

Advancing Social Justice Through ADR
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Deborah Thompson Eisenberg, University of Maryland Carey School of Law
Eve Hanan, UNLV
Jonathan Scharrer, University of Wisconsin Law School
Gail E. Silverstein, University of California Hastings College of the Law

Reporter: Wendy Baudoin, Mitchell Hamline School of Law

Program Description: Black Lives Matter. ICE raids. Muslim ban. Racism. Income disparity. LGBTQ rights. What does ADR have to do with societal issues of the day? Is it merely transactional, a way to cut a deal or settle a case? In this highly interactive session, panelists ask: "How Does ADR Advance Social Justice?" How do we engage our students in thinking about ADR's relationship to social justice (SJ)? The panel will facilitate a discussion on the relationship between SJ and ADR and share pedagogy for bringing SJ into ADR courses. Participants are encouraged to contribute exercises and teaching techniques they have developed.

What should be the relationship between ADR and social justice is a foundational question in the field that has not yet fully resolved. As a community, continuing the conversation is more relevant than ever now. The session provided an interactive space to discuss and collect the wisdom of practionare on the process, the voices, and the relationships in ADR and social justice.

There were five main questions for moving forward:

What is social justice in the context of ADR?

Participants offered varying definitions for social justice in ADR. The most common were: system design, institutional kindness, supporting communities, and inclusion and awareness of equality and diversity.

Should law professors incorporate social justice goals into ADR courses?

Overwhelmingly, participants agreed that ADR courses should corporate social justice topics. Citing the proper role for such conversations as the clinical setting, many participants lauded that ADR module system design can empower individuals to mediate their own conflicts and make a personal difference in the community. Many 'social justice' schools are already organically equipped to tackle these issues. However, ADR courses are not uniquely positioned to teach social justice.

What are the arguments for or against the notion that ADR professors should raise social justice topics in their courses?

There are many arguments for raising social justice issues in ADR courses including an allowance for innovation in experiential teaching. There are concerns given that social justice issues come with political overtones, victimization perceptions, and ambivalence. There may also be a genuine fear from professors on how to broach the subject matter. Overall, ADR professors should determine their own personal values when dealing consciously or unconsciously with social justice issues and take care to be an appropriate steward of thought.

How do law professors teach social justice and engage students in ADR conversation?

Professors can start by building trust with students to become comfortable in discussing social justice. It is also important to bring a voice to any unwelcomed views in a non judgmental way. Students need room to engage in a way that does not conform to professor's views or ideas. Further, helping students recognize where there is injustice is an accomplishment. Be mindful of the social-justice gap where many students cannot give a clear articulation of social justice.

What resources are instructors using to teach social justice in ADR courses?

- Case studies with prompts (e.g., Is it socially just that life saving drugs are not affordable to those who need them?)
- Class tasks (e.g., redesign police and fire commission to address unarmed shooting vocalizing all perspectives (officials, community, families) at the end of the semester)
- Establish / teach an ADR diversity course
- Watch Tedtalk "Danger of the Single Story" and write a reflective essay on area of interests students are passionate about or an experience that shaped the person they became or any other aspect of life that seems salient
- Have students take the implicit-association test. Write about the results. Research literature on the validity of the test.
- Begin courses with units on reflective practices
- Use role playing exercises. Resources are available at 'Divided Community Project' (Ohio).
- Host a 'privilege walk' focusing on unearned privileges (students identify questions, have reflective discussions)
- Access the Trauma Stewardship Institute (Boston)