

Environmental Mediation and Conflict Resolution

Timea Spitka, Yaron Ben David, Sharon Benheim

Course description

This course explores the theory and the practice of mediation with an emphasis on environmental conflicts. In the first part of the course, students will get a general overview of conflict engagement and various approaches to mediation. Although the focus of the course will be environmental conflicts, a few of the classes will also touch upon mediating international and violent conflicts. Regional environmental conflicts such as in Ramat Hovav, Ein Gedi, and Nahal Tzalmon will be used to examine the mediation process. Students will gain some practical tools with hands-on experience in mediation. In the academic portion of the class, students will be expected to research a mediation topic of their choice.

Course Requirements

This course consists of seminars and workshops and as such participation and knowledge of the readings is a vital aspect of the class. The mid-term assignment will test some of the tools the students learned in class. The final essay will be on a topic of student's choice made in consultation with the lecturer. Students will be asked to present their research findings to the class.

Grading Components

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| Class Participation | 30 % |
| Mid Term Assignment | 20% |
| Presentation | 10 % |
| Final Essay | 40% |

Course Schedule and readings:

Lecture 1

Nature of Conflicts and Conflict Resolution - Introduction and Overview

Lecturer: Timea Spitka

Readings: Conflict Transformation - Conflict Research Consortium

<http://www.colorado.edu/conflict/transform/jplall.htm>

Hizkias Assefa, "Reconciliation", in Peacebuilding, A Field Guide, ed Reichler & Paffenholz, p. 336 - 343.

Alternative Dispute Resolution (ADR) - definition of mediation, negotiation & arbitration

<http://crinfo.beyondintractability.org/c101/26202.jsp>

Lecture 2

The Principles of Negotiation

Lecturer: Yaron Ben David

Readings: Antes, R. J.(1999). Is a stage model of mediation necessary?
Mediation Quarterly, 16(3): 287 – 301.
Riskin, L. (1996). Understanding mediators' orientations, strategies, and techniques: A grid for the perplexed. Harvard Negotiation Law Review, 1(7): 7 -51.
Mnookin, R. (1993). Why negotiation fail: An exploration of barriers to the resolution of conflict. Journal on Dispute Resolution, 8(2): 235-249.

Lecture 3 : Different types and stages of Mediation

Lecturer: Timea Spitka

Readings : Kathy Domenici & Stephen W. Littlejohn, Mediation, Empowerment in Conflict Management, Chapter 1
Ron Kraybill, "Designing the Mediation Process" ", in Peacebuilding, A Field Guide, ed Reichler & Paffenholz, p. 173 - 180
Thania Paffenholz, "Western Approaches to Negotiation and Mediation," in Peacebuilding, A Field Guide, ed Reichler & Paffenholz, p. 75 - 80
Lawrence Susskind & Laura van Dam, "Introduction", in Negotiating Environmental Agreements: How to Avoid Escalating Confrontation, Needless Costs, and Unnecessary Litigation, (Island Press:2000, p. 1 – 15

Lecture 4

Identity and Mediation - ARIA

Lecturer :Timea Spitka

Readings : Moore, C.W. (). "Strategies for dealing with special situations". The Mediation Process: Practical Strategies for Resolving Problems.

Moore, C.V. (). "Uncovering hidden interests of the disputing parties". The Mediation Process: Practical Strategies for Resolving Problems.

Broom, B.J. (). Managing differences in conflict resolution: The role of relational empathy. 97 – 111.

Schneider, C. D. (). What it means to be sorry: The power of apology in mediation. Mediation Matter, 265 – 280.

Lecture 5

Mediation Model: Framework and Process Part I

Lecturer: Yaron Ben David

Readings : Jay Rothman, Resolving Identity-Based Conflicts in Nations, Organizations and Communities, Chapter 1, 2 &3 (Chapter 1 & 2 required)

Mediating From War of Olives and Pines - to Agreements about a Park: Consensus Based Land Use Planning in a Multicultural Setting (Nahal Tzalmon, Israel)
http://www.pon.org/catalog/product_info.php?cPath=34&products_id=362

Lecture 6

Mediation Model: Framework and Process Part II

Lecturer: Yaron Ben David

Readings: Adler, R. S. et al (1998). Emotion in negotiation: How to manage fear and anger. *Negotiation Journal*, 14(2): 161 – 179.
Albin, C. (1993). The role of fairness in negotiation. *Negotiation Journal*, July: 223 – 243.
Cobb, S. (1993). Empowerment and mediation: A narrative perspective. *Negotiation Journal*, July: 245 – 259.

Wolski, B. (2002). Mediation settlement strategies: Winning friends and influencing people. *Bond Dispute Resolution News*, 12:7-20.

Lecture 7

Mediation to End Violent Conflict

Lecturer: Timea Spitka

Readings : Curran, Sebernius, & Watkins, "Case Analysis: Two Paths to Peace: Contrasting George Mitchell in Northern Ireland with Richard Holbrooke in Bosnia –Herzegovina", *Negotiation Journal*. Vol. 20. Issue 4, Oct. 2004.

Maney, Ibrahim, Higgins, Herzog, The Past's Promise: The Lessons from Peace Processes in Northern Ireland and the Middle East, *Journal of Peace Research*, Vol.43, no. 2, 2006, p. 181 - 200.

By George E. Irani, "Islamic Mediation Techniques for Middle East Conflicts"

<http://meria.idc.ac.il/journal/1999/issue2/irani.pdf>

Lecture 8: Social and Environmental Justice field trip preparation

Lecturer: Uri Gordon

Lecture 9

Social and Environmental Justice field trip

Lecture 10

Environmental Mediator “Environmental Mediation in Israel”

Lecturer : Timea Spitka and guest lecturer.

Lecture 11

Six hour simulation based on the Ramat Hovav case study

Lecturer: Timea Spitka and Yaron Ben David

Readings: Lawrence Susskind & Laura van Dam, Mutual Gains Approach, in Negotiating Environmental Agreements: How to Avoid Escalating confrontation, Needless Costs, and Unnecessary Litigation, (Island Press:2000), p. 17 – 40

II. Lawrence Susskind, Sarah McKearnan & Jennifer Thomas - Larmer, Chapter 8

Lecture 12 Student Presentations

Lecturer: Timea Spitka

Lecture 13 : Conclusions and summary

Lecturer: Timea Spitka