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*MOVING TO THE NEXT LEVEL: Intentional Conversations about Race,  
Mediation and Dispute Resolution  
October 27-28, 2001*

***Suggested Readings\*\****

**RACE, DIVERSITY & ADR**

***Journal Articles:***

Bruce E. Barnes, *Conflict Resolution Across Cultures: A Hawaii Perspective and a Pacific Mediation Model*, MEDIATION Q. 117 (Winter 1994)

Allan Barsky, et al., *Cultural Competence in Family Mediation*, MEDIATION Q. 167 (Spring 1996)

\*Beryl Blaustone, *The Conflicts of Diversity, Justice, And Peace in the Theories of Dispute Resolution; A Myth: Bridge Makers Who Face the Great Mystery*, 25 U. TOL. L. REV. 253 (1994)

Christopher Cooper, *Conceptualizing Opposition to Police Providing Mediation Services*, 2 J. OF PRACTICAL DISPUTE RESOLUTION 31 (2001)

Christopher Cooper, *Mediation in Black and White: Mediation Center-Police Partnerships – A Dignified Police Response*, MEDIATION Q. 281 (SPRING 2001)

Richard Delgado, *Conflict as Pathology: An Essay for Trina Grillo*, 81 MINN. L. REV. 1391 (1997)

Richard Delgado et al., *Fairness and Formality: Minimizing the Risk of Prejudice in Alternative Dispute Resolution*, 1359 WIS. L. REV. 1359 (1985)

\*Steven Gonzales, *Affirmative Action and the Jurisprudence of Equitable Inclusion*, 7 J. OF BAHA'I STUDIES 29 (June/Sept 1995)

Trina Grillo, *The Mediation Alternative: Process Dangers for Women*, 100 Yale L.J. 1545 (1991)

\*\*This non-exhaustive list of readings was compiled for participants of the Hamline symposium by Research Assistant Jessica Kuchta-Miller under the supervision of Professor Kenneth Fox, symposium planning committee chair and DRI Senior Fellow. We encourage and welcome additions, which can be forwarded to [kenfox@hamline.edu](mailto:kenfox@hamline.edu).

\* DRI 2001 Symposium Theme Leader

\*Isabelle R. Gunning, *Diversity Issues in Mediation: Controlling Negative Cultural Myths*, 1995 J. DISP. RESOL. 55 (1995)

\*Isabelle R. Gunning, *Stories from Home: Tales from the Intersection of Race, Gender and Sexual Orientation*, 5 S. CAL. REV. L. & WOMEN'S STUD. 143 (Fall 1995)

\*Isabelle R. Gunning, *Mediation as an Alternative to Court for Lesbians and Gay Families: Some Thoughts on Douglas McIntyre*, MEDIATION Q. 47 (Fall 1995)

Cherise D. Hairston, *African Americans in Mediation Literature: A Neglected Population*, MEDIATION Q. 357 (Summer 1999)

Cynthia R. Mabry, *African Americans "Are Not Carbon Copies" of White Americans--The Role of African American Culture in Mediation of Family Disputes*, 13 OHIO ST. J. ON DISP. RESOL. 405 (1998)

Michael A. McCormick, *Confronting Social Injustice as a Mediator*, MEDIATION Q. 293 (Summer 1997)

Nina R. Meierding, *The Impact of Cultural and Religious Diversity in the Divorce Mediation Process*, MEDIATION Q. 297 (Summer 1992)

Luis Arturo Pinzon, *The Production of Power and Knowledge in Mediation*, MEDIATION Q. 3 (Fall 1996)

**Newsletters:**

*Building Bridges: Recruiting for Diversity in Your Study Circle*, FOCUS ON STUDY CIRCLES (Study Circles Resource Center, Pomfret, CT) (Fall 1993/Winter 1994)

**CRITICAL RACE THEORY**

**Books:**

CRITICAL RACE THEORY: THE CUTTING EDGE (Richard Delgado & Jean Stefancic, eds., Temple University Press, 2d ed., 1999)

\*Isabelle Gunning, *Global Critical Race Theory: Female Genital Surgeries* in CRITICAL RACE THEORY: HISTORIES, CROSSROADS, DIRECTIONS (Temple University forthcoming)

Mari J. Matsuda, WORDS THAT WOUND: CRITICAL RACE THEORY, ASSAULTIVE SPEECH AND THE FIRST AMENDMENT (Charles Lawrence & Richard Delgado, eds., Westview Press, 1993)

RACE AND RACES: CASES AND RESOURCES FOR A DIVERSE AMERICA (Juan F. Perea, ed., West Wadsworth, 2000)

**Journal Articles:**

Regina Austin, *"The Black Community," Its Lawbreakers, and a Politics of Identification*, 65 S. CAL. L. REV. 1769 (1992)

Derrick Bell, *Racial Realism*, 24 CONN. L. REV. 363 (1992)

Derrick Bell et al., *Racial Reflections: Dialogues in the Direction of liberation*, 37 UCLA L. REV. 1037 (1990)

Richard Delgado, *Derrick Bell's Toolkit--Fit to Dismantle That Famous House?*, 75 N.Y.U. L. REV. 283 (2000)

Richard Delgado, *Rodrigo's Book of Manners: How to Conduct a Conversation on Race--Standing, Imperial Scholarship, and Beyond*, 86 GEO. L.J. 1051 (1998) (reviewing DANIEL A. FARBER & SUZANNA SHERRY, *BEYOND ALL REASON: THE RADICAL ASSAULT ON TRUTH IN AMERICAN LAW* (1997))

Richard Delgado, *Rodrigo's Eleventh Chronicle: Empathy and False Empathy*, 84 CAL. L. REV. 61 (1996)

Richard Delgado, *Stark Karst*, 93 MICH. L. REV. 1460 (1995) (reviewing KENNETH L. KARST, *LAW'S PROMISE, LAW'S EXPRESSION: VISIONS OF POWER IN THE POLITICS OF RACE, GENDER, AND RELIGION* (1993))

Richard Delgado, *Rodrigo's Eighth Chronicle: Black Crime, White Fears--On the Social Construction of Threat*, 80 VA. L. REV. 503 (1994)

Richard Delgado & Jean Stefancic, *Hateful Speech, Loving Communities: Why Our Notion of "A Just Balance" Changes So Slowly*, 82 CAL. L. REV. 851 (1994)

Richard Delgado, *Rodrigo's Fourth Chronicle: Neutrality and Stasis in Antidiscrimination Law*, 45 STAN. L. REV. 1133 (1993)

Richard Delgado, *Critical Race Theory: An Annotated Bibliography*, 79 VA. L. REV. 461 (1993)

Richard Delgado, *When a Story is Just a Story: Does Voice Really Matter?*, 76 VA. L. REV. 95 (1990)

Richard Delgado, *Mindset and Metaphor*, 103 HARV. L. REV. 1872 (1990)

Richard Delgado, *Storytelling For Oppositionists and Others: A Plea for Narrative*, 87 MICH. L. REV. 2411 (1989)

Richard Delgado, *Derrick Bell and the Ideology of Racial Reform: Will We Ever Be Saved?*, 97 YALE L.J. (1988) (reviewing DERRICK BELL, *AND WE ARE NOT SAVED: THE ELUSIVE QUEST FOR RACIAL JUSTICE* (1987))

James M. Jones, *Psychological Knowledge and the New American Dilemma of Race*, 54 J. SOC. ISSUES 641 (1998)

Charles R. Lawrence III, *The Id, the Ego, and Equal Protection: Reckoning with Unconscious Racism*, 39 STAN. L. REV. 317 (1987)

Ian F. Haney Lopez, *The Social Construction of Race: Some Observations on Illusion, Fabrication, and Choice*, 29 HARV. C.R.-C.L.L. REV. 1 (1994)

Deborah Ramirez, *Multicultural Empowerment: It's Not Just Black and White Anymore*, 47 STAN. L. REV. 957 (1995)

Stephanie M. Wildman, *Reflections on Whiteness and Latina/o Critical Theory*, 2 HARV. LATINO L. REV. 307 (1997)

Luther Wright, Jr., Note, *Who's Black, Who's White, and Who Cares: Reconceptualizing the United State's Definition of Race and Racial Classifications*, 48 VAND. L. REV. 513 (1995)

## **RACIAL IDENTITY**

### ***Books:***

Marouf A. Hasian and \*Thomas K. Nakayama, *The Fictions of Racialized Identities* in JUDGEMENT CALL: RHETORIC, POLITICS AND INDETERMINACY (John M. Sloop & James McDaniels, eds., Westview Press, 1998)

\*Leah Wing & Janet Rifkin, *Racial Identity Development and the Mediation of Conflicts* in NEW PERSPECTIVES ON RACIAL IDENTITY DEVELOPMENT: A THEORETICAL AND PRACTICAL ANTHOLOGY 182 (Charmaine L. Wijeyesinghe & Bailey W. Jackson III, eds., New York University Press, 2001)

### ***Journal Articles:***

Woodrow M. Parker et al., *Altering White Racial Identity and Interracial Comfort Through Multicultural Training*, 76 J. COUNSELING & DEV. 302 (1998)

Tracy L. Robinson, *The Intersections of Dominant Discourse Across Race, Gender, and Other Identities*, 77 J. OF COUNSELING & DEV. 73 (1999)

Shawn O. Utsey et al., *Racial Discrimination, Coping, Life Satisfaction, and Self-Esteem Among African Americans*, 78 J. OF COUNSELING & DEV. 72 (2000)

## **WHITE STUDIES**

### ***Books:***

CRITICAL WHITE STUDIES: LOOKING BEHIND THE MIRROR (Richard Delgado & Jean Stefancic, eds., Temple University Press, 1997)

WHITENESS: THE COMMUNICATION OF SOCIAL IDENTITY (\*Thomas K. Nakayama & Judith N. Martin, eds., Sage Publications, 1998)

\*Robert W. Terry, FOR WHITES ONLY (W. B. Eerdmans Publishing Co., 1970)

***Journal Articles:***

Judith Martin et. al, *Exploring Whiteness: A Study of Self Labels for White Americans*, 44 COMMUNICATION Q.125 (1996)

\*Thomas Nakayama and Robert Krizek, *Whiteness: A Strategic Rhetoric*, 81 Q. JOURNAL OF SPEECH 291 (1995)

Sherlon P. Pack-Brown, *Racism and White Counselor Training: Influence of White Racial Identity Theory and Research*, 77 J. OF COUNSELING & DEV. 87 (1999)

**JUSTICE AND SELF-DETERMINATION**

***Books:***

\*Y.N. Kly, INTERNATIONAL LAW AND THE BLACK MINORITY IN THE U.S. (Clarity Press, 1990)

\*Y.N. Kly, A POPULAR GUIDE TO MINORITY RIGHTS (Clarity Press, 1997)

\*Y.N. Kly, SOCIETAL DEVELOPMENT & MINORITY RIGHTS (Clarity Press, 1997)

***Articles:***

\*Y. N. Kly, *Exploration of the Concept of the Right to Self-determination in International Law and the Role of the U.N.*, in PURSUIT OF THE RIGHT TO SELF-DETERMINATION: COLLECTED PAPERS AND PROCEEDINGS OF THE FIRST INTERNATIONAL CONFERENCE ON THE RIGHT TO SELF-DETERMINATION & THE UNITED NATIONS (2001)

\*Y.N. Kly, *Predisposition to Societal Conflict*, 28 THE BLACK SCHOLAR 2 (1998)

\*Y.N. Kly, *African Americans and the Right to Self-determination*, 17 HAMLINE LAW REVIEW 4 (1993)

\*Nancy Welsh, *Making Deals in Court-Connected Mediation: What's Justice Got To Do With It?* WASHINGTON UNIVERSITY LAW Q. (forthcoming)

\*Nancy Welsh, *The Thinning Vision of Self-determination in Court-Annexed Mediation: The Inevitable Price of Institutionalization?* 6 HARVARD NEGOTIATION LAW REVIEW 1 (2001)

## **RELATED TOPICS**

### ***Books:***

Marge Baker, Velma French, Mary Trujillo & Leah Wing, *Conflict Resolution Education: How it Does Not Meet the Needs of Diverse Populations* in CONFLICT RESOLUTION EDUCATION RESEARCH AND EVALUATION (T. Jones and D. Kmitta, eds., 2000)

Clint C. Wilson & Felix Gutierrez, RACE, MULTICULTURALISM AND THE MEDIA: FROM MASS TO CLASS COMMUNICATION (Sage Publications, 1995)

Eric K. Yamamoto et al., RACE, RIGHTS AND REPARATION: LAW AND THE JAPANESE AMERICAN INTERNMENT (Aspen Publishers, 2001)

### ***Articles:***

Olga I. Davis et. al., *Current and Future Directions in Ethnicity and Methodology*, 24 INTERNATIONAL JOURNAL OF INTERCULTURAL RELATIONS 525 (2000)

\*Y.N. Kly, *The Muslim Minority in the U.S., 1776-1840*, JOURNAL: INSTITUTE OF MUSLIM MINORITY AFFAIRS (1980)

\*Thomas Nakayama, *Show/down Time: 'Race,' Gender, Sexuality and Popular Culture*, 11 CRITICAL STUDIES IN MASS COMMUNICATION 162 (June 1994)