
Research Digest

Field Trip to a Nation in Conflict

Experience, we are told, is the best teacher, but that is true only if it is coupled with rigorous and imaginative reflection. In a recent article, David Reilly describes an initiative that meets that standard.

This initiative — a faculty-led intensive research course that includes classroom work and field-based experiential learning — is an introduction to conflict resolution, peacemaking, community building, and dispute management. It takes place over two semesters and focuses on the Turkish invasion and subsequent occupation of Northern Cyprus.

During the first semester, students examine conflict resolution theory and develop an understanding of the situation in Cyprus. During the second semester, they travel to Cyprus for two weeks of intensive field-based research where they meet with government officials from the Republic of Cyprus and Northern Cyprus, United Nations officials, representatives from the United States Embassy and the European Union, local community organizations, and rebels and insurgents. The students are able to directly observe multiple approaches to the peace process and how policies are implemented. They also learn how many groups work to undermine peace processes.

The hybrid course is designed to better prepare students to apply the theories and concepts of conflict resolution to the real world.

Source: Reilly, D. 2013. Teaching conflict resolution: A model for student research in Cyprus. *Conflict Resolution Quarterly* 30(4): 447-465.

Legal Obligations in Negotiated Dispute Settlements

Years ago, Robert Mnookin coined the phrase “bargaining in the shadow of the law” to describe the impact of the legal system on bargaining that occurs outside the courtroom. The shadow cast by international law is complex and often shifting. Decisions made by such entities as the World Trade Organization and the International Court of Justice are often highly particularized.

Nevertheless, Robert Barnidge Jr. discerns a pattern that is both shaped by and distinct from international law and diplomacy. He has drawn upon a number of important recent decisions made in the International Court of Justice and other dispute settlement bodies to develop some important theories about the impact of the law on international negotiations. He has found that, although there are different diplomatic means of dispute settlement, a party’s failure to comply with its negotiated obligations can result in an internationally wrongful act and that international law empowers the

injured party to resort to countermeasures. The nonarbitral and nonjudicial nature of negotiation in no way detracts from the seriousness of the legal obligation for the negotiating parties.

Source: Barnidge, R. P., Jr. 2013. The International Law of Negotiation as a means of dispute settlement. *Fordham International Law Journal* 36: 545-574.