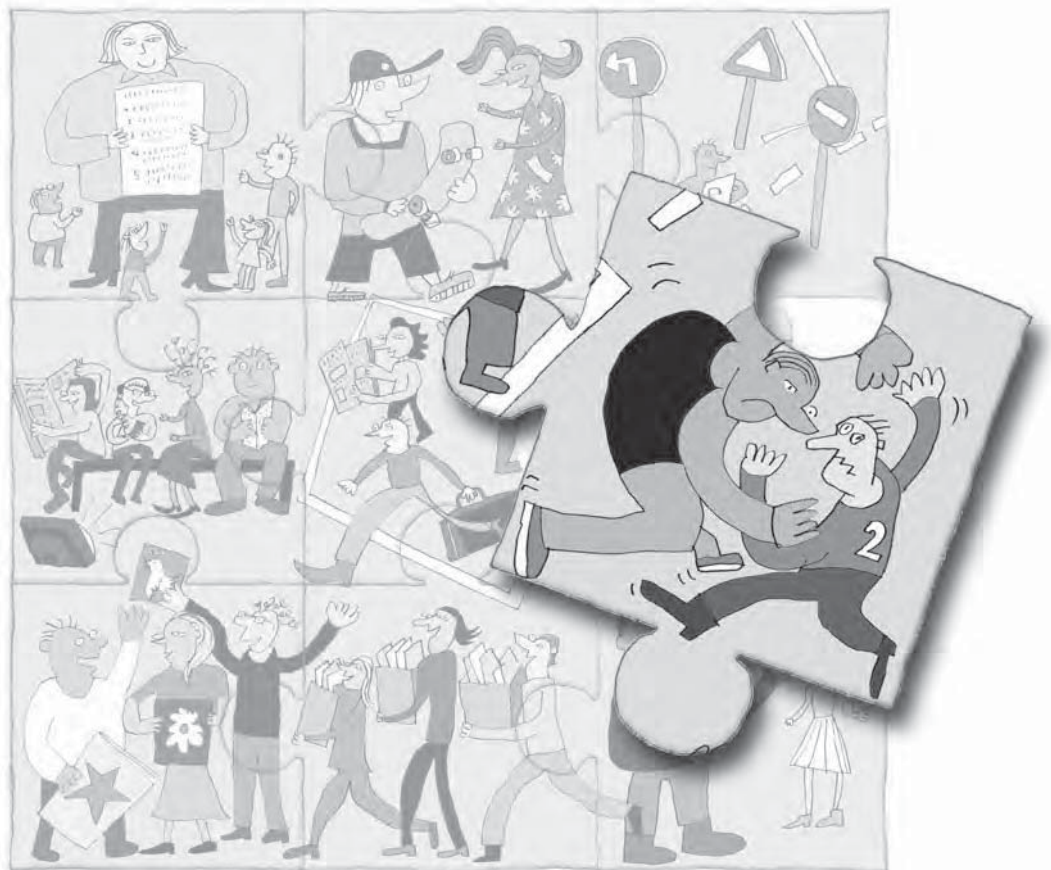# UNIT 4
Conflict

What to do if we disagree?

4.1. Conflict resolution
How can we deal with serious disagreements?

4.2. Applying the six-step approach
How can we avoid fighting our neighbour?

4.3. Conflicting human rights
A clash between human rights. What now?

4.4. Using violence
Is using violence acceptable in some cases?

UNIT 4: Conflict
What to do if we disagree?

The concept of peace has an important cultural dimension. Traditionally, in Far Eastern cultures, peace has more to do with inner peace (peace in our minds or hearts) while in the western world, peace is understood to be outside the individuals (the absence of war or violent conflict). In India, for example, the word for peace is "shanti", which implies a perfect order of the mind or peace of mind. Gandhi based his philosophy and strategy on a concept called "Ahimsa", which broadly means "to refrain from anything at all harmful". He said, "literally speaking, Ahimsa means non-violence. But to me it has a much higher, an infinitely higher meaning. It means that you may not offend anybody; you may not harbour uncharitable thoughts, even in connection with those who you consider your enemies. To one who follows this doctrine, there are no enemies." In the Maya tradition, peace refers to the concept of welfare and is linked to the idea of a perfect balance between the different areas of our lives.[16]

"Positive peace" describes a state whereby the collective will is directed towards promoting peace and removing the barriers to peace. It includes a commitment to social justice, thereby moving beyond the idea that peace is the absence of fear, violence and war. It includes a commitment to non-violent conflict resolution and seeks to encourage the capacities of individuals and groups so they are able to address social problems in a constructive manner. For EDC educators, it also means promoting democratic processes in the classroom, addressing issues of power or the abuse of power, as well as seeking at all times to encourage the skills of listening and constructive dialogue and a commitment to resolve conflict.[17]

Is violence natural? Many people are convinced that human beings are naturally violent and that consequently we cannot avoid wars, conflicts and general violence in our lives and our societies. Other specialists in this field claim that we can avoid thinking, feeling and acting violently. The Seville Statement on Violence, elaborated in 1986 by a group of scholars and scientists from many countries, confirms this by stating that:

"1. It is scientifically incorrect to say that we have inherited a tendency to make war from our animal ancestors (...) Warfare is a solely human phenomenon and does not occur in other animals (...).

2. There are cultures that have not engaged in war for centuries and there are cultures which have engaged in war frequently at some times and not at others (...).

3. It is scientifically incorrect to say that war or any other violent behaviour is genetically programmed into our human nature (...).

4. It is scientifically incorrect to say that humans have a 'violent brain' (...) how we act is shaped by how we have been conditioned and socialised (...)."

Most of us are conditioned by our environments to react aggressively and violently. We learn to think, feel and act aggressively and in some cases violently. Wherever we live, we are submitted to a social and cultural pressure that conditions us to read about violence, watch violence and hear about violence almost constantly. Television programmes, advertisements, newspapers, video games and the movie and music industries contribute greatly to this situation. Before reaching adolescence, a child has seen thousands of murders and violent acts just by watching television. Our modern societies, whether consciously or not, make no apology for violence. Violence is seen

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16. Text from "COMPASS, a manual for human rights education with young people", Council of Europe,. Strasbourg 2002, p. 376ff.
17. From "A glossary of terms for education for democratic citizenship", Karen O'Shea, Council of Europe, DGIV/EDU/CIT (2003) 29.

as being of positive value. In most cultures, saying no to violence and avoiding physical violence or confrontation may be perceived as a sign of weakness, especially for men, who are put under a lot of pressure by their peers from a very young age.[18]

For additional information, refer to the teachers' resource sheet at the end of this unit.

Education for Democratic Citizenship and Human Rights

Through this series of lessons students will:

- increase their insight into the mechanisms behind a conflict;

- increase their insight into non-violent conflict resolution;

- improve their ability to deal with conflict in their own environment;

- improve their ability to consider the views and needs of all parties involved in a conflict;

- increase their insight into conflicts between human rights;

- increase their critical thinking about the use of violence;

- increase their insight into how to cope with the violence they are confronted with;

- be stimulated to approach conflicts in a non-violent way.

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18. Text from "COMPASS, a manual for human rights education with young people", Council of Europe. Strasbourg 2002, p. 380.

UNIT 4: Conflict
What to do if we disagree?

Lesson title	Objectives	Student tasks	Resources	Method
Lesson 1: Conflict resolution	Introduction to a six-step approach to conflict resolution.	Analyse a conflict; find solutions.	Student handout 4.1	Small group work.
Lesson 2: Applying the six–step approach	Learning to apply the six-step approach.	Analyse a conflict; find solutions.	Student handout 4.1 Student handout 4.2	Small group work.
Lesson 3: Conflicting human rights	Learning to recognise and analyse situations where human rights are in conflict.	Analyse a situation where human rights are in conflict.	Student handout 4.3 Student handout 5.2	Small group work. Critical thinking.
Lesson 4: Using violence	Develop critical thinking about the acceptability of the use of violence and about personal behaviour.	Reflect upon use of violence and upon personal behaviour.	Student handout 4.4	Small group work. Critical thinking.

Lesson 1
Conflict resolution
How can we deal with serious disagreements?

Learning objective	Introduction to a six-step approach to conflict resolution.
Student tasks	Analyse a conflict; find solutions.
Resources	Sheets of paper or copybooks and pens. Student handout 4.1.
Method	Whole class and optional pair work.

Conceptual learning

Conflicts are part of daily life. They need not be seen as negative events, but as clashes of interests between individuals or groups. In politics, conflicts are even an important part of the public discussion. Only through open conflict and the search for compromise do all the different social groups feel heard and integrated. Conflict resolution (looking for compromise) is a skill that can be learned. This lesson aims at contributing to this goal.

The following descriptions of a conflict resolution appear in this lesson and it is important that the teacher is aware of their meaning.

Win-win: this describes a situation in which both parties benefit in the same way from the agreed resolution to the conflict and feel that they have achieved what they wanted. This is seen as the most ideal conflict resolution situation, since it helps to ensure that the conflict does not re-appear.

Win-lose or lose-win: this describes a situation where the resolution of the conflict has meant that one party has lost and the other has won. This kind of situation often means that the conflict will re-appear, as there is little benefit to the loser.

Lose-lose: This describes the situation in which neither party gains anything from the resolution of the conflict. This situation often means that the conflict has only temporarily disappeared and is more than likely to resurface.

The lesson

The teacher starts the lesson by writing the word "CONFLICT" on the left side of the blackboard. The students are then asked to write down on a sheet of paper expressions and words associated with the word "conflict" which come into their minds.

The same is then done with the word "PEACE", which the teacher writes on the right side of the blackboard. The teacher then asks about 10 students for their words. The results are brought together on the blackboard and the students then give their comments on the following questions:

- Are they surprised at any of the words chosen?
- Do all the words associated with conflict appear to be negative, whereas the ones associated with peace have a positive connotation?

The teacher then asks the students to give examples of conflicts that they themselves have experienced or that have occurred in their environment. He/she asks them to think whether these conflicts belong to the category of conflicts that could be resolved and that are the first step towards compromise, or to the category of conflicts that cannot be resolved. The teacher then introduces them to the idea that conflicts do not necessarily lead to violence and that more constructive approaches to conflicts are possible.

The teacher then introduces them to a concrete example of a conflict that can occur in a family.

"Katja, the 18-year-old daughter, wants to watch a video, which she recently received from a friend. Her brother Martin, 15 years old, would like to see his favourite television programme."

The teacher gives each student a copy of student handout 4.1 and begins to analyse this conflict using the six-step approach described below.

Steps 1 and 2 are undertaken with the whole group, guided by the teacher, who insists on finding out the real "needs" of both parties, and in forming a clear definition of the conflict.

In step 1 it is important that the real needs of each of the parties are spelled out in a non-provocative way. Thought must be given to what the real needs behind the problem are, as these can differ from the needs expressed by the parties themselves. In step 2, the problem behind the conflict is formulated in a way that both parties can agree upon.

Step 3 consists of thinking of possible solutions. At this stage, the solutions should not be commented on or judged – all contributions should be welcomed. Step 3 could take place in pairs, followed by an exchange of views (or partners?). The teacher then introduces the concept of the "lose-lose", "win-lose", "lose-win" or "win-win" approaches in analysing the solutions, and then asks the pairs to evaluate their solutions using this concept (step 4).

If the students discover that none of their solutions results in a win-win situation, they are invited to think further. However, there will always be cases in which a win-win solution is not possible. After presenting their answers, the teacher invites the group to decide which solution is best (step 5). In a real conflict, where the parties are directly involved in this approach to conflict resolution, the parties must accept the solution. The teacher finishes by briefly presenting a possibility for step 6. The essential element of step 6 is that after a certain time (a number of minutes, hours, days or weeks, depending upon the nature of the conflict) the solution is evaluated and, where necessary, adapted.

In conclusion, the teacher supports a discussion about the question whether a tool such as the six-step method could work, in what type of situation, and what would be the consequences if such a tool were widely known about and used. This should be discussed in relation to different groups and contexts, such as the following:

- peer groups;
- family;
- class;
- school;
- state;
- war;
- sport.

Lesson 2
Applying the six–step approach
How can we avoid fighting our neighbour?

Learning objective	Learning to apply the six-step approach.
Student tasks	To analyse a conflict and find solutions which benefit both parties.
Resources	A copy of one of the conflict scenarios on student handout 4.2 for each small group. Student handout 4.1.
Method	Small group work.

Information box

Peaceful conflict resolution cannot be put into practice purely by understanding the theoretical concept. It is a real skill that has to be learned, and this lesson provides an opportunity for students to learn how to put peaceful conflict resolution into practice. The next step will be applying this knowledge to a real life situation at school.

The lesson

The teacher begins the lesson by explaining to the students that their task is to apply the six-step approach to conflict resolution in different conflict situations.

The class is divided into small groups of four or five students, and each group receives a copy of student handout 4.2. Each group works on one of the scenarios, so that each scenario will be worked on by more than one group. The students also use student handout 4.1 entitled "A six-step approach to conflict resolution". After the groups have finished, a spokesperson from each group presents their six steps to the whole class. Do this first for "conflict 1", and then for "conflict 2":

After their presentations, the teacher leads a classroom discussion about the solutions, using the following questions:

– Do we understand the "needs" and the "definition of the problem"? Are there unresolved questions?

– Could we find other solutions that we think would be better in the long term?

In a second step, the teacher asks the students to work on conflicts that have taken place or are ongoing in the school, in the peer group, in the country, etc. They are asked to choose one or more (depending on the time available) and to think about possible win-win solutions.

If the teacher uses the two case studies as a means of introducing the students to forms of mediation, he or she can give some basic information about the judicial system of conflict resolution in the country (forms of mediation, the possibility of taking a conflict to court, etc.). Instead of discussing these conflicts with the six-step approach, the situations could also be role-played.

In the case of role play, one student would play party A, another party B, and a third would take on the role of mediator. The teacher could then ask each group for feedback on how they resolved the conflict. Different solutions could be discussed, as well as the process of trying to reach a resolution. These additional elements may well take up a lot more time, and it might be necessary for them to be undertaken as an extracurricular activity or as an additional unit.

Lesson 3
Conflicting human rights
A clash between human rights. What now?

Learning objective	Learning to recognise and analyse situations where human rights are in conflict.
Student tasks	Analyse a situation where human rights are in conflict.
Resources	Large sheet of paper and marker for each group. Student handout 4.3. Student handout 5.2.
Method	Small group work. Critical thinking.

Information box

Although at first sight human rights may seem to offer clear answers, this is not always the case. Indeed, there are many situations in which someone's right conflicts with someone else's. In such a case, critical thinking can help one to weigh the rights involved against each other, and to determine one's own solution.

The lesson

Working groups (four or five students per group) receive a case about conflicting human rights (student handout 4.3 "Five cases of conflicting human rights"), a large sheet of paper and a marker.

First, the students are invited to discuss which human rights are involved in the conflict. For the discussion the group can be given a list of human rights (student handout 5.2). Once they have agreed on which rights are in conflict, they divide their sheet of paper as shown below. The teacher could prepare this on the blackboard and enter the rights involved into the first box.

Case Number
Human rights involved
– – –
Solution
Why?

The second task is to have an open discussion on what the students believe the solution to the conflict could be. They give reasons for their choice and add them to their sheet.

Each group is then asked to appoint a spokesperson, who presents the group's answers to the whole class. The teacher can ask the class for feedback about the choices made and whether or not they agree or disagree with the group's ideas.

Lesson 4
Using violence
Is using violence acceptable in some cases?

Learning objective	Develop critical thinking about the acceptability of the use of violence and about personal behaviour.
Student tasks	Reflect upon use of violence and upon personal behaviour.
Resources	Cards or strips of paper with cases from student handout 4.4. for each group. (The teacher needs to have some information on the judicial system of conflict resolution in the country.)
Method	Small group work. Critical thinking.

Information box

Though a peaceful world is seen as the ultimate goal, neither international human rights law nor international humanitarian law excludes the use of violence in absolute terms. This lesson aims to contribute to the students' critical thinking about the legitimacy of the use of violence in specific cases. Students are asked to reflect upon their personal behaviour with regard to violence used by themselves or by others in their environment.

The lesson

The class is divided in working groups of four or five. A student or the teacher presents case 1 from student handout 4.4.

It might be too difficult to deal with all four cases in one lesson. The teacher therefore could decide to give different cases to different groups, to choose only two of the four cases or to add another lesson.

The task of the group is to discuss the case, using the questions given on the card, and to present their response orally. The teacher needs to be aware that the fundamental question being explored is to what extent the use of violence should be accepted. After each group has responded, the teacher can give some additional information related to the case before giving out the next case.

Teacher's copy of cases, questions and additional information

Case 1

During a demonstration on the issue of anti-globalisation, a small group of people starts throwing stones at the headquarters building of a famous trans-national company. The police force present on the spot sees this taking place and tries to arrest the people involved. During this intervention, a policeman is captured by the people throwing stones and is seriously beaten.

Questions:

1. Would it be acceptable for the police force to use their guns to shoot at the people throwing stones?

2. Would it be acceptable for the police to intervene using machine guns? (This would be faster, but would almost certainly result in more casualties.)

3. Would it be acceptable for the police to wait until they are able to intervene using a water cannon?

4. Would it be acceptable for the police not to intervene by using force, in order to avoid escalation of the conflict?

Information

Following international standards, the police may use force under certain conditions. Force should be used only if necessary and should be in proportion to the aim of the intervention. Should a police officer be ordered by his/her superior to intervene in a way that is clearly in contradiction with this rule, UN rules expect him/her to refuse to carry out the order.

Case 2

Country X declares war on country Y because Y clearly protects and even finances rebel groups operating against country X from within country Y. Country X's intelligence team discovers in which village a group of well-trained and armed rebels are staying, and finds out that they are preparing a major bomb attack on an important industrial target.

Questions:

1. Would it be acceptable for country X to bomb the village heavily, making sure that only a few people, including local inhabitants, survive?

2. Would the former be acceptable after a clear request to the rebels to surrender and a clear warning to the local population to leave the village and to gather in the local sports stadium, where they would be allowed in after being searched for weapons?

3. Would it be acceptable not to intervene by using force? What alternatives can you think of?

Information

International rules (the so-called "Geneva Conventions") on warfare do not foresee a total ban on the use of military force, but forbid some types of interventions and weapons. One of the principles is that military force should not be used against non-military targets, and should neither be indiscriminate nor disproportionate: for example, serious attempts have to be made to avoid civilian casualties by refraining from using the most powerful bombs against military targets, in situations where less powerful bombs would be sufficient. In this way, civilian casualties and the deaths of innocent parties (so-called "collateral damage") could be prevented. However, as mentioned above, this does not mean that the "Geneva Conventions" on warfare consider collateral damage unacceptable, but rather that they take it into account to a certain extent.

Case 3

Mr X, a young man working as a technical assistant at the local hospital, regularly beats his wife when he arrives home drunk. His wife once informed the police about the beatings by her husband, which are sometimes serious. The neighbour's wife, who accidentally became aware of the situation, can now imagine what is going on next door when she hears her neighbours arguing and shouting.

Questions:

1. Should the neighbour's wife inform the police in such cases, or is that an unacceptable intrusion into her neighbours' privacy?

2. When they receive information from someone, should the police intervene in these circumstances?

Information

"(...) States should condemn violence against women and should not invoke any custom, tradition or religious consideration to avoid their obligations with respect to its elimination. States should pursue by all appropriate means and without delay a policy of eliminating violence against women and, to this end, should:

(a) Consider, where they have not yet done so, ratifying or acceding to the Convention on the Elimination of All Forms of Discrimination against Women or withdrawing reservations to that convention;

(b) Refrain from engaging in violence against women;

(c) Exercise due diligence to prevent, investigate and, in accordance with national legislation, punish acts of violence against women, whether those acts are perpetrated by the State or by private persons (...)."

From the UN Declaration on the Elimination of Violence against Women (1993).

Case 4

Leo, 13, is a slim and rather small young boy. He is often bullied by some older boys while he is playing in the local playground. This time, he replies that they should not harass him all the time, and that they are behaving like non-educated, primitive people. As a consequence the older boys start beating him severely. Leo's friend sees this happening when he enters the playground. Some elderly people also see it happening when they cross the playground on their way back home after buying food at the market.

Questions:

1. Should Leo's friend intervene in this case? How?

2. Should the elderly people intervene? How?

3. What other solutions would you suggest?

As an additional task, the students could draft a letter to the older boys, in which they explain what they think of the older boys' behaviour. This could be a task for homework or for groups who work more quickly.

Teacher's resource sheet
International humanitarian law

What is international humanitarian law?

International humanitarian law (IHL) encompasses both humanitarian principles and international treaties that seek to save lives and alleviate the suffering of combatants and non-combatants during armed conflict. Its principal legal documents are the Geneva Conventions of 1949, four treaties signed by almost every nation in the world. The conventions define fundamental rights for combatants removed from the fighting due to injury, illness or capture and for civilians. The Additional Protocols of 1977, which supplement the Geneva Conventions, further expand those rights.

Who does IHL protect? Does IHL protect me?

IHL protects wounded, sick or captured members of the armed forces and civilians. Wounded and sick combatants – to whatever nation they may belong – are to be collected and cared for under the provisions of Geneva Convention I. They cannot be murdered or subjected to torture or biological experiments. They are to receive adequate care and are to be protected against pillage or ill-treatment. The convention also protects medical workers, military religious personnel, military medical facilities and mobile units.

Wounded, sick, and shipwrecked combatants at sea are protected by Geneva Convention II. They receive the same protection as soldiers on land, extended to conditions encountered at sea. Hospital ships are protected.

Prisoners of war (POWs), protected by Geneva Convention III, must be treated humanely and provided with adequate housing, food, clothing and medical care. They are not to be subjected to torture or medical experimentation and must be protected against acts of violence, insults and public curiosity. Captured war correspondents and civilians authorised to accompany the military are also entitled to this status.

Civilians are protected under Geneva Convention IV. At all times, parties to the conflict must distinguish between civilians and combatants and direct their operations only against military targets. Civilians must be permitted to live as normally as possible. They are to be protected against murder, torture, pillage, reprisals, indiscriminate destruction of property and being taken hostage. Their honour, family rights and religious convictions and practices are to be respected. Occupying forces shall ensure and allow safe passage of adequate food and medical supplies and the establishment of hospital and safety zones for the wounded, sick, elderly, for children, expectant mothers and mothers of young children. This convention provides special protection for women and children. The hospital staff caring for these individuals is to be respected and protected.

The Geneva Conventions call for humanitarian assistance to be carried out by the International Committee of the Red Cross (ICRC), the Red Cross and Red Crescent national societies or other impartial humanitarian organisation, as authorised by parties to the conflicts.

Are international humanitarian law
and human rights law different?

Yes, but they complement each other. Both seek to protect individuals from harm and maintain human dignity, but they address different circumstances and have different core documents. IHL applies in times of armed conflict to limit the suffering caused by war and to protect those who have fallen into the hands of the opposing party. IHL's primary focus is to safeguard the fundamental rights of wounded, sick and shipwrecked combatants, POWs and civilians. Human rights law applies in times of peace or war, but is primarily concerned with protecting people

against government violations of their internationally recognised civil, political, economic, social and cultural rights.

What does IHL say about child soldiers?

Humanitarian law prohibits children from taking part in hostilities, but child soldiers still represent a serious problem in many parts of the world. IHL requires that children under 15 should not be recruited into the armed forces, and that "all feasible measures" be taken to ensure that they do not take direct part in the fighting. In recruiting those between 15 and 18 years of age, priority must be given to the oldest (Article 77, Protocol I). Unfortunately, the number of children becoming soldiers. either voluntarily or by force. is increasing. Children living in conflict zones, particularly those separated from their families or marginalised in other ways, may become potential recruits. Children are often forced to join an armed group or to become child soldiers as a means of survival.

When is IHL used?

IHL applies to armed conflict (war) taking place between nations (international armed conflict) or to internal armed conflicts such as civil wars.

Does IHL apply to the terrorist attacks of 11 September?

Although 11 September 2001 brought death and destruction on a scale we associate with warfare, it is not clear that IHL applies. IHL applies to armed conflict between states (international armed conflict) or to internal armed conflicts such as civil wars. If the shocking attacks on civilian targets in New York and Washington were committed by a terrorist network operating on its own, then they amount to horrendous crimes, rather than acts of war to which IHL would apply.

Does IHL provide special protection for women?

Yes. Although women enjoy the same general legal protection as men, the Geneva Conventions recognise the principle that "women shall be treated with all the regard due to their sex" (Article 12, GC I and II, Article 14, GC III). This means that additional protection is provided to address women's specific needs arising from gender differences, honour and modesty, pregnancy and childbirth. For example, women POWs or internees are to be held in quarters separate from men's, under the immediate supervision of other women. Women are to be protected "against rape, enforced prostitution or any form of indecent assault" (GC IV, Article 27, also Article 75 and 76, Protocol I). As to relief shipments, "expectant mothers, maternity cases and nursing mothers" are to be given priority (Article 70, Protocol I). To learn more about issues for women in armed conflict, as well as the resilience many have shown, see the recent study on "Women Facing War" at www.womenandwar.org.

How does IHL protect children?

IHL forbids attacks against civilians and identifies special protection for children. All civilians are to be protected against murder, torture, pillage, reprisals, indiscriminate destruction of property and being taken hostage. Their honour, family rights, religious convictions and practices are to be respected. Occupying forces are to ensure and allow safe passage of adequate food and medical supplies and the establishment of hospital and safety zones for the wounded, sick, elderly, children, expectant mothers and mothers of young children. Special provisions also respond to the needs of children unaccompanied by family, psychosocial needs, and family communication.

Children under 15 who are orphaned or separated from their families must be provided for. They must be able to practise their religion and their education must be facilitated.

Is it a violation of IHL if civilians are killed during war?

Protecting civilians is a major objective of IHL. Under Geneva Convention IV, civilians are to be protected from murder and permitted to lead normal lives, if security allows. Additional Protocol I of 1977 provides further details extending civilian protection in international armed conflicts. Although the United States signed Protocol I, it has not yet ratified it. Even so, the US has indicated it will abide by these provisions, which are considered by many to be a codification of widely accepted customary law, developed over hundreds of years.

The basic rule on the principle of distinction is set out in Article 48 of Protocol I, which states: "In order to ensure respect for and protection of the civilian population and civilian objects, the Parties to the conflict shall at all times distinguish between the civilian population and combatants and between civilian objects and military objectives and accordingly shall direct their operations only against military objectives." In addition to prohibiting direct attacks, IHL also prohibits indiscriminate attacks on civilians. These can occur, for example, when an attack by the armed forces on a military target does not take into account excessive negative consequences to civilians (Article 41 of Protocol I).

However, not all civilian deaths are unlawful during war. IHL does not outlaw armed conflict, but instead attempts to balance a nation's acknowledged legal right to attack legitimate military targets during war with the right of the civilian population to be protected from the effects of the hostilities. In other words, given the nature of warfare, IHL anticipates a certain amount of "collateral damage", which sometimes, regrettably, may include civilian casualties.

Student handout 4.1
A six–step approach to conflict resolution

1. Needs of party A a) b) c) d)	1. Needs of party B
2. Definition of the problem	
3. Ideas for solutions a) b) c) d)	
4. Evaluate the solutions for party A a) b) c) d)	4. Evaluate the solutions for party B a) b) c) d)
5. Which solution is the best?	
6. Decide how and when the solution will be evaluated	

Student handout 4.2
Conflict scenarios

Conflict 1

Two neighbours disagree with each other about the fence that exists between their respective properties. One neighbour wants to replace the fence with a new one, as he believes that the old one is not in good condition any more. He expects his neighbour to pay half the cost of the new one. The other neighbour agrees that the fence is not in good condition, but he doesn't want to spend money on a new one. He thinks that the existing fence, although it doesn't look good, at least manages to keep the neighbour's dog out of his garden. Moreover, he doesn't like his neighbour always showing off with new, more expensive things.

Conflict 2

Father and mother deeply disagree with each other about how to react when their two-year-old baby makes too much noise inside their apartment. The father believes that his child has to learn how to behave, and that this learning process has to begin as early as possible. Moreover, he prefers to have peace and quiet during his free time, as his job is a very tiring one. The mother feels that you cannot constantly stop a two-year-old child from playing or crying, because it will frustrate the child too much and harm its development.

Student handout 4.3
Five cases of conflicting human rights

Case 1

Max is an eight-year-old boy who was seriously wounded in an accident and urgently needs a blood transfusion at a hospital. However, his father forbids the hospital staff to carry it out for religious reasons. His mother and the doctors would like to save his life.

Case 2

In a hospital, only a limited number of people work in the emergency department. It is a hectic evening and there is only room for one more person to have immediate emergency treatment. Since the lives of two people are still in danger, the doctors have to decide whether to treat a young child or a successful businessman.

Case 3

Gus is a well-respected member of a religious political party, which strongly emphasises family values. A journalist who visits the party's headquarters discovers by chance a series of personal letters from X, from which he can conclude without doubt that Gus is having an extramarital relationship. The journalist publishes the story.

Case 4

Youtchou lives in a Third World country. He is poor and is able to meet his basic needs, but nothing more. He would like to start studying, but cannot find the necessary means to do so. His country is not able to provide him with the resources needed, as the state of the economy is very bad and it has to use all the resources available to cover the basic needs of the population.

Case 5

The local authorities are planning to build a new school on a piece of land which is one of the rare places where children can still play.

Student handout 4.4
Is violence acceptable in some cases?

Case 1

During a demonstration on the issue of anti-globalisation, a small group of people starts throwing stones at the headquarters building of a famous trans-national company. The police force present on the spot sees this taking place and tries to arrest the people involved. During this intervention, a policeman is captured by the people throwing stones and is seriously beaten.

Questions:

1. Would it be acceptable for the police force to use their guns to shoot at the people throwing stones?

2. Would it be acceptable for the police to intervene using machine guns? (This intervention would be faster, but would almost certainly result in more casualties.)

3. Would it be acceptable for the police to wait until they are able to intervene using a water cannon?

4. Would it be acceptable for the police not to intervene by using force, in order to avoid escalation of the conflict?

Case 2

Country X declares war on country Y because Y clearly protects and even finances rebel groups operating against country X from within country Y. Country X's intelligence team discovers in which village a group of well-trained and armed rebels are staying, and finds out that they are preparing a major bomb attack on an important industrial target.

Questions:

1. Would it be acceptable for country X to bomb the village heavily, making sure only a few people, including local inhabitants, survive?

2. Would the former be acceptable after a clear request to the rebels to surrender and a clear warning to the local population to leave the village and to gather in the local sports stadium, where they would be allowed in after being searched for weapons?

3. Would it be acceptable not to intervene by using force? What alternatives can you think of?

Case 3

Mr X, a young man working as a technical assistant at the local hospital, regularly beats his wife when he arrives home drunk. His wife once informed the police about the beatings by her husband, which are sometimes serious. The neighbour's wife, who accidentally became aware of the situation, can now imagine what is going on next door when she hears her neighbours arguing and shouting.

Questions:

1. Should the neighbour's wife inform the police in such cases, or is that an unacceptable intrusion into her neighbour's privacy?

2. When they receive information from someone, should the police intervene in these circumstances?

Case 4

Leo, 13, is a slim and rather small young boy. He is often bullied by some older boys while he is playing in the local playground. This time, he replies that they should not harass him all the time, and that they are behaving like non-educated, primitive people. As a consequence, the older boys start beating him severely. Leo's friend sees this happening when he enters the playground. Some elderly people also see it happening when they cross the playground on their way back home after buying food at the market.

Questions:

    1. Should Leo's friend intervene in this case? How?

    2. Should the elderly people intervene? How?

    3. What other solutions would you suggest?