

Gender and Culture in Dispute Resolution

Professor Nina Meierding, MS, JD

11730 Kallgren Rd. NE

Bainbridge Island, Washington 98110

(206) 780-8487

nina@meierding.com

www.mediate.com/ninameierding

BRIEF OVERVIEW OF COURSE

This course is a highly interactive approach to exploring how culture and gender influence negotiation, communication and third party processes such as mediation. We will use several types of learning styles throughout the course to engage you in the learning process. In addition to the lecture and readings, exercises, role plays, discussions, and writing assignments will be included.

The goals of this course are to have you:

- Be aware of biases and attribution theory
- Explore practical skills for different communication styles including the use high and low context communication, cross talking, ritual opposition, humor and privacy.
- Learn how different cultures perceive power, control and uncertainty
- Learn how different forms of negotiation and mediation are utilized cross culturally, including consensus, Samoan circle, distributive and integrative bargaining, and third party interventions
- Understand the different uses of apology across cultures and across genders
- Learn how communication styles and approaches differ across genders

CLASS ATTENDANCE

This is an intensive course with only 6 days of classes. There will be a number of in-class exercises, so attendance at every class is essential. Class participation is an important part of your grade. Students may not miss more than a total of four hours of class - and may have to do make-up work if they miss an in class quiz or exercise. Any hours in excess of four hours, must be approved by the instructor.

GRADING

35% homework assignments

15% in-class participation (including exercises, role-plays, class discussions)

50% final paper: 12 pages of content/writing, 12 point type, standard margins, and footnotes at the end of the paper not at the end of each page. Include bibliography. We will discuss due date and topics the first weekend of class.

GRADING SCALE

93-100 = A Exceptional	A superior / outstanding performance. Has mastered the concepts and adds unique contributes to class discussions.
90-92 = A- Excellent	A very good / admirable performance. Displays understanding in all areas of the class, and contributes successfully to class discussions.
87-89 = B+ Outstanding	Above average performance. A few insignificant flaws may appear, but overall has great application of the field.
83-86 = B Good	A generally satisfactory, intellectually adequate performance. Few significant flaws in performance.
80-82 = B- Adequate	A barely satisfactory performance. Contributes little to class discussions and lacks a clear understanding of concepts.
77-79 = C+ Not sufficient	An unacceptable performance. Unable to engage in class discussions and has little comprehension of theories.

Written Guidelines for Class Assignments

	100-90	89-83	82- Below
Depth of Thought and Analysis 40%	Papers constructed in a coherent fashion. Analysis flows in succinct and meaningful statements.	Ideas are started clearly. Remarks show a degree of analysis. Some areas of the paper lack supporting and rational support.	Ideas are vague and under developed. Paper lacks the level of effort for original graduate work.
Personalization 40%	Personal history is appropriately integrated into the narrative.	There is some attempt on the writer' part to utilize personal examples within the content.	Little to no personal history appears in the paper.
Clarity of Writing and Mechanics 20%	Writing is crisp, clear, and succinct. No spelling, grammar, or punctuation errors are made.	Unnecessary words and ambiguous statements are made. Meaning is unclear in parts of the paper. Some spelling and grammar errors are made.	It is hard to know what the writer is trying to express. Writing is convoluted. Misspelling words, incorrect grammar, and improper punctuation are frequent.

Written Guidelines for Final Paper

	100-90	89-83	82- Below
Depth of Thought and Analysis 30%	Paper is constructed in a logical and coherent fashion. Conclusions flow from a well-executed plan, in succinct and meaningful statements.	Topic is started clearly. Remarks show a degree of analysis. Some areas of the paper lack supporting and rational support.	Topic is vague and under developed. Paper lacks the level of effort for original graduate work.
Synthesis and Congruency 25%	Paper is well integrated and flows as a complete narrative. Paper flows from general ideas to specific conclusions.	Sections of the paper connect, however, not all sections or paragraphs fall in a natural or logical order.	The paper appears to have no direction, with subtopics appearing disjointed.
Thoroughness 25%	The appropriate content is covered in depth without being redundant.	Essential material is not covered to the degree to explain the topic thoroughly.	Major sections are omitted, glossed over, or unnecessarily repeated.
Clarity of Writing and Mechanics 20%	Writing is crisp, clear, and succinct. No spelling, grammar, or punctuation errors. High quality bibliography and	Unnecessary words and statements. Meaning is unclear in parts of the paper. Some spelling/grammar errors made.	Hard to know what the writer is trying to express. Writing is convoluted. Misspellings, incorrect grammar/ punctuation.

TEXTS, CLASS ASSIGNMENTS AND GENERAL INFORMATION

REQUIRED TEXTS:

- When Cultures Collide by Richard D. Lewis
- Talking from Nine to Five – Deborah Tannen
- Cross Cultural Manual by Nina Meierding

CLASS ASSIGNMENTS:

Because the class is an intensive course, and students will have written assignments almost every class, students are **strongly encouraged to read the first six chapters of When Cultures Collide prior to the start of the first class.** This will enable you to feel less pressure during the first weekend because you will have already read your reading assignments. However, if this is not possible, please note the days on which students will be expected to know and discuss the material from certain chapters. The first ten chapters of **When Cultures Collide** deal with general cultural concepts - the last 42 chapters are broken down by specific cultures. Please make sure to carefully read the first ten chapters during the course and use the balance of the book as a reference source for when we are discussing a specific culture. **Talking from Nine to Five** will be discussed the second weekend of classes - again I would encourage you to read those assignments prior to the Friday of the second weekend. There is also a **Cross Cultural Manual**, which I have prepared specifically for teaching Cross Cultural courses. No reading from the manual is due the first day of class, but the manual is required and will serve as a resource throughout the class.

GENERAL INFORMATION

Statement on Academic Integrity:

Students are reminded of the SMU Honor Code as referenced in the Student Handbook. Intellectual integrity and academic honesty are both the foundation and the goals for this program. Please reference and review the university policies on the responsibilities, policies, and penalties regarding academic honesty found at:

http://www.smu.edu/studentlife/PCL_05_HC.asp

Statement on Class Decorum:

Please turn off (or set on vibrate) all cell phones or pagers. Please do not read outside reading material during class, nor use lap tops for non class related activities during class. Walking into class late is disruptive, as is leaving early, so please avoid this whenever possible. If you have to leave early, make arrangements before class begins. Attendance in mandatory - roll will be taken. Professional respect and courtesy for your fellow students is expected at all times.

Disabilities Accommodations: Students needing academic accommodations for disability must contact Ms. Rebecca Marin, Coordinator of Services for Students with Disabilities (214-768-4557) to verify the disability and establish eligibility for

accommodations. They should then schedule an appointment with the professor to make appropriate arrangements.

Add/Drop Policy: If you are unable to complete this course, you must officially withdraw by the university deadline; the last day to Add/Drop regular courses without a grade record or Billing. Withdrawing is a formal procedure which you must initiate; your instructor cannot do it for you.

Grade of Incomplete: A student may receive a grade of I (Incomplete) if at least 50 percent of the course requirements have been completed with passing grades, but for some justifiable reason, acceptable to the instructor, the student has been unable to complete the full requirements of the course. At the time a grade of I is given, the instructor must stipulate in writing to the student and to the University registrar the requirements and completion date that are to be met and the grade that will be given if the requirements are not met by the completion date. The maximum period of time allowed to clear the Incomplete grade normally is 12 months. If the Incomplete grade is not cleared by the date set by the instructor or by the end of the 12-month Policies and Procedures 25 deadline, the grade of I will be changed to the grade provided by the instructor at the time the Incomplete grade was assigned or to a grade of F if no alternate grade was provided. The grade of I is not given in lieu of a grade of F or W, or other grade, each of which is prescribed for other specific circumstances.

If the student's work is incomplete, poor quality and not acceptable, a grade of F will be given. The grade of I does not authorize a student to attend the course during a later term. Graduation candidates must clear all Incomplete grades prior to the deadline in the Official University Calendar, which may allow less time than 12 months. Failure to do so can result in removal from the degree candidacy list and/or conversion of the grade of I to the grade indicated by the instructor at the time the grade of I was given.

For graduate students, a maximum of two (six hours) concurrently held grades of Incomplete in courses other than thesis is allowed. If this maximum is reached, the student will be allowed to take only one three-hour course per term until the Incomplete total is reduced. Students who accumulate a total of three grades of Incomplete in courses other than thesis will be put on probation and not allowed to enroll further until the total is reduced.

Religious Observance: Religiously observant students wishing to be absent on holidays that require missing class should notify their professors in writing at the beginning of the semester, and should discuss with them, in advance, acceptable ways of making up any work missed because of the absence. (See university Policy No. 1.9)

SMU Emergency Preparedness: As part of the federal government response to the H1N1 (Swine Flu) virus, the Department of Health and Human Services issued a nationwide public health emergency preparedness declaration on April 26, 2009. The declaration was renewed on July 23, 2009 and is currently in force. For the semester ahead, there is concern that the level and intensity of flu cases could increase substantially.

1) For updates on the campus-wide status of flu conditions at SMU, please visit

<http://www.smu.edu>.

2) If flu conditions require cancellation of a class session or other changes for this course, an email will be sent to all class members.

3) In the event of a major campus emergency at SMU, course requirements, deadlines, and grading percentages are subject to changes that may be necessitated by a revised semester calendar or other circumstances beyond the instructor's control.

Optional (or you may want to include the information in the last two paragraphs)

SCHEDULE OF CLASSES

FIRST WEEKEND (May 9-11, 2014)

Friday

Introduction of Professor (cross cultural exercise)

Introduction of Course, Outline, and Course Requirements

Introduction of Participants: group exercise

Dynamics of Cross Cultural Negotiations (small groups) (Lewis, Chap. 1-2)

- Define culture
- What are different cultural process models of handling conflict?
- What are some different cultural misunderstandings that occur in negotiations or mediations?

What is our level of comfort in dealing with conflict? Do you think that there is a cultural reason for how you personally deal with conflict? Review of Thomas-Kilman Grid (small group work)

Four Levels of Bias (Section 1 in Manual)

Saturday

Theories of Fairness (Section 2 in Manual)

Attitudes about Truth

Cultural Programming and Processing Styles (Section 4 in Manual, Lewis, Chap. 3)

- Monochronic. v. Polychronic
- High and Low Uncertainty Avoidance
- High Context and Low Context (direct and indirect language)
- Collective v. Individualistic / Attitudes Towards Relationships (Lewis, Chap. 5)
 - Who Gets What? exercise
 - Universalist and Particularist
- Locus of Control – internal and external
 - Berger role-play

Homework assignment: Cultural Analysis (due Friday, June 1 at 4:00 p.m.) 20% of grade. Minimum of five double spaced typed pages

Sunday

High and Low Power Distance Cultures

When is an agreement an agreement – cultural variables

Cultural Concepts of Time (Lewis, Chap. 4)
Nonverbal Communication and Body Language
Physical Settings/spacing/eye contact/body language
Video
Orange and Purple Negotiation Role-play and debrief
Homework Assignment: Journal (due Friday, June 1 at 4:30) 15% of grade
Minimum five double spaced typed pages

SECOND WEEKEND (May 30-June 1, 2014)

Friday

The Emperor's Pot Role-play and Debrief (review of last weeks cultural styles)
Review of Negotiation Styles and the Impact of Culture - Distributive (Competitive) and Integrative (Cooperative)
Introduction to Gender – are there real differences or just stereotypes? (Section 8 in Manual) (Nine to Five - Tannen)

Saturday

Gender related variables at the negotiating table

- Status within own culture/other cultures
- Power or status at the table
- Gender of the other party
- Communication style
- Use of emotions
- Investment in the negotiation
- One time negotiation v. ongoing relationship
- Other factors

Understanding and Using Language More Effectively (Section 4 in Manual)(Remainder of Nine to Five)

A Great Catch Role-play

Apologies Across Cultures and Across Genders

Culture and Third Party Processes

Sunday

Review of mediation process (Section 3 in Manual)

What critical issues impact culture and gender at each stage?

- Convening
- Opening
- Facilitating Communication
- Facilitation Negotiation
- Closure

Specific skills in each stage - small group work

Cross Cultural Negotiation Teams - Working Together Across Cultures (Lewis, Chap. 7-10)

Role-play
Evaluations