

# CONTENTS

Preface xi

1 Perspectives on Dispute Resolution: An Introduction 1

*Michael L. Moffitt and Robert C. Bordone*

2 Roots and Inspirations: A Brief History of the Foundations  
of Dispute Resolution 13

*Carrie Menkel-Meadow*

**PART ONE: UNDERSTANDING DISPUTANTS 33**

3 “I See a Pattern Here and the Pattern Is You”: Personality  
and Dispute Resolution 35

*Sheila Heen and John Richardson*

4 The Decision Perspective to Negotiation 52

*Max H. Bazerman and Katie Shonk*

5 Enemies, Allies, and Emotions: The Power of Positive Emotions  
in Negotiation 66

*Daniel L. Shapiro*

6 Relationship Dynamics in Disputes: Replacing Contention  
with Cooperation 83

*Keith G. Allred*

<b>7 Identity, Beliefs, Emotion, and Negotiation Success</b>	<b>99</b>
<i>Clark Freshman</i>	
<b>8 Cultural Pathways in Negotiation and Conflict Management</b>	<b>118</b>
<i>Anthony Wanis-St. John</i>	
<b>9 Negotiation Through a Gender Lens</b>	<b>135</b>
<i>Deborah M. Kolb and Linda L. Putnam</i>	
<b>10 Bone Chips to Dinosaurs: Perceptions, Stories, and Conflict</b>	<b>150</b>
<i>Douglas Stone and Sheila Heen</i>	
<b>PART TWO: UNDERSTANDING DISPUTES AND DISPUTE CONTEXTS</b>	<b>171</b>
<b>11 Disputes as Opportunities to Create Value</b>	<b>173</b>
<i>Michael L. Moffitt</i>	
<b>12 Six Principles for Using Negotiating Agents to Maximum Advantage</b>	<b>189</b>
<i>Scott R. Peppet</i>	
<b>13 Finding Settlement with Numbers, Maps, and Trees</b>	<b>202</b>
<i>Marjorie Corman Aaron</i>	
<b>14 Option Generation: Be Careful What You Ask For . . .</b>	<b>219</b>
<i>Chris Guthrie</i>	
<b>15 Organizational Influences on Disputants</b>	<b>233</b>
<i>Corinne Bendersky</i>	
<b>16 A Taxonomy of Dispute Resolution Ethics</b>	<b>244</b>
<i>Jonathan R. Coher</i>	
<b>17 The Role of Law in Settlement</b>	<b>254</b>
<i>Russell Korobkin</i>	
<b>PART THREE: UNDERSTANDING DISPUTE RESOLUTION PROCESSES</b>	<b>277</b>
<b>18 Negotiation</b>	<b>279</b>
<i>Bruce Patton</i>	
<b>19 Mediation</b>	<b>304</b>
<i>Kimberlee K. Kovach</i>	
<b>20 Arbitration</b>	<b>318</b>
<i>Sarah Rudolph Cole and Kristen M. Blankley</i>	

21	Litigation as a Dispute Resolution Alternative	336
	<i>Jeffrey R. Seul</i>	
22	Consensus Building and ADR: Why They Are Not the Same Thing	358
	<i>Lawrence E. Susskind</i>	
23	Bargaining in the Shadow of Management: Integrated Conflict Management Systems	371
	<i>Howard Gadlin</i>	
24	Selecting an Appropriate Dispute Resolution Procedure: Detailed Analysis and Simplified Solution	386
	<i>Frank E. A. Sander and Lukasz Rozdeiczner</i>	
<b>PART FOUR: EMERGING ISSUES IN DISPUTE RESOLUTION</b>		<b>407</b>
25	What Could a Leader Learn from a Mediator? Dispute Resolution Strategies for Organizational Leadership	409
	<i>Hannah Riley Bowles</i>	
26	Online Dispute Resolution	425
	<i>Ethan Katsh</i>	
27	Public and Private International Dispute Resolution	438
	<i>Andrea Kupfer Schneider</i>	
28	Victim Offender Mediation: Evidence-Based Practice Over Three Decades	455
	<i>Mark S. Umbreit, Robert B. Coates, and Betty Vos</i>	
29	Youths, Education, and Dispute Resolution	471
	<i>Donna K. Crawford and Richard J. Bodine</i>	
30	Institutionalization and Professionalization	487
	<i>Nancy A. Welsh</i>	
31	The Next Thirty Years: Directions and Challenges in Dispute Resolution	507
	<i>Robert C. Bordone, Michael L. Moffitt, and Frank E. A. Sander</i>	
	About the Editors	521
	About the Contributors	523
	Name Index	535
	Subject Index	538