

Fundamentals of Jewish Conflict Resolution

Traditional Jewish Perspectives on
Resolving Interpersonal Conflicts

Studies in Orthodox Judaism

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Resolving Interpersonal Conflicts

HOWARD KAMINSKY

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לעילוי נשמת אבי מורי
ר' ישראל ב"ר משה קמינסקי ז"ל
נלב"ע ט"ו תמוז תשע"א
תנ"צ'ב'ה

In loving memory of my father
Israel Kaminsky ז"ל

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program in religion and education before Dr. Kuentzel; Rabbi Dr. Yitzchak Handel, who was my dissertation advisor; and Dr. Peter Coleman, the director of the International Center for Cooperation and Conflict Resolution, who was my teacher and served on my dissertation defense committee. I am indebted to them all and sincerely thank them for their guidance and encouragement during my time at Teachers College.

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This book was written in loving memory of my father, Israel Kaminsky, *z"l*. Born in Chmielnik, Poland in 1919, my father was a Holocaust survivor, an ardent Zionist, a devoted and loving parent, an extremely bright individual, who possessed many outstanding qualities, and he was my best friend. Without his influence, staunch and unwavering support, and encouragement, this book would certainly never have been written.

Preface

Conflict resolution theorists, who have developed their paradigmatic models of conflict resolution based on Western cultural values and principles of social psychology, have expressed concern about the cultural specificity of their approaches. Their concern is that, in developing their models of conflict resolution, they may have overlooked alternative orientations and perspectives that offer valuable contributions to conflict resolution theory and practice.¹ One of the clearest indications of this is that their models of conflict resolution often fail dismally in addressing the needs of religious communities whose ideologies and values differ significantly from those of Western culture. This realization has sparked a movement that has attempted to integrate conflict resolution theory and religious ethics. Professor Marc Gopin of George Mason University, who is at the forefront of this movement, has forcefully argued that through an understanding of religious approaches to resolving conflict, conflict resolution theorists may not only formulate models of conflict resolution that appeal to even the most traditionally religious groups, they may also come to broaden their own perspectives and incorporate key missing ingredients in the work that they do.²

1 See Morton Deutsch, introduction to *The Handbook of Conflict Resolution: Theory and Practice*, ed. Morton Deutsch and Peter T. Coleman (San Francisco: Jossey-Bass, 2000), 16; and Peter T. Coleman, concluding overview to *The Handbook of Conflict Resolution: Theory and Practice*, ed. Morton Deutsch and Peter T. Coleman (San Francisco: Jossey-Bass, 2000), 595–97.

2 Marc Gopin, *Between Eden and Armageddon: The Future of World Religions, Violence, and Peacemaking* (New York: Oxford University Press, 2000), 152–54, 167–95. See also S. Ayse Kadayifci-Orellana, “Ethno-Religious Conflicts: Exploring the Role of Religion in Conflict Resolution,” in *The SAGE Handbook of Conflict Resolution*, ed. Jacob Bercovitch, Victor Kremenyuk, and I. William Zartman (Los Angeles: Sage

Gopin has specifically bemoaned the fact that there is as of yet no “serious investigation of Jewish tradition” that explicates “a Jewish philosophy of conflict resolution.”³ Even though there exists a diverse and impressive body of literature in Hebrew that offers in-depth analyses of specific aspects of the traditional Jewish approach towards promoting peace and resolving conflict, and there are even a number of more extensive works that cover multiple topics, there is currently no scholarly work that presents in English an in-depth, systematic study of the major components of traditional Judaism’s perspective on conflict resolution. This book will attempt to take a small first step in trying to fill this void by explicating a Jewish paradigm of interpersonal conflict resolution.

The Focal Topic

Conflict resolution theorists, researchers, and practitioners differentiate between and categorize conflicts in a variety of ways. One of the primary ways that they categorize conflicts is to classify them as being either “interpersonal” (a conflict that takes place between two people, e.g., a husband and wife; two friends, neighbors, or coworkers; or two total strangers who meet in the street, and so on) or as being “intergroup” (a conflict that takes place between any two groups, e.g., conflicts between religious factions; social, ethnic, or racial groups; management and labor, and so on). My focus in this work will be on interpersonal conflicts (although for certain chapters one may find multiple applications to intergroup conflicts as well).⁴ Specifically, I will focus on the common, everyday interpersonal

Publications, 2009), 274–78; and Rachel Goldberg and Brian Blancke, “God in the Process: Is There a Place for Religion in Conflict Resolution?” *Conflict Resolution Quarterly* 28, no. 4 (2011): 386, 392.

3 Gopin, *Between Eden and Armageddon*, 194–95. See also Gerald Steinberg, “Jewish Sources on Conflict Management: Realism and Human Nature,” in *Conflict and Conflict Management in Jewish Sources*, ed. Michal Rones (Ramat Gan, Israel: Program on Conflict Management and Negotiation, Bar-Ilan University, 2008), 10.

4 Social psychologists have highlighted an array of phenomena that interpersonal and intergroup conflicts share. For example, both levels of conflict may accurately be described in terms of their underlying motivations, misunderstandings between the

conflict, and I will attempt to present what I believe to be the essential substance of traditional Jewish thought that relates to the prevention, amelioration, and resolution of such conflicts.⁵

It should be understood that all religious traditions have their own unique perspectives on peace and conflict.⁶ Judaism, with its

parties, breakdowns in communication, parties' tendencies to judge themselves favorably and the other party negatively, abilities to restrain emotional responses, competencies to reconcile differences in a rational and judicious manner, and their capacities to forgive each other (see Morton Deutsch, *The Resolution of Conflict: Constructive and Destructive Processes* [New Haven: Yale University Press, 1973], 7; and Deutsch, *Handbook of Conflict Resolution*, 6–9). Despite the similarities, there are very significant differences that exist between the dynamics of interpersonal conflicts and those of intergroup conflicts. For example, in intergroup conflicts, the parties exhibit a greater degree of difficulty in empathizing with and taking the other party's perspective, they act more irrationally and aggressively, and conflict escalates faster and to a higher degree than in interpersonal conflicts (see Amelie Mummendey and Sabine Otten, "Aggression: Interaction between Individuals and Social Groups," in *Aggression and Violence: Social Interactionist Perspectives*, ed. Richard B. Felson and James T. Tedeschi [Washington, DC: American Psychological Association, 1993], 145–67; and Joseph M. Mikolic, John C. Parker, and Dean G. Pruitt, "Escalation in Response to Persistent Annoyance: Groups Versus Individuals and Gender Effects," *Journal of Personality and Social Psychology*, vol. 72, no. 1 [1997]: 151–63). Therefore, one would be well advised to not indiscriminately extrapolate from the interpersonal realm to that of the intergroup.

- 5 Even though a good percentage of what I will be discussing could very well be designated as "conflict prevention" or as "conflict management" (a term that is often used in relation to cases in which conflict cannot be totally resolved, but its destructive effects are ameliorated; see, for example, Berghof Foundation, ed., "Conflict Prevention, Management, Resolution," in *Berghof Glossary on Conflict Transformation* [Berlin, Germany: Berghof Foundation, 2012], 18), I will be employing the terminology "conflict resolution." This reflects the standard usage of the term *conflict resolution*, which in many contexts encompasses the prevention and management of conflicts as well as their resolution (e.g., "conflict resolution" education teaches skills that are not only meant to resolve conflicts after they have developed but are also supposed to help prevent conflicts from developing and ameliorate the destructive effects of conflicts that cannot be resolved). For discussions of conflict terminology that lend support to the usage of the term *conflict resolution* as an umbrella term that encompasses the prevention, amelioration, and resolution of conflict, see Oliver Ramsbotham, Tom Woodhouse, Hugh Miall, *Contemporary Conflict Resolution*, 3rd ed. (Cambridge: Polity Press, 2011), 9–10; Berghof Foundation, "Conflict Prevention, Management, Resolution," 18; and Karin Aggestam, "Conflict Prevention: Old Wine in New Bottles?" *International Peacekeeping* 10, no. 1 (2003): 20.

- 6 For an overview of works on Jewish perspectives, see Daniel Roth, "Masoret Aharon Rodef Shalom ben Ish le-Ish ke-Model Rabani le-Fiyus" [The Tradition of Aaron Pursuer of Peace between People as a Rabbinic Model of Reconciliation] (PhD diss., Bar-Ilan University, 2012), 1–9. For examples of Christian perspectives, see Ronald G. Musto,

unique halakhic (see Glossary) emphasis on normative standards of behavior, has developed a *sui generis* set of principles and procedures for averting and responding to conflict. Within the vast corpus of traditional Jewish literature, there exists what may be viewed as various complex paradigms (conceptual and methodological models) of conflict resolution. Using the standard classifications of conflict resolution theorists, we may differentiate between Jewish paradigms of conflict resolution that relate to interpersonal conflicts and those that relate to intergroup conflicts, in which each individual paradigm encompasses a set of underlying values, fundamental concepts, prescriptive rules, and guidelines for addressing its specific form of conflict. I intend to traverse the spectrum of traditional Jewish texts and cull from Scripture, Mishnah, Talmud, Midrash, halakhic and ethical literature to elucidate a Jewish paradigm of interpersonal conflict resolution.

The Catholic Peace Tradition (New York: Peace Books, 2002); Ken Sendek, *The Peacemaker: A Biblical Guide to Resolving Personal Conflict* (Grand Rapids, MI: Baker Books, 2004); and Catherine Morris, "Conflict Transformation and Peacebuilding: A Selected Bibliography—Christian Perspectives on Conflict Transformation, Nonviolence and Reconciliation," Peacemakers Trust, accessed November 4, 2016, <http://www.peacemakers.ca/bibliography/bib40christian.html>. For Islamic perspectives, see Abdul Aziz Said, Nathan C. Funk, and Ayse S. Kadayifci, *Peace and Conflict Resolution in Islam: Precept and Practice* (Lanham, MD: University Press of America, 2001); Mohammed Abu-Nimer, *Nonviolence and Peace Building in Islam: Theory and Practice* (Gainesville, FL: University Press of Florida, 2003); and Elias Jabbour, *Sulha: Palestinian Traditional Peacemaking Process* (Montreat, NC: House of Hope Publications, 1996). For Buddhist perspectives, John Ferguson, "Buddhism," in *War and Peace in the World's Religions* (NY: Oxford University Press, 1978); David W. Chappell, *Buddhist Peacework* (Somerville, MA: Wisdom Publications, 1999); and Thich Nhat Hanh, *Being Peace* (Berkeley, CA: Parallax Press, 1987). For Hinduism, see Rajmohan Ghandi, "Hinduism and Peacebuilding," in *Religion and Peacebuilding*, eds. Harold Coward and Gordon S. Smith (Albany: State University of New York Press, 2004), 45–68; and Dawn Hibbard, "Conflict Resolution and Hinduism," accessed September 11, 2016, <https://www.kettering.edu/news/conflict-resolution-and-hinduism>. Some good general works include Gopin, *Between Eden and Armageddon*; Harold Coward and Gordon S. Smith, eds., *Religion and Peacebuilding* (Albany: State University of New York Press, 2004); and R. Scott Appleby, *The Ambivalence of the Sacred: Religion, Violence, and Reconciliation* (Lanham, MD: Rowman and Littlefield, 2000).

For the most part, I will not be addressing disputes that have escalated to the point that they would appropriately be adjudicated or handled through the traditional Jewish judicial procedures (e.g., *din Torah* [a legal procedure based on the strict letter of the law] or *pesharah* ["compromise," the parties agree to resolve their issues based on standards of equity, as perceived by a court or arbitral body]) and institutions (e.g., Jewish courts, arbitral bodies, or lay tribunals). Such disputes have their own unique sets of rules and guidelines in Jewish tradition, and thus rightly deserve a separate, extensive, and detailed analysis. I will be dealing with the types of commonplace interpersonal provocations, arguments, and conflicts that every human being faces (for many people on a regular, or even daily, basis), which are the source of so much heartache and anguish, and when not dealt with properly all too often escalate and threaten to shatter people's lives. The approaches to conflict resolution presented in this work (with a small number of exceptions) are meant to serve as ways in which two individuals who are involved in a conflict may potentially resolve their issues on their own without the assistance of any type of third party (*see footnote*).⁷ (This, however, does not mean to exclude the possible applicability or use of these approaches in the context of third-party interventions, e.g., counseling or mediation.)

The Choice and Organization of Subtopics

In order to explain how this work is organized, I first have to explain why I chose to focus on specific subtopics and the research that lead up to this. In 1997, I enrolled in a doctoral program in religion and education at Teachers College, Columbia University. Teachers College is home to one of the premier centers of conflict resolution education and research—the International Center for

7 When actually dealing with real-life, potentially destructive conflict in one's personal life, the reader will, hopefully, be able to recognize when he or she needs the assistance of a third party. In such situations, I would strongly encourage the reader to seek whatever help he or she may need.

Cooperation and Conflict Resolution (ICCCR).⁸ From the fall of 1998 through the spring of 2001, I attended the ICCCR and studied the theoretical foundations of negotiation, mediation, and arbitration, took their practicums in conflict resolution, and under their auspices did internships in community mediation and school-based conflict resolution education. From 2001 through 2004, I continued to do a considerable amount of independent research into conflict resolution curricula for my doctoral dissertation. Throughout this period, as part of my course work and doctoral research, I was exposed to a wide variety of models of interpersonal conflict resolution. As I was studying these models, I began to identify certain common denominators that they all seemed to share. I found five very broad and basic components⁹ that were present in veritabily all models of interpersonal conflict resolution: (1) they all had certain *fundamental, underlying values* on which they were based; (2) they were also all based on certain *fundamental, underlying theoretical concepts about conflict* (which are closely related to, but distinguishable from, the first category of underlying values); (3) they all included certain practical *behavioral guidelines and rules of conduct* that the disputing parties should follow in the process of resolving their differences; (4) they all asked the parties to engage in certain internal *cognitive processes*; and (5) they all had an *affective component*, that is, they all at some point dealt with the constructive expression of emotions and addressed the issue of anger management.¹⁰ (It should be noted that these are not totally separate and discrete categories, and that there is some overlap between them.) The first two components together serve

8 The ICCCR was founded by—and between 1986 and 1998 ran under the directorship of—Morton Deutsch, who for over fifty years was one of the leading figures in the field of conflict resolution. Peter T. Coleman, a renowned scholar and practitioner in the field, took over its directorship in 1998.

9 There are a multitude of other common denominators that these models share. My emphasis here is on fundamental, overarching commonalities.

10 For further elaboration on these five elements, see pp. 30–34.

as the foundation of any given model, and components three through five constitute the model's applied behavioral, cognitive, and affective components. After identifying these five essential components, I proceeded with my research into the traditional Jewish perspective on these elements of interpersonal conflict resolution.

Underlying Values and Concepts of Jewish Conflict Resolution. Having determined that any functional and effective model of interpersonal conflict resolution is invariably grounded in certain fundamental core values and theoretical concepts about conflict, the first thing I did in formulating what I believed to be a Jewish paradigm of interpersonal conflict resolution was to mine the traditional Jewish sources and search for comparable underlying values and concepts.¹¹ Working with the premise that many of Judaism's foundational values and concepts about conflict and conflict resolution were embodied within its "peace ethos" (i.e., its distinctive guiding values, beliefs, and attitudes that relate to peace, and conflict), I began to explore rabbinic perspectives on peace and conflict. The first step that I took in my research was to obtain and go through all the anthological compilations and major studies on Jewish perspectives on peace and conflict that I could find. I quickly discovered that there exist some very significant works on these topics.¹² After studying these works, I still felt compelled to do my

11 It should be understood that the underlying theoretical concepts of contemporary conflict resolution are "theoretical" in the sense that they constitute the theory behind its applied practices and procedures. Even though this definition is applicable to traditional Jewish conflict resolution's "theoretical" concepts, there are other connotations to the word "theory" that are not applicable. I will therefore generally avoid using the term *theoretical* when discussing Jewish conflict resolution's underlying concepts.

12 Some of the noteworthy works that discuss Jewish perspectives on peace and conflict include Marcus Wald, *Shalom: Jewish Teaching on Peace* (New York: Bloch Publishing Company, 1944); Joseph D. Epstein, *Mitzvot ha-Shalom: The Commandments on Peace; A Guide to the Jewish Understanding of Peace and Harmony in Interpersonal and Communal Life in Light of Torah* [in Hebrew] (Brooklyn: Torah HaAdam Institute Inc., 1987); Shmuel D. Eisenblatt, *Hayim shel Shalom: Hilkhot Isure Mahaloket*

own personal research. I therefore proceeded, starting from scratch, with basic searches of databases of rabbinic literature, using the search terms *shalom*, "peace," and *maḥaloket*, "conflict."¹³ After going through the painstaking process of looking up the original sources, figuring out what they were saying, and then attempting to analyze and categorize them, I sat down and formulated what I believed were classic rabbinic perspectives on peace and conflict. These would serve as the underlying values and primary concepts of the paradigm I was formulating. Salient highlights of the material that I compiled, analyzed, and categorized, in conjunction with what I gleaned from other works, are presented in Chapter 2, "Pursuing Peace and Refraining from Destructive Conflict."

The sources that I treat in Chapter 2 encompass many but far from all of the underlying values and concepts of Jewish conflict resolution. I was well aware that there are many other sources and topics that deal with other basic values and concepts that directly relate to Jewish perspectives on conflict resolution and deserve my attention. One of these was clearly the mishnah in *Pirke Avot* (*Chapters of the Fathers*) that discusses the concept of "a dispute for the sake of Heaven," which is one of the most well-known rabbinic sources that relates to conflict, and conflict resolution. In this mishnah, the Jewish sages established a basic typology of conflicts that sets forth standards by which one may identify and classify a conflict as being either constructive or destructive. The concepts set forth in this mishnah were subsequently expounded on by countless rabbinic scholars down through the centuries. I therefore decided that I would go through all of the major commentaries on *Pirke Avot* and search for exegetical motifs, or reoccurring expository themes, that relate to this mishnah and the concept of constructive/destructive conflict. An analysis of this mishnah in *Avot* and

(Jerusalem: n.p., 1989); and Avraham Meshi Zahav, *Dover Shalom* (Jerusalem: Shmuel Dov Eisenblatt, 1980).

13 In the *Taklitor ha-Torani* (*The Torah CD-ROM Library*) (Jerusalem: Disc Book Systems Ltd, 1999), CD-ROM, ver. 7.5, which as I started off my research was the only database of rabbinic literature that I had at my disposal, in talmudic literature alone (i.e., Tosefta, Jerusalem Talmud, Babylonian Talmud, and Minor Tractates), the word *shalom* appeared 1070 times and the word *maḥaloket*, "conflict," appeared 705 times.

a presentation of prominent exegetical motifs, in conjunction with some of my own conclusions about traditional perspectives on constructive conflict based on this material, are presented in Chapter 3, "Rabbinic Perspectives on Constructive Conflict: A 'Dispute for the Sake of Heaven.'"

Behavioral Guidelines and Rules of Conduct. All models of interpersonal conflict resolution contain certain behavioral guidelines and rules of conduct. The purpose of these guidelines and rules is to steer the disputing parties through the arduous process of resolving their issues in the most effective way possible, as perceived through the eyes of the formulators of the model, and in consonance with the model's underlying values and theoretical concepts. In Judaism, prescriptive norms and standards of proper conduct for veritably all realms of life—whether personal, religious, or social—are embodied within Halakhah (Jewish law; see Glossary). It therefore follows that any type of serious exploration of Jewish ethics and principles of human duty logically necessitates an in-depth study of Halakhah (see footnote).¹⁴ The *halakhot* (laws) that govern interpersonal conflict encompass manifold normative elements, or guidelines and rules. According to the Talmud (*Gittin* 59b), "the entire Torah¹⁵ is for the sake of *darkhe shalom* (literally: "paths of peace," i.e., promoting

14 A succinct and eloquent explanation of the central role that in-depth halakhic analyses play in defining an authentic Jewish ethic is offered by Eugene B. Borowitz, who writes that "Jewish teachers have long insisted that one finds the authoritative delineation of Jewish duty in the halakhah (rabbinic law). If so any ethics that claims to be authentically 'Jewish' ought to validate itself by Jewish standards, that is, by serious attention to the dialectical working out of the halakhah over the centuries" (Eugene B. Borowitz, *Exploring Jewish Ethics: Papers on Covenant Responsibility* [Detroit: Wayne University Press, 1990], 33). In addition to this, observance of Halakhah has historically formed the foundation of the Jewish religious experience (see Abraham J. Heschel, "Religion and Law," in *Between God and Man: An Interpretation of Judaism*, ed. Fritz A. Rothschild [New York: The Free Press, 1959], 155–61), and the halakhic value system was not subjected to the same "foreign" influences of other "Jewish" *Weltanschauungen* (see Joseph B. Soloveitchik, *The Halakhic Mind: An Essay on Jewish Tradition and Modern Thought* [New York: Seth Press, 1986], 100–102).

15 This may be understood literally—that the goal of all 613 commandments is the perfection of the human being (see *Genesis Rabbah* 44:1), which in turn should ultimately promote peaceful coexistence; see Joseph D. Epstein, *Torat ha-Adam*, vol. 2 (New York: Balshon, 1977), 9. Alternatively, when the Talmud uses the expression

harmonious and peaceful coexistence between people),” the implication being that the 613 *mitsvot* (commandments)¹⁶ and countless rabbinic enactments form a complex system of laws that are supposed to work together in order to promote peaceful coexistence. The question that I had to deal with, first and foremost, was which *mitsvot* and *halakhot* are directly related to interpersonal conflict resolution, which I would have to subsequently research in depth.¹⁷ Further complicating matters was the fact that from a traditional perspective, beyond the *halakhot*, which take the form of established rules of conduct and are binding in nature, there exists an entirely separate area of behaviors, character traits, and virtues that either are not viewed as technically being mandatory or for which neither the Torah nor the Rabbis set down definitive rules regarding their application. These elements have been traditionally categorized as *midot ḥasidut* (pious character traits) and *midot tovoṭ* (good, or desirable, character traits).¹⁸ Many of these (e.g., the traits of thinking before speaking, humility, remaining silent in the face of insults, patience, and so forth) seem to play an integral role in, and to a certain extent are inseparable from, the *halakhot* of interpersonal conflict resolution.

“the whole Torah,” it may simply be referring to the majority of commandments (for a similar usage, see Rashi, *Shabbat* 31a, s.v. *de-alakh sene*).

16 According to the Talmud, there are 613 biblical commandments in the Pentateuch; see *Makkot* 23b.

17 I fondly recall the first time I met Rabbi Dr. Daniel Roth, who is the director of the Pardes Center for Judaism and Conflict Resolution. Rabbi Roth had contacted me and wanted to discuss my doctoral dissertation, “Traditional Jewish Perspectives on Peace and Interpersonal Conflict Resolution.” One of the first questions he asked me was, considering the multitude of topics that relate to interpersonal conflict resolution, how did I decide to focus on the specific subtopics that make up my dissertation.

18 To be totally clear in regard to *midot tovoṭ*, from a traditional Jewish perspective, good character traits are absolutely essential to one’s personal development as a human being and as a Jew. However, when it comes to the exact application or implementation of *midot tovoṭ*, neither the Torah nor the Rabbis have established definitive binding rules that are applicable to all Jews in all circumstances (i.e., in all normal circumstances) in regard to these traits, as they have when it comes to *halakhot* (see Vidal Yom Tov of Tolosa, *Magid Mishneh*, in *Mishneh Torah* [Jerusalem: Shabse Frankel, 2002], *Hilkhoh Shekhenim* 14:5; and see Elijah ben Solomon, *Be’ur ha-Gera: Megilat Ester* [Jerusalem: Mossad Harav Kook, 2010] 10:3, p. 142).

After surveying the pertinent literature, I decided to distinguish between normative halakhic obligations and the aforementioned *midot*, putting the primary emphasis on halakhic obligations. This decision was primarily based on the premise that the binding and definitive nature of halakhic obligations reflects Judaism's view that these actions are essential, basic requirements that normally fall within the functional range of behavior of the average person (i.e., the average person is capable of performing them) and, as a general rule, they are applicable to the overwhelming majority of times, places, and situations. This is as opposed to those things that are nonobligatory in nature or are not formulated as established rules of conduct, which may be considered praiseworthy and actions that one should normally aspire to, but which the average person may often find excessively difficult to put into practice or may be highly variable in their applicability and implementation.¹⁹

In deciding on which *mitsvot* and *halakhot* I would focus on, I utilized R. Shmuel Eisenblatt's list of thirty-eight *mitsvot* that directly relate to conflict²⁰ as my starting point. I proceeded to narrow my focus to those things that I perceived as being fundamental features of Judaism's approach to the promotion of social harmony and peace, and constructive interpersonal conflict resolution. Going through R. Eisenblatt's list of commandments, I first chose six *mitsvot* that I believed to play pivotal roles in the prevention of destructive conflict and that serve major functions throughout the entire process of interpersonal conflict resolution. These include the foundational commandments that deal with love and hate (which embody some of the most basic interpersonal values and concepts of Judaism, and could therefore also arguably have been categorized as underlying values and concepts of Jewish conflict resolution), physical violence, and verbal abuse.²¹ The primary

19 I also emphasized halakhic obligations because of certain practical pedagogical concerns; see pp. 458–59. See also above, footnote 14.

20 Eisenblatt, *Hayim shel Shalom*, 17–56.

21 In addition to these six *mitsvot*, and those that are discussed in the following paragraphs in the text, interspersed throughout this work I will also touch on other fundamental commandments and laws that are highly pertinent to interpersonal

sources and pertinent normative obligations of these six *mitsvot* are elucidated in Chapter 4, “Basic Interpersonal Obligations and Prohibitions.”

By far the most basic and essential element of Jewish interpersonal conflict resolution (that does not require a third-party intervention), which in my mind is the centerpiece of the paradigm I present, is the halakhic obligation of *tokhaḥah* (literally “reproof”) *for interpersonal offenses*. *Tokhaḥah* for interpersonal offenses, which in halakhic literature is classified as a biblical commandment with definitive guidelines and rules, basically requires one to respond to an interpersonal provocation by going over to the person who committed the offense and discussing the matter with the offender in a respectful manner. Having extensively researched the primary and secondary sources that deal with this topic, I present the major highlights of my research in Chapter 6, “*Tokhaḥah*: Judaism’s Basic Approach to Resolving Interpersonal Conflict through Dialogue.”

Viewing *tokhaḥah* as the primary halakhic response to an interpersonal provocation, that means to say, how one preferably *should* respond, the next logical element to explore would be how one should *not* respond. How according to Halakhah one should not respond could theoretically encompass a number of different *mitsvot*, but clearly two of the most prominent are the biblical commandments against taking revenge and bearing a grudge. Aside from the all-important behavioral aspects of these prohibitions in relation to conflict, the discussions in the traditional Jewish sources revolving around taking revenge and bearing a grudge also encompass what I believe to be an important cognitive component. The traditional sources that discuss taking revenge and bearing a grudge are not only replete with prescriptive standards of conduct that are inherently behavioral in nature, they

conflict (e.g., the prohibition of “holding on to a quarrel” [*Sanhedrin* 110a], which serves as the general prohibition against engaging in destructive conflict, and the commandment of *ve-halakhta bi-drakhav*, “And you shall walk in His ways” [Deut. 28:9], which requires that one emulate God’s attributes of being compassionate, gracious, slow to anger, and so on).

also offer various reasons for these injunctions. These explanations, which were offered by rabbinic authorities down through the ages, are not only of theoretical interest; they also provide ideas and concepts that, when thought about and contemplated, may assist in cognitively restructuring the way a person perceives and feels about an interpersonal provocation. They may thereby incorporate a significant part of the requisite cognitive component of interpersonal conflict resolution as well (see below, under “Cognitive Processes”). This is all to be elaborated on in Chapter 7, “Retaliation and Resentment: Not Taking Revenge (*Nekamah*) and Not Bearing a Grudge (*Netirah*).”

The next topic that I felt was of vital importance and deserved an in-depth treatment was forgiveness—that is, the halakhic requirements of asking and granting forgiveness for interpersonal offenses. Aside from the empirical research that stresses the integral role of apologies and forgiveness in conflict resolution,²² there were other compelling reasons to focus on forgiveness. First, it was clear from the traditional sources that forgiveness is an absolutely indispensable part of the reconciliation process, and, remarkably, there were relatively few in-depth halakhic studies on forgiveness. Even those few studies, as extremely valuable as they were, did not cover what I considered to be certain very basic concepts. Such disregard of a practical and fundamental requirement by contemporary authors was not only hard to fathom, but heightened the need for this topic to be researched and elucidated at length.²³ My analysis of the

22 For a sampling of this research, see the sources cited on pp. 401–2, nn. 264–72.

23 For me, this called to mind something R. Aryeh Leib Poupko wrote in the name of his father, the “*Hafets Hayim*,” R. Israel Meir ha-Kohen (Kagan, 1838–1933): “[For my father] when it came to those commandments that people would show disrespect for, he would emphasize them to a greater extent. On a number of occasions, he cited the words of the *Sefer Ḥasidim* [authored by R. Judah of Regensburg, 1150–1217] that a mitzvah which people neglect, is comparable to a *met mitsvah* [an “abandoned corpse,” which according to Halakhah one is required to attend to and whose needs override other religious obligations], which gives it precedence over everything else.” Aryeh Leib ha-Kohen Poupko, *Dugma mi-Darkhe Avi*, in *Kol Kitve Ḥafets Ḥayim ha-Shalem*, vol. 3 (New York: Avraham Yitsḥak Friedman, n.d.), subsection 67, p. 9.

halakhot of asking and granting forgiveness for interpersonal offenses is presented in Chapter 8, “Apologies: The Asking and Granting of Forgiveness.”

Cognitive Processes. As I pointed out earlier, all full-fledged models of interpersonal conflict resolution contain behavioral, affective, and cognitive components. In other words, in addition to promoting certain ways of acting (the behavioral component) and certain ways of dealing with a person’s natural emotional responses to conflict (the affective component), they also ask the parties to engage in certain mental processes, and offer various things for the parties to think about and contemplate, that means to say, a cognitive component.²⁴ All of these components, taken in conjunction with each other, are supposed to facilitate effective conflict resolution. From among the *mitsvot* that relate to conflict resolution, there is one that clearly stands out as being cognitive in nature—the commandment to judge others favorably. In order to adequately understand Judaism’s perspective on judging others favorably, one needs to be familiar with the halakhic guidelines of this mitzvah, and a number of related perspective-taking concepts (such as, “Do not judge your friend until you are in his place” [*Avot* 2:4]; *kabdehu ve-ḥashdehu*, “You should respect him and suspect him” [based on *Kallah Rabbati*, chap. 9]; and others). Chapter 5,²⁵ “Judging People Favorably: Countering Negative Judgmental Biases,” will present an overview of the commandment, its requirements, and related concepts.

²⁴ See pp. 31, 297, and 450–51.

²⁵ The placement and order of the chapters in this work were based on a number of factors. One factor was that I wanted to follow the (logical) order in which the topics appear in the Pentateuch (i.e., the mitzvah of judging people favorably is based on Lev. 19:15, then there is the mitzvah of *tokhahah*, Lev. 19:17, and then the commandments regarding revenge and bearing a grudge, Lev. 19:18). Having Chapter 5 deal with judging people favorably, which begins the fourth section of the book, Basic Commandments and Laws of Interpersonal Conflict Resolution, also reflects the vital role that judging people favorably plays throughout the process of interpersonal conflict resolution, starting from even before one attempts to engage in dialogue with the other party.

The Affective Component—Anger Management. An essential part of any type of viable model of interpersonal conflict resolution is its system of anger management. In traditional Jewish sources, there exists a wealth of material that discusses the deleterious effects of anger and offers an array of strategies for controlling it. A number of contemporary authors have compiled some very impressive anthologies on the topic of anger in traditional Jewish sources.²⁶ In examining these works, I realized that the majority of the strategies and suggestions for controlling anger that appear in them can be found in one form or another in the two seminal monographs on the topic of anger in traditional Jewish sources—R. Abraham Jelen's *Orekh Apayim*, which was first published in 1906, and R. Moshe Levinson's *Ma'aneh Rakh*, which was first published in 1911. *Orekh Apayim* and *Ma'aneh Rakh* were not only the first Jewish anthologies that specifically focused on anger, they also offered fully developed, detailed systems of anger management. I therefore decided to analyze R. Jelen's and R. Levinson's works (which, for some reason, have never received the attention that they most assuredly deserve) and to highlight the major behavioral, cognitive, and affective elements for dealing with anger that they offer. In focusing on these works, I believe that I have been able to encapsulate most (if not all) of the principal approaches for controlling anger that appear in the traditional literature. This material is presented in Chapter 9, "Jewish Anger Management."

The First Chapter and the Conclusion. This book, which is a revised version of my doctoral dissertation, is based on approximately eight years of research into the modern theory and practice of conflict resolution and Jewish approaches to conflict resolution. In studying contemporary conflict resolution and comparing it with traditional Jewish approaches, I became acutely aware of the fact that despite the many similarities between the two, there also exist fundamental differences between them, which I felt needed to be discussed. Therefore, as an introduction to this work, the first

26 See p. 409, n. 4.

chapter presents an overview of the field of contemporary conflict resolution. This chapter introduces many of the basic concepts of conflict resolution and will help facilitate comparisons and contrasts between contemporary and Jewish approaches, which appear at the end of each chapter and are summarized in the conclusion.²⁷ Also, in order to facilitate informed and accurate comparisons and contrasts between contemporary and Jewish approaches in relation to apologies, forgiveness, and anger management, I have included relatively lengthy summaries of contemporary theories and research on apologies and forgiveness, and contemporary approaches to anger management at the end of the respective chapters that address these topics.

I believe that some fair warning is called for regarding the sections in which I compare and contrast contemporary approaches with the traditional Jewish approaches. Even though I have tried to present this interdisciplinary material in as clear and accessible a manner as possible, a good percentage of these sections consist of some highly involved discussions that may possibly confuse the average reader who is not familiar with the specific areas of contemporary conflict resolution that are discussed and the traditional Jewish literature that deals with interpersonal relations. For those who may be confused by, or are not interested in, these discussions, I have made sure to present these sections as stand-alone units that may be readily skipped without any serious loss in the understanding of the traditional Jewish approaches, which are the primary focus of this book.

My interest in contemporary conflict resolution and Jewish approaches to conflict resolution has stemmed from my desire to teach about conflict resolution, specifically those aspects that people can actually put to good use in real-life situations. As a result, throughout my research, I have always tried to focus on

27 In studying contemporary conflict resolution and traditional Jewish approaches, one may find a remarkable amount of similarities and differences. I have attempted to highlight only a select number of elements that I believe to be of major import and are clearly discernible from the material I have researched.

those elements that have real-world, practical applicability, and that could be used in curriculum development and teaching (*see footnote*).²⁸ This is clearly reflected in this book. The first chapter's overview of contemporary conflict resolution emphasizes school-based conflict resolution education, which, as a general rule, focuses on interpersonal conflict resolution that does not necessitate the intervention of a third party; and in the conclusion, I touch on various issues that relate to conflict resolution education.

The chapters of this book are divided into six sections: Part I—Introductory Essay (Chapter 1); Part II—Foundational Values and Concepts (Chapters 2 and 3); Part III—Foundational Commandments and Laws (Chapter 4); Part IV—Basic Commandments and Laws of Interpersonal Conflict Resolution (Chapters 5, 6, 7, and 8); Part V—The Affective Component—Anger Management (Chapter 9); and the Conclusion.

In engaging in a work such as this, one faces multiple analytical and expository challenges. As with all types of research, fundamental questions of objectivity and accuracy must be raised. The interpretation of traditional Jewish texts is particularly susceptible to all sorts of distortions, fanciful assumptions, superficial readings, inaccurate translations, judgmental bias, and so forth. When explicating any intricate and complex topic, one must constantly struggle with reductionist tendencies, search for clear and concise definitions, and conceptualize and present the subject matter in a coherent, systematic, and well-organized fashion. Even though it is my intention to do justice to the topics that I cover by providing clear and accurate explanations, I am quite aware of the difficulties in discerning the shortcomings of one's own work, for "Who can discern [his own] errors" (Psalms 19:13). Therefore, if while reading through this work one comes across any mistakes,

28 However, it should be self-evident that this book is not in any way meant to serve as a practical halakhic guide.

PREFACE

I would be indebted if the reader would inform me about them. I would also greatly appreciate any comments, feedback, and pertinent sources that relate to the subject matter that I discuss. I can be contacted at HGK10@aol.com.

This work employs a system of Hebrew transliteration that is similar to the one used by the American Library Association and the Library of Congress (which can be used for searches in the OCLC WorldCat network of library catalogs).²⁹

²⁹ For a simplified description of the system I have used, see Paul E. Maher, *Hebraica Cataloging: A Guide to ALA/LC Romanization and Descriptive Cataloging* (Washington, DC: Cataloging Distribution Service, Library of Congress, 1987), 71.

PART I

Introductory Essay

CHAPTER 1

Contemporary Conflict Resolution: An Overview of the Field and the Core Components of Its Educational Programs

Conflict resolution is an exceptionally broad and highly complex field. Conflict resolution scholars and professionals have developed an intricate and sophisticated network of theory, research, and practice that encompasses a remarkably diverse spectrum of views and orientations. To be able to fully grasp the nature of the field of conflict resolution, one has to be familiar with an enormous amount of information that would go far beyond the scope of what could possibly be presented in this introductory essay. What I intend to do here is to present a basic overview of the field that will hopefully give the reader a rudimentary understanding of its fundamental concepts and will be useful for comparisons to Jewish approaches that will be discussed later on in this work. We will begin with a simple definition of the term “conflict resolution” and by delineating the three major fields of study that are associated with it.

Conflict Resolution: The Different Fields of Study

There is considerable disagreement among conflict resolution theorists, researchers, and practitioners about many of the basic definitions and concepts of conflict resolution, including what exactly is meant by the expression “conflict resolution.” *The Encyclopedia of Conflict*

Resolution offers a definition of conflict resolution that understands it in the broadest possible terms:

The term *conflict resolution* is used broadly to refer to any process that is used to end a conflict or dispute in a peaceful way . . . Used in this way, *conflict resolution* refers to all judicial processes and alternative dispute resolution techniques—negotiation, mediation, arbitration—as well as consensus building, diplomacy, analytical problem solving, and peacemaking. In short, it involves all nonviolent means of solving interpersonal, intergroup, interorganizational, or international problems.¹

In contrast to this definition, there is a more nuanced one that appears in the scholarly literature, which differentiates between the fields of “peace studies” and “alternative dispute resolution,” each with its own unique orientation and emphasis, and conflict resolution, which incorporates elements from peace studies and alternative dispute resolution, but is considered a distinct field in and of itself. John Stephens, a professor at the University of North Carolina, offers a conceptual framework that may be very helpful in explaining all of this.

Stephens suggests that we may conceive of the three fields—peace studies, alternative dispute resolution, and conflict resolution—as being spread across a continuum of “social change” and “system maintenance,” that is, whether they challenge and/or perpetuate certain values of the present social order:²

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- 1 Heidi Burgess and Guy M. Burgess, eds., *Encyclopedia of Conflict Resolution* (Santa Barbara: ABC-CLIO, 1997), s.v. “Conflict Resolution, Conflict Management, and Dispute Settlement.”
 - 2 John B. Stephens, “‘Gender Conflict’: Connecting Feminist Theory and Conflict Resolution Theory and Practice,” in *Conflict and Gender*, ed. A. Taylor and J. Beinstein Miller (Cresskill, NJ: Hampton Press, 1994), 217–35; cited in Peter T. Coleman and Morton Deutsch, “Introducing Cooperation and Conflict Resolution into Schools: A Systems Approach,” in *Peace, Conflict and Violence: Peace Psychology for the 21st Century*, ed. Daniel J. Christie, Richard V. Wagner, and Deborah Du Nann Winter (Upper Saddle River, NJ: Prentice Hall, 2001), 224–25.

PEACE/CONFLICT FIELDS OF STUDY:

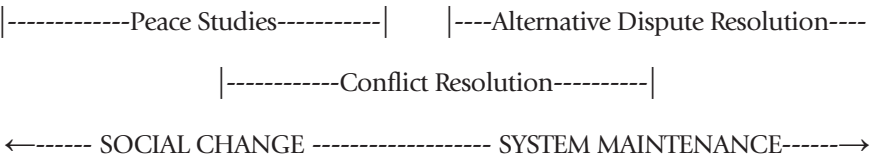


Fig. 1. Diagram situating the fields of Peace Studies, Alternative Dispute Resolution, and Conflict Resolution along a continuum of social change and system maintenance. Adapted from Stephens, “Gender Conflict,” figure 10.1 (permission granted by publisher).

Using Stephens’s framework, I will briefly discuss the fields of peace studies and alternative dispute resolution. I will then focus and elaborate on the field of conflict resolution.

Peace Studies

At one extreme (appropriately situated to the left of the diagram) is the field of peace studies, which is seen as challenging many of the values of the present social order. This field of study, its programs of education, and its associated areas of activism generally deal with a wide range of global concerns.³ Peace theorists, educators, and activists attempt to promote ideas such as the peaceful resolution of conflicts, social justice, the inherent dignity and worth of all human beings, universal human rights, human interdependence, global consciousness, and planetary stewardship. In practical terms, these

3 For a comprehensive introduction to the field of peace studies, see David P. Barash and Charles P. Webel, *Peace and Conflict Studies* (Thousand Oaks, CA: Sage Publications, 2002); and Ho-Won Jeong, *Peace and Conflict Studies: An Introduction* (Burlington, VT: Ashgate Publishing, 2000). For a general overview of the field and an excellent introduction to peace education, see Betty A. Reardon, *Comprehensive Peace Education: Educating for Global Responsibility* (New York: Teachers College Press, 1988); for an encyclopedic exposition of the field, see Javier Perez de Cuellar and Young Seek Choue, eds., *World Encyclopedia of Peace*, 2nd ed., 8 vols. (Dobbs Ferry, NY: Oceana Publications, 1999).

are translated into the abolishment of war and armed conflicts and the minimization of all forms of violence, including “structural violence.” Structural violence is a key concept that was formulated by Johan Galtung (see p. 13) and is used within this field to identify the consequences of those social, political, and economic structures that lower the quality of life of particular groups or classes of people.⁴ With a focus on structural violence, peace advocates encourage initiatives that will eliminate poverty, hunger, disease, oppression, and discrimination. (Some peace theorists have also expanded the concept of peace to encompass humankind’s interactions with the “living earth” and its ecosystem, which explains the work that they do for the protection of the environment and its resources.)⁵

It is primarily in relation to peaceful coexistence—that means to say, resolving conflicts using peaceful means, repudiating all types of violence, and the cultivation of positive human relationships—that the fields of peace studies and conflict resolution (which will be defined below) intersect. Writing in 1988, Betty Reardon (who is one of the pioneering figures of peace education) pointed out that, even though a clear distinction must be drawn between the fields of peace studies and conflict resolution, some peace educators are inclined to give particular prominence to the area of conflict resolution. Reardon also pointed out that there was a growing convergence between the two fields, particularly at the university level, where many programs combine the two fields under the title “peace and conflict studies.”⁶

4 Johan Galtung, “Violence, Peace, and Peace Research,” *Journal of Peace Research* 6, no. 3 (1969): 167–91.

5 Loreta N. Castro, “Peace and Peace Education: A Holistic View,” in *World Encyclopedia of Peace*, ed. Javier Perez de Cuellar and Young Seek Choue, 2nd ed., vol. 4 (Dobbs Ferry, NY: Oceana Publications, 1999), 166, 168; Jeong, *Peace and Conflict Studies*, 8, 29; Reardon, *Comprehensive Peace Education*, 29–32, 43, 59, 61; and Charles W. Kegley, Jr. and Geoffrey G. Kegley, “Global Environment and Peace,” in *World Encyclopedia of Peace*, ed. Javier Perez de Cuellar and Young Seek Choue, 2nd ed., vol. 2 (Dobbs Ferry, NY: Oceana Publications, 1999), 320.

6 Reardon, *Comprehensive Peace Education*, 15. Evidence of this trend can be clearly seen in the *Global Directory of Peace Studies and Conflict Resolution Programs*, which profiles over 450 undergraduate, master’s, and doctoral programs in forty countries. (Peace and Justice Studies Association and International Peace Research Association Foundation, *Global*

Alternative Dispute Resolution

At the other extreme of the Peace/Conflict Fields of Study continuum is the field of alternative dispute resolution (ADR). ADR is an umbrella term that refers to the resolution of potential legal disputes through various methods that do not involve litigation (i.e., the process of carrying on a lawsuit). The three primary processes of ADR are negotiation, mediation, and arbitration.⁷

The term *negotiation*, in the context of ADR, carries with it a somewhat specific denotation. According to *Black's Law Dictionary*, negotiation is "a consensual bargaining process in which the parties attempt to reach agreement on a disputed or potentially disputed matter."⁸ Negotiation differs from the other two primary processes of ADR, of mediation and arbitration, in that in negotiation the parties involved maintain complete autonomy and attempt to resolve their dispute without the intervention of any type of third party.⁹ An extensive and in-depth body of literature surrounding the topic of negotiation theory and practice has developed over the past fifty years.¹⁰ According to Stephen Ware, a well-known legal scholar

Directory of Peace Studies and Conflict Resolution Programs, accessed January 21, 2012, <http://www.peacejusticestudies.org/globaldirectory> [site discontinued].)

7 Stephen B. Goldberg, Frank E. A. Sander, and Nancy H. Rogers, *Dispute Resolution: Negotiation, Mediation, and Other Processes*, 2nd ed. (Boston: Little, Brown and Company, 1992), 3. For a concise general introduction to ADR, see Jacqueline M. Nolan-Haley, *Alternative Dispute Resolution in a Nutshell*, 3rd ed. (St. Paul, MN: Thomson/West Publishing, 2008); for a more extensive treatment, see Stephen J. Ware, *Alternative Dispute Resolution* (St. Paul, MN: West Group, 2001); and for a comprehensive treatment, see Edward A. Dauer, *Manual of Dispute Resolution: ADR Law and Practice*, 2 vols. (Deerfield, IL: Clark, Boardman, Callaghan, 1995); and Joey Gillan, ed., *Corporate Counsel's Guide to Alternative Dispute Resolution Techniques* 64 (2002).

8 Bryan A. Garner, ed., *Black's Law Dictionary*, 7th ed. (St. Paul, MN: West Group, 1999), s.v. "negotiation."

9 Ibid; see also Nolan-Haley, *Alternative Dispute Resolution*, 16–17.

10 For an introduction to negotiation theory and practice, see Roger Fisher, William Ury, and Bruce Patton, *Getting to Yes: Negotiating Agreement without Giving In*, 2nd ed. (New York: Penguin Books, 1991); Roy J. Lewicki, David M. Saunders, and John W. Minton, *Essentials of Negotiation* (Boston: Irwin/McGraw-Hill, 1997); J. William Breslin and Jeffrey Z. Rubin, eds., *Negotiation Theory and Practice* (Cambridge, MA: Program on Negotiation Books, 1991); and Gary Goodpaster,

whose expertise is in ADR, “approaches to negotiation are as varied as negotiators themselves.”¹¹ As a result of the diversity of theories and approaches that exist, it is somewhat difficult to make any type of ironclad generalization regarding the modern practice of negotiation. One predominant framework that is used to classify the diverse principles and procedures of negotiation differentiates between approaches that are “competitive” and those that are “cooperative.” In conflict resolution literature, numerous appellations for these two very different approaches can be found:¹²

Competitive	Cooperative
Adversarial	Problem-Solving
Positional	Interest-Based
Distributive	Integrative
Distributional	Principled
Win-Lose	Win-Win

Fig. 2. Diagram of common terms that are often used synonymously to differentiate between competitive and cooperative approaches to negotiation. Adapted from Ware, *Alternative Dispute Resolution*, Diagram 3–5 (reprinted with permission of West Academic).

In negotiation that is “competitive,” the attainment of the goals of the parties in conflict are seen as being mutually exclusive and the parties are generally arguing in a manner that is combative and oppositional. In negotiation that is “cooperative,” the respective goals of the parties are seen as being potentially compatible and the parties are attempting to work together to find a mutually agreeable resolution. Cooperative negotiation is one of the prominent features of the field of conflict resolution, and will be discussed later (see pp. 27–28).

A Guide to Negotiation and Mediation (Irvington-on Hudson, NY: Transnational Publishers, 1997).

11 Ware, *Alternative Dispute Resolution*, 146.

12 Ibid., 146–47.

The second primary process of ADR, mediation, is basically facilitated negotiation.¹³ It uses an impartial third-party mediator who assists the disputants through the negotiation process. A mediator has no power to impose a decision on the parties involved and is supposed to remain neutral throughout the proceedings.¹⁴ Just as there is an extensive body of literature that discusses the theory and practice of negotiation, there exists an equally extensive body of literature that discusses the theory and practice of mediation.¹⁵ Two of the most prominent approaches to mediation, and correspondingly negotiation, are known as the “problem-solving approach” and the “transformative approach” (see the explanations on pp. 27–29).

In arbitration (also known as “binding arbitration”), the third primary process of ADR, a claimant and respondent present their dispute in front of a neutral third party who has been empowered to render and impose a decision regarding their case. Arbitration is markedly different from the other two primary processes of ADR, and similar to litigation in that it is categorized as a form of “adjudication,” in which somebody (an adjudicator) is empowered to decide how the dispute will be resolved.¹⁶ It should be noted that, in addition to the primary processes of negotiation, mediation, and

13 Ibid., 201.

14 Ibid.; Gillan, ed., *Guide to Alternative Dispute Resolution*, 1.005; cf. Goldberg, Sander, and Rogers, *Dispute Resolution*, 103–4.

15 See the reference sections of Jay Folberg and Alison Taylor, *Mediation: A Comprehensive Guide to Resolving Conflicts without Litigation* (San Francisco: Jossey-Bass, 1984); Christopher W. Moore, *The Mediation Process: Practical Strategies for Resolving Conflict* (San Francisco: Jossey-Bass, 1984); and Karen G. Duffy, James W. Grosch, and Paul V. Olczak, eds., *Community Mediation: A Handbook for Practitioners and Researchers* (New York: Guilford Press, 1991).

16 Ware, *Alternative Dispute Resolution*, 5 n. 12, 19; cf. Gerry W. Beyer and Kenneth R. Redden, *Modern Dictionary for the Legal Profession*, ed. Margaret M. Beyer, 2nd ed., (Buffalo, NY: William S. Hein & Co., 1996), s.v. “alternative dispute resolution,” who explain alternative dispute resolution as “dispute resolution by peaceable processes other than adjudication [emphasis mine].” They, as various other authors, are evidently using the term adjudication as a synonym for litigation. Bryan A. Garner, *A Dictionary of Modern Legal Usage* (New York: Oxford University Press, 1987), s.v. “adjudication,” quotes Leff, who asserts that the terms *adjudication* and *litigation* are synonymous. In Garner’s opinion, this is a “slipshod extension [that] should be eschewed.”

arbitration, there are also many innovative “hybrid” ADR processes, which combine these three processes in various ways.¹⁷

In Stephens’s view, ADR supports system maintenance for three reasons: it generally does not challenge the “adversarial, legal mechanism,” it has a tendency to focus only on the surface manifestations of what may be deeply rooted conflicts, and it does not stress the potentially educative-transformational role of conflict.¹⁸ The overlap between the fields of ADR and “conflict resolution,” as we will see later (p. 26), is primarily in the areas of negotiation and mediation.

The Field of Conflict Resolution

Conflict resolution (understood as a distinct field in and of itself) is an extremely complex field that is difficult to readily sum up and fully grasp. This is particularly true when taking into consideration the overlap and differences between conflict resolution, peace

17 Goldberg, Sander, and Rogers, *Dispute Resolution*, 3. Some of the most popular hybrid processes include “Med-Arb” (a combination of mediation and arbitration, in which, if the parties cannot resolve their dispute through mediation, they then resort to arbitration), “Non-Binding Arbitration” (the parties have the option of rejecting the arbitrator’s decision and requesting that the case be adjudicated through regular litigation), “Ombudsmanship” (“[a]n ombudsperson is a neutral individual employed by a company to assist employees in resolving workplace disputes . . . these individuals hear complaints, engage in fact finding, and generally promote the resolution of disputes through informal methods such as mediation and counseling” [Nolan-Haley, *Alternative Dispute Resolution*, 259]), “Mini-Trials” (a mini-trial does not resemble any sort of actual trial; according to Dauer, it is “a blended procedure, incorporating elements of advocacy and persuasion, adjudication, evaluation, negotiation, mediation, and information management all in one” [Dauer, *Manual of Dispute Resolution*, 11.17; cf. Ware, *Alternative Dispute Resolution*, 268; Nolan-Haley, *Alternative Dispute Resolution*, 146–47]), and “Conciliation” (according to Garner, *Black’s Law Dictionary*, 7th ed., s.v. “mediation,” “the distinction between mediation and conciliation is widely debated”).

18 Stephens, “Gender Conflict,” 218, 220–21, 223. Stephens’s perspective reflects the views of John Burton (1915–2010), who was at the forefront of the field of conflict resolution for over forty years. See Howard G. Kaminsky, “Traditional Jewish Perspectives on Peace and Interpersonal Conflict Resolution” (Ed.D. dissertation, Teachers College, Columbia University, 2005), 33–34, ProQuest (document ID 305013218).

studies, and ADR, and that conflict resolution is an interdisciplinary field,¹⁹ which, together with its own original insights and perspectives, has synthesized a multiplicity of concepts, theories, terminologies, and methodologies from a wide and diverse spectrum of disciplines (e.g., international diplomacy, law, religion, anthropology, sociology, communications, history, philosophy, and all branches of psychology). In order to attain a decent basic understanding of the field of conflict resolution, one would be well advised to be somewhat familiar with a number of these interdisciplinary elements. Therefore, I will begin by highlighting some of the major historical contributions of other disciplines that have helped to shape the field, and aided in its enormous growth and influence.

Contributions from Other Disciplines

Organizational Psychology. Violent labor conflicts in the 1920s and 1930s precipitated an early and major strand of conflict resolution theory and practice. The pioneering work of Mary Parker Follet (1868–1933) in the field of organizational psychology (which deals with workplace-related issues, such as labor–management relations) laid the groundwork for what modern conflict resolution characterizes as “constructive conflict.” From 1924 to 1933, Follet became a featured speaker at some of the most important business conferences of that period. Her proposed theories of business management advocated what is today referred to as an “integrative problem-solving approach,” which basically means, a mutual-gains approach that seeks win–win solutions. Follet was extremely influential—her theories have been adopted by an overwhelming percentage of contemporary conflict resolution theorists and practitioners.²⁰

19 See Jacob Bercovitch, Victor Kremenyuk, and I. William Zartman, introduction to *The SAGE Handbook of Conflict Resolution* (Los Angeles: Sage Publications, 2009), 1.

20 See Mary Parker Follett, *Dynamic Administration: The Collected Papers of Mary Parker Follett*, ed. Henry C. Metcalf and L. Urwick (New York: Harper and Brothers, n.d.), 16–17, 30–49; Albie M. Davis, “An Interview with Mary Parker Follet,” in *Negotiation Theory and Practice*, ed. J. William Breslin and Jeffrey Z. Rubin (Cambridge, MA: Program on Negotiation Books, 1993), 13–25; Alan C. Tidwell, *Conflict Resolved: A Critical Assessment*

The Field of International Relations. In the early part of the twentieth century, responding to World War I, scholars began to apply scientific methods in the investigation of the causes and processes of conflict in an attempt to develop ways to avoid its escalation and potential devastating results.²¹ The field of international relations continued throughout the last century, and will no doubt continue for the foreseeable future, to be a major impetus for the academic study of alternative methods for preventing and resolving conflicts. From within this field emerged the Research Exchange on the Prevention of War, in the early 1950s, which was headed by Herbert C. Kelman (1927–), Kenneth Boulding (1910–1993), and Anatol Rapoport (1911–2007), who were to become three of the leading figures in the field of conflict resolution in the twentieth century.²² In 1957, in collaboration with scholars from various disciplines, Kelman, Boulding, and Rapoport began to publish the *Journal of Conflict Resolution*, which, since its inception, has been one of the premier sources of conflict resolution theory and research.²³ In the 1960s, Kelman, together with John Burton (1915–2010), developed analytic problem-solving workshops to deal with deep-rooted international conflicts.²⁴ These workshops proposed that the key to resolving serious conflicts was to focus in on and address underlying and often unspoken “needs,” of the sort put forth by Paul Sites’s “control theory” and Abraham Maslow’s “hierarchy of needs,” which hypothesized that, beyond basic survival and security needs, there are other universal needs, such as recognition, justice, and self-actualization.²⁵ This fundamental concept of focusing on

of *Conflict Resolution* (New York: Pinter, 1999), 10–11; Burgess and Burgess, *Encyclopedia of Conflict Resolution*, vii, s.v. “Mary Parker Follet”; and Oliver Ramsbothom, Tom Woodhouse, and Hugh Miall, *Contemporary Conflict Resolution*, 3rd ed. (Cambridge: Polity Press, 2011), 38, 47

21 Burgess and Burgess, *Encyclopedia of Conflict Resolution*, vii.

22 Herbert C. Kelman, “Reflections on the History and Status of Peace Research,” *Conflict Management and Peace Science* 5, no. 2 (1981): 95–98.

23 Ibid.

24 Tidwell, *Conflict Resolved*, 12–15.

25 John Burton, *Conflict: Resolution and Prevention* (New York: St. Martin’s Press, 1990), 36, 92–98; John Burton, ed., *Conflict: Human Needs Theory* (New York: St. Martin’s

underlying needs in resolving conflicts is applicable to all levels of conflict (i.e., interpersonal, intergroup, and international); it is mentioned frequently in conflict resolution literature; and it plays a crucial role in cooperative negotiation (see p. 28).

Social Psychology. Theories of personality, group dynamics, cooperation and competition have had a lasting and far-reaching impact on the field of conflict resolution. The work of Kurt Lewin (1890–1947), one of the pioneers of modern social psychology, laid the groundwork for the theories and research of Morton Deutsch (1920–2017).²⁶ Deutsch's insights and work on "social interdependence," which analyzes the factors that promote competition or cooperation, have supplied a considerable amount of the theoretical basis for modern conflict resolution.²⁷ Over the past fifty years, Deutsch's theories have been continuously quoted, argued, refined, and enriched by hundreds (if not thousands) of scholars. In conjunction with this strand of theory, there was also the integral contribution of "game theory" (the mathematical study of conflict strategies), which has allowed social scientists to formulate, quantify, and study situations of cooperation/competition in concrete and even mathematical terms.²⁸

The Civil Rights and Peace Movements. In the 1960s, the civil rights and peace movements not only provided important

Press, 1990), viii; and Joseph A. Scimecca, "Self-Reflexivity and Freedom," in Burton, *Conflict: Human Needs Theory*, 206.

26 Specifically, Lewin's "field theory," which attempts to analyze the interaction of interdependent factors that affect a person's behavior. See Kurt Lewin, *Field Theory in Social Science; Selected Theoretical Papers* (New York: Harper and Row, 1951), 240; Morton Deutsch, "Field Theory in Social Psychology," in *The Handbook of Social Psychology*, vol. 1, 2nd ed., ed. Gardner Lindzey and Elliot Aronson (Reading, MA: Addison-Wesley Publishing, 1968), 412–87; and Morton Deutsch, "A Theory of Cooperation and Competition," *Human Relations* 2, no. 2 (1949): 129–52.

27 Morton Deutsch, "A Personal History of Social Interdependence—Theory, Research, and Practice," accessed November 7, 2016, http://www.tc.columbia.edu/i/a/document/9450_APersonalHistoryofSocialInterdependence_TheoryResearchandPractice.pdf; and David W. Johnson and Roger T. Johnson, "New Developments in Social Interdependence Theory," *Genetic, Social, and General Psychology Monographs* 131, no. 4 (2005): 285–358.

28 Morton Deutsch, "Sixty Years of Conflict," *The International Journal of Conflict Management* 1, no. 3 (1990): 237–263; and David W. Johnson and Roger T. Johnson, *Cooperation and Competition: Theory and Research* (Edina, MN: Interaction Book Co., 1989), 7–8.

conceptual insights into conflict and spurred the development of new approaches to conflict resolution, but they also served the vital functions of raising public awareness about conflict and inspiring a new societal mind-set about inalienable human rights.²⁹ Johan Galtung (1930–; one of the leading theorists in the field of peace and conflict studies in the twentieth century)³⁰ relates how, after studying the situation in Rhodesia in 1965, he came to expand the concept of “violence” from simple physical violence to include unintentional social injustices, which he termed “structural violence.”³¹ This new way of looking at violence led to his development of the constructs of “negative peace” (absence of physical violence) and “positive peace” (promulgation of social justice):

An extended concept of violence leads to an extended concept of peace . . . peace also has two sides: absence of personal [physical] violence, and absence of structural. We shall refer to them as *negative peace* and *positive peace* respectively.”³²

Galtung’s reconceptualizations of violence and peace have become some of the most often cited and influential concepts in peace and conflict studies.

29 Burgess and Burgess, *Encyclopedia of Conflict Resolution*, vii; and Tidwell, *Conflict Resolved*, 12–15.

30 It should be noted that Galtung’s standing and reputation as a peace scholar has suffered greatly due to apparently anti-Semitic views that he has expressed. See Benjamin Weinthal, “Swiss Group Suspends ‘Anti-Semitic’ Norway Scholar,” *Jerusalem Post*, August 9, 2012, <http://www.jpost.com/International/Article.aspx?id=280726>; and Ofer Aderet, “Pioneer of Global Peace Studies Hints at Link between Norway Massacre and Mossad,” *Haaretz*, April 30, 2012, <http://www.haaretz.com/news/diplomacy-defense/pioneer-of-global-peace-studies-hints-at-link-between-norway-massacre-and-mossad-1.427385>. Cf. “TRANSCEND International’s Statement Concerning the Label of Anti-Semitism against Johan Galtung,” accessed March 3, 2013, <https://www.transcend.org/galtung/statement-may-2012>.

31 Johan Galtung, “Twenty-Five Years of Peace Research: Ten Challenges and Some Responses,” *Journal of Peace Research* 22, no. 2 (1985): 145; Galtung, “Violence, Peace, and Peace Research,” 171.

32 Galtung, “Violence, Peace, and Peace Research,” 183.

The American Judicial System. Starting in the 1960s, an overburdened American judicial system precipitated the development and promotion of alternative dispute resolution procedures.³³ A considerable percentage of conflict resolution theory and practice has developed from, and is based in, this context. In 1979, the Harvard Negotiation Project (HNP) was started at Harvard Law School. The HNP is perhaps best known for its development of “principled negotiation,” as described in the international bestseller *Getting to Yes: Negotiating Agreement Without Giving In*, by Roger Fisher, Bill Ury, and Bruce Patton. First published in 1981, *Getting to Yes* has been translated into twenty-five languages and has become the singular most popular work of modern conflict resolution. The often-cited methods advocated by the HNP center around four major elements of negotiation: separating the people from the problem, focusing on underlying interests and not the stated positions, coming up with inventive options for mutual gain, and insisting on the use of objective criteria in resolving disputes.³⁴

Religion. In 1972, thanks to the efforts of a group of teachers who were members of the Religious Society of Friends (the Quakers, one of the historic “peace churches”), the Creative Response to Conflict program (CRC, originally called the Children’s Creative Response to Conflict program) was founded. The CRC was one of the pioneer organizations of conflict resolution education. The conceptual base for this program was grounded in Christian pacifism and the teachings of the Quakers, who at the time provided nonviolence training to various constituencies.³⁵ Since then, the CRC’s handbook, *The Friendly Classroom for a Small Planet*,³⁶ has attained the status of one of the classic texts of

33 Burgess and Burgess, *Encyclopedia of Conflict Resolution*, vii; and Dauer, *Manual of Dispute Resolution*, 2.02.

34 See Fisher, Ury, and Patton, *Getting to Yes*; and the Harvard Negotiation Project’s website, accessed November 9, 2016, http://www.pon.harvard.edu/research_projects/harvard-negotiation-project/hnp/.

35 Richard J. Bodine and Donna K. Crawford, *The Handbook of Conflict Resolution Education: A Guide to Building Quality Programs in Schools* (San Francisco: Jossey-Bass, 1998), 89–91.

36 Priscilla Prutzman et al., *The Friendly Classroom for a Small Planet: A Handbook on Creative Approaches to Living and Problem Solving for Children* (Gabriola Island, BC, Canada: New Society Publishers, 1988). Originally published in 1974.

conflict resolution education. The original overarching themes that the CRC emphasized were cooperation, communication, affirmation (recognizing and appreciating the positive qualities in oneself and others), and creative conflict resolution. As the field of conflict resolution expanded, several subthemes, such as bias awareness and creative problem solving, emerged as requisite areas of study.³⁷ It should be noted that even though the CRC's program was originally geared towards elementary schools, the developers of this program had made a concerted effort to emphasize experiential learning and develop highly stimulating educational material and activities. As a result of this, a good amount of this material has been used in conflict resolution training for teenagers and adults, even at the graduate school level.³⁸ Another noteworthy and more recent strand of conflict resolution that is grounded in religious teachings is an approach called "conflict transformation." Conflict transformation, which was developed by John Paul Lederach and is based on principles of the Anabaptist-Mennonite tradition, emphasizes the potentially positive aspects of conflict and the need to focus on the parties' underlying relationship patterns in order to achieve long-term positive outcomes.³⁹

The Core Components of Conflict Resolution's Educational Programs

It is no simple matter to accurately identify contemporary conflict resolution's core components. There is a vast array of elements that can be seen as being absolutely vital to the constructive

37 Priscilla Prutzman, Judith M. Johnson, and Susan Fountain, *CCRC's Friendly Classrooms and Communities for Young Children: A Manual for Conflict Resolution Activities and Resources* (Nyack, NY: Creative Response to Conflict Inc., 1998); and Bodine and Crawford, *Handbook of Conflict Resolution Education*, xxv, 89–91.

38 A number of these activities are used by Teachers College, Columbia University's International Center for Cooperation and Conflict Resolution in their Basic Practicum in Conflict Resolution and Mediation.

39 John Paul Lederach, *The Little Book of Conflict Transformation* (Intercourse, PA: Good Books, 2003); and Marc Gopin, "Conflict Resolution as a Religious Experience: Contemporary Mennonite Peacemaking," in *Between Eden and Armageddon: The Future of World Religions, Violence, and Peacemaking* (New York: Oxford University Press, 2000), 139–66.

resolution of conflicts based on contemporary conflict resolution theory and what is being practiced in the field. I would by no means be so presumptuous as to offer my own personal opinion as to what those elements are. However, I would argue that some of the best resources to help identify these core components are the popular conflict resolution education programs and their curricula, particularly the top-rated ones that are heavily grounded in theory and research, and incorporate the best practices from the field. Some of these programs have been around since the 1960s and 1970s, and have been continuously evolving. They have taught conflict resolution skills to millions of students, and may serve as an excellent indicator of what is being emphasized by theorists, researchers, and practitioners of conflict resolution. This is especially true when it comes to the skills of interpersonal conflict resolution that does not involve an intermediary, which is a main focus of these educational programs.

When one surveys the major conflict resolution education programs and curricula, one becomes aware that there are many commonalities in their themes and content. In the following section, I will highlight the main themes and core content of these programs and curricula, and offer examples of how they attempt to teach the foundational skills of conflict resolution.

Conflict Resolution Education

Most of the major conflict resolution education programs and curricula were developed for teaching conflict resolution skills in a school-based setting, and thus are geared for elementary and secondary school students, ranging from kindergarten to twelfth grade. The overall goal of these programs is to impart to young people the theoretical understanding and the practical experience necessary to constructively deal with conflict in their lives.⁴⁰ As such, conflict resolution programs form

40 Bodine and Crawford, *Handbook of Conflict Resolution Education*, 13; cf. William L. Carruthers et al., "Conflict Resolution as Curriculum: A Definition, Description, and

a significant part of the larger field of “social and emotional learning,” which teaches life skills, social competencies, and values that help promote physical and mental well-being and facilitate positive interpersonal relationships.⁴¹ In reviewing conflict resolution programs,⁴²

Process for Integration in Core Curricula,” *The School Counselor* 43, no. 5 (May 1996): 353.

- 41 See Maurice J. Elias et al., *Promoting Social and Emotional Learning: Guidelines for Educators* (Alexandria, VA: Association for Supervision and Curriculum Development, 1997). Many social and emotional learning programs, and conflict resolution programs, in developing the themes and methodologies of their curricula, have been guided or influenced by the recommendations of John Mayer of the University of New Hampshire and Peter Salovey of Yale University. Mayer and Salovey have designated the following three intrapersonal and two interpersonal competencies as absolutely essential to one’s social and emotional development: (1) *self-awareness* (i.e., the recognition of one’s emotions and understanding the underlying reasons for why one feels as one does); (2) *self-regulation of emotion* (this refers to the controlling of negative impulses such as aggression, coping with anxiety and depressive tendencies, and the mobilization of positive feelings such as self-esteem); (3) *self-motivation* (which focuses on such capacities as being able to set realistic short- and long-term goals, the ability to draw on untapped resources of optimism, and the marshaling of the requisite emotions when confronted by setbacks; Elias et al. group self-motivation with *self-monitoring*, which refers to the modification of one’s performance in light of feedback); (4) *empathy and perspective taking* (these basically require one to be a good listener and to understand, and to be sensitive to, others’ points of view and feelings); and (5) *the effective handling of relationships* (included in this category is the constructive expression of emotions, the development of effective communication skills, the ability to cooperate when faced with diverse feelings and viewpoints, and responding to difficult situations using constructive decision-making and problem-solving skills). Elias et al., *Promoting Social and Emotional Learning*, 27–30; Daniel Goleman, *Emotional Intelligence* (New York: Bantam Books, 1995), 42–44; and Peter Salovey, Christopher, K. Hsee, and John D. Mayer, “Emotional Intelligence and the Self-Regulation of Affect,” in *Handbook of Mental Control*, ed. Daniel M. Wegner and James W. Pennebaker (Englewood Cliffs, NJ: Prentice Hall, 1993), 258–77. For a slightly different, revamped version of these core competencies, see Collaborative for Academic, Social, and Emotional Learning, <http://casel.org/why-it-matters/what-is-sel>.
- 42 I have reviewed numerous conflict resolution programs, and I have decided to focus on the following influential and popular programs and source material: (1) the Teaching Students to Be Peacemakers Program, as described in David W. Johnson and Roger T. Johnson, *Teaching Students to Be Peacemakers*, 4th ed. (Edina, MN: Interaction Book Co., 2005). This program was originally developed in the mid-1960s at the University of Minnesota; it is *heavily* grounded in theory and research, and has served as the prototype for many conflict resolution programs. It has been reviewed and is highly rated by the United States government’s

I have found seven prominent themes that they focus on: (1) cooperation, (2) communication, (3) perspective taking, (4) anger management, (5) decision making and problem solving, (6) "principles of conflict resolution," and (7) bias awareness.⁴³

Substance Abuse and Mental Health Services Administration's National Registry of Evidence-Based Programs and Practices, and it is estimated that more than one and a half million students have been taught conflict resolution skills through this program; see <http://legacy.nreppadmin.net/ViewIntervention.aspx?id=64>, accessed October 6, 2012. (2) The Resolving Conflict Creatively Program (RCCP), which is one of the largest and longest-running school-based programs focusing on conflict resolution and has been used in over 400 schools (see Educators for Social Responsibility, accessed September 6, 2012, [http://esrnational.org/professional-services/elementary-school/prevention/resolving-conflict-creatively-program-rccp/\[site discontinued\]](http://esrnational.org/professional-services/elementary-school/prevention/resolving-conflict-creatively-program-rccp/[site%20discontinued])). Their approach is described in Linda Lantieri and Janet Patti, *Waging Peace in Our Schools* (New York: Beacon Press, 1996). RCCP's curricula is, to a great extent, based on the works of William J. Kreidler, which include William J. Kreidler, *Creative Conflict Resolution: More Than 200 Activities for Keeping Peace in the Classroom* (Glenview, IL: Good Year Books, 1984); and William J. Kreidler, *Conflict Resolution in the Middle School* (Cambridge, MA: Educators for Social Responsibility, 1997). (3) Creative Response to Conflict's "handbook," *The Friendly Classroom for a Small Planet*, and their "manual of conflict resolution activities and resources," *CCRC's Friendly Classrooms and Communities for Young Children* (see above, pages 14–15, and nn. 36–37) (4) The school-based program that was developed by the Community Boards of San Francisco, and is delineated in Gail Sadalla et al., *Conflict Resolution: A Middle School and High School Curriculum* (San Francisco, CA: Community Boards, 1998). The Community Boards of San Francisco is one of America's leading conflict resolution organizations. Their program is outlined in Bodine and Crawford's *The Handbook of Conflict Resolution Education*, 73–74, in which it is listed under "Exemplary Programs." I have also used the following works that present general overviews of school-based programs: Bodine and Crawford, *The Handbook of Conflict Resolution Education*; American School Counselor Association's special two-part issue on conflict resolution education, *The School Counselor*, vol. 43, no. 5 (May 1996), and vol. 44, no. 1 (Sept. 1996); and Kathryn Girard and Susan J. Koch, *Conflict Resolution in the Schools: A Manual for Educators* (San Francisco: Jossey-Bass, 1996).

- 43 The programs that I reviewed use different names for the same basic themes. For example, some refer to their anger management component as "expressing feelings" or "emotions and conflict," or their bias awareness component is referred to as "appreciation of diversity," "teaching tolerance," or some similar expression. It should also be noted that some programs stress certain components over others. One finds this to be the case when it comes to the Community Boards of San Francisco's program, which only touches on the theme of bias awareness in their section that deals with communication, and the Teaching Students to be Peace

Cooperation. For many programs, cooperation is *the* underlying theme of their curricula, and is seen as the foundation of all conflict resolution. The ability to interact with and work together with others in a collaborative fashion is the basic competency that these programs attempt to nurture. In helping to develop this ability, some form of “cooperative learning” is often employed. Cooperative learning is a generic term referring to various teaching methodologies that have students working together in small groups towards a common goal in a manner that fosters interdependence.⁴⁴ As with many of the components of the conflict resolution curricula, cooperative learning takes fundamental theoretical concepts of conflict resolution and creatively translates them into active, experiential learning activities (“learning through doing”).

There are various models of cooperative learning,⁴⁵ but the one developed by David W. Johnson and Roger T. Johnson, who are two of the leading researchers in the field and have developed the highly acclaimed conflict resolution program “Teaching Students to Be Peacemakers,” has become particularly popular. This model emphasizes the development of “positive interdependence,” which is defined by Johnson and Johnson as “the perception that one is linked with others in a way so that one cannot succeed unless they do.”⁴⁶ It also focuses on the acquisition of social skills that are

Makers program, which never directly addresses bias awareness. Another example of this would be the curricula material from the Creative Response to Conflict’s program, which never explicitly addresses the topic of anger (however, it does deal with it implicitly, with its emphasis on being “friendly”). Also, every program has a different approach to teaching each of these core themes; therefore, it should be understood that not all of the educational techniques that I will offer as illustrations of how the themes are taught are necessarily used by all of the programs.

44 Janet Ward Schofield, “Cooperative Learning,” in *Encyclopedia of Child Behavior and Development*, ed. Sam Goldstein and Jack A. Naglieri (New York: Springer, 2011), 415–16, doi: 10.1007/978-0-387-79061-9_693.

45 See Robert E. Slavin, *Cooperative Learning: Theory, Research, and Practice* (Englewood Cliffs, NJ: Prentice-Hall, 1990), 10–12, 93–115; and Shlomo Sharan, “Differentiating Methods of Cooperative Learning in Research and Practice,” *Asia Pacific Journal of Education* 22, no. 1 (2002): 106–16.

46 Johnson and Johnson, *Cooperation and Competition*, 24, 29. Positive interdependence is seen as one of the basic elements, if not the most basic, of cooperative learning and

necessary for collaborative interactions,⁴⁷ and it has students self-monitor, reflect upon, and discuss how well they are cooperating and functioning as a group.⁴⁸

Communication. The importance of good communication to constructive conflict resolution cannot be overstated. The verbal exchange of ideas, perspectives, and feelings is the vehicle through which conflicts are resolved, and as a general rule the quality of that exchange determines if the parties will reach a resolution and the quality of the resolution.⁴⁹ As such, communication skills play a crucial role in conflict resolution programs.

The program activities that focus on communication skills are designed to train students in effectively conveying what they are thinking and feeling, as well as to listen to and understand what the other party is thinking and feeling. The skills that relate to the conveying of thoughts and feelings primarily focus on how to

cooperation in general. In conjunction with positive interdependence, Johnson and Johnson emphasize "face-to-face promotive interaction," which has been described as "positive interdependence [expressed] in behavior"; see Morton Deutsch, "Educating for a Peaceful World," *American Psychologist* 48, no. 5 (1993): 510. Face-to-face promotive interaction requires the students to physically sit in close proximity, interact with each other, and to try to help facilitate each other's efforts. It is "characterized by mutual help and assistance . . . the exchange of needed resources, interpersonal feedback . . . [through which the students] get to know each other as persons" (Johnson and Johnson, *Cooperation and Competition*, 29).

- 47 Examples of this would include the abilities of getting to know, respect, and trust each other; clarify goals; communicate effectively; initiate and use appropriate decision-making procedures; and avoiding behaviors that are disruptive or counterproductive.
- 48 Cooperative learning takes place in groups, and it provides students opportunities to self-monitor, reflect upon, and discuss how their groups are functioning. In these groups, they discuss whether they are achieving their goals, functioning properly, and what can be done to improve their work. To facilitate this process, the groups list the member behaviors that were helpful, those that were not helpful, and possible behaviors that could enhance the group performance. Teachers also monitor the groups and provide feedback on how well they are functioning.
- 49 See Burgess and Burgess, *Encyclopedia of Conflict Resolution*, s.v. communication; Deborah Borisoff and David A. Victor, *Conflict Management: A Communication Skills Approach* (Englewood Cliffs, NJ: Prentice Hall, 1989), 28–83; Robert M. Krauss and Ezequiel Morsella, "Communication and Conflict," in *The Handbook of Conflict Resolution: Theory and Practice*, ed. Morton Deutsch and Peter T. Coleman (San Francisco: Jossey-Bass, 2000), 131–43.

maintain a balance between openly expressing one's ideas, needs, and emotions while at the same time showing sensitivity towards the other person. This requires such things as expressing oneself accurately and with clarity; not interrupting when the other person is speaking; avoiding insulting, blaming, patronizing, and threatening the other party; being careful with the choice of one's words; and regulating one's verbal tone and volume. As far as listening skills are concerned, there is an emphasis on Rogerian "active" or "empathic" listening techniques,⁵⁰ which require listening carefully to what the other person is saying, asking clarifying questions, and restating, paraphrasing, and summarizing what the other individual is trying to communicate and is feeling, and to do all of this in a calm, nonconfrontational manner.

One example of a very popular communication technique that is taught in many programs is the use of "I-messages." An I-message is a statement that describes a negative emotion one experiences, the actions of the other person that have elicited that emotion, and offers an explanation of why one is feeling the way one does. They are generally formulated as "I feel ___ when (you) ___ because ___." I-messages, which were originally developed by Thomas Gordon in the early 1960s, have been shown to be much less provocative than accusative "You-messages" (e.g., "You did ___" or "You are ___"), which often trigger anger and cause people to become defensive.⁵¹

Perspective Taking. Perspective taking (also referred to as social perspective taking), that is, the ability to put oneself in someone

50 See Carl R. Rogers and Richard E. Farson, "Active Listening," http://www.go-get.org/pdf/Rogers_Farson.pdf; and Carl R. Rogers, "Empathic: An Unappreciated Way of Being," in *A Way of Being* (New York: Houghton Mifflin, 1995), 137–63, http://www.sageofasheville.com/pub_downloads/EMPATHIC_AN_UNAPPRECIATED_WAY_OF_BEING.pdf; see also Nancy H. Rogers and Richard A. Salem, *A Student's Guide to Mediation and the Law* (New York: Matthew Bender, 1987), 12–13.

51 Lantieri and Patti, *Waging Peace in Our Schools*, 74–79. For a study that supports the use of I-messages, see Edward S. Kubany et al., "Verbalized Anger and Accusatory 'You' Messages as Cues for Anger and Antagonism among Adolescents," *Adolescence* 27, no. 107 (1992): 505–16. For a study that questions the effectiveness of I-messages, see Amy M. Bippus and Stacy L. Young, "Owning Your Emotions: Reactions to Expressions of Self- versus Other-Attributed Positive and Negative Emotions," *Journal of Applied Communication Research* 33, no. 1 (2005): 26–45.

else's place and see things from the other person's perspective, plays a key role in constructive conflict resolution.⁵² Various methods are employed in promoting this ability. "Role reversal"—a form of role-playing in which the participants take on the other party's role and present the other's perspective as if it were their own—is no doubt the most popular technique that is used in teaching perspective taking.⁵³

An example of how perspective taking is taught to younger students is through Leif Fearn's revised version of the tale of "Little Red Riding Hood," entitled "The Maligned Wolf," in which the wolf gets to tell his side of the story.⁵⁴ Students read and discuss the story, or it is presented/performed in the form of a dialogue between "Wolf" and "Red," in which the students are taken step by step through a typical negotiation/mediation process (see pp. 27–28).⁵⁵

Something that deserves to be underscored is that with activities such as these, conflict resolution education programs are not only attempting to help their students develop a cognitive awareness of

52 See Adam D. Galinsky, Debra Gilin, and William W. Maddux, "Using Both Your Head and Your Heart: The Role of Perspective Taking and Empathy in Resolving Social Conflict," in *The Psychology of Social Conflict and Aggression*, ed. Joseph P. Forgas, Arie W. Kruglanski, and Kipling D. Williams (New York: Psychology Press, 2011), 103–18; Adam D. Galinsky, William W. Maddux, Debra Gilin, and Judith B. White, "Why It Pays to Get Inside the Head of Your Opponent: The Differential Effects of Perspective Taking and Empathy in Negotiations," *Psychological Science*, 19, no. 4 (2008): 378–84; Hunter Gehlbach, "A New Perspective on Perspective Taking: A Multidimensional Approach to Conceptualizing an Aptitude," *Educational Psychology Review* 16, no. 3 (2004): 207–34; Deborah R. Richardson et al., "Empathy as a Cognitive Inhibitor of Interpersonal Aggression," *Aggressive Behavior* 20, no. 4 (1994): 275–89; and Deborah R. Richardson, Laura R. Green, and Tania Lago, "The Relationship between Perspective-Taking and Nonaggressive Responding in the Face of an Attack," *Journal of Personality* 66, no. 2 (1998): 235–56.

53 See, for example, David W. Johnson and Roger T. Johnson, *Reducing School Violence through Conflict Resolution* (Alexandria, Va.: Association for Supervision and Curriculum Development, 1995): 64, 85–86; Johnson and Johnson, *Teaching Students to Be Peacemakers*, 5:20; Kreidler, *Creative Conflict Resolution*, 27–28; and Prutzman et al., *The Friendly Classroom*, 62.

54 The story can be found online at <http://www.mediate.com/articles/LenskiTb120110523.cfm>.

55 Lantieri and Patti, *Waging Peace in Our Schools*, 32; Bodine and Crawford, *Conflict Resolution Education*, xvii–xxiii.

the other person's point of view, they are also trying to train them to be sensitive to and identify with the feelings and emotions of others. In other words, they are trying to nurture empathy and teach "empathic understanding."

In addition to focusing on the ability to understand the thoughts, views, attitudes, motivations, and emotions of another individual, conflict resolution curricula also train students in a correlative of perspective taking—the ability to explore complex issues and to maintain and synthesize several diverse points of view. For older students, one of the most popular approaches to help develop this ability is the use of a technique known as "structured academic controversy," which was developed by Karl Smith, David Johnson, and Roger Johnson.⁵⁶ Similar to cooperative learning (see p. 19), this technique takes fundamental conflict resolution concepts and gives them concrete form through active, experiential learning. The process of academic controversy, without going into all of the details, has students first develop and present opinions about a given topic. They then discuss and debate the topic with students who have opposing viewpoints.⁵⁷ Subsequently, they adopt the opposite viewpoint and present it as their own. They conclude the activity by synthesizing the different perspectives, whereby the best evidence and reasoning from both sides are integrated into a coherent and cogent presentation. The theoretical basis that underlies structured academic controversy proposes that constructive conflict is much more likely to occur when the participants in a conflict are able to

56 According to Smith, it was probably David Johnson who coined this term. Smith believes that the first time "structured academic controversy" appeared in an article was in Karl A. Smith, David W. Johnson, and Roger T. Johnson, "Can Conflict be Constructive? Controversy versus Concurrence Seeking in Learning Groups," *Journal of Educational Psychology* 73, no. 5 (1981): 651–63. Karl A. Smith, e-mail message to the author, February 2003.

57 At this stage, the participants challenge each other's conclusions, differentiate between the positions, and try to refute the opposing position through logical analysis of supporting evidence, all of which is done while following a set of rules that helps them criticize ideas and not the people who are promoting the ideas.

attain an understanding of alternative perspectives, and subsequently modify their own perspective as a result of doing so.⁵⁸

Anger Management. There is more than ample evidence that anger can be an extremely destructive emotion that contributes in a major way to the perpetuation and escalation of conflicts. Anger is probably the most prominent and pervasive emotion that is experienced in conflict,⁵⁹ and research has shown that it negatively affects a wide range of mental processes. Anger may promote biased perceptions and attributions, a lack of understanding and empathy, shallower information processing, and poorer judgment and problem-solving ability. It also tends to elicit reciprocal feelings of anger, aggression, revenge, and hostility from the other party, which can readily precipitate a vicious cycle of conflict.⁶⁰ Therefore, as one would expect, anger management is a prominent component of interpersonal conflict resolution and conflict resolution education programs.

The regulation of anger, and the appropriate expression of feelings, is generally dealt with in conflict resolution education programs by initially discussing the negative effects of anger and encouraging self-reflection on one's "anger triggers" (the external and internal stimuli that precipitate one's anger) and on how one expresses one's anger. The programs then offer various approaches for controlling and constructively expressing anger. Strategies for controlling anger include the use of "cooling off" techniques (e.g., waiting out the emotional surge of anger, distracting oneself, or the use of progressive muscle relaxation techniques) and encouraging

58 Johnson and Johnson, *Reducing School Violence*, 104–11; and Deutsch, "Educating for a Peaceful World," 515–16.

59 See Gerben A. Van Kleef, "Don't Worry, Be Angry? Effects of Anger on Feelings, Thoughts, and Actions in Conflict and Negotiation," in *International Handbook of Anger: Constituent and Concomitant Biological, Psychological, and Social Processes*, ed. Michael Potegal, Gerhard Stemmler and Charles Spielberger (New York: Springer, 2010), 545–59, doi: 10.1007/978-0-387-89676-2_3; and Benoit Bediou et al., "Effects of Outcomes and Random Arbitration on Emotions in a Competitive Gambling Task," *Frontiers in Psychology* 2, article 213 (2011): 8, doi: 10.3389/fpsyg.2011.00213.

60 See Van Kleef, "Effects of Anger on Feelings, Thoughts, and Actions," 545–58; Jeffrey Z. Rubin, Dean G. Pruitt, and Sung Hee Kim, *Social Conflict: Escalation, Stalemate, and Settlement*, 2nd ed. (New York: McGraw Hill, 1994), 76–80; and Raymond W. Novaco, "Anger," in *Encyclopedia of Psychology*, vol. 1, ed. Alan E. Kazdin (Washington, DC: American Psychological Association, 2000) 170–74.

the person to challenge his or her irrational assumptions and appraisals that promote anger. It is noteworthy that some curricula also recommend some form of venting (see footnote).⁶¹ A direct, thoughtful, and constructive conversation with the individual who has provoked the person's anger is generally seen as the best possible approach for constructively expressing anger.

Decision Making and Problem Solving. An overwhelming percentage of conflict resolution education programs employ some form of multi-step heuristic for decision making and problem solving, which can be invaluable in resolving conflicts (and can be applied to a wide variety of other real-life problems).⁶² Most of these problem-solving models are based on "normative decision theory." Normative decision theory basically prescribes that a decision-maker: (a) clearly define the problem that needs to be resolved; (b) generate possible options; (c) identify the possible consequences of each option; (d) evaluate the desirability of each consequence; (e) assess the likelihood of each consequence; and, finally, (f) choose the most prudent course of

61 For example, see Gail Sadalla et al., *Conflict Resolution: A Middle and High School Curriculum*, 3–34; and Johnson and Johnson, *Teaching Students to Be Peacemakers*, 6:6. Cf. Arnold P. Goldstein, Barry Glick, and John C. Gibbs, *Aggression Replacement Training: A Comprehensive Intervention for Youth* (Champaign, IL: Research Press, 1998), 22–25. That there are some programs that still recommend some form of venting as an approach to dealing with anger—which contemporary, mainstream research has found to be counterproductive (or is at least a highly questionable approach) for controlling anger—may serve as an indicative example that in certain areas there does seem to exist some disparity, or a slight lag, between contemporary research and what is actually being advocated by and taught in conflict resolution programs. For research on venting and catharsis theory, see Brad J. Bushman, "Does Venting Anger Feed or Extinguish the Flame? Catharsis, Rumination, Distraction, Anger, and Aggressive Responding," *Personality and Social Psychology Bulletin* 28, no. 6 (2002): 724–31; Keith G. Allred, "Anger and Retaliation in Conflict: The Role of Attribution," in *The Handbook of Conflict Resolution: Theory and Practice*, ed. Morton Deutsch and Peter T. Coleman (San Francisco: Jossey-Bass, 2000), 243–44; and Jennifer D. Parlamis, "Venting as Emotion Regulation: The Influence of Venting Responses and Respondent Identity on Anger and Emotional Tone," *International Journal of Conflict Management* 23, no. 1 (2012): 77–96. Another example of what I would consider to be a gap between research and what is being taught is in the area of apologies and forgiveness. See pp. 401–4.

62 See Maurice J. Elias and Steven E. Tobias, *Social Problem Solving: Interventions in Schools* (New York: Guilford Press, 1996), ix, xi, 3–5, 14–17.