# COMPARATIVE DISPUTE RESOLUTION

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Winter/Spring 2012  
Professor Ellen E. Deason

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William L. Ury, GETTING TO PEACE 3-6, 39, 48-50, 114-16 (1999).

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A. South Africa

Introductory Note: Transitional Justice


James L. Gibson, Overcoming Apartheid: Can Truth Reconcile a Divided Nation?, 603 Annals of the Amer. Acad. of Political & Social Science 82, 82-96, 103-05 (Jan. 2006).

B. Rwanda
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Stephan Golub, From the Village to the University: Legal Activism in Bangladesh, in MANY ROADS TO JUSTICE: THE LAW RELATED WORK OF FORD FOUNDATION GRANTEES AROUND THE WORLD 127, 136-141 (Mary McClymont & Stephen Golub eds. 2000).


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   Course Introduction  
   Perceptions of Justice and Dispute Resolution Processes  pgs 1-17

2. Tuesday, Jan 10  
   Contrasting Procedures in the Common Law Adversary System and the Civil Law Inquisitorial System  pgs 19-41

Monday, January 16  MARTIN LUTHER KING, JR. DAY – No Class

3. Tuesday, Jan. 17  
   Comparing Foundational Assumptions:  The Rule of Law  pgs 43-55

4. Monday, Jan. 23  
   International Commercial Arbitration and Harmonization of Legal Traditions  
   pgs 89-109

5. Tuesday, Jan 24  
   U.S. Models of Negotiation  pgs 111-132

6. Monday, Jan 30  
   Negotiation, Culture, and Stereotypes  handout; pgs 133-149

7. Tuesday, Jan 31  
   External (Etic) Views of Culture and Negotiation  pgs 151-165

8. Monday, Feb. 6  
   Focus on communications: High vs. low context communication styles and  
   Language as an Expression of Cultural Values  pgs 211-222, 177-193

9. Tuesday, Feb. 7  
   Internal (Emic) Views of Culture and Negotiation:  A Chinese Perspective  
   pgs 167-175, handout

10. Monday, Feb. 13  
    Cross-cultural Negotiations  pgs 195-210, handout

11. Tuesday, Feb. 14  
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12. Monday, Feb. 20  
   Cross-cultural Negotiation Exercise

13. Tuesday, Feb. 21  
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14. Monday, Feb. 27  
   Culture and Third-Party Intervention   pgs 263-275

15. Tuesday, Feb. 28  
   Community Context for Intervention: Bushmen, Tanzania, Palestine   pgs 277-291

16. Monday, March 5  
   Family Context for Intervention: Hawaiian Ho’oponopono and Navajo Peacemaking   pgs 293-309

17. Tuesday, March 6  
   Community Panels as Intervenors: Bangladesh pgs 311-313 and Sri Lanka pgs 314-319

18. NOTE SPECIAL DATE AND TIME!  
   Wednesday, March 7, 4:00 p.m.  
   Dispute Resolution Lecture: Negotiating an End to Apartheid in South Africa

19. Monday, March 12  
   Legal and Community Norms: Mediation in China   pgs 321-333, handout  
   Contrasts between the Arbitrator’s Role in the United States and Asia   pgs 61-68

20. Tuesday, March 13  
   Mediation’s Role in an Administrative Decisionmaking Process: Northern Ireland   pgs 335-364

March 19 - March 23  ENJOY SPRING BREAK!

21. Monday, March 26  
   Initiating Mediation of International Conflicts: Interests and Timing   pgs 431-442

22. Tuesday, March 27  
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23. Monday, April 2
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   “Tracks” pgs 467-493

24. Tuesday, April 3
   Transitional and Post-Conflict Justice – South Africa  pgs 495-512

25. Monday, April 9
   Transitional and Post-Conflict Justice – Rwanda  pgs 529-550

26. Tuesday, April 10
   Culture and Conceptions of Justice  pgs 591-607
   Power, Justice and Dispute Resolution  pgs 609-618

27. Monday, April 16
   Applications in the United States  handout

28. Tuesday, April 17
   Applications in the United States  handout
   Minorities and Dispute Resolution Procedures  pgs 629-647

Monday, April 23  No Class

Tuesday, April 17 – Take-home exam available for pick-up.
Due Tuesday, May 1 by 4:00 p.m.
Other topics not covered

Domestic U.S. Arbitration pgs 57-60

Comparing Arbitration of Consumer and Employment Disputes pgs 69-87

Mediation and the Courts pgs 365-429

Export of U.S.-style mediation internationally pgs 551-572
[skipped in OR]

International Donors and the Shape of Mediation in Bangladesh pgs 573-590
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