only the behaviors of the parties and the mediator, but also the perspectives of the researchers, thus complicating the task of developing theories of general application.

Combine these three obstacles with the ever-changing forms of mediation practice and one has reason to question whether theory will ever catch

up with practice. However, with the publication of Margaret Herrman's *The Blackwell Handbook of Mediation: Bridging Theory, Research, and Practice*, the mediation field has acquired new tools for closing the gap.

Published as part of an international series called "Blackwell Handbooks in Management," with titles covering such topics as entrepreneurship, personnel selection and organizational behavior, Herrman's book is in excellent company. Herrman's training is in sociology, but she is



also an experienced mediator and facilitator, and she has assembled some of the best and the brightest in the fields of mediation study and practice,

including Morton Deutsch, Craig McEwen, Gerald Monk, Dean Pruitt, Donald Saposnek, Daniel Shapiro, Mark Umbreit, John Winslade, Roselle Wissler and Zena Zumeta.

Herrman and her colleagues at the Mediation Skills Project at the University of Georgia, Jerry Gale and Nancy Hollett, wrote the lead essay in the book, "Mediation from Beginning to End: A Testable Model." The book proposes a comprehensive structure for understanding mediation examining antecedent conditions, the mediation itself, and the short- and long-term effects of mediation, with an emphasis on both extrinsic factors and those internal to the mediation process and participants. The book's other contributors respond to the lead essay and occasionally to each other's contributions, with 19 original essays that are exceptionally thoughtful and well written, on such topics as child custody mediation, workplace disputes, restorative justice and the emotional dimensions of mediation.

Researchers and policy-makers will find Herrman's book essential and practitioners and trainers will find it useful as well. It provides not only valuable insight about mediation practice but also a much-needed analytical framework that embraces complexity, subtlety and the rich diversity of backgrounds that we bring to the practice of mediation.

David Hoffman is a mediator, arbitrator and attorney at Boston Law Collaborative, LLC.

BOOK REVIEW

Reviewed by Tom Fisher

Shared Solutions: The 7 Steps for Resolving Issues and Solving Problems Successfully

by Danny Crossman

Lothian Books 2005, South Melbourne, Australia, 161 pages \$29.95

Crossman is one of Australia's most experienced conflict management practitioners and he has distilled decades of accumulated wisdom into this short but substantial volume. His scope is broad, encompassing dealing with conflict, organizational change, negotiation, problem solving, decision making and team building. But he does not sacrifice depth, for the book contains a collection of considered strategies, fleshed out with practical examples and is presented with admirable editorial and typographical clarity. It is not as catchy as *Getting to Yes*, which is a similar size, but has more depth.

Crossman's seven steps are necessarily generic and include: participation, preparation, establishing constructive dialogue, developing a shared understanding, designing an outcome and finalizing the process. These are discussed in a long central chapter and the remainder of the book concerns the application of his method in both every day and more extreme situations. The section on preparation is particularly strong, containing almost 20 pages on setting goals, identifying representatives and authorities, setting in place appropriate procedures, consultation and training—all

before the process begins!

Although not exclusively settlement-oriented, Crossman's focus is on problem-solving,

which somewhat diminishes the importance of clarification, empowerment and recognition as laudable outcomes in themselves. Sometimes it is helpful—even necessary—for a conflict to be sharpened and difference highlighted, so that parties realize that perhaps a more formal process is needed to take the next step. Thus, the chapter on "pushing the boundaries" into areas like sexual harassment, though a useful corrective to purely adversarial thinking, lacks depth and nuance.

Crossman's characterization of listening "as probably the crucial component of resolving issues" is a welcome reminder of a core skill. Nevertheless, this section is short and omits consideration of internal factors that make it difficult for us to hear others. Ineffective listening is not just a failure of technique but may relate to a failure to

understand our own motives and emotional flashpoints. Self-awareness is the bedrock of effective interaction with others and is a theme in a growing body of literature about conflict and change management.

These are minor quibbles about a book that packs a lot of information and insights. There is little brand-new information for specialists, but Crossman's repackaging of concepts



and strategies is thought-provoking, occasionally novel and potentially useful. It is an excellent introduction to the broad field of managing conflict and should be particularly helpful to those starting out or who have not engaged in formal study of the field.

Tom Fisher, Ph.D. is Coordinator of the Family Law Mediation Program at La Trobe University in Melbourne, Australia.