

# The Ethics of Conflict Resolution

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Prof Emanuela Ceva, emanuela.ceva@unipv.it

## COURSE DESCRIPTION

This course investigates issues of justice that emerge out of international conflict scenarios. By reference to such prominent examples of conflict as that between Israelis and Palestinians as well as to such divided communities as that of Cyprus, we shall analyze and discuss the right ways, in a moral sense, to address the different demands of justice that emerge in these circumstances.

The course aims at first to introduce students to the normative approach to the ethics of conflict resolution. We shall distinguish the dimensions of justice (as differentiated from those of legitimacy) implied in conflict scenarios, with special reference to the distinction between the commitment to realizing justice in the outcomes or in the procedures of international cooperation. Subsequently, we shall focus on the forms of injustice that may affect the qualities of international relations when cooperative dynamics are disrupted by conflicts. In particular, we will discuss different theories and practices of conflict resolution, conflict containment, and conflict management in view of their capacity of realizing different demands of justice and peace.

Relevant questions include:

- Are the demands of global justice distinguishable from those of international legitimacy?
- Are procedures of international cooperation valuable in themselves or just as instruments to bring about certain desirable outcomes?
- What demands of justice arise out of conflict scenarios in the international arena? And should we prioritize seeking justice or peace in such scenarios?
- What is a just transition from antagonism to cooperation in the dynamics of a conflict?
- What are the moral limits to the acceptability of compromises to tame international conflicts?

The course includes a mixture of lectures, seminars, and case-based discussion. In particular, we shall discuss the questions above with the help of a selection of readings and case studies apt to illustrate the different demands of justice in conflict scenarios at the global level. Students are encouraged to adopt an active and critical approach to these readings and to the case studies.

## PROGRAMME

### **Week 1**

**LECTURE 1**, (25/5/16): *What the normative approach to the ethics of conflict resolution is*

**LECTURE 2**, (27/5/16): *Justice of the outcomes and the procedures of international cooperation*

### **Week 2**

**SEMINAR 1**, (01/06/16): *The normative approach to conflict containment*

*Reading* (compulsory)

David Luban, 'Bargaining and Compromise: Recent Work on Negotiation and Informal Justice', *Philosophy & Public Affairs* 14, 4 (1985), pp. 397–416.

*Case study* (compulsory)

Costantinos Adamides, 'Comfortable Conflict and (Il)liberal Peace in Cyprus', *Hybrid Forms of Peace: From Everyday Agency to Post-Liberalism*, eds. Richmond O. and Mitchell A. Basingstoke: Palgrave Macmillan, pp. 242-259, available at:  
[https://www.academia.edu/955907/Comfortable\\_Conflict\\_and\\_II\\_liberal\\_Peace\\_in\\_Cyprus](https://www.academia.edu/955907/Comfortable_Conflict_and_II_liberal_Peace_in_Cyprus)

*General references* (optional)

Michelle Maiese, 'Limiting Escalation / De-escalation', *Beyond Intractability*. Eds. Guy Burgess and Heidi Burgess. Conflict Information Consortium, University of Colorado, Boulder. Posted: January 2004 <<http://www.beyondintractability.org/essay/limiting-escalation>>.

William I. Zartman, 'Ripeness', *Beyond Intractability*. Eds. Guy Burgess and Heidi Burgess. Conflict Information Consortium, University of Colorado, Boulder. Posted: August 2003 <<http://www.beyondintractability.org/essay/ripeness>>.

## **SEMINAR 2**, (03/06/16): *The normative approach to conflict resolution*

*Readings* (compulsory)

Guy Burgess and Heidi Burgess (eds), *Beyond Intractability*, Conflict Information Consortium, University of Colorado, Boulder:

M. Fitzduff, 'Meta- Conflict Resolution', <<http://www.beyondintractability.org/essay/meta-conflict-resolution>>.

B. Spangler, 'Alternative Dispute Resolution (ADR)', <<http://www.beyondintractability.org/essay/adr>>.

K. Cloke, 'The Culture of Mediation: Settlement vs. Resolution', <<http://www.beyondintractability.org/essay/culture-of-mediation>>.

*Case study* (compulsory)

United Nations Department of Political Affairs and United Nations Environment Programme, 'India and Pakistan: The Indus Waters Treaty', in *Natural Resources and Conflict*, UN DPA and UNEP, 2015, pp. 73-75, available at  
[http://peacemaker.un.org/sites/peacemaker.un.org/files/NRCMediation\\_UNDPAUNEP2015\\_0.pdf](http://peacemaker.un.org/sites/peacemaker.un.org/files/NRCMediation_UNDPAUNEP2015_0.pdf)

*General references* (optional)

C. Honeyman, N. Yawanarajah, 'Mediation', *Beyond Intractability*. Eds. Guy Burgess and Heidi Burgess. Conflict Information Consortium, University of Colorado, Boulder. Posted: September 2003 <<http://www.beyondintractability.org/essay/mediation>>.

United Nations, *UN Mediation Guidance*,  
<http://peacemaker.un.org/mediationapp#MediationOverview>.

## **Week 3**

### **SEMINAR 3**, (08/06/16): *The normative approach to conflict management*

*Reading* (compulsory)

E. Ceva, 'Just Interactions in Value Conflicts: The Adversary Argumentation Principle', *Politics, Philosophy & Economics* 11, 2 (2012): 149–170.

*Case study* (compulsory)

The Israeli Palestinian Project: <http://www.israelpalestineproject.org/about>

*General references* (optional)

John Paul Lederach, 'Conflict Transformation', *Beyond Intractability*. Eds. Guy Burgess and Heidi Burgess. Conflict Information Consortium, University of Colorado, Boulder. Posted: October 2003 <<http://www.beyondintractability.org/essay/transformation>>.

Harold H. Saunders, 'Sustained Dialogue in Managing Intractable Conflict', *Negotiation Journal* 19, 1 (2003): 85-95.

### **SEMINAR 4**, (10/06/16): *Transitional Justice*

*Readings* (compulsory)

- Mihaela Mihai, 'Transitional Justice and the Quest for Democracy: A Contribution to a Political Theory of Democratic Transformations', *Ratio Juris* 23, 2 (2010): 183–204.
- Sara Amighetti, Alasia Nuti, 'Achieving Historical Justice Through Democratic Deliberation', *Journal of Political Philosophy* 23, 4 (2015): 385-405.

### COURSE OBJECTIVES AND STRUCTURE

The **first week of the course** aims to familiarize the students with the normative approach to the ethics of conflict resolution. This part of the course consists in **taught classes**. The **second and third weeks of the course** aims to enhance the students' capacities for critical thinking, analysis, and discussion through the application of the theoretical framework developed during the first week to some specific issues. This part of the course consists in **seminars** that revolve around a reading and a case study introduced by the teacher. All students are required to do the assigned readings and examine the materials for the case studies and prepare at least one question/critical remark for the general discussion in class.

### READING LIST

- Amighetti, S., Nuti, A., 'Achieving Historical Justice Through Democratic Deliberation', *Journal of Political Philosophy* 23, 4 (2015): 385-405.
- Ceva, E., 'Just Interactions in Value Conflicts: The Adversary Argumentation Principle.' *Politics, Philosophy & Economics* 11, 2 (2012): 149–70.
- Cloke, K., 'The Culture of Mediation: Settlement vs. Resolution', *Beyond Intractability*. Eds. Guy Burgess and Heidi Burgess. Conflict Information Consortium, University of Colorado, Boulder. Posted: December 2005 <<http://www.beyondintractability.org/essay/culture-of-mediation>>.
- Fitzduff, M., 'Meta- Conflict Resolution', *Beyond Intractability*. Eds. Guy Burgess and Heidi Burgess. Conflict Information Consortium, University of Colorado, Boulder. Posted: September 2004 <<http://www.beyondintractability.org/essay/meta-conflict-resolution>>.
- Luban, D., 'Bargaining and Compromise: Recent Work on Negotiation and Informal Justice', *Philosophy & Public Affairs* 14, 4 (1985): 397–416.
- Mihai, M., 'Transitional Justice and the Quest for Democracy: A Contribution to a Political Theory of Democratic Transformations', *Ratio Juris* 23, 2 (2010): 183–204.
- Spangler, B. 'Alternative Dispute Resolution (ADR)', *Beyond Intractability*. Eds. Guy Burgess and Heidi Burgess. Conflict Information Consortium, University of Colorado, Boulder. Posted: June 2003 <<http://www.beyondintractability.org/essay/adr>>.

### ASSESSMENT

Assessment will be based on participation and an assessed essay. The final mark will be calculated as follows: Participation, 40%; Assessed Essay, 60%.

#### *Participation*

Students **are expected to attend all classes** and participate actively in the seminar discussions. The mark for participation will be based on the quality of students' contributions to the seminar discussions.

#### *Assessed essay*

Students are required to write an **essay** on an issue addressed during the course under the supervision of the lecturer. Essays should not be longer than **4,000 words**. All essay topics will have to be approved by the lecturer. **Essays exceeding the word limit will not be accepted.**

**Guidelines** on how to write an essay in political philosophy are available below. The guidelines include instructions concerning bibliographical references.

## HOW TO WRITE A PHILOSOPHY ESSAY

### General requirements

Philosophy essays usually discuss a controversial initial

claim. Essays are NOT:

1. A mere summary of the views expressed by authors *X* and *Y* on an issue *I*. Essays are expected to engage critically with the considered claim.
2. A mere statement of your personal opinions on the considered claim. What matters is not so much the content of what for which you argue (you will not get a low mark if I disagree with your views), as how you are able to argue for it. *Every view you advance must be supported by an argument* and grounded on reasons. A good essay does not include such sentences as ‘I am convinced that *P*’, but rather ‘I believe that *P* for reasons *A* and *B*’.

Starting from a controversial claim (e.g. ‘Unanimous direct democracy is the only form of government able to combine respect for individual autonomy and the institution of political authority’), an essay can adopt different (but not necessarily alternative) argumentative strategies:

- It may *criticize the initial claim* or the ideas on which it is based (e.g. by suggesting other possible ways of combining individual autonomy and political authority).
- It may *defend the claim* (perhaps by refuting the arguments of those who criticized it).
- It may provide *examples supporting the claim*, in order to corroborate it and/or make it more plausible.
- It may offer *examples against the claim*, in order to weaken it and/or highlight its limits.
- It may show how the claim can or cannot *explain some social phenomena* (e.g. the crisis of the legitimacy of political authority).
- It may *examine the positions of other authors in favour of or against* the claim, by showing their vices and virtues.

Whatever strategy (or combination of strategies) you adopt, it is essential that you do not merely make assertions, but provide arguments to support your views.

The arguments provided must be as clear and as persuasive as possible. You should picture your reader as a lazy simpleton to whom you must explain every single detail of your argument. This prompts the following three recommendations:

- a) Write your essay in a clear manner, without assuming that your reader has made your same preparatory readings; explain every assumption on which you rely and any idea to

which you refer. If an idea is crucial for the argument you are trying to build, make it explicit in the body of text. Otherwise you can add footnotes.

- b) Make the reading of your essay an enjoyable experience. The reader should not be required to make an extraordinary effort in order to understand what you mean. Be clear and concise. Always read twice what you have written to make sure it is comprehensible.
- c) Imagine that your reader, confronted with an ambiguous statement, will always interpret it in the least favourable manner to you. Always ask yourself whether what you have written actually expresses what you meant. Use plenty of examples to illustrate your claims.

As mentioned above, your essay should not be a mere review of the literature on the topic. It must prove that:

- you have understood the theoretical issue raised by the considered claim;
- you have understood the readings;
- you are able to critically assess the claim.

In order to do this, the essay should reveal a capacity for independent thought. This does not mean that you are expected to develop a revolutionary philosophical theory. But you should be able to prove your ability to ‘think with your own head’ by accurately reporting and autonomously criticizing the views of others.

### **How to write your essay**

Once you have chosen your topic and identified the relevant bibliographical references, the first step is to do the assigned readings. In so doing, remember that:

1. Not everything that you have read will be directly relevant for your essay topic. Select, *while you read*, the relevant parts of the texts and focus on them.
2. Do not treat readings with deference: engage critically with them! Always ask yourself whether the author's argument is clear and persuasive. Take note of all critiques while they come to your mind.

An important implication of 1 and 2 is that reading for the sake of philosophical inquiry is *not* a *passive* but an *active* process.

After this first step, organize the material. Write an outline of your essay and discuss it with the lecturer to clarify any doubts and prevent possible misunderstandings. When it comes to deciding what to include in it or to exclude from it, use the claim to be discussed as a compass. Not everything that Rawls wrote in *The Law of Peoples* is relevant for addressing the issue of whether non-liberal societies should be tolerated. Anything that does not make a direct contribution to your essay topic must be left out.

Think about the order of presentation of the arguments in favour or against the position you are examining. The essay needs a clear structure. You are not writing a spy story with dramatic turns of events. The claim to be discussed and the argument you want to make must be made clear since the very beginning of the essay.

An essay consists of the following parts:

1. Introduction:

- present the issue you want to address (most of the time this requires an explanation of the essay title).
- Explain why the issue is worth discussing (Why is it problematic? Why is it important to address it?).
- Specify how you are going to tackle the issue and why that is a good strategy.
- Briefly anticipate what you envisage your conclusion will be.

## 2. Body of the essay:

- divide your essay into sections. To this end you can use (numbered) headings and sub-headings.
- Divide each section into paragraphs. Every paragraph should present one single idea (*but it usually consists of more than one sentence!*).
- Write in a clear and plain prose. Do not use synonyms only for the sake of varying your vocabulary. Associate each concept with a single term and employ it consistently.
- Make it always clear in what sense you are using a term. Philosophical terms are very often expressed by words used in ordinary language but with a different meaning (see, for example, the use of the term 'reasonable' in Rawls). You too can do this. What is necessary is that you state your usage of a given term without ambiguities.
- In presenting an author's view, do not let biographical details lead you astray. What matters about Rawls is not where he was born or where he taught, but what his position was on the issue under consideration.
- In criticizing an author, make sure you present her views carefully. Resist the temptation to build a straw-man to destroy. Give, rather, the most charitable interpretation of her views to show that *even taken at their best* they are not persuasive for such and such reason.
- Draw a clear distinction between your thoughts and the thoughts of others that you are simply reporting. Do not ascribe to others your interpretations. Do not pretend that the ideas of others are your own. Plagiarism is a serious offence.
- When you refer to an author's views, given full bibliographical references. Give textual evidence in support of your interpretation of an author's views by quoting the author's own words. When you do so, make sure you use quotation marks and cite the source (page numbers included). Notice that a quotation does not exonerate you from explaining the author's views in your own words (you can do that either before or after the quotation itself).
- Do your best to defend your views, but show awareness of their limits. An essay is not a political *pamphlet*. If you are aware of the limits of your argument, do not dissimulate them. Account for them and explain why you think that your argument is worth making despite those limits.

## 3. Conclusions:

- summarize the fundamental steps of the argument.
- Explain how your argument contributes to assessing the considered claim.
- Never introduce new issues that you do not have space to address.

In doing all of the above, be clear but concise. If you are given a word limit it, do stick to it. Try to divide the available space in a well-reasoned and balanced way. Do not sacrifice any section for the sake of another. Should you realize that you need more space to make an additional point or develop a new argument – that is connected but not essential to your own argument – say so. You could write – perhaps in a footnote – that although saying that *P*, or examining the further position *Q*, would be useful at that point, you do not have the space to do so. Obviously, you cannot gloss over a point that would be fatal to your argument. For points that are relevant but non-essential to your argument, this strategy is perfectly acceptable.

### **Before turning in your essay**

Once you have finished writing, put your essay aside for a few days. Reread your essay later to verify that it is actually understandable.

Ask yourself whether every sentence you wrote really contributes to addressing the essay topic. If not, delete the unnecessary sentences.

Check whether the essay's structure is clear. The topic must be clearly stated and your arguments must be clear and consequential.

Asking a fellow student to read your essay might be very helpful. Another useful strategy is to read your text out loud. This enables you to check the coherence of the text, the quality of the prose, and the argument's flow. Check the grammar and syntax. Sometimes also published works contain typos. However, they must be the exception and not the rule.

Be accurate in the graphic presentation of the essay. Do not use small fonts (use, e.g., 'Times New Roman' 12 pts. for the body of text, 10 pts. for footnotes). Use a line-spacing of 1.5 and adequate page margins so that the lecturer can write down her comments. Insert page numbers. Do not use the functions '**bold**' or 'underline' (if not in headings). To emphasize some words use '*italics*'.

You can use the first person singular to present your ideas (e.g. 'I will explain Rawls's position about *P* in the first place, and then I will hold that *Q*'; 'Although Kant explained that *P*, I believe that non-*P* for reasons *X* and *Y*').

### **Bibliographical references**

#### Citations in footnotes

Book:

Isaiah Berlin, *Four Essays on Liberty* (Oxford: Oxford University Press, 1969).

Article in a multi-authored collection of essays:

Charles Taylor, 'What's Wrong with Negative Liberty', in A. Ryan (ed.), *The Idea of Freedom* (Oxford: Oxford University Press, 1979).

Article in a journal:

Gerald C. MacCallum Jr., 'Negative and Positive Freedom', *Philosophical Review*, 76 (1967), pp. 312-334.

In English titles each main word should begin with a capital letter. The names of authors should correspond to the authors' own signature. For instance, 'G.A. Cohen' (this is how it appears in his books), and not 'Gerald A. Cohen', or even 'Gerald Alan Cohen'. You can always use initials: I. Berlin, G. C. MacCallum Jr., G. A. Cohen, etc.

Repetitions of the same works

For repeated citations, you may use the following Latin expressions:

*ibidem* (or *ibid.*) = in the same place (the same citation of the previous footnote).

*ivi* = in the same place (to indicate the same work as that in the previous footnote but with different page numbers).

*op. cit.* = in the work already cited (to cite an already mentioned work, although not in the previous footnote).

*cit.* = as already cited (for an already cited work whose title, though, should be repeated).

*idem* (or *id.*) = the same author.

#### Examples:

1 Isaiah Berlin, *Four Essays on Liberty*, Oxford University Press, Oxford 1986, p. 23.

2 *ibid.*

3 *ivi*, p. 25.

4 I. Berlin, *The Crooked Timber of Humanity. Chapters in the History of Ideas*, Harper Collins, London 1991, p. 134.

5 MacCallum, *op. cit.*, p. 27.

6 I. Berlin, *Four Essays on Liberty*, Oxford University Press, Oxford 1986, pp. 80-84.

7 Berlin, *The Crooked Timber of Humanity, cit.*, p. 97.

Alternatively, you can repeat the author's surname and the work's title (but not its subtitle):

1 G. C. MacCallum Jr., *Libertà negativa e positiva*, in I. Carter e M. Ricciardi (a cura di), *L'idea di libertà*, Feltrinelli, Milano 1996, p. 23.

2 MacCallum, *Negative and Positive Freedom*, p. 23.

3 MacCallum, *Negative and Positive Freedom*, p. 25.

4 I. Berlin, *The Crooked Timber of Humanity. Chapters in the History of Ideas*, Harper Collins, London 1991, p. 134.

5 MacCallum, *Negative and Positive Freedom*, p. 27.

6 I. Berlin, *Four Essays on Liberty*, Oxford University Press, Oxford 1986, pp. 80-84.

7 Berlin, *The Crooked Timber of Humanity*, p. 97.

While you draft your essay, it is advisable that you use the second model, because you might move parts of your text around, thus moving also some footnotes.

#### Harvard style

With this system, works are cited directly (within brackets) in the body of text, with the author's surname and the publication year. In some cases, you may use this style also in footnotes, but that is rare because one of the main aims of choosing this style is precisely that of reducing the number of footnotes. At the end of the essay, a list of bibliographical references is necessary.

In the body of text:

To address this issue, I will rely on the distinction between positive and negative liberty (Berlin, 1986, pp. 121-31).

In footnotes:

To address this issue, I will rely on the distinction between positive and negative liberty.<sup>1</sup>

<sup>1</sup> This distinction is used for the first time by Isaiah Berlin (1989, pp. 121-31). The same distinction is questioned by some theorists who have criticized Berlin (see, for instance, MacCallum, 1996; Pettit 1997a).

#### Pros and cons of the Harvard style

Pros:

- it minimizes the use of footnotes and allows you to cite fully each work only once.
- It offers a quick and easy way to refer to a well known work.
- The reader might find it useful to have all references collected at the end of the essay, rather than looking for them in footnotes.



## Cons:

- if there are many references, the reading of the text may be not very easy and smooth.
- Publication years may look sometimes counterintuitive or odd, in particular with recent editions of classic authors of the past. For instance, you might find yourself reading: Plato, 2002; Mill, 1958.
- Some authors are very prolific, and you might find citations such as the following: Pettit, 1997a, 1997b, 1997c, 1997e; Pogge, 1992a, 1992d, 1993b, 1993c, 1993f – in such cases understanding what the references stand for is far from immediate.

## Bibliography

In general, a bibliography is required if you use the Harvard style; if you use the ‘traditional’ style, it is optional. However, at the end of your essay you are required to provide always a bibliography including all the readings you have made in preparation for the essay, even if they have not been cited in the final version.

Examples:

## Traditional system:

Berlin, I., *Four Essays on Liberty*, Oxford University Press, Oxford 1986.

Pettit, P., *Republican Theory and Criminal Punishment*, in “Utilitas”, 9 (1997), pp. 59-79.

## Harvard style:

Pettit, P. (1997a), *Republicanism. A Theory of Freedom and Government*, Clarendon Press, Oxford.

Pettit, P. (1997b), *Republican Theory and Criminal Punishment*, in “Utilitas”, 9, pp. 59-79.

Taylor, C. (1979), ‘What’s Wrong with Negative Liberty’, in A. Ryan (ed.), *The Idea of Freedom*, Oxford University Press, Oxford.