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John Lande

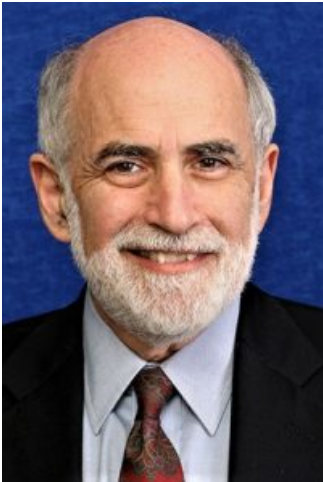
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LEN RISKIN PULLS IT ALL TOGETHER IN MANAGING CONFLICT MINDFULLY

JUNE 18, 2023 | JOHN LANDE | LEAVE A COMMENT



I had the good fortune to be Len Riskin's colleague from 2000, when I arrived in Missouri, until he moved to the University of Florida in 2007.

He now is a Visiting Professor of Law and Distinguished Senior Fellow at the Center on Negotiation, Mediation, and Restorative Justice at Northwestern University Pritzker School of Law and the Chesterfield Smith Professor of Law Emeritus at the University of Florida Levin College of Law.

Len is a pioneer and icon in our field. He's also an impish mensch who cares deeply about helping people deal with conflict constructively.

In 1984, the University of Missouri Law School appointed him as the founding director of our Center for the Study of Dispute Resolution. He was instrumental in expanding the teaching of dispute resolution in law schools across the country through his writing, curriculum design, teaching, development of educational materials, videos, and consulting.

He's often cited for his description of the "lawyer's standard philosophical map" in his 1982 article, *Mediation and Lawyers*, and his articles about the "Riskin Grid" in 1990s. He didn't call it the "Riskin Grid" – others did. In 2003, he thoroughly critiqued it, which he called the "old grid," recommending that people retire it and replace it with a "new new grid system." Alas, even twenty years later, many people promiscuously continue to use the very problematic concepts of "facilitative" and "evaluative" mediation from the old grid.

Len just published his magnum opus, *Managing Conflict Mindfully: Don't Believe Everything You Think*, which integrates other subjects that he has focused on during his long career. He has an ingratiating voice with a wry sense of humor that is a delight to read. He provides the following overview of the book:

I hope to persuade you, or at least encourage you to consider, that you could improve your ability to wisely manage conflict by learning to use and integrate, as appropriate, three domains – negotiation, mindfulness, and internal family systems (IFS) – each of which contains its own theories, knowledge, and practices. To coax you in that direction, the book explains and illustrates these domains, using cases based on real events, and offers exercises and other opportunities to help you use all three domains, separately and together.

Probably most readers of this blog are familiar with the material on negotiation. Even so, the book presents a useful integration of positions and interests (from *Getting to Yes*), the five core concerns of appreciation, affiliation, autonomy, status, and role (from *Beyond Reason: Using Emotions as You Negotiate*), and the three conversations of what happened, emotions, and identity (from *Difficult Conversations: How to Discuss What Matters Most*). He has a nifty graphic – one of his specialties – showing a pyramid with positions at the top, above interests, which are above core concerns, which are above the base of three conversations. Although you may be familiar with all this, the book’s summary will be useful to many students and practitioners.

Len was a trailblazer in promoting use of mindfulness in professional practice and life generally. It was a lonely effort at first, and some people doubted that it was important or belonged in our field. However, it has become widely accepted in recent years and it is used in a very wide range of situations – including legal education and practice. The book provides a thorough – but clear and concise – analysis of the varieties of mindfulness theory and practice, including instructions for several exercises.

Internal Family Systems is the third domain. You can think of this as the conversation or negotiation between different voices in our heads. Rather than conceiving people as having only a single “unitary” self, IFS recognizes the “multiplicity” of our selves. We all have an intuitive understanding of this, reflected by statements such as having “mixed feelings” or being of “two minds.” Of course, it’s more complicated than that, and the book explains this clearly.

For those with a taste for rhyme, Len summarizes each section with verses in his own inimitable style.

The book concludes by discussing the “synergies” between the three domains and how people can benefit by considering them together.

Managing Conflict Mindfully is very reasonably priced and would be great for negotiation and conflict management courses and perhaps others. If you go to westacademic.com and

enter promo code RISKIN15, you can get a 15% discount. The [kindle edition](#) includes helpful links and makes it easy to navigate the book, which includes detailed endnotes for those who want to read more.

Northwestern hosts a [website with relevant resources](#) and there will be a [teacher's manual and other instructional resources](#) in the fall.

On Monday, June 26, Len's book will be featured in a free zoom presentation sponsored by the Program on Negotiation at Harvard Law School and the Center on Negotiation, Mediation, and Restorative Justice at Northwestern University Pritzker School of Law. Len will discuss the book with Alyson Carrel and Daniel Shapiro. The conversation will take place at 9 Pacific / 10 Mountain / 11 Central / noon Eastern Time. [Click here to register.](#)

Take a look at the presentation and Len's book.

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