PACS 154 Notes

1/23:

* Culture: “as the flow of meanings and identities that consciously and unconsciously guide us. It is a channel within which people are constantly composing who they are and what they care about in relation to each other”—Conflict Across Cultures: A Unique Bridging Experience
* Cultural Competence refers to an ability to interact effectively with people of different cultures. Cultural competence is comprised of four components:
  + Awareness of one’s own cultural worldview
  + Attitude towards cultural differences
  + Knowledge of different cultural practices and worldviews
  + Cross-cultural Skills. Developing cultural competence results in an ability to understand, communicate with, and effectively interact with people across cultures
* Cross-Cultural Competence: SLIDES
* Chart in SLIDES
  + Material level: what’s placed in front of attorneys (ie: dividing assets)
  + Symbolic level: worldview, identity, what things mean to people and their perceptions of the conflict
  + Relational level: often core of conflict lies at relational level

1/28:

* There are different definitions of culture
* Avruch: how do we understand culture and how do cultural theorists understand culture?
  + Generic culture: universal attributes
  + Local culture: localized, within a specific context, in reference to a specific group (and how that group conceptualizes culture)
  + Simplification of culture
  + Dangers of ideas that cultures are inherently dangerous
  + Six ideas about culture as inadequate:
    - Culture is homogenous: culture is even across the board
    - Culture is a thing: culture is a tangible object that can be separated or chosen not to dealt with
    - Uniformly distributed among members of a group
    - Individual possesses a single culture
    - Culture is custom
    - Culture is timeless
  + Culture is not necessarily a cause of conflict but it does inform actions or may be used as a vehicle for a conflict
* Minkoff:
  + Collective programming that helps us distinguish members of one group from another
* Clasifying Culture:
  + Can we agree on a meaning of culture?
  + Hoftstede’s defition: culture is a shared mental software
    - The collective programming of the mind that distinguishes the members of one group or category of people from the other
  + Subjective: something the resides within the individual
  + Objective: institutions (marriage, court)
    - Objectivity is in itself subjective because it had to have come from somewhere
    - Objective institutions change based on collective societal subjective change
* Approaches to Conflict Resolution:
  + Mediation: third party neutral helps parties resolve dispute
  + Negotiation: bargain for individual or collective advantage, help satisfy various interests
  + Arbitration: parties submit to a third party, evidential hearing, decision rendered
    - Arbitration, a form of (ADR), is a legal technique for the resolution of a dispute outside the courts, where the parties to a dispute refer it to one or more persons (the “arbitrators”, “arbiters”), by whose decision (the “award”) they agree to be bound. It is a settlement technique in a which a third party reviews the case and imposes a decision that is legally binding for both sides
  + Litigation: IN SLIDES
  + Mediation:
    - Process in which a neutral person facilitates communication between two or more parties to assist them in resolving their conflict
    - Voluntary and confidential
    - A cooperative process in which disputants construct a mutually acceptable agreement
    - Techniques IN SLIDES
    - Stages of Mediation:
      * Mediator’s Opening
      * Initial Statements
      * Setting the Agenda
      * Problem Solving Negotiations
      * Writing the Agreement
      * Closure

2/6:

* Verbal and nonverbal cues help communicate whether or not someone is a high or low context communicator
* SLIDES

2/11:

* Assignment 1:
  + Starting points on page 32 of book
  + Which of the pairings do you gravitate towards as a whole?
  + Within the pairing, discuss how these starting points are manifested in the way that you negotiate
  + Embedded in a reflection of your own culture
  + Paper 3 is the best with examples
  + Don’t generalize traits
  + Be specific about what traits within that cultural starting point that you identify with
  + Explain reasoning behind each starting point
  + Self-reflective is GOOD
  + But it’s also an assignment
  + Sources don’t have to be stuff we have read for this class (the book is one source)
* Lawrence Hill article:
  + Distinct racial cultures and experiences in each country
* Mutu article:
  + Multiple intersectionalities grounded in different gendered and sexuality dynamics
  + Highlights notion of being a “whole part” of a culture
* Powell article:
  + The color-blind position: race as a social construct (not biology)
  + Eliminate all racial categories
  + However, tossing out the notion of race is an issue because it doesn’t account for the socially constructed hierarchy and doing away with it merely masks the issue while not getting rid of the embedded entrenched structural hierarchy
  + Struggle with categories in terms of the incoherent categorization and increase in the number of boxes we check
  + If you define yourself, it’s an effort to claim privilege of whiteness because it stems from the ideology and sense of entitlement
  + Need to drop claim of racial purity
  + Mutualities dwell within us, and diversity is both internal and external
  + Destabilizing of racial hierarchy
* Multicultural narrative of Canada:
  + “salad bowl” not “melting pot”
  + 2005-2006: only 8% of public sector jobs were held by minorities
  + Priority given to stopping anti-discrimination practices works to make racism more subtle which results in more systemic racism and makes it more difficult to address
* SLIDES

2/13:

* SLIDES

3/4:

* “Men are from Mars and Women are from Venus”—men approach problem solving by providing a solution and women just want to talk about the problem
* SLIDES
* Kolb/McGinn Article:
  + Situational factors
  + Characteristics that women take on in negotiation
  + Research demonstrates that women foster teamwork but are not necessarily aggressive leadership types. When they take on that role it is often frowned upon as opposed to when men take on that role
  + Understanding the multiple aspects of one’s identity and how one’s gender further influences one’s approach
  + Organizational structures that shape gender roles
  + How we fill in pre-conceived notions for how we should negotiate
  + Level playing field in education but didn’t translate into job world
  + Structural implications in gender-based differences
* Slaughter’s Advice:
  + Don’t always openly share personal details at work
  + Lack of leadership ambition
  + Dream big but also dream realistically
  + Pursuit of Happiness: Men have to combat stigmas and stereotypes too (Men don’t like to talk about their families either)
  + How do we create a healthful integration of personal and professional lives
* Sandberg:
  + “Own your own success”
  + Sit at the table
  + Success and likability are positively correlated for men and negatively correlated for women
  + Make your partner a real partner: more pressure is placed on men to succeed by society. People of both genders need to work equally inside the home
  + Don’t leave before you leave: women start quietly leaning back, not going after promotions, projects, opportunities, etc. because they’re considering having a child. Don’t take your foot off the gas pedal until you truly have to
  + Women should not just succeed, but be liked for what they do and not resented for their success (shouldn’t be resented or viewed as overly aggressive)

3/6:

* Answer 2 out of the 3 question
* Minimum 2 pages single spaced, maximum 4. Pen
* Interests vs. Positions
  + Interests: underlying concerns; the why
    - More ways to satisfy interests
  + Position: demand
    - Fewer ways to satisfy
* Options
  + Positional Bargaining
  + Integrative Bargaining
  + Positional/Competitive Bargaining
  + Integrative/Distributive Bargaining:
    - Evenly distribute “the pie”; satisfy as many parties as possible
* Legitimacy/objective criteria
  + BATNA/WATNA –Best/Worst Alternative to Negotiated Agreement
  + BATNA is kind of like a wish list from which one draws elements to eventually comprise the agreement
* Mediator Strategies:
  + Overarching vision of a common interest shared by all parties to motivate them to come to an agreement (ie: children in a divorce agreement)
  + Caucusing—something to do at an impasse, to find out bottom lines,
  + Helping parties create value (creating value vs. claiming value)
  + Setting an agenda to minimize conflict; guardian of procedure and process
  + Managing and gathering information
  + Managing interpersonal; relationship, communication, emotions
  + Managing climate of mediation
  + Dealing with difficult people
  + Reframing, quick to problem solve
  + Getting the parties to co-construct their solution
  + Affirmations and reflections
  + Recognizing opportunity within tension
  + Intent vs. impact
* Cross-Cultural issues:
  + Gender-based roles
  + Family (perception)
  + Power dynamics—between cultures, also geographic ties and physical location as tied to culture
  + History of who is the breadwinner (economic well-being)
  + Communication styles
  + Starting points
* Does separating the people from the problem actually work or is it not possible and why?
* Support through readings, lectures, and examples
* Establish a framework and then use that to evaluate
* Can use examples from other groups that we discussed in class even if those things did not occur in your group

4/10:

* Tusseau Article:
  + What is indigenous?
    - Range of cultural practices and products that are found outside the western world
    - Communities that are not independent states encapsulated into modern states as marginalized and subordinate
  + Why have indigenous processes of peacemaking been ignored?
    - European bias that existed from 1500, justification for domination (Africa)
    - Modernization school—western educated/pro-democracy cadre of professionals
  + Neglect of indigenous processes…
    - Western legal systems as a frame of reference, indigenous marginalized
    - ADR as Western concept developed through the courts as an alternative to the backlog existing within the courts (alternative form of conflict resolution)
    - Lack of representation in the field, people with urban backgrounds in higher education
    - Those academics are then training their students in the same focus thereby perpetuating the system
    - There is not enough knowledge and perspective variance brought into how we learn about and conduct ADR (we need to bring indigenous into mainstream)
  + In collectivistic, high-context cultures…
    - Concept of “face” is crucially important
    - More likely to perceive conflict as expressive
    - Consequences for group norms or ethos
    - Individual inconvenience is not as paramount, but behavior that conflicts with group values must be addressed

4/17:

* Neutrality as core concept
* Mediator neutrality legitimizes the mediation process because the parties, rather than the mediator, are in control of decision-making
* Neutrality in mediation is widely understood to mean that the mediator does not influence the content or outcome of the mediator
* Content neutrality-linked to decision-making by the parties
* Process neutrality-mediator affecting how the parties make decisions (mediator promoting one party’s interests over the other)
* Cultural Neutrality versus cultural Bias:
  + Often mediators report feeling constrained by an expectation of neutrality
  + Achieving impartiality requires mediators to have “insight into their own perspectives and experiences and [to understand] the impact that these have on their relationship with parties in mediation
* Implicit Bias Research:
  + Attitude—evaluative disposition
  + Stereotype—mental association between a social group or category
  + Implicit stereotypes are the introspectively unidentified (or inaccurately identified) as traces of past experience that mediate attributions of qualities to members of a social category. Implicit biases are discriminatory biases based on implicit attitudes or implicit stereotypes
* Areas for Further Mediator Training:
  + Self-Awareness (Anti-bias Method, Reflexive approach)
  + Regional Variations in Cultural constructs
  + Contextual/Cultural Norms: Ethnography, Narratives, Discourse Analysis
  + Identity Intersections
  + Cultural Orientation Differences
  + Communicating with the “Other”

4/24:

* Advisory map in chapter 7 vis a vis your presentation and another group’s presentation
* Two people in a row boat rowing in different directions sending themselves in a circle
* Be a channel, not a dam

4/29:

* Complex Cases in Culture and Conflict (group presentations/chapters 7&8/course text)
* Practice Based Question (Amberana/Izumi/Graham/Sebenius)
* Indigenous Processes of Peacemaking (Giro/Chia)
* Hard copy due in classroom 11:30-3 (get there at 11:30 so Karen isn’t sitting there waiting for eternity)
* Chapter 7:
  + Dialogue should change the way people relate to each other (and not their views)
  + What is the change that you hope to see in what you propose in the “create” section?
  + How do you articulate the plan and where do you present them within the process?
  + Prepare; preparing people, preparing process
    - Identifying conflict dynamics and who should be there
    - Questions to ask to figure out tensions and issues
    - How are they currently dealing with the issue?
    - Logistics
    - Laying groundwork
    - Examine history, statistics; what’s an appropriate approach/tactic?
  + Discover; exploring the past and present, envisioning the future
    - Historical timeline of events relevant to the history of their conflict
  + Create; inventing options, implanting, evaluating, adjusting
    - Imagine what might come out of the dialogue (ie: joint project)
    - Think of all the voices at the table to prevent biases
    - Future impact?
    - Creating structures that help people internally and externally
  + Rejuvenate; renew, reflect, celebrate
    - How do you make people accountable?
    - What is the timeline? Check-ins? How often?
* Chapter 8:
  + Balance between being and doing
  + How we view the world through others’ lenses
* Course presentation themes:
  + Divisive identities
  + Polarizing norms
  + Manufactured identities
  + Ethnocentrism—place of belonging
  + Linguistic/Culture exclusivities
  + Deeply rooted “sub-culture dependent” world views
  + Gendered spaces
  + Systemic inequalities
  + Structural inequalities
  + Religion as causal
  + Structural and historical identities and inequalities
  + Space/geography
  + Cultural lenses
* Cultural fluency is not just knowing the other but looking through their lens and absorbing how they view not only everyone else, but also themselves
* Complex Cases in Culture and Conflict (Group Presentations/Chapter 7&8)
  + What are the issues? How would you apply Cultural Fluency? Is there opportunity for Cultural Awareness Building? How can we address racism and discrimination?
    - Who would I bring to the table? Multiple tables ok. Why are you including who you’re including? Use process design to anticipate potential issues and ensure an effective dialogue (preparation stage)
  + What type of process or strategy would help to improve/resolve some of the identified challenges?
  + If this conflict/situation has already happened, how can we build awareness around historical narratives for future community dialogue around these issues?

5/1: Office Hours 1-3 Thursday

* Practice Based Question Lessons Learned (Amberana/Course Text/Izumi/Chia/Graham/Sebenius):
  + Does implicit bias affect a mediator’s neutrality? Actions?
  + How do we reduce prejudice and bias?
  + How do we become better at addressing cultural diversity?
  + Bigger picture: national culture, governance, and decision making
* Sebenius (not SUPER needed to include):
  + Larger systemic decision making patterns on official levels
* Izumi:
  + Implicit bias and how it affects mediator neutrality
  + What is it about implicit bias, how can we understand it better, and how can we potentially reduce the bias?
  + Neutrality is something that’s questioned. What does that mean?
* Indigenous Processes of Peacemaking (Tuso):
  + Misuse of indigenous processes of CR, who represents the real interests and practice of indigenous communities?
  + More solid and robust publication in this area will help the field and should be incorporated into political systems, what else is needed?
  + Real paradox is that for those who have power in those indigenous society, is it perpetuating that power structure (how much can you help them change and retain important elements of peacemaking?)
  + What are the different layers that you need to consider in implementing a strategy that advocates cultural sensitivity and cultural fluency?