Education for Co-Existence

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Isaac Marks Memorial Lecture

EDUCATION FOR CO-EXISTENCE

Martha Minow[*]

Two stories haunt me. I heard the first from Dr. James Orbinski, the current President of Medecins San Frontieres, or Doctors without Borders.[1] It happened while he served as head of the humanitarian group's mission in Rwanda as the genocide unfolded. When Dr. Orbinski learned that a hospital sheltered several hundred children, but was under control of the Hutus, he went to the Hutu leader in charge and asked to take the children, transfer them to a safer place. The leader said no. Dr. Orbinski asked, "Do you have children?" "Why yes," the leader replied, proudly pulling out photos. The physician returned to the situation at hand, and said, "but these are children, too." The Hutu leader replied, "No, they are cockroaches." The next day, half of the children had been murdered.

A recent documentary film, entitled "Promises," tells the second story.[2] The film, co-produced and co-directed by Justine Shapiro and B.Z. Goldberg, follows the separate lives of seven children who live in and near Jerusalem; some

    1.   He told this story at the Monk Centre for Interantional Studies at University of Toronto conference, *Justice, Memory and Reconciliation*, Feb. 16, 2000; Dr. Orbinski delivered the acceptance speech for the Nobel Prize awarded to the organization. An interview of Dr. Orbinski, conducted by Dr. John Hoey, Editor-in-Chief of the Canadian Medical Association Journal, appears at http://www.cma.ca/cmaj/audio/orbinski_0200.htm.

    2.   Information about the film is available at http://www.promisesproject.org. Public Broadcasting showed the film on *P.O.V.* Information about the showing of the film is available at http://pbs.org/pov/promises.

are Israeli Jews, some Israeli Arabs. There is a Jewish boy who lives in one of the settlements, a religious Arab, two secular Jewish Israelis—twins, one grandchild of refugees, still living in the camps, and one child of a Palestinian imprisoned by the Israelis as a security risk. Some of the children became curious about the others being filmed, and the filmmaker arranged for the Israeli twins, Yarko and Daniel, to meet several Palestinians in the refugee camp, 20 minutes from Jerusalem.

The film shows the children, in their early teens, overcoming initial awkwardness, sharing a meal, playing soccer, wrestling, and discussing how they felt, having met one another. Daniel, one of the Israelis, said he had never understood how anyone could support Hammas, the militant Palestinian organization, but based on this day, he understood. He concluded that he would too, if he were in the situation of his new friends. Faraj, one of the Palestinian adolescent boys, started to cry. He said he feared the glimmerings of mutual understanding would disappear when the filmmaker left. The film ends with a follow-up visit with the same individuals, by then older teens. Daniel notes that the connections faded, although Faraj, the Palestinian friend, tried to keep in contact. For himself, the Israeli observed he had other things to think about, like his own life, school, and soccer. Faraj, in the time since the earlier filming, looks hardened, hollow eyed, resigned to a long political struggle that could extend through the lifetime of his future grandchildren.

What can prevent people from thinking of other people's children as cockroaches, worthy of extermination? What practical and psychological shifts are necessary for people to undertake the long-term work of overcoming prejudices and politicized differences? What if any opportunities for learning can help people seek the humanity of individuals despite persistent conflicts organized around group identities and political struggles? A common impulse after intergroup conflict—whether international, interethnic, or interracial—is to call for education. Education offers the chance to shape minds, hearts, and behaviors of succeeding generations. Educational responses express this hope: If only we educated young people to respect others; to understand the costs of group hatreds; to make friends, not stereotypes; to know tools for resolving disputes, to choose to stand up to demagogues, to be peacemakers, then we could hope to prevent future violence and future atrocities.

I have turned to education as part of a larger project, helping the United Nations High Commissioner for Refugees address the particular dangers posed when people return home after fleeing during ethnic conflicts. With a team of UNHCR fieldworkers, scholars, and consultants, we are trying to support co-existence as a goal and as a lens for viewing all the activities by humanitarian aid organizations. For when outside international aid agencies neglect the persisting lines of group conflict while handing out blankets, or providing police protection, or offering economic aid, they can exacerbate the tensions and distrust between groups. As UNHCR helps Bosnians and Rwandans returning to their towns, it risks fueling resentments between those who stayed and those who have returned as well as between Muslims and Christians, Serbs and Croats, Hutus and Tutsis.

Helping agencies may do better by identifying ways to meet common needs—for jobs, for community centers, for orphan care, for housing—than simply by directing assistance to a refugee group. The selection of priorities for humanitarian aid may differ when it is made with an eye to strengthening local bridge-builders and processes of collaboration.

Our team of scholars, evaluators, and UNHCR staff has called the project "Imagine Coexistence."[3] We use co-existence, rather than reconciliation to reflect an honest assessment of what is possible in the near term—and to avoid what we have learned can be insulting assumptions by outsiders of what people emerging from crises want or need. And we call it "*Imagine* Coexistence" because holding the very idea in mind is the most vital element for peace—and because we thought saying the name itself is a beginning.

At its core, then, Imagine Coexistence is about education: about learning the possibilities for collaboration and basic trust between conflicting groups—and about learning possibilities for would-be do-gooders too. After mass violence, after terror, the challenge is not to "return to normal" after the conflict, for normal is what produced the conflict. Two probing anthropologists crystallized this insight when they wrote earlier this year: "[N]o glib appeal to 'our common humanity' can restore the confidence to inhabit each other's lives again. Instead, it is by first reformulating their notions of 'normality' as a changing norm, much as the experience of disease changes our expectations of health, that communities can respond to the destruction of trust in everyday life."[4] Educational change must be part of more comprehensive efforts to alter the social conditions in which massive intergroup conflict arises.

Working with young people is especially crucial. Obviously, the future lies in their hands. More subtly, studies of memory indicate that experiences formed in adolescence and early adulthood become the basis for the most enduring and vivid memories over people's life-times, but the shape of any memory is affected by the stories the individual learned combined with the individual's present needs and interests.[5] Thus, adolescents who live through group conflict will likely hold onto those memories for the rest of their lives. The meanings they attribute to those memories are affected, though, by the collective narratives they

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3.   See Lecture by Sadako Ogata, United Nations High Commissioner for Refugees, at Ben Gurion University: "The Current Problems of Refugee Populations" (Beer Sheva, Israel, 23 May 2000), *available at* http://www.unhcr.ch/cgi-bin/texis/vtx/hom?page=admin (posted under "High Commissioner's Statements"); Sadako Ogata, *Enabling People to Live in Security*, keynote speech at the International Symposium on Human Security (Tokyo), *availble at* http://www.unhcr.ch/cgi-bin/texis/vtx/hom?page=admin (posted under "High Commissioner's Statements").

4.   Veena Das and Arthur Kleinman, Introduction, *in* REMAKING A WORLD: VIOLENCE, SOCIAL SUFFERING, AND RECOVERY 1, 23, (Veena Das et al. eds., U. Cal. Press. Berkeley 2002).

5.   *See* DANIEL L. SCHACTER, SEARCHING FOR MEMORY: THE BRAIN, THE MIND, THE PAST(1996).

learn and by emerging needs and interests in their adult lives. To prevent revenge as the desired response to their past and to prevent dehumanizing people in other groups, educational experiences for adolescents could be vital—if they point in the direction of peaceful co-existence. Moreover, studies of human development indicate that it is during adolescence that people first develop strong commitments to abstract ideals. The ideas that young people form about their national struggles will connect with their emerging notions of right and wrong, truth and fairness, identity and injustice that will deeply influence the rest of their lives. So I was thinking about what kinds of educational programs could help young people conceptualize their past and their futures—and preparing to talk of these things for a lecture originally scheduled here for last fall—when September 11th came.

The events of that day still seem to defy a name. How indeed shall we name it? The acts of organized terror? The fall of the World Trade Center? The attack on the Pentagon? The worst assault on the United States in its history? The end of American innocence? The end of American insularity? These have been offered, but I think we still call it September 11 because no other name seems to work—and perhaps because of the eerie echo of an emergency call captured in 9/11, or the afterimage of the fallen towers in the numerals in 11. In any case, it has given me a small taste of what it is not even to have the chance to talk of returning to normal, because now so much of what was normal has to change.

Yet, thinking of both the causes and the aftermath of September 11 does return me, albeit with new preoccupations, to the topic of education for co-existence. What kinds of education led nineteen young men to aspire to hijack American planes, and convert them into weapons of mass destruction, suicide, and political assault? How should our schools teach about what happened, about why they could hate us so, about what now, to do? Struggling with this as a scholar and as a mother of a nine-year-old rivets together the professional and the personal for me, as for so many others.

After September 11, schools across the United States have explored anger management, violence prevention, peace programs, anti-bias education, and conflict resolution instruction intended to promote tolerance and peace.[6] It has never seemed more urgent to attend to our own treatment of groups, people who seem like "others"—whether immigrants, or fellow residents of this land. Our own largely failed efforts around school desegregation figure prominently in what we must examine in thinking about education for co-existence, here, and wherever intergroup conflicts smolder.

I will discuss five approaches to education for co-existence. Each has exemplars; each grows from a particular assessment of what is needed to promote co-existence. Each also mirrors real political struggles, whether in geopolitics or internal issues, but each also reflects sincere efforts to break cycles of hatred and prejudice. I will draw, where possible, upon evaluations of effectiveness and

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6.   *See* Alina Tugend, *Peaceable Playgrounds: Do Conflict Resolutions Deliver on Their Promise?*, N.Y. TIMES, Nov. 11, 2001, Education Life, at 18.

criticisms about the five kinds of initiatives which are: education in conflict resolution; education through social contact; education in human rights; education in moral reasoning; and education in the histories of intergroup conflicts. You will note an intriguing resonance between these programs and contemporary legal education in this country. How might each education help promote co-existence in this fragile and sometimes terrifying world?

I. EDUCATION FOR CO-EXISTENCE

A. Conflict Resolution

A leading focus in education for co-existence is conflict resolution. Teaching conflict resolution to children and teens ranges from training in mediation to studies of international peace-building efforts. Especially in societies that are struggling to implement peace agreements or to move from conflict to peace, peace education efforts try to promote inclusive ideas of community, to resist ethnic or nationalist indoctrination, and to strengthen students' own skills in resolving or transcending conflicts.[7] In settings more remote from immediate conflict, conflict resolution education efforts seek to strengthen students' skills in mediating, resolving, or moving beyond conflicts, and in making peace among their peers, in their communities, and in broader contexts. In the United States, 15–20% of public schools offer some version of conflict resolution instruction as part of social studies, peer mediation, or special programs aimed at developing mediation skills.

Conflict resolution programs usually focus at least in part on developing students' abilities to avoid conflicts and mediate them. Experts believe that teaching students how to negotiate and communicate, and how to mediate conflicts, can enhance students' capacities to cooperate and to employ self-control, thereby reducing incidents of aggression at school.[8] Sustained programs, on the order of twenty-five lessons, leave an effect while brief programs introduced after a crisis are associated with no reduction of violence among the students.[9] It is less clear whether the programs genuinely strengthen students' abilities to handle conflicts generated because of racial, ethnic, or religious tensions. There is little evidence that these programs significantly improve school climate.[10]

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7.   *See* Dennis J.D. Sandole, *Strengthening Transitional Democracies Through Conflict Resolution: Conflict Resolution Education*, 552 ANNALS 125 (1997).

8.   *See* Tugend, *supra* note 6 (City Univ. of Washington study indicating a 29% decline of fighting incidents at schools and 20% decline in verbal incidents in six schools teaching conflict resolution, compared with a 41% increase in violent incidents and 22% increase in verbal incidents in schools without such programs).

9.   *See id.* (citing study of Public School 217 by Columbia Univ.).

10.   *See id*; *see also* William S. Haft and Elaine R. Weiss, *Peer Mediation in Schools: Expectations and Evaluations*, 3 HARV. NEGOTIATION L. REV. 213 (1998).

Timothy Lytton, currently a professor at Albany Law School, developed instruction in mediation skills in Nicaragua and Guatemala.[11] The program trains professionals and community leaders as well as students while also offering mediation services through the law school clinic. By addressing disputes ranging from family matters, neighbors' disagreements, and small claims, to conflicts between political parties over election results, the program seeks to mirror the ideals in national peace accords while strengthening a culture of mutual respect. Other programs involve students or mediators in their schools. Some efforts combine academic study of conflict resolution with skills training in communication and mediation.

For example, one curriculum, "Conflict and Communication," received support from George Soros's Open Society Institute for implementation in Central and Eastern European Schools.[12] Implemented in Macedonia, Romania, and piloted in other Eastern European countries, the curriculum seeks to address risks of violence emerging from ethnic tension by helping students to:

> —Learn to critically analyze their attitudes and perspectives on a variety of issues.
>
> —Develop useful skills for managing conflicts.
>
> —Understand the importance of communication.
>
> —Gain the ability to communicate in ways that defuse conflict.[13]

Using practice exercises to generate experiences, the curriculum identifies conflict management as traveling a road of choices about how to deal with interpersonal and intergroup conflicts. This curriculum stresses that conflicts are inevitable and necessary but can be resolved in ways that "do not violate human rights."[14] The curriculum starts with a unit called "Me" and includes exercises focused on individual student self-knowledge and expression, seeking to strengthen self-esteem and a positive outlook. One exercise also asks students to explore their own internal conflicts about responding to peer pressure, for example.[15]

The curriculum's second unit, called "You," involves students in appreciating different people's perspectives and experiences, identifying

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11.   *See* Timothy D. Lytton, *Building Peace by Teaching Mediation: A New Model of Law and Development*, 17 IN BRIEF 13 (1999) (New York Law School magazine.); Timothy D. Lytton & Salvador Centeno Rivas, *La Resolucion de Conflictos en Nicaragua*, forthcoming in LA RESOLUCION ALTERNATIVA EN AMERICA LATINA (Buenos Aires: Granica, 2002).

12.   *See* DANIEL SHAPIRO, CONFLICT AND COMMUNICATION: A GUIDE THROUGH THE LABYRINTH OF CONFLICT MANAGEMENT (Open Society Institute 1995). Thanks to Daniel Shapiro for conversations about the curriculum and the topics it reflects.

13.   *Id.* at i.

14.   *Id.* at iii.

15.   *See id.* at 37 (inviting students to explore how they deal with conflicting feelings about whether to smoke cigarettes with friends).

stereotypes and ways to challenge them, and understanding the concepts of prejudice and discrimination. A third unit focuses on verbal and nonverbal communication skills and exercises to build interpersonal trust; a fourth addresses the use and misuse of conflict in interpersonal, intergroup, and international contexts; and a fifth engages students in practicing a five-step conflict resolution strategy. The steps are: 1) recognizing conflict, 2) examining the feelings of yourself and others; 3) recognizing what you and others want from the conflict; 4) thinking of ideas to help both sides or parties get what they want at the same time; and 5) devising and acting upon a plan to get there, while strengthening the relationship with apparent opponents.[16] Exercises invite students to practice these steps in a soap opera family scenario and in protecting the physical environment from risks.

The curriculum includes a separate unit designed to train students to serve as mediators in school conflicts.[17] Research suggests that such programs most profoundly affect the students who become mediators. So not only do the programs help schools resolve disputes; they leave a lasting effect on the students who try to mediate them.[18]

Other conflict-resolution and peace education programs teach students examples of successful peace building efforts, less to enhance skills than to alter students' aspirations and understandings of political processes and nonviolent dispute resolution possibilities. Education for Peace in Bosnia and Herzegovina seeks to help younger people and their teachers and parents to become peacemakers.[19] The curriculum, developed by Switzerland's Landegg International University and financed by the Grand Duchy of Luxembourg, addresses the dynamics of interethnic and intercultural relationships, the elements of conflict and abuses of power, the foundations of democracy, the possibilities of unity in diversity, and the psychology of peace. The program distinctively incorporates peace education within the curriculum, connecting it to biology, art, history, computer science, and other scheduled classes. The same curricular concepts and materials are used in six pilot schools across Bosnia and Herzegovina despite the ethnic segregation by school. Testimonials by ministers of education in the region indicate that the program has at least secured buy-in at that level.[20]

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16.   *See id.* at 207.

17.   A final unit of this particular conflict resolution curriculum teaches students about international human rights, as articulated by the United Nations Declaration of Human Rights, the Declaration on the Rights of the Child, and other international sources. Further exercises involve applying rights to factual contexts and identifying potential remedies. S*ee id.* at 220–24. I treat this as part of a distinctive approach, discussed in one of the next sections.

18.   *See* Tugend, *supra* note 6 (discussing research of Tricia Jones, Temple Univ.).

19.   *See Education for Peace*, *at* http://old-www.landegg.edu/main.cfm?SID=55.

20.   *See id*. (quoting Ministers of Education from Bosnia and Herzegovina, Republic of Srpska, and Tranik).

A report on the first year indicates that teachers accept the program and students seem to appreciate it.[21] Some 6000 students and 400 teachers have participated in the program. [22] The first year report asserts that students and teachers have improved their decision-making skills and share positive stories about the other ethnic group. The report treats as another preliminary result a change in teaching style away from authoritarianism and toward greater creativity and consultation with students.[23] The program's web site also quotes a participating student who said: "We learned many new things: new approaches to conflicts, how to create our lives, how to realize our relationships with other people, and how to learn to make our own decisions. But the most important thing that we learned is to be at peace with ourselves and teach other people to be peaceful."[24]

Concrete, immediate lessons engaging their own experience and needs are likely to be crucial elements. When instructing young people about such abstractions as peace and democracy, programs are likely to be more meaningful if they focus on specific stories about individuals who have made a difference rather than abstract and general histories. This is the strategy pursued by the book, *People Building Peace: 35 Inspiring Stories From Around the World*.[25]

It seems especially sobering to note at this moment that a notable concentration of peace-building education efforts have taken place in the Middle East. A thoughtful study by Mohammed Abu-Nimer identifies obstacles to peace-building education in the Middle East after the Oslo accords.[26] He found that when peace education came into Palestinian schools, it meant an emphasis on the national liberation struggle continued without pursuing universal approaches for peace and reconciliation. Similarly, a politicized tilt affected Israeli educational materials, which avoid Palestinian issues, even when they attend to the needs for coexistence and peace among Arabs and Jews inside of Israel.

Conflict resolution training and peace education risk seeming irrelevant, hypocritical, or distorted if they neglect the larger political frame within which concrete conflicts arise. Yet addressing the larger political frame embroils curriculum in the very disputes it seeks to reshape or transcend. Moving between interpersonal relations to intergroup relations requires more than analogizing the groups to individuals; it requires deep historical and political analysis, and

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21.   *See* EFP Bosnia & Herzegovina 2000–2001 Report, *available at* http://efp.landegg.edu/main.cfm.

22.   *See id*. at 3.

23.   *See id*. at 4.

24.   *Id.* (quoting Sanja Bogdanovic, a student participating in the program).

25.   *See* PEOPLE BUILDING PEACE: 35 INSPIRING STORIES FROM AROUND THE WORLD (World European Centre for Conflict Prevention 1999).

26.   *See* MOHAMMED ABU-NIMER, DIALOGUE, CONFLICT RESOLUTION AND CHANGE: ARAB-JEWISH ENCOUNTERS IN ISRAEL (1999); Mohammed Abu-Nimer, *Education for Coexistence in Israel: Potential and Challenges*, *in* MOHAMMED ABU-NIMER, ED. RECONCILIATION, JUSTICE, AND CO-EXISTENCE 225–54 (2001).

attention to the potentially multiple versions of the relevant histories without losing a moral compass.

This is very difficult when the participating groups themselves perceive different political priorities. Abu-Nimmer identified disagreement among Palestinian and Israeli peace educators about priorities, perspectives, and expectations. Palestinian peace educators highlighted the importance of their community's needs—including students' needs for empowerment, attention to trauma, and safe spaces to express their feelings—while Israeli Jews wanted to develop joint projects with Palestinian educators to promote student encounters and curriculum development, and to help their students learn to live alongside people they feared. Some Israeli and Palestinian educators began working together in 1996 to design peace-building curricula, but the dialogue among the two groups itself required bridging large differences amid a volatile political environment. Abu-Nimer argues that peace education, broadly conceived, actually can help the Palestinians better meet their priority for internal development by easing internal tension and contributing to democratic nation-building, and by mobilizing students to resist injustice.

In this spirit, he articulates seven basic principles of a potential Israeli-Palestinian peace education campaign, including: 1) acknowledging the need for healing from personal and group trauma and reconciliation with the perceived enemy; 2) learning how the others perceive themselves and working to humanize the others; 3) acknowledging asymmetries in power and visualizing a future relationship of balanced power; 4) critical thinking about intergroup and individual relationships, including detection of violence and injunction, challenging propaganda, and rejecting either/or frameworks; 5) attending to interdependencies between the groups, especially around resources and geography.

Perhaps working collaboratively and across groups toward peace-building curricula can itself be an element of grassroots efforts in a regional peace-building process that also involves diplomatic and governmental efforts. It is possible that articulating goals and methods for peace building—and doing so in collaboration across divided groups—can model the practice toward which the participants aspire.

Central to conflict resolution and peace-building instruction are the dual focus on the students' own lives and skills on the one hand, and techniques for addressing larger intergroup or political conflicts. Conflict resolution education includes generic ideas about improving communication skills, capacities to take the perspectives of others, and abilities to act by plan rather than impulse. Yet those programs that neglect dimensions of power and politics will be less likely to have relevance or durability—and yet the more explicit they are about such matters, the greater the risks that they will be controversial, viewed as non-neutral.

B. Intergroup Contact

While conflict resolution programs seek to equip students as peacemakers and mediators, intergroup contact initiatives proceed by giving students experiences with people in other groups. The idea is that through intergroup contact, people who belong to different racial, religious, or ethnic groups can overcome stereotypes, develop positive cooperative experiences, and exemplify relationships of equality and mutual acceptance.[27] In the United States, we are familiar with legally mandated programs of racial desegregation and voluntary school desegregation efforts. But there are also intensive short-term experiential learning, bringing together Palestinians and Israelis for a few weeks, or teens from opposing sides in Northern Ireland, or suburban and urban adolescents in the United States.

Studies of the effect of school desegregation in the United States have focused largely on the effects on prejudices (defined as negative attitudes formed on the basis of insufficient or erroneous information).[28] Many of the studies show ambiguous findings in part because it is hard to ensure that meaningful interactions actually occur. Casual, superficial contact—such as passing one another in the cafeteria—is much less likely to affect attitudes than joint school projects or experiences on the same, not opposing, sports team. Cooperative work rather than competitive work tends to improve intergroup relationships.[29]

Yet the setting for intergroup contact often is problematic. Adults oppose it. Schools resegregate informally, or formally (such as through academic tracking in a formally desegregated school). In these circumstances, intergroup contact may actually be worse for intergroup relationships.[30] Court-ordered desegregation, without thoughtful planning, can fail. Letting students choose where to sit in class or during lunch will lead many to self-segregate and may generate new feelings of distance, threat, or discomfort. Superficial contact can generate conflict rather than harmony. Studies show that white students tend to be more active and dominating in interracial groups without carefully planned programs that involve nonwhite children in teaching white children new skills.[31] The idea that social contact will naturally occur and inevitably lead to positive results is not borne out.

Nonetheless, carefully designed plans for cooperative work groups can have positive effects on intergroup relations. Early research demonstrated the

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27.   *See* W. PAUL VOGT, TOLERANCE AND EDUCATION: LEARNING TO LIVE WITH DIVERSITY AND DIFFERENCE 151–76 (1997). The idea of social contact as a basis for positive outcomes began with Gordon Allport's work. S*ee* GORDAN W. ALLPORT, THE NATURE OF PREJUDICE (1954); *see also* CONTACT AND CONFLICT IN INTERGROUP ENCOUNTERS (M. Hewstone and R. Brown eds., Oxford: Blackstone 1986) (building on Allport's work).
28.   *See* ALLPORT, *supra* note 27, at 161.
29.   *See id*. at 161 (reporting studies).
30.   *See id*. at 175, 205.
31.   *See* E. Cohen et al., *The Center for Interracial Cooperation: A Field Experiment*, 49 SOC. OF EDUC. 47 (1976).

value of joint tasks and experiences of interdependence while learning.[32] Robert Slavin, a scholar and school reformer, pioneered more recent studies on the effects of cooperative learning assignments in which students are graded as a team. Members of the multiethnic, multiracial teams are assessed in light of their own improvement over past performance, and that individual improvement is each student's contribution to the team's grade.[33] Efforts of this kind have improved both reported attitudes of the students and also chances for cross-group friendships.[34]

To be realistic, however, discussion cannot ignore the political and legal constraints faced by school desegregation efforts in the United States. Court-ordered desegregation faced massive and often violent resistance from the start, in response both to gradual and immediate remedies. The condemnation of racially separate education as inherently unequal in *Brown v. Board of Education*[35] stands as the most famous decision of the United States Supreme Court, as a decision that has inspired other constitutional democracies to build courts empowered to interpret principles of equality. Yet the Supreme Court, under shifting membership and changing political times, has pulled back sharply from the commitment to intergroup contact signaled by *Brown*.

Thus, the Court ruled in *Milliken v. Bradley*[36] that the racial segregation in Detroit's schools does not provide the predicate for a remedy reaching into the surrounding suburbs because the trial evidence demonstrated intentional racial segregation only by the city's authorities. Later findings of statewide violations justified a judicial remedy redistributing economic resources, but not reassigning students.[37] The Court approved withdrawal of judicial supervision of school systems that have not entirely dismantled intentional racial segregation, and shifting demographic patterns that are not directly linked to intentional racial discrimination by public officials does not justify student assignments for intergroup integration.[38] Courts of appeals have restricted voluntary racial integration plans.[39] Most current reports show that the student populations in almost all large urban school systems in the country are predominantly nonwhite.[40]

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32. *See* ELLIOT ARONSON ET AL., THE JIGSAW CLASSROOM (1978); MUZAFER SHERIF ET AL., INTERGROUP CONFLICT AND COOPERATION: THE ROBBER'S CAVE EXPERIMENT (1961); *see also* Erwin Staub, *Breaking the Cycle of Genocidal Violence: Healing and Reconciliation*, *in* PERSPECTIVES ON LOSS: A SOURCEBOOK 231 (John H. Harvey ed., 1998).

33. *See* Robert Slavin, *Cooperative Learning: Applying Contact theory in Desegregated Schools*, 41 J. SOC. ISSUES 45, 56 (1985).

34. *See* VOGT, *supra* note 27, at 207; *see also* ROBERT E. SLAVIN, COOPERATIVE LEARNING: THEORY, RESEARCH AND PRACTICE (1990); *Cooperative Learning: Applying Contact Theory in Desegregated Schools*, 41 J. SOC. ISSUES 45 (1985).

35. 347 U.S. 483 (1954).

36. 418 U.S. 717 (1974).

37. *See* Milliken v. Bradley (II), 433 U.S. 267 (1977).

38. *See* Freeman v. Pitts, 503 U.S. 467 (1992).

39. *See* Tito v. Arlington County Sch. Bd., No. 97-540-A, 1997 U.S. Dist. LEXIS 7932 (E.D. Va. 1997) (rejecting diversity as a rationale for selection of kindergarten

Localized findings linking interracial social contact in cooperative learning settings to improved intergroup relationships must be understood in the context of these larger demographic and legal responses. The national experiment in school desegregation found powerful sources of resistance, however successful it was in some individual instances. Using social contact among students to improve race relationships is too weak a tool, given white flight to the suburbs and private schools, segregated housing patterns, and the retreat of politicians and judges. As many parts of the country become "majority-minority"—especially with growth of the Hispanic population—the model of racial integration used by the Courts was too limited in any case. The future may hold pockets of self-segregated white communities outside of urban districts, filled with Hispanic, African-American, and Asian students, many of them immigrants. Because the racial differences also correlate so strongly with class differences, stereotypes about racial differences become intertwined with differences in economic power. The fate of U.S. school desegregation is a sobering caution to any society seeking to promote intergroup co-existence by relying on integrating students.

Legal and political barriers to integrating students of different religious and ethnic groups dominate the Middle East, Eastern Europe, Northern Ireland, and even Canada. Efforts to create integrated schools, joining Catholics and Protestants, in Northern Ireland have produced thirty-seven schools after nearly twenty years of effort—involving less than ten percent of the student population.[41] That these schools are oversubscribed gives some indication of success, yet resistance from the government, the churches, and ultimately the broader public must explain the funding shortages and failure to meet the target goal of serving one-third of the student population by 2000.

An experiment in school integration in Israel actually is part of a larger co-existence effort. Jews and Palestinian Arabs of Israeli citizenship jointly

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students for magnet schools); Weissman v. Gittens, 160 F.3d 790 (1st Cir. 1998) (rejecting use of race in selecting students from qualified pool for an examination school).

40. *See* Gary Orfield & John T. Yun, *Resegregation in American Schools*, tbl. 4, *at* http://www.law.harvard.edu./groups/civilrights/publications/resegregation00.html. *See generally* GARY ORFIELD & SUSAN E. EATON, DISMANTLING DESEGREGATION (1996) (describing trends); GARY ORFIELD, SCHOOLS MORE SEPARATE: CONSEQUENCES OF A DECADE OF DESEGREGATION (Harvard University Civil Rights Project 2001).

41. *See* Ed Cairns and Miles Hewstone, *The Impact of Peacemaking in Northern Ireland on Intergroup Behaviour*, *available at* http://construct.haifa.ac.il/ ~cerpe/book/cairns.pdf; *see also* Ed Cairns, *The Role of the Contact Hypothesis in Peacemaking in Northern Ireland: From Theory to Reality*, *at* http://construct.haifa.ac.il/~cerpe/book/cairns.pdf; A.M. GALLAGHER, CTR. FOR THE STUDY OF CONFLICT, THE MAJORITY MINORITY REVIEW 1: EDUCATION IN A DIVIDED SOCIETY, (2d ed. 1995); ED CAIRNS & IGNATIUS J. TONER, CHILDREN AND POLITICAL VIOLENCE IN NORTHERN IRELAND: FROM RIOTS TO RECONCILIATION, 215, 223 (showing gap between those who in theory support integrated education in Northern Ireland and those actually sending their children to integrated schools).

established and collaboratively run the village Neve Shalom/Wahat I-Salam.[42] The school is bilingual. Some in the region fear it and others disapprove of it.[43] I admire it. By taking the ambitious step of integrating the entire town, this initiative does not rest the entire responsibility on the shoulders of children.

It is, however, highly unusual. Few people in settings of intense conflict or oppression create integrated communities. A more manageable but still courageous effort for intergroup contact emphasizes intensive, short term sessions, for a few days, or a few weeks, usually removed from the home territory of members of each group. Neve Shalom/Wahat al-Salam itself runs a Youth Encounter Program for young people outside the village who come for three days to engage in personal, social and political exchange with two facilitators, an Arab and a Jew, in each group.[44] Another of this approach is Seeds for Peace, a camp in Maine for Arab and Israeli teens who spend three weeks sharing cabins, sports, arts, and discussions of their region's conflicts.[45] Its participants are selected by their governments. Seeds of Peace has expanded to include youth from Eastern Europe in its summer camp, programs for Greek and Turkish youth from Cyprus, and a year-round center in Jerusalem to help its alumni maintain their friendships. Recognized and supported by political leaders in the region and in the United States, Seeds of Peace aims to empower children to break cycles of violence, to break down negative images of members of opposing groups, and to engage in critical reflection about themselves and their world. Staff leaders assign students to tables, bunks, and sports teams with a deliberate plan for encouraging interaction among members of different groups. Campers are given a chance to meet once a week with individuals from their own group, accompanied with teachers and representatives of their Ministries of Education.

One counselor described how she invited her campers to name one "rose" and one "thorn" each night before sleeping. "Forcing my campers to summarize one positive and negative aspect of their day allowed them to recognize the wide spectrum of emotions that each day brought."[46] Usually, this led to discussions of bad meals, fun swims, lost sports competitions, or helpful conversations. One night, however, it led to a passionate debate over who should control Jerusalem. The counselor explained that her role was to serve as a neutral listener and if necessary, a mediator, allowing the teens to converse; discussions of tense and

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42. *See* Neve Shalom/Wahat al-Salam, *at* http://nswas.com/index.html (last modified Mar. 21, 2002).

43. Another group, Hand-in-Hand, tried to foster the development of integrated bilingual schools for Jews and Arabs in Israel. *See* Hand-in-Hand web site, *at* http://www.handinhand12org/TheLangu/TheLangu.html.

44. *See* The School for Peace (describing the organization's programs), *at* http:/nswas.com/sfp/programs.htm.

45. Its founder has written a book describing Seeds of Peace. *See* JOHN WALLACH, THE ENEMY HAS A FACE: THE SEEDS OF PEACE EXPERIENCE; s*ee also* Seeds of Peace web site, *at* http://www.seedsofpeace/org.

46. Mandy Terc, *Sowing the Seeds of Peace*, *at* http://www.abroadviewmagazine.com/archives/fall100.

conflictual issues indicates success in making the camp feel like a safe place. "The bunk must feel like a safe home but not a superficial one in which all of the issues of the conflict are either ignored or down-played. As a bunk counselor, it is my job to provide my campers with the safety and security they need to continue the process of breaking down barriers."[47] The counselor felt great relief as the campers quieted down for sleep.

Anecdotal accounts indicate that friendships do form through Seeds for Peace, and the intense experiences of co-existence affect what participants can imagine and hope for in the future. The daily events of shared meals, athletics, and arts seem more significant than the explicit conversations about the regional conflicts. Yet what happens if Seeds of Peace allows teens to develop close friendships only to send them back to their homes and schools where their new-found relationships and views are not appreciated or supported? Internet communication allows for even short-term friendships to continue, but the intense political conflicts at home can create treacherous loyalty dilemmas for participants.

Other programs seek explicitly to build a youth movement by bringing young people together from different sides of political and ethnic conflicts.[48] Still others work more indirectly on peace-building by putting a shared project—such as chamber music—at the center of the social interaction during an intense period of time.[49] The Apple Hill Chamber Players bring young musicians to their summer festival in New Hampshire from different parts of the Middle East for intensive practice and coaching. Lara Harb, a young Palestinian pianist reported to the Jerusalem Post about her experience playing Schumann's Piano Quintet with other players from Egypt, Syria, and Israel during the summer of 1998.

> Suddenly all the frightening memories [of skirmishes with Israeli soldiers] vanished as if they had never been real. I felt like the small worlds of each one of us were uniting into one limitless universe. We were all in absolute understanding of each other. There were no boundaries and no differences. Arab, Christian, Moslem: None of that existed in the world we were creating—we were all simply humans. Fear and insecurity were unknown to us. Life, for the first time, seemed to make sense to me. I was free!I was experiencing something I felt was unfathomable before—true peace…When the piece ended, I wondered if Schumann ever even faintly imagined that he would change the life of a girl from the Middle East at the end of the 20th century. His music opened up my mind, gave me hope, and gave me the opportunity to experience something

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47.   *Id.*

48.   *See ZOP—What's That*, *at* http://www.mladi.com.ba/english/zop.html (discussing JYP: the largest national youth program in Bosnia-Herzogovina).

49.   *See* Mary Abowd, *Maestro on a Mission*, CHICAGO, July 2001, at 22 (describing Daniel Barenbohm's efforts to bring Israeli and Arab musicians together).

heavenly. I thanked him. I then looked at the Israeli first violinist. He smiled and I smiled back.[50]

Programs focused entirely in the United States join young people from different backgrounds around community service, efforts to prevent hate crimes, and leadership—while aiming to build face-to-face connections and reduce intergroup prejudices.[51] Although the long-term effect of such initiatives is not documented, they avoid the simplistic view that social harmony follows simply by putting together groups with histories of conflict or oppression. More thoughtful efforts join youth around shared interests and experiences while facilitating their abilities to communicate, to reflect, and to lead.

C. Human Rights

Intergroup contact can be facilitated with topics other than community service, music, or conflict resolution—and promoting collaboration among students around the United States is one of the goals of the Model United Nations.[52] Engaging some 200,000 students, from middle school through college, the program simulates the practices of the United Nations. Students introduce resolutions, hold committee meetings, plan strategies and engage in negotiations. Although open to diverse participants, it does not target participants from segregated or hostile groups. The central strategy of the Model U.N. has more in common with the third type of co-existence education: teaching young people about human rights.

The premise of these educational efforts mirrors the premise of the human rights movement. By articulating abstract principles about universal human liberty and equality, and building institutions and practices predicated on those principles, the human rights movement and human rights education seeks to draw people away from specific conflicts, oppressions, and injustices through commitments to broad ideals. Placing individual dignity at the core, human rights education shares with human rights documents faith in the rule of law, the power of social movements, and potential of rights language to build reciprocal respect

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50.   Ruth Beloff, *Apple Hill Plays for Peace*, JERUSALEM POST, Mar. 7, 2000 (30 Adar 1 5760), *available at* http://www.jpost.com/Edititons/2000/02/20/ Culture/Music.3363 (quoting pianist Lara Harb).

51.   Lucent Technologies Foundation funds many initiatives to help young people develop cultural awareness, to improve race relations, and to engage in community service. For example, Multicultural HIP Youth in Action joins white suburban and black urban teens from the Washington, D.C., area in training in conflict resolution and joint community service projects. *See* Multicultural HIP Youth in Action (2000), *at* http://www.jointaction.org/youthabrie/directory/multicultural. Unity Diversity Team connects Native-American youth with non-Native youth for leadership and community service. *See* Max Benavidez and Kate Vozoff, *Soothing the Aching Heart of Young Los Angeles*, *in* PART OF THE SOLUTION: CREATIVE ALTERNATIVES FOR YOUTH 29 (Laura Costello ed., National Assembly of State Arts Agencies 1995).

52.   *See* National Model United Nations, *at* http://nmun.org/index_internal.

among people. The foundational belief of both human rights activists and human rights educators is that individuals, groups, nations and the world can build a common language and set of institutions to improve the lives of all sharing aspirations of equality and liberty.[53]

The United Nations itself and many nongovernmental organizations support human rights education as an ongoing activity.[54] The office of the U.N. High Commissioner for Human Rights produced a teaching guide entitled, "ABC: Teaching Human Rights: Practical activities for primary and secondary schools," and distributes it through its web site.[55] The document recounts the United Nation's longstanding commitment to teaching about human rights, and the resolution at the International Conference on Human Rights "to call upon all States to ensure that "all means of education" be used to provide youth with the opportunity to grow up in a spirit of respect for human dignity and equal rights."

The early portions of the teaching guide resemble teaching materials on conflict resolution. They emphasize community, self-understanding, and self-esteem. Yet the teaching guide then turns to the foundational human rights documents in international law and places them at the center of the educational program.[56] The teaching guide explicitly links instruction in human rights to prevention of violent intergroup conflict:

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53. *See* Roger J.R. Levesque, *Educating American Youth: Lessons for Children's Human Rights Law*, 27 J.L. & EDUC. 173 (April 1998); *Issues of Democracy*, U.S. Dep't of State web site, *at* http://usinfo.state.gov/journals/itdr/0302/ijde/ijde0302.htm; Human Rights Educ. Associates, *at* http://hrea.org; Human Rights Resource Center, *at* http://www.hrea.org.

54. *See, e.g.*, Office of the High Commissioner for Human Rights, *ABC, Teaching Human Rights: Practical Activities for Primary and Secondary Schools*, *available at* http://www.unhchr.ch/html/menu6/2/abc.htm; http://www.hrea.org.

55. *See* U.N. High Commissioner for Human Rights web site, *at* http://www.unhchr.ch/html/menu6/2/abc.htm.

56.

> The reference point remains the Universal Declaration of Human Rights referred to above, and first proclaimed in 1948. It sets out a list of basic rights—a "common standard of achievement" in the words of the Declaration itself—for everyone in the world, whatever their race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

Id.

The document also summarizes the International Covenant on Economic, Social and Cultural Rights, and the International Covenant on Civil and Political Rights, adopted in 1966, and entered into force in 1976 with an optional protocol for individual complaints. The document goes on to explain that these foundational human rights efforts have directly inspired, or they parallel, in whole or in part, a very wide range of complementary instruments: on self-determination and the granting of independence to colonial countries and peoples; on the prevention of discrimination, whether by race, sex, employment, occupation, religion, belief, or in education (with a special convention on the crime of apartheid); on war crimes and crimes against humanity (including countries and peoples; on

The denial of human rights and fundamental freedoms not only is an individual and personal tragedy, but also creates conditions of social and political unrest, sowing the seeds of violence and conflict within and between societies and nations. As the first sentence of the Universal Declaration of Human Rights states, respect for human rights and human dignity "is the foundation of freedom, justice and peace in the world."[57]

The teaching guide, if adopted anywhere, actually immediately affects regular classroom instruction in many parts of the world. For it rejects traditional, hierarchical instruction and calls for teaching methods that are consonant with the content of the human rights of freedom of expression and equality. This means exposing and foreclosing the hypocrisy of a lecture on freedom of expression that begins with the instructor directing the students to shut up; it also means turning to experiential and hands-on learning that would be alien to many teachers around the world.[58] Suggesting role-play exercises to engage students in devising their own human rights documents, the teaching guide also offers a "plain language" translation of the human rights declaration and conventions.[59] Frankly, this would

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the prevention of discrimination, whether by genocide); on slavery, servitude, forced labor and similar institutions and practices; on the protection of persons subjected to detention or imprisonment (with minimum rules for the treatment of prisoners, the condemnation of torture and the like); on nationality, statelessness, asylum and refugees; on freedom of information (the international right to correct misleading news dispatches); on freedom of association (trade union rights); on employment policy; on the political rights of women; on marriage, the family, childhood and youth; on social welfare, progress and development (the eradication of hunger and malnutrition, the use of scientific and technological progress in the interests of peace and for the benefit of all, and the rights of people with physical and mental disabilities); on international cultural development and co-operation; and on the media and the contribution it might make to strengthening peace and international understanding, to countering racism, apartheid and incitement to war, and to the promotion of human rights.

57.   *Id.*
58.

> Already implicit above is the idea—central to this booklet— that teaching about human rights is not enough. The teacher will want to begin, and never to finish, teaching for human rights. Students will want not only to learn of human rights, but learn in them, for what they do to be of the most practical benefit to them.
>
> That is why the main part of the text consists of activities. The purpose of the activities is to create opportunities for students and teachers to work out from the basic elements that make up human rights such as life, justice, freedom, equity, and the destructive character of deprivation, suffering and pain—what they truly think and feel about a wide range of real world issues.

Id.
59.   This version is based in part on the translation of a text, prepared in 1978, for the World Association for the School as an Instrument of Peace, by a Research Group of the University of Geneva, under the responsibility of Prof. L. Massarenti. In preparing the

be useful to adults trying to learn—or use—the international legal materials as well.

Parallel to the U.N. educational initiative, law schools in Eastern Europe and Russia have launched "street law" programs through which law students teach community members, including youth, about law and notably, about human rights. Drawing on what has worked in these efforts in the region, Felisa Tibbits recently authored *A Manual on Street Law-Type Clinics at Law Faculties*. The Human Rights Education Associates, her nongovernmental agency devoted to advancing human rights education, distributes the manual on its web site.[60]

A great attraction of human rights education is its connection with the international institutions and practices of the human rights movement and the United Nations. Schools and teachers pursuing human rights education can feel part of this global effort and point to language and conceptions that at least aspirationally join every person in the network of mutual recognition, individual dignity, and equality. Starting with these ideas and materials, instruction can pursue a discourse less heated than ones immersed in particular ethnic and racial conflicts.

Yet does human rights education risk being too abstract to be accessible to students and too unrealistic to seem meaningful? My perspective from the United States may be particularly distortive. Human rights struggles have been central over the past twenty years to the democratic transitions in Eastern Europe, the responses to violence in Bosnia and Kosovo, Rwanda and the Sudan, across the Middle East, and in Argentina and Brazil. Ours is the nation that has not adopted the Convention on the Rights of the Child and failed to join the International Criminal Court, while hundreds of other nations have. The language of human rights may in fact feel more real elsewhere, and the quick spread of human rights education programs may join young people to growing national and international political movements rather than seeming to rest on their shoulders the task of making peace for the world.

D. Moral Reasoning

Without explicitly using international human rights documents, the fourth educational method for co-existence uses rights and abstract principles as a focal point for instruction in moral reasoning. Moral education—and civic and multicultural education—use varied curricula but share the assumption that direct instruction in tolerance and other values can and should proceed through the content of the curriculum.[61] In the United States, civic education has never

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translation, the Group used a basic vocabulary of 2500 words in use in the French-speaking part of Switzerland. Teachers may adopt this methodology by translating the text of the Universal Declaration in the language in use in their region.

60.   *See* Human Rights Educ. Associates, *at* http://www.hrea.org.
61.   *See* Vogt, *supra* note 27, at 177.

generated a measurable impact on tolerance or attitudes toward others.[62] Perhaps this is due to the contrast between the typical instructional method and the content of the ideas; learning about free and open debate in settings where controversial and minority views are excluded as subversive or dangerous may strike students as hypocritical or simply boring.[63]

A Harvard University psychologist, Lawrence Kolhberg, developed a moral education curriculum emphasizing abstract reasoning and principles from the U.S. Constitution.[64] Kohlberg predicated his work on a theory that children move through stages of moral reasoning, parallel to the cognitive development theorized by Jean Piaget. Kohlberg hypothesized that as young people move further in their moral reasoning capacities, they would develop greater attachment to tolerance. To teach tolerance, therefore, teachers should help young people move up the stages of moral reasoning.[65] Scholars studied efforts to implement this idea in individual classrooms, and in a series of more ambitious experiments designed to create entire schools as "just communities," managed in line with the moral principles of tolerance and democracy.[66] Although studies found limited evidence that students' moral reasoning advanced, schools could not sustain the commitments to becoming "just communities" after the studies—and their graduate student helpers—ended.[67] Mainly, though, researchers were not able to show much influence on children's moral maturity from the Kohlberg program.[68]

Kohlberg's work also came under vigorous criticism from various quarters. Thomas Lickona argued that Kohlberg's work could not disentangle reasoning from content—and Kohlberg did not teach the right content.[69] Lickona urged schools to teach respect and responsibility as the central values, and to engage moral feeling and acting as well as moral knowing to help each student

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62.   *See id.* at 178.

63.   *See id.* at 179.

64.   *See* CLARK POWER ET. AL., LAWRENCE KOLHBERG'S APPROACH TO MORAL EDUCATION (1989).

65.   *See* VOGT, *supra* note 27, at 182.

66.   *See* POWER ET AL., *supra* note 27.

67.   *See* VOGT, *supra* note 27, at 185. For a picture of the implementation problems, see Joseph Reimer & Clark Power, *Educating for Democratic Community: Some Unresolved Dilemmas*, *in* MORAL EDUCATION: A FIRST GENERATION OF RESEARCH AND DEVELOPMENT 303–20, (Ralph L. Mosher ed., Praeger 1980).

68.   *See* James S. Leming, *Curricular Effectiveness in Moral Values Education*, 10 J. MORAL EDUC. 147 (1981); R.D. Enright and Michael Levy, *Moral Education Strategies*, *in* COGNITIVE STRATEGY RESEARCH: EDUCATIONAL APPLICATIONS (M. Pressley and I. Levin eds., Springer-Verlag, 1983).

69.   *See* THOMAS LICKONA, EDUCATING FOR CHARACTER : HOW OUR SCHOOLS CAN TEACH RESPECT AND RESPONSIBILITY (1991); *see also* EDWARD R. DEROCHE AND MARY M. WILLIAMS, CHARACTER EDUCATION: A GUIDE FOR SCHOOL ADMINISTRATORS (2001).

develop a virtuous character.[70] Carol Gilligan found Kohlberg's work gender-biased and wrong to prefer individual rights over human relationships of care.[71]

Consonant with Gilligan's critique but pursuing an alternative understanding of children's growth, Howard Gardner developed a theory of multiple intelligences that emphasizes interpersonal intelligence as a contrast to cognitive and other dimensions of human capacity.[72] Daniel Goleman pursued a related line in his argument that tolerance education neglects emotions and the emotions that flow from beliefs; he suggests instead that educational programs help root out erroneous perceptions of threat that generate intergroup distrust and hostility.[73]

Multicultural education and tolerance education programs emphasize the strengths of a society composed of people with many cultures and the value of individual cultures. Which cultures are included and valued often becomes a politically charged question; in addition, poorly conceived and executed multicultural education turns into superficial exposures to the foods and holidays of different ethnic and religious groups without addressing either the roots of intolerance or the deeper reasons to respect others. Some programs directly seeking to combat racism, anti-Semitism, and other prejudices pursue a deeper route, but these have not received systematic evaluation.[74] Toni Massaro argues powerfully for a multicultural education premised on U.S. constitutional history and practice.[75] By putting at the center constitutional debates and decisions about equality, freedom of speech, and freedom of religion, such a curriculum could address race, gender, and ethnic issues as integral parts of the material while transmitting understanding of the shared framework for addressing intergroup conflicts and respecting all individuals.

Moral education, multicultural education, and anti-bias education may each have promising elements in promoting tolerance and co-existence. Especially if they bridge cognitive and emotional dimensions, such instruction can equip students for more positive intergroup relations.[76] I wonder whether schools would

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70. *See* LICKONA, *supra* note 69; *see also* JAMES DAVISON HUNTER, THE DEATH OF CHARACTER: MORAL EDUCATION IN AN AGE WITHOUT GOOD OR EVIL 116 (2000). Hunter more generally expressed a conservative rejection of the individualism and abstract universalism of moral education such as Kohlberg's when compared with moral education grounded in particular moral or religious traditions. This is part of a more general criticism of contemporary American culture for encouraging selfishness and undermining ideas about restraint and personal sacrifice. S*ee id.* at 173–75.

71. CAROL GILLIGAN, IN A DIFFERENT VOICE (1982).

72. *See* HOWARD GARDNER, MULTIPLE INTELLIGENCES: THE THEORY IN PRACTICE (1993).

73. *See* DANIEL GOLEMAN, EMOTIONAL INTELLIGENCE (1995).

74. *See* VOGT, *supra* note 27, at 190–92.

75. *See* TONI MARIE MASSARO, CONSTITUTIONAL LITERACY: A CORE CURRICULUM FOR A MULTICULTURAL NATION (1993).

76. *See* VOGT, *supra* note 27, at 204, 216; *see also* KATHERINE G. SIMON, MORAL QUESTIONS IN THE CLASSROOM: HOW TO GET KIDS TO THINK DEEPLY ABOUT REAL

do better to concentrate on curbing the discriminatory attitudes of teachers and students instead of trying to promote a general atmosphere of tolerance if real change is to happen through education.[77] This is the specific advice advanced by the Teaching Tolerance program of the Southern Poverty Law Center in its publication, *Responding to Hate at School: A Guide for Teachers, Counselors, and Administrators*. The adults must take a stand against hateful materials and create an unwelcome environment for the expression of hatred and bigotry.[78]

E. Comparative History and Self-Reflection

Exemplified by a Massachusetts-based initiative named Facing History and Ourselves (FHAO), the fifth educational approach emphasizes inquiry into periods of historical horror as a basis for involving students in thinking about their own situations and the importance of action to prevent violence and intergroup hatred.[79] The central goal is to promote young people's capacities for critical thinking, understanding, tolerance, caring and compassion, and action when needed to oppose injustice. FHAO develops curricular materials and intensive professional development and support for teachers. Teachers in public and private junior and high schools work with the FHAO curriculum to take students through an intensive look at the failure of democracy in the Weimar Republic, the rise of totalitarianism, and the genocide of World War II. Besides developing rigorous historical understanding, the classes seek to involve students in thinking about what it takes to prevent mass atrocity, what kinds of citizen participation are necessary to sustain democratic institutions, and what kinds of individual and collective actions are necessary to resist dehumanization of any individual or group.

Implemented over the past twenty-five years, FHAO's durability stems in part from its view that each teacher is a learner and the teacher is the key agent to educational change. Through professional development activities organized in intensive two-day, and week-long workshops and conferences, FHAO invites teachers to engage with leading scholars, to debate historical and contemporary issues, and to explore creative pedagogical approaches involving the visual arts, poetry, and community service. One teacher reported that it was difficult to find

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LIFE AND THEIR SCHOOLWORK 208–25 (2001) (exploring how schools can equip students to attend to moral and existential dimensions as well as intellectual work).

77.   *See* Albert F. Cabrera and A. Nora, *College Students' Perceptions of Prejudice and Discrimination and Their Feelings of Alienation*, 16 REV. EDUC., PEDAGOGY, & CULTURAL STUD. 387 (1994). Analogously, I have argued that altering the conditions that make students think it is permissible to engage in hate speech would be more productive than regulating hate speech. S*ee* MARTHA MINOW, BREAKING CYCLES OF HATRED (forthcoming); Martha Minow, *Speaking and Writing Against Hate*, 11 CARDOZO L. REV. 1393 (1990).

78.   RESPONDING TO HATE AT SCHOOL: A GUIDE FOR TEACHERS, COUNSELORS, AND ADMINISTRATORS 6–20 (Southern Poverty Law Center 1999).

79.   *See* MELINDA FINE, THE POLITICS AND PRACTICE OF MORAL EDUCATION: A CASE STUDY (1991).

the right words to describe a summer institute experience "in part, because so many things took place, and on so many different levels. Alternately casting ourselves in the roles of teacher and student, we acquired information about the history itself; we explored our own feelings, beliefs, and assumptions about genocide, racism, violence, and resistance; and we became our own community while still representing diverse and separate communities back home."[80]

FHAO develops curricular materials that combine primary historical sources, works of fiction, and other readings. Through regional and international offices, the program supports teachers with pedagogical suggestions, access to resources such as films, and guest speakers, and opportunities to lead discussions about difficult issues. The teachers, in turn, adapt the materials for their own students and programs. Recently, FHAO has developed programs in Eastern Europe and South Africa.

Margot Stern Strom, a former teacher who founded FHAO, and her two co-authors write that FHAO encourages young people "to understand different perspectives and to express their own ideas without becoming mired in relativism."[81] Students are invited to reflect on the choices made by historical actors and on their own personal choices; to see the dangers of indifference and consequences of stereotypes and hatred, and learn from positive models of people who have made a real difference. One important tool is the student journal; students are expected to write reflections about the readings and class discussions and in so doing exercise a developing vocabulary for writing and speaking about dealing with human differences.

FHAO has consistently undertaken self-evaluations and sought out external evaluations.[82] External evaluations show that participating students demonstrate increased knowledge of historical content, greater capacity for moral reasoning, empathy, social interest, and improved self-perception. One study indicates that FHAO students strengthen key competencies in interpersonal and intergroup relations, increased relationship maturity, decreased fighting behavior, and diminished racist attitudes and insular ethnic identities relative to comparison

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80.   Lynn Hickey Schulz et al., *The Value of a Developmental Approach to Evaluating Character Development Programs: An Outcome Study of Facing History and Ourselves*, 30 J. MORAL EDUC., No. 1 (2001).

81.   Margot Stern Strom, from a speech, *Do I Have To Know Where I'm Going in Order to Start?—Or Do We Make the Road as We Go?*, given at the Theological Opportunities Program Spring Symposium, Harvard Divinity School, Mar. 28, 2002.

82.   *See, e.g.*, Mary Brabaeck et al., *Human Rights Education Through the "Facing History and Ourselves" Program*, 23 J. MORAL EDUC. 333 (1994); M. Lieberman, Evaluation Report 78508D to the Joint Dissemination Review Panel (1986) (available from Facing History and Ourselves Resource Center, Brookline, MA); M.T. Glynn et al., AMERICAN YOUTH AND THE HOLOCAUST: A STUDY OF FOUR MAJOR HOLOCAUST CURRICULA (National Jewish Resource Center 1982); Betty Bardidge, *Things So Finely Human: Moral Sensibilities at Risk in Adolescence*, *in* MAPPING THE MORAL DOMAIN: A CONTRIBUTION OF WOMEN'S THINKING TO PSYCHOLOGICAL THEORY AND EDUCATION 87 (G. Gilligan et al. eds., 1983).

students. Observers suggest that the program helps adolescent students break out of a sense of isolation by experiencing themselves as members of a community of learners, engaged in important and challenging critical work.

After studying several FHAO courses in urban schools, one researcher concluded that

> the intellectual strength of the 'Facing History and Ourselves' curriculum lies in its ability to help students feel personally connected to the subject matter they are studying, in a sense, to connect the students' affective experience with a rigorous examination of a specific historical 'text.' The fact that the course principally concerns European history yet deeply moved African-American, Asian, Latino, and Afro-Caribbean students at Fenway [in Boston] is all the more impressive.[83]

Student journals provide vivid examples of the effect of the courses. One student wrote: "Before I thought violence was just there, and you couldn't do anything to stop it. Now I know it was because some people just didn't do anything, didn't even *try* to stop it." Increasingly, within United States, refugee and immigrant students participate in FHAO courses, and they frequently report how the course helps them address their own often violent and disturbing prior experiences. A Cambodian refugee named Kim wrote, "I don't want to hold my anger inside of me any more….Since I've been involved with Facing History, I've become more outspoken about racial hatred and my past….Facing History has helped me to speak out more for myself and others. It's made me realize that I have something important to say. It's made me realize that I am not alone." Aida, a Bosnian immigrant, explained that in the historical inquiries in FHAO, "[t]he people were not someone we didn't know. They were you and I; they were like us. So what happened to them we soon realized could happen to anyone." Alice, a teacher, explained that: "Students look at examples in history when humanity has failed so they can see how humanity can thrive." A student named Eric concluded that "[t]he message that came from my Facing History class was clear, all of us must speak out against injustice."

II. WHEN IT'S DARK ENOUGH

I reviewed hundreds of educational programs and sorted them into the five categories I have discussed here. I hope that it is not simply because I am a law professor that I find so many of these educational efforts remind me of legal education. I confess: it is possible that my mental categories are permanently warped by spending so much time in a law school, and I cannot see except through

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83.   DENNIS BARR ET AL., IMPROVING INTERPERSONAL AND INTERGROUP RELATIONS AMONG YOUTH: A STUDY OF THE PROCESSES AND OUTCOMES OF FACING HISTORY AND OURSELVES (Final Report to the Carnegie Corporation of New York, Facing History and Ourselves and the Group for Study of Interpersonal Development, 1998) (unpublished). This is the source for the comments by students and teachers in the next paragraph.

its lens. Law schools do increasingly offer courses and clinical practice in conflict resolution, human rights, and moral reasoning. School desegregation, with its premise that social contact can overcome prejudice and hatred, is not only a topic taught in law schools. A law school was the early focus of the NAACP campaign to build judicial precedents to tear down racially segregated schools. It was in *Sweatt v. Painter*[84] that the NAACP most effectively persuaded the Supreme Court of the vital importance of social interaction to the educational process. And it is not mere coincidence that a pending challenge to affirmative action in higher education focuses on another law school—at the University of Michigan.[85] That school defends the vital importance of a diverse student body to the project of legal education, and argues that social contact among diverse law students both advances the vision and the reality of a society that can address its differences through reasoned arguments over law. The one form of education for co-existence that seems foreign at least to American law schools is the last one, comparative history and self-reflection. There may well be something for law schools to learn from this approach. The particular place of law in Nazi Germany—explored in the Facing History curriculum—should offer a sober reminder of the inability of legal formalities and institutions to guard against the worst abuses of human beings. Thick historical context, more generally, would enhance discussion of any law school problem.

It could be that the models of education for co-existence reflect some plot of American law-types to export their thinking. Yet I suspect that the co-existence education models simply share with much of American law certain predicates. They share an acknowledgment that deep and intense conflicts between people are inevitable, but an optimism that the right kind of procedures, experiences, principles, reasoning, or reflection can prevent the worst kinds of violence and abuse. They share a commitment to the particular, the contextual, the lived experiences of the students themselves with an eye on principles or ideals that reach beyond the particular, the factual. In law school, we pursue this through the case method. In education for co-existence, the cases include the lives of the participants.

Conflict resolution and peacemaking, social contact, human rights education, moral reasoning, and comparative history for personal reflection: the five approaches each in different ways invite participants to acknowledge the harsh reality of antagonisms while aspiring to mitigate them. Education for co-existence is now a prime priority for the United Nations and for nations emerging from massive conflict; in varied versions, it has vital importance for societies that

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84.   339 U.S. 629 (1950).

85.   *See* Gratz v. Bollinger, 122 F. Supp. 2d 811 (E.D. Mich. 2000), appeal docketed, Nos. 01-1333, 01-1416, 01-1418 (6th Cir. Oct. 23, 2001); Grutter v. Bollilnger, 137 F. Supp. 2d 821 (E.D. Mich 2001), University of Michigan law school case; n.b.: similar challenge to University of Michigan, more generally; *see also* Hopwood v. Univ. of Texas, 78 F.3d 932 (5th Cir. 1996), and Texas response, TEX. EDUC. CODE ANN. 51.803 (West 1997); LANI GUINIER & GERALD TORRES, THE MINER'S CANARY: RACE, REPRESENTATION AND THE USA EXPERIENCE (2002).

seem more distant from immediate clashes. Education for co-existence is barely a recognizable phrase, and yet it inspires brave efforts undertaken all over the world.

The varied educational efforts I have described offer ingredients that could make a real difference, though taken alone, they each have notable shortcomings. Conflict resolution and peace education can equip individuals with useful tools for mediating disputes and defusing their own conflicts. Yet without a fuller political and moral framework, such programs may fail to cultivate students' abilities to know when to conflict—when to stand up in opposition to mistreatment or abuse of others or of themselves. If amplified by historical case studies and moral inquiry, insights worked out in conflict resolution theory and practice could equip students to prevent escalations of local conflicts while also developing substantive commitments to justice and fairness.

Similarly, human rights education—and moral reasoning instruction— each risk operating too abstractly to engage students' hearts and affect their aspirations and commitments. Abstract, inclusive moral vocabularies risk operating at a level of remoteness that does not connect with messy problems, and therefore does not seem worthwhile to people living in the mess. Young people meant to learn human rights or moral reasoning might find them inaccessible or unmemorable. A review of moral instruction suggests that thicker language, grounded in particular narratives and echoed by practiced ritual, is more likely to "take" inside children than purely cognitive instruction.[86] If connected with hands-on conflict resolution activities, and applications to rich historical contexts, education in both human rights and moral reasoning could motivate students and secure the kinds of lasting lessons that come when cognitive and emotional learning come together.

Yet three barriers seriously jeopardize education for co-existence. The first is the students' own experiences of trauma. Trauma, if left unacknowledged and untended, shuts down many people's capacities to care about others. Trauma also can create the context for fantasies, or realities, of revenge. The second is the perpetuation of narratives of victimization or entitlement for the nation or group. When these are the materials of imagination and memory, people will find it difficult to summon the generosity and humility to reach for co-existence. The third is the absence of sufficient conditions, on the ground, to establish safety, hope, or freedom from discrimination or jeopardy for some or all of the participants.

The first two barriers can, with some difficulty be addressed through education. Especially in places where children have witnessed massive violence, their trauma requires careful attention. This does not necessarily mean individual psychotherapy. Indeed, Derek Summerfield argues that humanitarian workers should resist the temptation to view trauma as a medical problem because this conception imports Western ideas and erroneously emphasizes short-term, technical solutions. Instead, educational initiatives and support for the survivors'

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86.   JAMES DAVISON HUNTER, THE DEATH OF CHARACTER: MORAL EDUCATION IN AN AGE WITHOUT GOOD OR EVIL 230 (2000).

capacities as a group to mourn and rebuild should take priority. The World Health Organization emphasizes mental health as an integral focus for public health and social welfare programs in developing countries especially where refugees and survivors of war and violence live. Being able to reassure individuals who evidence physical symptoms of trauma is an important goal. Children who have survived violent conflicts may show heightened fear, disobedience, poor concentration, or regression to earlier stages of development. Humanitarian workers in Beirut during armed conflict reminded themselves of what children need with the acronym STOP: structure, time, talk, organized activities, and parents. Derek Summerfield emphasizes that relief interventions in war-torn settings must seek to support and repair the social fabric and "allow it to regain some of its traditional capacity to be a source of resilience and problem solving for all."Toward this end, he recommends support of work and training, traditional healing, and self-organization with restoration of educational services, along with health services, as a priority.[87]

One type of trauma recovery program, arts education, can promote personal and community healing from trauma. Because artistic creation reaches into people's feelings, invitations to use art can assist children, teens, and families dealing with violence or discrimination to face their own struggles and find their own strengths. Teacher Kathy Greeley uses theater to help integrate Haitian immigrant children with English-speaking children in a public school setting. The effort promotes community, risk taking, honest critique, and mutual trust across previous boundaries of group difference.[88]

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87. Derek Summerfield, Rethinking Trauma in a Transnatinal World (2000); Derek Summerfield, The Nature of Conflict and the Implications for Appropriate Psychosocial Responses, available at http://earlybird.qeh.ox.ac.uk/rfgcxp/rsp_tre/student/natconf/toc.htm; Drs. James Herzog and Mark O'Connell call for adapting insights from intensive psychotherapy with survivors of ethnic conflict for intermediate play spaces. This idea is appealing and yet daunting, given their own attention to the sensitive therapeutic work necessary to address the impact of trauma as a feature of aggression and as a potential cause for the victim's own aggression as well as grief. Building programs into schools to deal with trauma becomes a necessity after widespread violence.

88. Kathy Greeley, "Why Fly that Way?": Linking Community and Academic Achievement (2000). Raw Art Works brings eight-week sessions of art therapy to students as part of violence prevention efforts. Its staff is composed of five skilled artists, several with training in creative arts therapy. Committed equally to art and to counseling, the staff claims this dual commitment is central to the work. In one effort, teens are paid to help lead programs for children and seniors; the teens gain experience handling difficult situations and setting goals while participating in intensive efforts to allow individuals to express themselves through a variety of arts. In another effort, boys meet to make art, including a wall mural for a housing project, and talk together while working together. A reporter interviewing participants found that that they find themselves more open-minded and able to take criticism. Another effort reaches out to entire families in a local housing project and enables immigrant families to overcome their own internal communication barriers. S*ee* Raw Art Works, *at* http://rawart.org/raw_reaches.htm.

The second obstacle is the perpetuation of narratives of victimization or entitlement for the nation or group. It is difficult if not impossible to teach co-existence to students who are simultaneously learning from history texts that stoke desires for revenge or preserve lopsided versions of the past. The narratives of history taught to young people communicate not only factual descriptions but also attitudes about the past. Should previous governmental treatment of minority groups be ignored, celebrated, or condemned? Should the nation's conduct during wartime be ignored, celebrated, or condemned? Which of the competing versions of ethnic conflicts should make it into the textbooks—or can a framework emerge that acknowledges the competing versions without abandoning the project of telling factual history? Initiatives to revise textbook treatment of national histories, to offer multiple narratives about recent ethnic conflicts, and to examine previously suppressed or ignored accounts of the negative experiences of minority groups attempt to address these issues.

History revision projects aimed at students offer stories of the past intended to influence current students' self-understandings and future orientations. One approach is to revise textbooks and other teaching materials to resist one-sided versions of conflicts or to replace chauvinistic or militaristic themes. Some efforts instead seek to redress silence about conflicts. After World War II, revising the history taught to students in Germany became a focus of attention for the Allies and a subject of considerable controversy between the Americans and the Soviets. It took a full two years after the war ended for new texts, written by German scholars under Allied oversight, to emerge. Even then, the treatment of the war within German schools remained a subject of contention and revision for decades, apparently mirroring and in turn influencing cycles of grief, denial, and acknowledgment over several generations. As difficult as that experience may have been, subsequent developments in international law restrain outside nations from directing the educational reforms of nation states following violent conflict.[89]

Jeanne Smoot examined the challenge of recent education reform in Bosnia and Herzegovina and found Balkan textbooks advance ethnic stereotypes, ethnocentrism, one-sided versions of history as victimization, and military and political history over social and cultural history. Croat students and Serb students receive radically different accounts of the causes of recent conflicts, each side blaming the other, and three separate educational regimes persist in the post-Dayton period. Educators interested in peacebuilding identify nationalism and the lens of victim/victimizer as problems in their educational systems that need to be replaced by exploration of the destructive effects of nationalist ideologies.[90] Children's books in the Middle East show similar tendencies.[91]

89.   *See* Gregory P. Wegner, *Germany's Past Contested: The Soviet-American Conflict in Berlin over History Curriculum Reform*, 1945–48, 30 HISTORY OF EDUC. Q., No. 1, 1–16 (Spring 1990).

90.   In the name of human rights, the educational administration supports ethnic segregation and grants each ethnic group constituting a majority in a particular location the right to establish a curriculum in its own language, with its own version of history and

Working with historians to build richer, truer accounts, educational projects can involve young people in gathering oral histories to preserve and report the histories of ordinary people whose perspectives have been traditionally neglected. This kind of work can engender a sense of pride among disadvantaged groups, respect for diversity among students, and enhance appreciation for multiple perspectives and experiences that belong in the collective story of the society or nation.[92]

The third obstacle—actual or perceived lack of conditions necessary to secure safety, hope, or freedom from discrimination—is the most difficult. For how can young people be expected to take the risks of empathizing with others, trying to become peace-makers, building friendships in integrated settings, believing in human rights or moral ideals if their own world cannot assure them safety or supply them with hope? The circularity of the problem of peace is its apparent doom. Without peace, how can people try to make it? Without mutual respect, how can people try to risk it?

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culture. This risks violating the call by the European Court of Human Rights for objective, critical and pluralist education. World Bank and nongovernmental organization efforts to revise textbooks compete with local revision projects, and face highly politicized hurdles. More encouragingly, a joint effort by the American Federation of Teachers, the Center for Civic Education, the United States Information Agency, and the Council of Europe has trained some thirty percent of Bosnian secondary school students and teachers, and forty-four percent of the elementary school students and teachers in democratic civic education, promoting tolerance and inclusion. Without a common view of Bosnian citizenship, however, the program must address more general ideals of democratic participation and collective, reasoned debate about politics. *See* Suzanne Soule, *Beyond Communism and War: The Effects of Civic Education on the Democratic Attitudes and Behavior of Bosnian and Herzegovinian Youth* (Center for Civic Education 2000) *at* http://www.civiced.org.

91.   Conversation with Professor Dalia Tsuk, Mar. 20, 2002.

92.   Cynthia Cohen authored a workbook explaining how oral history projects can be devised to serve these purposes. While inviting the addition of other goals, the workbook identifies a variety of goals for oral history projects that involve students and community members. These goals include strengthening communities, combating racism by embracing diversity, "identifying common needs and interests, and breaking down stereotypes," preserving the history of particular groups, and teaching listening skills and skills in identifying assumptions and biases. Oral history projects represent efforts to preserve and report the histories of people whose perspectives have been traditionally neglected—and to engender a sense of pride among disadvantaged groups and respect for diversity among students. The workbook suggests a variety of final products that can emerge after students collaborate with community members and scholars in conducting interviews, engaging in archival research, and pursuing other resources. The formats could include tapes with indexes, visual exhibits including interview excerpts, plays and dramatic presentations, quilts with accompanying stories, conferences, and walking tours. By participating in the production of such final products students would become deeply involved in the effort to take the perspective of others—others typically neglected by history— while enriching or altering the historical record. S*ee* CYNTHIA COHEN, WORKING WITH INTEGRITY: A GUIDEBOOK FOR PEACEBUILDERS ASKING ETHICAL QUESTIONS (2001).

Here, I have only an aphorism, from historian Charles Beard, who described as one of the lessons of history: "when it is dark enough, you can see the stars."[93]

I opened with two haunting stories. I close with two bright images, in the dark. The first is a children's television show. The American public television experiment, Sesame Street, showed that pre-school children can learn reading and interpersonal skills by watching entertaining shows informed by high quality educational research. Inspired in part by this effort, a team of Israeli, Palestinian, and Jordanian writers and producers developed new versions of Sesame Street for Israeli, Palestinian, and Jordanian audiences. The creators found the idea of one street, shared by members of different groups, simply implausible. So the show instead relies on visits between residents of different streets. The show's development has been stymied by violent conflict and diplomatic failures, but the show has also found support at the highest levels of diplomacy and government.[94]

The second image I just learned about from a Kenyan teacher who leads co-existence efforts across Africa. She told me that a workshop in Rwanda last summer engaged a group of Hutu and Tutsi women in a dance, matching one Hutu and one Tutsi, and tying their hands with a thread. As one moved, so the other had to, and they practiced learning to move harmoniously. They performed the result gracefully, and then sat back, marveling at what they'd done.[95]

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93.   HERBERT R. MAYES, AN EDITOR'S TREASURY, vol. II, 1312(1968).
94.   Conversation with Eli Evans, president, the Revson Foundation (Apr. 23, 2001).
95.   Conversation with Atema Eclai (Mar. 19, 2002).