

2006

# Classroom Conversations About Race, Poverty and Social Status in the Aftermath of Katrina

Homer C. La Rue

Lela P. Love

*Benjamin N. Cardozo School of Law*, [love@yu.edu](mailto:love@yu.edu)

Follow this and additional works at: <https://larc.cardozo.yu.edu/faculty-articles>



Part of the [Law Commons](#)

---

## Recommended Citation

Homer C. La Rue & Lela P. Love, *Classroom Conversations About Race, Poverty and Social Status in the Aftermath of Katrina*, 13 *Dispute Resolution Magazine* 22 (2006).

Available at: <https://larc.cardozo.yu.edu/faculty-articles/281>

This Article is brought to you for free and open access by the Faculty at LARC @ Cardozo Law. It has been accepted for inclusion in Articles by an authorized administrator of LARC @ Cardozo Law. For more information, please contact [christine.george@yu.edu](mailto:christine.george@yu.edu), [carissa.vogel@yu.edu](mailto:carissa.vogel@yu.edu).

# Classroom Conversations About Race, Poverty and Social Status In the Aftermath of Katrina

BY HOMER C. LA RUE  
AND LELA P. LOVE

**I**N THE WAKE OF THE NEW ORLEANS hurricanes and the ensuing dislocations and hardships for countless people, the disparate impact of the disaster highlighted issues of race, poverty and social inequalities.

The different experiences of rich and poor, black and white, resulting from the catastrophe created fissures in relationships among different groups—fissures that were felt in classrooms around the country and in society generally. To generate constructive dialogue on these issues, we set out to lead a discussion on race, poverty and social status in a law school classroom. We believed that such an effort would contribute to a more tolerant and sensitive school environment (and indirectly to a better society and a stronger democracy), and we wanted to experiment with how to raise difficult issues thoughtfully. What follows is a description of what we did and what we learned.

## What we did at Howard Law School

Immediately after Katrina, Homer La Rue conducted a conversation at Howard University School of Law in his first-year Civil Procedure course. The dialogue took place during one 75-minute class period on the

Monday immediately following the initial weekend news reports. Of the 53 students, 85 percent were African American. The others included four Caucasians, three Latinos, and one international student from Ghana. Approximately 60 percent were female. A number of students had family members or friends in the storm area.

The goal was to give students, at the beginning stages of becoming lawyers, an opportunity to talk together about what being a lawyer has to do with race, class, poverty, and our society's relationship to these seemingly intractable questions. The objective, however, was not to have an abstract dialogue about politics, but to help students develop a personal understanding of each student's connection or lack of connection to the issues of race, class and poverty and their own choices about becoming lawyers. We hoped this dialogue would motivate each student to engage in a longer and deeper discussion as he or she moved through legal training and into the profession of the practice of law.

Because the explicit message of law school is that what we discuss in the classroom is what competent lawyers need to know, it is important to discuss the often unspoken issues of race, class and poverty. These issues must not be subordinated by omission. For many African American (and other) students, such an omission makes it more difficult to understand the connection between their becoming lawyers and issues of great significance.

*Format for the dialogue.* To encourage students to reflect before class, on Sunday we sent each an email that included six questions:

1. What is my role as an individual citizen in responding to the crisis in the aftermath of Katrina?

2. What role can/should law play in any of what has happened this past weekend? What role can/should lawyers play?
3. What was the impact on *you* of the early pictures predominantly of African Americans trapped in New Orleans during and after the storm and the media's reference to "Third World" conditions? Later, the term used by the media has come to be "refugees." How does that term impact you?
4. What do you believe is the impact of the images of the displaced on others in the U.S.? Outside of the U.S.?
5. What is the implicit (if not explicit) role of race and class in planning for the storm, the response following the storm, and the living conditions that made the lives of some people more vulnerable than others to the storm?
6. Some have insisted that the city of New Orleans will be rebuilt, while others have suggested that it should not be, given the high-risk location of the city. What are the underlying interests of those who support the rebuilding? Of those opposed to the rebuilding?

Students also received this description of the class plan. (1) A 5- to 8-minute introduction by the instructor. (2) A 3- to 5-minute video clip of the weekend news scenes of people (mostly African Americans) fleeing the flood waters and heading for the Super Dome accompanied by the song *City of New Orleans* by Willie Nelson. (3) Students' small-group discussions of the questions emailed. (4) General class discussion of those questions. (5) An invitation to those



**Homer C. La Rue** is a professor of law at the Howard University School of Law and is a member of the Council of the ABA Section of Dispute Resolution, on which he holds the office of Budget Officer. He can be reached at [hclarue@earthlink.net](mailto:hclarue@earthlink.net).

**Lela P. Love** is a professor of law at the Benjamin Cardozo School of Law and is a member of the Council of the ABA Section of Dispute Resolution on which, she holds the office of Secretary. She can be reached at [love@yu.edu](mailto:love@yu.edu).

Professors La Rue and Love have headed the Section's Task Force on responses in the aftermath of Hurricane Katrina.

who choose to speak to express their feelings as well as their thoughts and to do so from their personal experiences by using the words “I think...” or “I feel...” (6) A request to be brief so that others may speak as well.

*Making dialogue work.* Civil Procedure is one of the important first-year courses in which students become acculturated to the role of thinking like a lawyer. Early in the semester, most Civil Procedure instructors begin to correct students’ use of language, discouraging, for example, the statement “I feel...” in response to a question. Consequently, for this dialogue, the instructor must explicitly state that feelings are an integral part of the conversation.

The use of music as well as the news scenes at the outset of the class further suggested that students were about to engage in a dialogue different from that of the typical law school class. The news clips, together with the song *City of New Orleans*, also provided an effective means by which to quiet the room. Finally, the use of these simple media reinforced the instructor’s statement that the discussion should include the students’ personal feelings about Katrina and its implications for them as future lawyers.

***A dialogue is a conversation animated by a search for understanding rather than for agreements or solutions. <sup>1</sup>***

Second, if the instructor tries to summarize the students’ discussion during the large-group dialogue, it is important to tell students that they are experiencing a unique stage in their personal and professional development. During their first semester of law school, students are learning a new role (that of a lawyer) but can still easily recognize their non-lawyer selves. We should remind students to reflect on how they are making that transition from non-lawyer to lawyer—what values they are retaining from their non-lawyer selves, what values they are subordinating and how they feel about this transition.

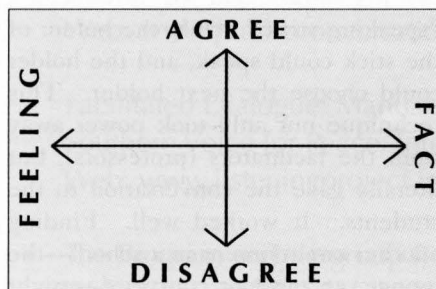
### **What we did at the Benjamin Cardozo School of Law**

In the spring of 2006, months after the hurricanes, Homer La Rue and Lela Love collaborated in leading a dialogue at Benjamin Cardozo School of Law of 15 second- and third-year law students studying mediation. The racial mix of the class was 20 percent minority (two African-American and one Latino) with the balance Caucasian. The class lasted three hours. One goal was to uncover unspoken differences and provide a bridge to understanding diverse

perspectives. Another goal was to explore the art of facilitation and its component skills.

We began by discussing facilitation skills and the purpose of the exercise. We explicitly wanted to enhance understanding and generate perspective-shifting, enabling us all to see the disaster events from the point of view of others. We highlighted the goal of facilitated dialogue and laid out typical guidelines for a conversation.

First, by way of introduction, we asked students to relate their own experiences connected with Katrina, inviting them to share any personal knowledge or thoughts they had. This provided the warm-up to a more structured exercise.



In the second phase of the conversation, we first asked students to draw a grid on a sheet of paper with two perpendicular axes (see box). On the vertical axis, students wrote “agree” at

the top and “disagree” at the bottom. On the horizontal axis, students wrote “feeling” on the left and “fact” on the right. Then, using PowerPoint, we projected the following statement: “The government knew about weaknesses in the levees and allowed the destruction of poorer, black neighborhoods in New Orleans.”

We chose this statement because we knew that some people felt strongly that what happened to poor neighborhoods was intentional or, at least, criminally negligent while others felt that opinion was preposterous.

***If students in law school classrooms do not discuss the often unspoken issues of race, class and poverty, these issues will be subordinated by omission.***

We asked students to mark their positions on their grids depending on how strongly they agreed or disagreed with the statement and whether their position was based on their feelings or their belief about facts. We then asked students to position themselves at their chosen places on a grid we had marked with masking tape on the classroom floor. After students complied, all quadrants of the grid were occupied. We then invited students to talk about why they were standing where they were.

Finally, we asked students to respond to another statement—this time placing themselves on a continuum with “supportive” at the top and “racist” at the bottom. We projected this statement: “The mayor of New Orleans’ statement that New Orleans would be a ‘chocolate’ city again was supportive (of special efforts that would be required to restore the poorer neighborhoods) or racist.” Again, students positioned themselves along the entire length of the continuum, and we invited them to talk about their choices.

We designed both exercises to convey information visually as well as verbally. Even before anyone spoke, the differences in perspectives were powerful.

## What we learned

*The facilitators.* Raising difficult topics is difficult. The difficulty is lessened by having a diverse team of facilitators—in this case male and female, black and white. Ideally, the team would also mirror other aspects of diversity, such as class and age. The diversity of leaders made participants feel safer and more comfortable. Even stating the mayor of New Orleans' provocative statement was uncomfortable for the white facilitator, until her partner verified that it was ok—that is, "chocolate" was not pejorative in that context.

We also recognized the potential impact of seemingly innocuous facilitation techniques. For example, the facilitator of a discussion group should be careful about speaking after students express their opinions or feelings. First, commenting on each student's statement may unwisely use up precious time. Second, the power role of the instructor as facilitator in the classroom context can tilt the discussion—causing some students to be hesitant about speaking if they sense that their opinions are different from that of the instructor.

*The participants.* Many of African American students at Howard did their undergraduate work at majority-white institutions. The setting for the Katrina discussion (i.e., a classroom in which the majority was African American) was one of the rare moments in academia when they did not experience being the "other" in a discussion about race and class. Some expressed a sense of freedom in not having to be the representative spokesperson for all other African Americans.

The facilitator must be conscious of the experience of being the "other" if the large classroom discussion is to be a safe space to express varying ideas and feelings. The ability of persons from different races to discuss racial issues varies. The facilitator can assist in developing this ability by encouraging speakers to speak from their personal experience, and by encouraging listeners to hear what is said as coming from the speaker's life

experience, that may be different from that of the listener.

At Howard University, black students far outnumbered white students. The opposite was true at Cardozo. Being a minority makes speaking up difficult. On one occasion, when a white student at Howard voiced an opinion not acceptable to many of her classmates, Professor La Rue consciously moved next to her in an effort to make her feel safe and validated. Body language and placement are important.

Facilitators must be keenly aware of stresses the participants may feel. Allowing students to "pass" instead of speak is one safety valve. To balance the conversation as much as possible, it would be good to invite additional members of the underrepresented group if that is feasible.

*The setting.* Every setting carries with it expectations about behavior. A law school is no different. Professors and students have well-established roles. It was hard to get away from professors as the "authorities" and students as the "learners" despite good intentions. Law students are accustomed to presenting strong views and arguing with one another. Here they were asked to speak from experience, speak from their hearts, and listen to their colleagues. We didn't do enough to get "out of setting." For example, students raised their hands to speak, particularly when they wanted to disagree with a statement.

In the final exercise, to counter this ingrained habit, we introduced a "speaking stick." Only the holder of the stick could speak, and the holder could choose the next holder. This technique not only took power away from the facilitators (professors), but literally gave the conversation to the students. It worked well. Finding another environment in a school—the lounge, an outdoor courtyard—might also contribute to the conversation.

*The dangers.* Just as the Chinese characters for "crisis" mean both "danger" and "opportunity," we do not want to overstate the opportunities of dialogue and omit the dangers. One

student pointed out that "hearing the opinions of some of my classmates, especially close friends, made me question my relationships." Another student noted that our request that students physically position themselves around the room could be "dangerous."

*How we began.* We began with an academic introduction to facilitation by defining it and displaying ground rules that various texts recommended.

### GOALS AND SPIRIT<sup>1</sup>

- Respect for speakers.
- Opportunity to listen and to be heard.
- Learning about perspectives of others and reflection on one's own view.
- Deepening of mutual understanding.
- Not a search for agreement or solutions.

### GUIDELINES

- No interruptions.
- Share the floor.
- Observe time frames.
- Can "pass" if you don't want to speak.
- Speak from experience and from the heart.
- Use "I" statements.
- No "cross-talk."

Students then elected to adopt the suggested guidelines. In retrospect, more discussion about students' fears about difficult conversations and the development of our group's own guidelines might have simultaneously prevented some of the difficulties we experienced and provided practice in responding to anticipated or actual dysfunctions in the process. As in the mediation process, to the extent the parties successfully negotiate and "own" the process, they model (and perhaps foreshadow) a similar result with respect to substance.

At one point, when students were standing in various quadrants of the grid, one student said to another in the extreme opposite corner: "I



can't believe you're standing there. You're the problem—and people like you.” This statement and its tone clearly violated both the spirit of the conversation (“respect others”) and the guidelines that were adopted

***The facilitators might have paid greater attention to the ‘no cross talk’ rule to allow participants to share ideas and feelings without fear of being attacked or judged.***

(“use ‘I’ statements”). More time on the spirit and guidelines would have paid off!

The facilitators might have paid greater attention to reinforcing the “No Cross-Talk”<sup>3</sup> rule drawn from the conversational practices traditionally used in many meetings. When the group adopts this norm, members can share their ideas and feelings without fear of being attacked or judged.

*How we (should have) ended.* Even with three hours for the dialogue at Cardozo, we ran out of time. We were unable to process reflections on the dialogue from the perspective of various participants. This was a mistake. Dialogues on sensitive topics raise strong feelings. Because it is unlikely that classes could exceed three hours, it is important to carve out the last portion of class time for closure. With hindsight, we would have reserved at least 20 minutes for wrapping up. We could have asked participants to comment on what the dialogue was like for them or on one idea or feeling they would take away from the conversation. We also should have left five to 10 minutes for written feedback.

### **Frank dialogues about sensitive topics**

Most instructors of alternative dispute resolution methods discuss power imbalance, stereotypes and prejudice, and they examine the consequences of racial, gender and economic disparities. Unfortunately, too few instructors of traditional law school courses examine such issues as they are often implicitly expressed in the law. Even when the issues are

treated, the discussions are a far cry from frank conversations about the feelings and experiences of students regarding these sensitive topics.

Wearing academic spectacles makes it easy to distance oneself from

the realities of our daily experience “on the street.” Neglecting to foster frank dialogues about sensitive topics is, at best, a missed opportunity. At worst, we rob our students and our democratic institutions of the diverse perspectives and the respect for that diversity which are the foundation for the freedoms we cherish.

### **ENDNOTES**

<sup>1</sup> CONSTRUCTIVE CONVERSATIONS ABOUT CHALLENGING TIMES: A GUIDE TO COMMUNITY DIALOGUE, PUBLIC CONVERSATIONS PROJECT (2003) (the “Guide”), available at website noted in the box below.

<sup>2</sup> *Id.*

<sup>3</sup> THOMAS JUSTICE & DAVID W. JAMIESON, THE FACILITATOR’S HANDBOOK: STEP-BY-STEP PROCEDURES, CHECKLISTS AND GUIDELINES, SAMPLES AND TEMPLATES 197 (1999).

***Students at Cardozo described the exercise as ‘very’ and ‘absolutely’ worthwhile. Similarly, students at Howard found the classroom discussion to be an effective way to process feelings of anguish and rage.***

### **SELECTED RESOURCES FOR FACILITATORS**

- Public Conversations Project.  
Web: [www.publicconversations.org/pcp/index.asp](http://www.publicconversations.org/pcp/index.asp).
- Facilitated Dialogue: Manual for Organizers and Trainers, Rural Southern Voice for Peace, International Listening Project.  
Web: [www.listeningproject.info](http://www.listeningproject.info).
- The Program on Intergroup Relations, University of Michigan.  
Web: [www.umich.edu/~igrc/](http://www.umich.edu/~igrc/).
- The National Coalition for Dialogue and Deliberation.  
Web: [www.thataway.org/resources/practice/issues/intergroup/intergroup.html](http://www.thataway.org/resources/practice/issues/intergroup/intergroup.html).