

CULTURAL COMPETENCY IN FAMILY LAW PRACTICE

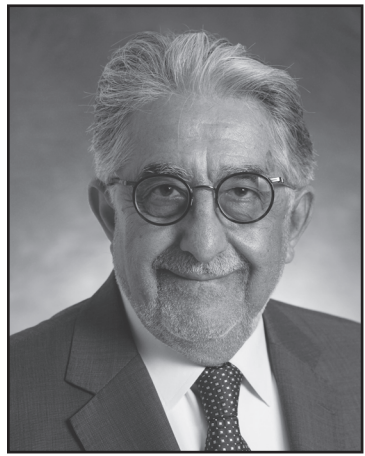
A roundup of infamous misunderstandings in cultural and professional settings

By Abbas Hadjian

The Cultural Competency Seminar in Family Law Practice 2024 focuses on the difficulties of communication in cultural and professional settings. The following is a collection of famous miscommunications in business and political settings over the past six (6) decades.

[Disclaimer: Collected by but not verified]

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1958: Richard Nixon's "AOK" Sign

While visiting Brazil, Vice President Richard Nixon flashed the "AOK" hand gesture, which is considered obscene in Brazil.

1960s: GM's "Chevrolet Apache" in Iran and Latin America:

General Motors faced issues introducing the Chevrolet Apache truck to Iran due to negative associations with American cowboys and movies. GM had to rename and rebrand the truck for the Iranian market. When GM introduced the Chevy Nova in Spanish-speaking countries, they failed to realize that "Nova" means "no go" in Spanish, hurting sales until the name was changed.

1960s: Electrolux's Vacuum Cleaner Ad in the UK

Swedish company Electrolux used the slogan "Nothing sucks like an Electrolux" in the UK, which carried an unintended negative connotation in English.

1970s: P&G's Pampers Diaper in Japan

P&G advertised Pampers with

a stork delivering a baby in Japan, but Japanese consumers were confused as local folklore attributes babies to giant floating peaches. P&G adapted its marketing imagery to align with local cultural stories.

1974: Gerald Ford's "Long, National Nightmare"

President Gerald Ford's reference to the "long, national nightmare" of Watergate was interpreted as a broader indictment of American governance.

1977: Jimmy Carter's Translator Error

During a visit to Poland, President Jimmy Carter's translator converted "I desire to know the Polish people's desires for the future" into "I desire the Poles carnally."

1980s: Pocari Sweat in English-Speaking Countries

The Japanese sports drink Pocari Sweat caused confusion in English-speaking markets due to its name, which implies bodily sweat. The brand undertook significant marketing efforts to explain the product.

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How cultural competency supports fairness in justice

By Firdaus F. Dordi

Family courts serve a pivotal societal role in resolving and adjudicating some of the most important disputes affecting individuals and families. The decisions of family courts—whether they involve custody and visitation, child or spousal support, or the distribution of property—can profoundly shape the future of the parties and children impacted by them. Ensuring that those decisions are fair and just requires more than legal expertise on the part of the judicial officer; it requires compassion, empathy, and cultural competency. If the laws are the principles and rules a society elects to follow, then justice is how the interpretation and implementation of those rules protects, connects, and enhances those governed by them. Thus, justice is the foundation upon which a sustainable society can be built, and cultural competency is an essential building block of that foundation.

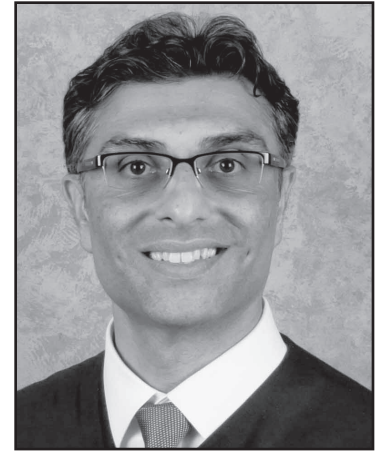
In the family law context, cultural competency in a diverse society such as ours refers to the ability of judicial officers, lawyers, and all involved professionals to seek

to recognize, understand, and respect cultural differences among individuals and families. These differences can include a multitude of variables such as religion, language, geography, socioeconomic status, and family dynamics. Each family comes with its unique cultural background, traditions, and values that influence their perceptions of marriage, child-rearing, and familial responsibilities. What may be accepted and preferred behavior in one culture may be viewed differently in another. Without cultural competency, there is a risk of misunderstanding or misinterpreting behaviors and customs, potentially leading to biased decision-making that does not align with the best interests of those involved. Thus, cultural competency is not only a desirous skill but a necessity to ensure continued trust and faith in our legal system. Periodic training, an open dialogue, and a myriad of perspectives contributing to the conversation are essential for lawyers, judges, and experts to grow their awareness of the issues that could arise and to increase their competency.

The Annual Cultural Competency Seminar in Family Law

Practice has allowed for this critical exchange to occur for over a decade, providing lawyers, judges, and experts with the opportunity to teach and learn from one another. The subject matter of this year's seminar, "Uncomfortable Conversation: The Art of Intercultural Dialogue (Legal and Psychological)," continues this invaluable conversation.

Firdaus F. Dordi is a judge of the Superior Court of Los Angeles County. He presides over a split family law home court and settlement court in Department J in the Van Nuys East Courthouse and serves as the Assistant Supervising Judge of the Family Law Division.



Mastering uncomfortable conversations

By Gltu Bhatia

Most of us, in our respective professions, are quite skilled at communication. We are often faced with, and trained in, dealing with high levels of conflict, emotions and hidden agendas. However, there are some situations that are more challenging for each of us. For this reason, it is important for us to have self-awareness about our own vulnerabilities and how they show up in our communication. Self-knowledge of the types of conversations we shy away from, the ones that make us cringe, and those that might evoke fear or other primal emotions is a first step in the art of communication.

Dr. D. Sue speaks about uncomfortable conversations in his book, "Race Talk and the Conspiracy of Silence." The discomfort felt with certain subjects related to difficult issues, particularly racism, often results in silence and inaction, sidetracking the conversation, or appeasing the efforts. Which leads to some level of defensiveness and the end of discussion. Avoiding tough conversations can lead to

unresolved feelings, lack of understanding and can create a toxic environment and impede progress and productivity.

Having courageous conversations eventually leads to personal growth and increasing depth and intimacy in relationships. This benefits not only our personal relationships but also paves the way for societal progress. The civil rights movement, acceptance of marriage equality and gender equality were all possible because of people approaching these tough conversations.

In a small way, over the past 11 years, the Cultural Competency in Family Practice seminars have provided a place for conversations about difficult subjects around differences. Personal stories shared by our presenters make these issues more relatable and less uncomfortable. The seminar has also become a forum for exchange of both personal and professional experiences and allowed us to recognize how culture impacts us all and not just the cultural "other."

These interactive seminars help us better understand our own cultural identity, acknowledge our

implicit biases, and validate and facilitate discussion of our feelings. We hope that the takeaway is to understand and have the willingness to address differences with compassion and empathy. Dr. Anastasia Kim, in her book "It's Time to Talk (and Listen): How to Have Constructive Conversations About Race, Class, Sexuality & Gender in a Polarized World," concludes with a chapter titled "Constructive Conversations as a Lifestyle." Getting comfortable with uncomfortable conversations and engaging in these dialogues needs to be a way of life.

Gltu Bhatia, Psy.D.



Navigating difficult conversations in therapy and personal life

By Linda Bortell

As a child, I thought of difficult conversations as moments when I would likely be in trouble with my parents. Perhaps they caught me lying or being mean to someone else. It was difficult because I had to sit silently while they told me about my transgression and the subsequent punishment. Now, as an adult, a difficult conversation is typically about confrontation, or when I know what I have to say will make someone upset or angry. Difficult conversations in my personal life can still make me get that queasy feeling that I had as a child. The twist in all of this is that, as a psychologist, I earn a living by having difficult conversations and making them uncomfortable in the service of change.

There are times when the conversation is intended to just make the client access feelings, talk about a difficult time in their life or look at their current self-sabotaging behaviors. However, there are other times when the conversations are

difficult for both of us. These are typically around racism, class, sexism, religious differences, and, more recently, politics. As an educated white person, I am aware that I hold privilege and the upper hand in these conversations. So how do I get to a place where I can ask the difficult questions, understand how they impact my client, and grasp what these events or situations mean for how they move in the world? What if I say the wrong thing? What if I insult them? What if I don't know that I am saying something deeply offensive? Is it better to avoid the topic and sit silently – like I did as a child?

As a psychologist, words have great meaning. I have to let others know that I may not say the right thing and they need to let me know if I don't. I also try to fully understand the situation and mindset of the person sitting in front of me. If a client is going before a judge to determine custody and their sister is a judge, they may think one way. If a client has suffered discrimination from the legal system, going to court has a completely different meaning. Asking about specific differences and under-

standing them helps the client feel like they belong. If the client can only respond in a traumatic way, they may not be able to get their point across, speak their mind, or even regulate their feelings and behaviors. Someone in a traumatized state may not be able to convey to us what is happening and where this response originated. Knowing that their whole self is seen and understood by us can go a long way in helping them to convey necessary information so that we can all be of the greatest assistance in trying times.

Linda Bortell, Psy.D.



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Donna Wilson
CEO and Managing Partner
Manatt, Phelps, & Phillips LLP

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The 12th Annual Seminar in Cultural Competency in Family Law Practice will be held on Sat., July 27, at 9800 S. La Cienga Blvd., 12th Fl., Inglewood, CA 90301, from 8:30 a.m. to 1:30 p.m.



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A roundup of infamous misunderstandings in cultural and professional settings

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1980s: Parker Pen's Mexican Translation

Parker Pen's slogan "It won't leak in your pocket and embarrass you" was mistranslated in Mexico to "It won't leak in your pocket and make you pregnant," causing confusion and amusement.

1980s: Procter & Gamble's Logo

Procter & Gamble faced backlash in the Middle East over its logo, believed to contain occult symbols and an alleged anti-Islamic message.

1990: Pepsi's "Come Alive" Campaign in Taiwan

Pepsi's slogan "Come alive with the Pepsi Generation" was translated in Taiwan as "Pepsi brings your ancestors back from the dead," leading to confusion and offense.

1992: George H.W. Bush's "Victory Sign"

During a visit to Australia, President George H.W. Bush flashed a "V for victory" sign with his palm facing inward, which in Australia is equivalent to the middle finger in the United States.

1995: Mercedes Benz "Allah" Car Badge

Mercedes Benz released a car with a badge that, when viewed upside down, resembled the Arabic script for "Allah," causing outrage in Muslim-majority countries. Mercedes Benz redesigned the badge and issued a public apology.

1997: Nike's "Air" Logo Controversy

Nike released a line of basketball shoes with a stylized "Air" logo, which resembled the Arabic script for "Allah" to Muslims in the Middle East.

1997: British Airways' Tail Fin Design

British Airways introduced a new tail fin design featuring global artwork, including patterns resembling Arabic script. In Saudi Arabia, this was seen as disrespectful because it could be interpreted as writing Allah's name on the tail of an airplane. The design was eventually changed.

1999: Marks & Spencer's Bathroom Tiles

Marks & Spencer faced criticism when it was discovered that a pattern on their bathroom tiles resembled the Arabic script for "Allah." This led to protests and boycotts, and the company had to recall the tiles and issue an apology.

1999: Mazda's "Laputa" in Spanish-Speaking Countries

Mazda released a car model named "Laputa" in Spanish-speaking countries. In Spanish, "la puta" translates to "the whore." Mazda had to change the name to avoid embarrassment and offense.

2000s: Colgate in India

Colgate introduced a toothpaste with an herbal formula in India but failed to highlight the herbs' traditional Indian benefits. Consumers saw it as another Western product until the marketing was localized.

2001: Tony Blair's "Playground" Comment

After the 9/11 attacks, UK Prime Minister Tony Blair described the relationship between the UK and the US as "like a playground."

2001: Honda's "Fitta" in Nordic Countries

Honda named a car model "Fitta," not realizing it was a vulgar term for female genitalia in Swedish and Norwegian. The car was renamed "Jazz" in these markets.

2001: Pizza Hut's Advertisement in Pakistan

Pizza Hut ran an advertisement in Pakistan showing a man with his shoes on a table, which is considered highly disrespectful in Islamic culture. The ad was quickly pulled, and Pizza Hut issued an apology and modified their marketing materials.

2003: Pepsi's Blue Can in Southeast Asia

Pepsi introduced a blue can in Southeast Asia during Ramadan. Blue is associated with mourning and funerals in some cultures, leading to poor sales. Pepsi switched back to the traditional color.

2005: Jacques Chirac's "British Cuisine" Comment

French President Jacques Chirac joked that British cuisine was the worst in Europe, worse than Finnish cuisine.

2005: Burger King's Ice Cream Packaging

Burger King faced a boycott in the UK when it was discovered that the design on their ice cream lids resembled the Arabic script for "Allah." The company had to issue an apology and redesign the packaging.

2006: Hugo Chávez's "Sulfur" Comment

Venezuelan President Hugo Chávez referred to President George W. Bush as "the devil" and said he could still smell sulfur from Bush's presence at the UN General Assembly.

2007: Nicolas Sarkozy's "Subprime Culture" Comment

French President Nicolas Sarkozy referred to some African countries as having a "subprime culture."

2008: L'Oreal's Hair Product Ad in the Middle East

L'Oreal ran an ad in the Middle East featuring a model with her hair uncovered, leading to criticism.

2008: Silvio Berlusconi's "Sun-Tanned Obama" Comment

Italian Prime Minister Silvio

Berlusconi referred to President Barack Obama as "young, handsome, and even has a good tan."

2009: HSBC's "Assume Nothing" Campaign

HSBC's "Assume Nothing" slogan was misinterpreted as "Do Nothing" in various countries, leading to an ineffective campaign. The company had to rebrand to "The world's local bank."

2010: Gordon Brown's "Racist" Comment

UK Prime Minister Gordon Brown was caught on a hot mic calling a voter he had just spoken with "a bigoted woman."

2010: Coca-Cola's Urdu Label in Pakistan

Coca-Cola printed labels in Urdu, Pakistan's national language, but the script used was deemed too informal and disrespectful. Coca-Cola had to redesign the labels to better respect the local culture and language norms.

2010: Giorgio Armani's Logo on Mosque

A Giorgio Armani store in Dubai was located near a mosque and featured large, illuminated logos. This was seen as disrespectful to the religious site, leading to complaints. Armani had to tone down the signage to show respect for the cultural and religious setting.

2011: Enrique Peña Nieto's "Three Books" Comment

During a book fair, Mexican President Enrique Peña Nieto struggled to name three books that had influenced him, ultimately providing vague and incorrect answers.

2011: Pizza Hut's Sausage Controversy in Malaysia

Pizza Hut advertised pork sausages in Malaysia, a predominantly Muslim country. This caused an uproar as pork is not halal. Pizza Hut quickly removed the item and issued an apology.

2012: Valentino's Handbag Controversy

Valentino released a handbag decorated with a pattern that resembled Arabic script, inadvertently including a word resembling "Allah."

2012: McDonald's Halal Menu Controversy

In India, McDonald's faced protests when it announced plans to open vegetarian-only outlets near religious sites. There were concerns in Muslim-majority areas about whether the meat served in other outlets was truly halal. McDonald's had to reassure customers by improving transparency about their halal certification processes.

2012: Haribo's Gummy Bears in Turkey

Haribo's gelatin-based gummy bears were initially not halal, causing concern in predominantly Mus-

lim Turkey. Haribo reformulated the product to be halal-compliant.

2013: Lego's Jabba's Palace Set

Lego's Star Wars Jabba's Palace set faced criticism from the Turkish Cultural Community of Austria, which claimed it resembled Istanbul's Hagia Sophia mosque and other structures.

2014: Cadbury's Halal Certification Controversy

Cadbury faced backlash in Malaysia when rumors spread that their chocolates contained pork DNA. Despite being halal certified, the misinformation led to widespread outrage. Cadbury had to conduct extensive damage control and reassure customers about their halal compliance.

2014: Coca-Cola's Ramadan Billboard in Egypt

Coca-Cola placed a billboard in Egypt during Ramadan that featured a picture of a bottle with the words "Share a Coke" in Arabic. However, the placement of the text led some to read it as "Share Allah," causing offense. Coca-Cola quickly replaced the billboard and apologized for the oversight.

2014: Red Bull in Ramadan

Red Bull released an animated cartoon during Ramadan showing a man drinking Red Bull to maintain energy while fasting, which faced criticism for insensitivity.

2015: Calvin Klein's Billboard in Dubai

Calvin Klein faced criticism in Dubai for a billboard ad featuring a model in revealing underwear, which was seen as inappropriate in a conservative society.

2015: Nestlé's Coffee Creamer Ad in Saudi Arabia

Nestlé released a coffee creamer ad that depicted women without headscarves in a public setting, leading to backlash from conservative communities.

2015: Etihad Airways' In-Flight Magazine

Etihad Airways included a travel guide in its in-flight magazine that listed Jerusalem as part of Israel, which led to protests from Arab passengers who consider East Jerusalem to be part of Palestine. The airline issued an apology and revised the content of the magazine to be more culturally sensitive.

2015: Coca-Cola's Ramadan Ad

Coca-Cola launched a Ramadan campaign in the Middle East featuring a video of a man fasting and then breaking his fast with a Coke, which faced criticism for commercializing a religious practice.

2016: Dolce & Gabbana's Abaya Collection

Dolce & Gabbana launched a collection of abayas (traditional Muslim dresses), receiving mixed

reactions. Some praised the fashion house for embracing Islamic culture, while others criticized the high prices and felt the designs did not respect traditional modesty standards. The brand addressed these concerns through targeted marketing and community engagement.

2016: H&M's Hijab Campaign

H&M featured a Muslim model wearing a hijab in one of their advertisements, which received mixed reactions. It was criticized for not aligning with local cultural sensitivities.

2017: Dunkin' Donuts' Arabic Coffee Cup

Dunkin' Donuts released a coffee cup with Arabic calligraphy in the Middle East, which included a design resembling the word "Allah." This led to protests, and Dunkin' Donuts withdrew the cups and issued an apology.

2017: IKEA's Women's Day Campaign in Saudi Arabia

IKEA released a campaign in Saudi Arabia for International Women's Day featuring images of women without headscarves, which led to backlash. The company issued an apology and adjusted its campaign to better align with local cultural norms.

2018: Justin Trudeau's "Peoplekind" Comment

Canadian Prime Minister Justin Trudeau corrected a woman who used the term "mankind," suggesting she use "peoplekind" instead.

2018: Donald Trump's "Shithole Countries" Comment

President Donald Trump reportedly referred to some African nations, Haiti, and El Salvador as "shithole countries" during an immigration discussion.

2019: Boris Johnson's "Kipper" Comment

UK Prime Minister Boris Johnson held up a kipper (a type of smoked fish) during a speech, blaming EU regulations for the way it was packaged. The packaging requirement was a UK rule, not an EU one.

2019: Heineken's Nonalcoholic Beer Campaign

Heineken launched a campaign for its nonalcoholic beer in several Islamic countries, including Saudi Arabia. Despite being nonalcoholic, the association with beer led to backlash from conservative communities. Heineken adjusted its marketing strategy to focus more on the nonalcoholic aspect.

2020: Angela Merkel's "Multikulti" Comment

German Chancellor Angela Merkel declared that the "multikulti" (multicultural) approach had "utterly failed." While she intended to highlight integration challenges, the comment sparked debate.

2020: Yoshihide Suga's "Fukushima Under Control" Comment

Japanese Prime Minister Yoshihide Suga declared that the situation at the Fukushima nuclear plant was "under control" ahead of the Tokyo Olympics, which faced skepticism.

2020: Dolce & Gabbana's Ad Controversy

Dolce & Gabbana released an ad campaign featuring models eating pizza with chopsticks, which was criticized for cultural insensitivity towards Chinese culture. The backlash led to calls for boycotts and significant damage control efforts from the brand.

2021: Dior's Ad in China

Dior faced backlash for an advertisement featuring a model with dark makeup and traditional Chinese attire, which was perceived as perpetuating negative stereotypes.

2021: Volkswagen's Instagram Ad

Volkswagen released an Instagram ad that appeared to show a white hand pushing a black man away, which was widely criticized for its racist implications. The company apologized and removed the ad.

2021: H&M's Statement on Xinjiang

H&M faced a boycott in China after making a statement about alleged human rights abuses in Xinjiang, leading to significant financial and reputational damage in the Chinese market.

2022: Balenciaga's Children's Ad Campaign

Balenciaga released an ad campaign featuring children holding teddy bears dressed in BDSM-inspired outfits, leading to public outcry and accusations of inappropriate and exploitative marketing. The brand apologized and pulled the ads.

2022: Zara's Uyghur Model Controversy

Zara faced backlash for featuring a model of Uyghur descent in an ad campaign, which was seen as insensitive given the ongoing human rights concerns in Xinjiang.

2023: Gucci's Turban Controversy

Gucci released a fashion line featuring turbans, which was criticized for cultural appropriation and insensitivity towards Sikh traditions. The brand apologized and pulled the product.

2023: Adidas's Holocaust-Inspired Sneakers

Adidas faced outrage for releasing a sneaker design that resembled Holocaust-era shoes worn by prisoners in concentration camps. The brand apologized and withdrew the product.