

APPLICATION FORM FOR PROSPECTIVE WORKSHOP DIRECTORS

If you wish to apply to direct a workshop at the Joint Sessions in Münster, Germany during 22-27 March 2010, please first see the explanatory notes, then complete this form, which will serve as the **cover sheet** for your workshop proposal. This form should be sent with your **workshop proposal** to the ECPR Central Services. You can do this by emailing both documents as an attached file (in word format .doc or rich text format .rtf) to the ECPR Central Services at ecpr@essex.ac.uk. Alternatively, you can print up the information and send it as a fax to the Central Services, fax: +44 1206 872500. **The deadline for applications is Sunday, 01 February 2009.**

Title of proposed workshop:

JUSTICE, DURABILITY AND PEACEBUILDING

Subject area:

International Relations/Peace and Conflict Studies

Abstract of proposed workshop. Maximum of 250 words (suitable for publication in the academic programme leaflet and on the ECPR web site):

Since the end of the Cold War there has been a rapid transformation and expansion of peacebuilding operations with new actors and roles. This workshop aims to address three challenges in the field of peacebuilding:

- (1) *The quest for justice* in contemporary peace processes has acquired greater saliency as several violent conflicts and wars have been distinguished by gross human rights violations, ethnic cleansing and extensive suffering among civilians. The use of transitional justice mechanisms, e.g., democratic reforms, protection of human rights and the (re)installation of the rule of law, have thus come to the fore on the agenda.
- (2) *The quest for durable peace* is a pressing concern in several contemporary conflicts, since they tend to resist negotiated settlement. The ones that do reach a peace agreement still have a poor track record on implementation.
- (3) *The quest for effective strategies* of external actors is central in the management and promotion of just and durable peace in failed states and conflict-torn societies. Why, when and how peace support operations should be conducted are questions that still lack convincing and credible answers.

The workshop invites papers that: advance innovative and critical theoretical and methodological conceptualisations of the interconnectedness of justice, durability and peacebuilding; analyse the legal and democratic accountability of peacebuilding; and examine and compare the effectiveness of peacebuilding strategies from the perspective of their durability and their ability to promote justice.

Name of workshop director(s):

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Please note that the information above is VERY important, as it will be used in all future correspondence and, if the proposal is successful, printed in the academic programme.

The proposal should be typed with 1.5 line spacing on three/four A4 pages using this sheet as the first page, and should cover the points outlined in the explanatory notes/guidelines available on the ECPR website at www.ecprnet.org.

For further information, please contact:

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Title of proposed workshop: *JUSTICE, DURABILITY AND PEACEBUILDING*

Münster, April 2010

Co-directors:

Karin Aggestam, Lund University, Sweden

Adrian Hyde-Price, University of Bath, UK

Outline of the topic

The period since the end of the Cold War has witnessed a rapid transformation and expansion of peacebuilding operations involving new actors and more complex missions. The growing number of internal conflicts and collapsing states presented the international community with a raft of new demands and responsibilities, and resulted in most missions facing complex and unforeseen tasks in post-conflict peacebuilding. Yet, despite the wide range of missions, most – if not all of them – have focused on advancing a particular model of, and strategy for, promoting stable and lasting peace in conflict-ridden societies, namely liberal market democracy. Policy-makers and scholars alike have adopted the so-called liberal peace thesis, built on the assumption of the pacifying effects of democracy.¹ Yet, recent experiences and results from peacebuilding missions have revealed that introducing democracy as a means of establishing peace in weak states still reeling from the aftermath of conflict may produce counterproductive results. Rapid democratisation and marketisation as a means of consolidating peace turned out to have destabilising side effects.²

The established peacebuilding model has also tended to focus on top-down approaches to political, economic, and legal frameworks, and to undervalue the associated issues of welfare, society, and culture. Indeed, this experience has underlined the importance of creating a social contract through peacebuilding strategies that facilitate transitional welfare, as well as broader integration and pluralism, in order to bind citizens to the political and legal institutions of state and region. The creation of a self-sustaining liberal peace in post-conflict environments has therefore become a pressing problem, and one that raises important theoretical and methodological issues that need to be addressed in the light of new empirical evidence.

The complex interplay, tensions and dilemmas between justice and durable peace³ also calls for more sustained analysis. One important question to be addressed in a systematic manner is to what extent 'just' peace agreements are more durable than other types of conflict resolution? Mutual satisfaction with a peace agreement is a crucial condition required for stabilising a post-conflict environment, and a precondition for the transition toward stable peace and reconciliation. Satisfaction may be accomplished when the parties see the negotiation process and the peace agreement as fair and just. Yet, since fairness and justice are not clearly defined and objective terms, it may be difficult for the parties involved to agree on what is fair and just. The resulting conflict in perceptions of what

¹ Ian Clark (2001) *The Post-Cold War Order. The Spoils of Peace*. Oxford: Oxford University Press.

² Roland Paris (2004), *At War's End. Building Peace After Civil Conflict*. Cambridge: Cambridge University Press.

³ Nigel Biggar, ed. (2003) *Burying the Past. Making Peace and Doing Justice after Civil Conflict*. Washington: Georgetown University Press.

constitutes fair and just arrangement may therefore create barriers to conflict resolution and the implementation of peace agreements.⁴

Accountability is also crucial to prevent the re-emergence of conflict. Accountability includes reforms of the security sector (SR) and disarmament, demobilisation, and reintegration (DDR) of former combatants, as well as democratic reform and improved governance, protection of human rights and (re)installation of the rule of law. Nonetheless, peace building activities in post-conflict countries must regularly make compromises regarding accountability, and offer carrots to ex-fighters, while still addressing the concerns of victims and the wider society, whether through truth and reconciliation processes, reparations, or limited accountability. Consequently, there is a need to compare and evaluate the experience of different processes that seek to balance demands for accountability with DDR in order to identify best practices and effective policy options for international organisations.

Changing political realities, as well as the development of new security strategies, have raised new questions concerning the continuing validity of traditional legal parameters for states in the international domain.⁵ A comprehensive yet focused body of new research that rises above the contingency and specificity of recent developments, and which incorporates past experience, is still lacking. It might be that the entire law of war requires revision given the nature of contemporary conflicts where peace and war exist in parallel, and where methods of fighting are unconventional while human rights are strengthened. Maybe a third body of law – *jus post bellum* – is needed to complement the *jus ad bellum* on the initiation of war and *jus in bello* on the conduct of war, in order to enhance rules and principles for the benefit of civilian populations. This would emphasise the continuum between conflict and peace since new wars have no distinct beginning or ending. Moreover, it would focus on managing the transitional stage from war to peace in ways that maximise the interests of the civilian population during crisis management and conflict resolution.⁶

Workshop objectives and existing research field

While the literature on justice is rich and extensive, its application to the study of peace is more limited. Even if this intuitively seems highly topical and relevant for any peacebuilding engagement, there is relative little research that addresses this *problematique* specifically. Moreover, one major weakness in the study of peacebuilding is the tendency to draw a clear-cut distinction between war and peace, which leads to a poorer understanding of the transition processes between war and peace. Thus, one important assumption, which this workshop emphasises, is the need to analyse warfare and peacemaking as intimately connected. In the existing research field, there are three lacunae that need to be examined and developed in order to enhance science, theorising and policy-relevant knowledge of justice, durability and peacebuilding.

(1) *The quest for justice* in contemporary peace processes has become increasingly apparent as several violent conflicts and wars are distinguished by gross human rights violations, ethnic cleansing

⁴ I. William Zartman and Victor Kremenyuk, eds (2005), *Peace versus Justice: Negotiating Forward- and Backward-Looking Outcomes*. Rowman and Littlefield Publishers; Cecilia Albin (2001) *Justice and Fairness in International Negotiation*. Cambridge: Cambridge University Press.

⁵ J.L Holzgrafe and Robert O. Keohane (2003) *Humanitarian Intervention. Ethical, Legal, and Political Dilemmas*. Cambridge: Cambridge University Press.

⁶ Mary Kaldor "From Just War to Just Peace" in Charles Reed and David Ryall (eds), *The Price of Peace. Just War in the Twenty-First Century*. Cambridge: Cambridge University Press.

and extensive suffering among civilians. The use of transitional justice mechanisms, e.g. democratic reforms, protection of human rights and the (re)installation of the rule of law, have thus come to the fore on the peacebuilding agenda. At the same time, transitional justice may create “sticking points” during negotiations due to fear of some parties to lose privileges or being imprisoned because of serious human rights abuses. Thus, there is an in-built tension between justice and peace where in some cases the making of justice may hinder the making of peace.

(2) *The quest for durable peace* is a pressing concern in several contemporary conflicts, as they tend to resist negotiated settlement. Moreover, the ones that do reach a peace agreement still have a poor track record on implementation⁷. Frequently, there is a continuation of resistance, unconventional fighting and low intensity conflicts following peace agreements. Particularly problematic is the management of spoiler groups, a problem which has began to receive increasing attention from both policy-makers and academics. Spoilers are groups who intentionally act to undermine peace processes with violent means.⁸ Consequently, *how* conflicts end has crucial implications for the subsequent durability of peace agreements in the aftermath of violent conflict, and for the potential risks of relapse into full-scale war.

(3) *The quest for effective strategies* is particularly relevant for external international actors involved in processes of crisis management and conflict resolution. A source of concern to the international community in recent years is how to manage and promote just and durable peace in failed states and conflict-torn societies. Why, when and how peace support operations should be conducted are still contested questions that lack convincing and credible answers. Another important issue concerns the established peacebuilding models that focus on institutions and top-down approaches to political, economic and legal frameworks. The issue of efficient peacebuilding strategies also raises questions about the legal and democratic accountability of states and international organisations in comprehensive post-conflict peacebuilding. A pressing problem is thus how to create a durable and self-sustaining liberal peace (including rule of law within and between states, democratic institutions, human rights, a vibrant civil society, and free market economy) that amounts to more than a rhetorical compromise between local elites and international or regional peacebuilders.

The workshop invites papers which (1) offer critical and innovative theoretical and methodological conceptualisations of justice, durability and peacebuilding; (2) analyse legal and democratic accountability of peacebuilding strategies, and (3) examine and compare the effectiveness of general peacebuilding strategies in both qualitative and quantitative empirical studies, and evaluate to what extent they enhance justice and durability. The workshop will promote theoretical and empirical dialogue, and further conceptual, comparative and case-study analyses of peacebuilding. It will thus appeal both to established scholars in the field of peacebuilding who seek to widen their engagement with the subject as well as younger participants who wish to refine their work and make contact with like-minded academics. Given the topicality and originality of this workshop, the co-convenors will seek to publish an edited volume on justice, durability and peacebuilding incorporating revised versions of the working papers.

⁷ S. J. Stedman, D. Rothchild, E.M. Cousens, (2002) *Ending Civil Wars. The Implementation of Peace Agreements*. Boulder: Lynne Rienner Publishers.

⁸ Edwards Newman and Oliver Richmond (eds), *Spoilers and Peace Processes: Conflict Settlement and Devious Objectives*. Tokyo: UN University Press.

Biographical note

Karin Aggestam is Associate Professor in Political Science and Director of Peace and Conflict Research, Lund University, Sweden. Her main research interests include conflict resolution, negotiation and diplomacy; the Israeli-Palestinian conflict and the Middle East peace process. Her most recent books includes *War and Peace in Transition: Changing Roles of External Actors* (2009); *Diplomacy in Theory and Practice* (2009), *(Un) Just Wars* (2004, in Swedish).

Adrian Hyde-Price is Professor of International Politics in the Department of European Studies and Modern Languages, University of Bath UK. His main research interests include the European security system; Europe and the Middle East; coercive diplomacy; and EU foreign and security policy. His most recent books includes *Foreign Policy and the Anglican Church* (2008); *British European Security in the Twenty-First Century* (2007); *Germany and European Order: Enlarging NATO and the EU* (2000).