

**Theories of Conflict**  
**LAW 9335**  
**Fall 2012**

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Mondays from 3:00 – 5:00  
Law Classroom 04

*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.*

- Carol Gilligan (1993) Reply to critics. In M.J. Larrabee, An ethic of care: Feminist and interdisciplinary perspectives, 207-214. New York, NY: Routledge.

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### **About this course**

This interdisciplinary course introduces you to important theoretical perspectives on our understanding of conflict. We will examine the nature and dynamics of conflict and the assumptions on which we base our understandings. We will also examine the impact the various perspectives have on how each of us responds to conflict.

After a general introduction to the concepts of worldview and perspectivism, and the connection between these concepts and specific conflict theories, we will survey various perspectives on conflict and test them out in application. Specifically, we will explore the biological/physiological, psycho-dynamic, social psychological, symbolic/communication, social-constructionist, relational, and social-structural 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 response, and the nature of the third party role.

### **Learning Outcomes**

At the end of this course, you should be able to:

- Recognize how your own beliefs, values and life experiences inform the way you experience and relate to conflict;
- Understand how worldviews, ideologies and broad belief-systems shape our individual and collective understanding of conflict;
- Identify major theoretical approaches used to understand conflict;
- Be able to use these approaches to analyze specific conflict situations;
- Understand how these approaches to conflict analysis influence choices for appropriate conflict response; and
- Appreciate the strengths, usefulness and limitations of each approach used to analyze conflict.

## Conflict Theories - 2

To accomplish this, we will follow an interactive format, using regular group discussion and exercises to clarify and build upon our readings. We will be watching film clips, discussing case studies, and drawing on your own life experience to enrich our understanding of conflict, whether in interpersonal, inter-group, socio-cultural domestic or international contexts. **As a result, active class participation is essential, as are class attendance and preparation.**

### Attendance Policy

Although this is a theory course, as described above, class sessions are designed to be highly interactive, with a significant amount of learning and insight coming from class discussion and activities. Moreover, since this class meets only once each week, missing two classes is presumptively excessive and can be the basis for involuntary withdrawal from the course. If an emergence prevents your attendance, it is your responsibility to contact the professor as soon as is practicable. In addition, lateness and/or poor preparation will adversely affect your final course grade.

### Readings

This course has a fair amount of reading. I have tried to spread it out, but strongly recommend you plan ahead so as to pace your own reading. I will assume you have completed each reading before the class in which it is covered. We will read the following:

1. Rubin, J. Pruitt, D. and Kim, S. Social Conflict: Escalation, Stalemate and Settlement (MacGraw-Hill)
2. Regular additional readings are listed on the syllabus and posted on TWEN.

### Reading Worksheet

In order to assist with course readings, I have developed a *Reading Worksheet* for your use. 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. 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. The worksheet is posted on TWEN.

### Laptop/Tablet/Smart Phone/Electronic Device Policy

While electronic devices can be useful tools for taking notes and recalling readings and other course materials, they can also become a source of distraction (for you and your classmates). **Only TWEN and word processing programs** may be open on any electronic device during class, unless expressly instructed otherwise. Use of electronic devices for purposes unrelated to class (such as checking email, texting, participating in chat rooms, surfing the web, etc.) is prohibited – such use may result in not being allowed to use electronic devices in class for the balance of the semester and/or a grade reduction.

### Assessment and Grading

I use multiple ways to assess your learning. They are:

#### **On-line Discussions (combined 20%)**

You will participate in two (2) on-line discussions, which together will total 20% of your grade. Discussions will be posted on TWEN at different times over the course of the term. All students are expected to participate in the discussions and must make at least three (3) postings for each discussion: one (1) original substantial answer to the question(s) and a minimum of two (2) additional substantive responses to other students' original postings. Specific grading criteria are discussed at attachment 1 to this syllabus.

## Conflict Theories - 3

**Discussion 1:** Week of August 27 – September 9 (following week two). This discussion will focus on the idea of perspective in analyzing conflict. You will be expected to include in your postings reference to both readings and in-class activities. The specific question(s) will be posted on August 27. Your original post will be due by 11:55pm, September 2, with the additional required postings due no later than 11:55pm on September 9. Because of the Monday Labor Day holiday, this is an extended discussion period.

**Discussion 2:** Week of October 29 – November 4 (following week eleven). This discussion will focus on the differences between the individualist and constructionist perspectives we will have covered to date. You will be expected to include in your postings reference to both readings and in-class activities. The specific question(s) will be posted on October 29. Your original post will be due by 11:55pm on November 1, with the additional required postings due no later than 11:55pm on November 4.

### **Journal (25%)**

Due at 11:55pm, Tuesday, November 12, (to be submitted by uploading on TWEN). You will turn in one journal reflecting on what insights you are gaining about the way different perspectives on conflict relate to your professional and personal life. The purpose of the journal is to encourage you to be a purposeful and reflective professional. The specific assignment will be distributed in class.

### **Final Paper (45%)**

Due at 4:30pm, Friday, December 7 (to be submitted to the Law School Registrar's Office). You will write an in-depth 12 – 15 page (excluding cover page and bibliography) analysis of the film *12 Angry Men*. Details of the assignment will be distributed in class.

### **Class participation (10%)**

As discussed above, attendance, preparation and active participation are essential. Failure to fully and actively participate may lower your grade. Exceptional participation may raise your grade.

This syllabus is the result of an evolution in thinking since first teaching the course in 1997, including important contributions of others besides Professor Fox. Ken wishes to acknowledge the important role Drs. Jack Schaffer and Dorothy J. Della Noce played in the development of this current 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.

## Conflict Theories - 4

# Plan of Study

### Week 1 - August 20

#### Introduction to Perspectivism

Smith, R.C. & Eisenberg, E.M. (1987). *Conflict at Disneyland: A Root-Metaphor Analysis*, Communication Monographs, 54, 367-380.

Lisa Bingham, "When We Hold No Truths to be Self-Evident: Truth, Belief, Trust and the Decline in Trials" *2006 Journal of Dispute Resolution*, 131 (2006)

Nealon, J. and Giroux, S.S. (2003). *Ideology*. in The Theory Toolbox: Critical Concepts for the Humanities and Social Sciences (pps. 89-94). New York: Rowman and Littlefield.

Goleman, D. *Know Thyself*. In Emotional Intelligence. Bantom Books.

### Week 2 – August 27

#### Biological Perspective

International Herald Tribune, *Taming a Dangerous Urge*

Steven R. Quartz and Terrence J. Sejnowski, *Our Brains, Ourselves*. in Liars, Lovers and Heros: What the New Brain Science Reveals About How We Become Who We Are (Morrow, 2002)

Richard Birke, *Neuroscience and Settlement: An examination of Scientific Innovations and Practical Applications*, 25 Ohio St. J. on Disp. Resol. 477 2010 (Read introduction; skim sections 1 and 2; read carefully sections 3 and 4)

**On-line discussion #1 opens tonight and closes September 9.**

### Week 3 -- September 3

No class meeting in recognition of Labor Day

### Week 4 – September 10

#### Psychodynamic Perspective

##### Displacement theory

Volkan, V. (1994). *Precursors of the Concept of Enemies and Allies*. In The need to have enemies and allies: From Clinical Practice to International Relations (17-34). Northvale, NJ: Jason Aronson.

Volkan, V. (1994). *Ethnicity, Nationality and Related Concepts*. In The need to have enemies and allies: From Clinical Practice to International Relations (82-95). Northvale, NJ: Jason Aronson.

##### Social Identity theory

Brewer, M..(2001). *Ingroup Identification and Intergroup Conflict: When Does Ingroup Love Become Outgroup Hate?* In Ashmore, RD, Jussim, L. and Wilder, D Social Identity, Intergroup Conflict, and Conflict Reduction (pps. 17-41)

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### Week 5 – September 17

#### Learning theory

Kanfer, FH & Phillips, JS (1970). *The Behavioral Learning Model in Clinical Psychology*. In Learning Foundations of Behavioral Therapy. NY: John Wiley & Sons, pp. 51-91.

#### Social Confrontation Episode

Newell, W. and Stutman, R. *Negotiating Confrontation: The Problematic Nature of Initiation and Response*, in Research on Language and Social Interaction, Vol. 23, 1989/90: 139-162

### Week 6 – September 24

#### Cognitive/social psychological theories

**Text:** Rubin, J.Z., Pruitt, D.G. & Kim, S.H. (1994). Social Conflict: Escalation, stalemate, and settlement (2d ed.). New York: McGraw-Hill. Chapters 1, 2, 3 (I recommend chapters 5, 9, 10 and 11 if time permits). (Not posted on TWEN)

### Week 7 – October 1

**Application:** View film *Mirror-Mirror: Northern Ireland* and analyze based on theories studied so far. No new readings.

### Week 8 – October 8

#### Communication Perspective

Folger, J.P., Poole, M.S. and Stutman, R. *Communication and Conflict*. In, Working Through Conflict, (5th ed.). New York: Addison Wesley Longman, Chapter 1.

#### Rogers

Carl R. Rogers, On Becoming a Person: A Therapist's View of Psychotherapy. Mariner Books (1989), Chapters 2, 3 and 6.

### Week 9 – October 15

#### Introduction to Relational and Social Constructionist Perspective

#### Social Constructionist theory

Gergen, K. (1999). *Toward Relational Selves*. In An Invitation to Social Construction. Thousand Oaks, CA: Sage. Chapter 5.

Pearce, W.B. and Littlejohn, S.W. (1997). Moral conflict: When Social Worlds Collide. Thousand Oaks, CA: Sage. Chapters 1, 2, 3 and 5. (I also recommend chapters 6, 7 and 9 if time permits, which will also be posted).

### Week 10 – October 22

#### Discourse Analytic theory

Conley, J.M. and O'Barr, W.M (1998) *The Language of Mediation*, In Just Words: Law Language and Power. Chicago: University of Chicago Press.

## Conflict Theories - 6

Conley, J.M. and O'Barr, W.M (1998) *A Natural History of Disputing*, In Just Words: Law Language and Power. Chicago: University of Chicago Press.

Folger, J.P. and Bush, R.A.B. (1994). *Ideology, Orientations to Conflict and Mediation Discourse*. In New Directions in Mediation. Thousand Oaks: Sage.

### Week 11 – October 29

Application of Cognitive, Social Constructionist, and Discourse Analytic theories to models of Mediation. No new readings.

**On-line discussion #2 opens tonight and closes on November 4.**

### Week 12 – November 5

#### Structural Perspective

##### Social Structure Theory

Schellenberg, J. (1996). *Social Structural Theories*. In Conflict Resolution: Theory, Research and Practice. New York: SUNY Press.

Burton, J. (1993). *Conflict resolution as a political philosophy*. In D.J.D. Sandole and H. van der Merwe (Eds.), Conflict Resolution Theory and Practice: Integration and Application, pp.55-64. New York, NY: Manchester University Press.

##### Social Dominance Theory

Scott, J. Domination and the Arts of Resistance: Hidden Transcripts

##### Systems theories

Costantino, C.A., and Merchant, C.S: Designing Conflict Management Systems. San Francisco: Jossey Bass.

### Week 13 – November 12

Application of all theories to conflict situation: *View 12 Angry Men*.

**NOTE: Journal due by 11:55pm November 12 (upload on TWEN).**

### Week 14 – November 19

Group work and synthesis. No new readings.

**NOTE: Final paper due by 4:30pm on December 7 (delivered to Law School Registrar's office).**

**Attachment 1**  
**Theories of Conflict**  
**Fall 2012**

**Grading criteria for on-line discussions**

As provided in the course syllabus, “you will participate in two (2) on-line discussions, which together will total 20% of your grade. Discussions will be posted on TWEN at different times over the course of the term. All students are expected to participate in the discussions and must make at least three (3) postings for each discussion: one (1) original substantial answer to the question(s) and a minimum of two (2) additional substantive responses to other students’ original postings.”

With respect to both on-line discussions, you will be asked to “...approach these questions from the perspective of your work or professional experience and based upon your personal interactions. Be both thoughtful and practical. I am looking for the degree to which you seriously and deeply think about these questions.”

A “substantial” original posting will be several paragraphs in length and will respond to the discussion question(s) with some level of complexity and sophistication. Stronger postings will include *specific reference both to readings and to in-class discussions and simulations*, where appropriate. Strong participation will be evidenced by *the thoughtfulness in your original posting and how seriously and respectfully you engage in responding to, and building upon, the original postings and responses of your classmates*. With respect to additional postings, more than two (2) responses may influence your earned points with respect to “seriously and respectfully” engaging other postings. Based on these criteria, my grading is as follows:

Timely posting(s):	2
Directly addressed the question(s) presented:	3
“Seriously and deeply” thought about question(s):	6
Minimum of 1 original and 2 responsive postings:	3
“Seriously and respectfully” engaged other postings:	6
<b>Total possible points for each discussion assignment:</b>	<b>20</b>

19 – 20 points	A
17 – 18 points	A-
16 points	B+
15 points	B
14 points	B-
13 points	C+
12 points	C
11 points	C-
10 points	D+
09 points	D
08 points	D-
0 – 7 points	F