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*Exploring conflict: the justification of violence*

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# **Exploring Conflict: the justification of violence**

Steven Randall Hills

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# Chapter One

## Introduction

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### 1 Purpose and Origin of the Work

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The purpose of this exploratory work is to identify how people ethically justify the use of violence or harm-doing in conflicts they experience; and by comparing the processes they use with those of normative ethics, to review whether and how well the literature addresses the issues people actually face in terms of ethical reasoning. If someone is in a conflict, and the next move may involve harm-doing, what should they be thinking about and why?

This subject arose from particular conflicts in the international political and local organisational worlds in the early 2000s. They involved the violent destruction, respectively, of lives, livelihoods and property, and of careers, livelihoods and organisational effectiveness. These events could be looked at from many perspectives. However, the two conflicts seemed to have something in common, namely that the reasoning of the national and organisational leaders appeared impenetrable, not just to me, but to many. This was in terms both of, on the one hand, political, military, organisational or commercial expediency, and on the other, moral concepts. I return to the personal impact of these events in Ch.3:7.

Moral, or ethical, concepts were clearly integral and pivotal to the arguments. The events were under human control and would not have taken place without people deciding that they should. Therefore, in some way, and without prejudice as to the meaning or operation of the concepts, those people had decided, explicitly or otherwise, that the course they undertook would yield more good than bad; or, since these were not the only courses open to them, that they yielded a better surplus of the good, or lesser of the bad, than alternative courses. In particular, the people involved appeared to have decided that the cost in lives or livelihoods was less valuable than the gains. How did they make that calculation? What were the gains? What was good about them? How did the leaders identify and measure negatives and positives? What were the crucial contextual factors in these decisions, and what

processes needed to be followed to get to the position in which the decisions could be properly made?

Uniacke, writing on revenge, sums up the consensus default position:

*The infliction of injury on another person requires moral justification: it is wrong in the absence of some justifying rationale. (Uniacke 2000.)*

In the case of the events in question, I could identify no such rationale.

## 2 Focal Issues

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I decided that I wished to understand better what reasoning had gone into the decisions. However, there seemed to be practical difficulties in approaching international politicians and chief executives directly – the key players could be expected to be inaccessible and defensive and there would be potentially overwhelming masses of distracting contextual data.

I decided to treat this thesis as the first stage of an incremental approach which would, hopefully, ultimately answer my questions. However, I now saw these less in the context of the two specific events and more in terms of general principles relevant to conflict in general. Once the focus on the original events was removed, access to data became easier. All people are exposed to conflict in some way at some time. This meant that the data context changed from international politics and strategic organisational management to that of individuals experiencing whatever conflicts they actually did; arguably conflicts in the “everyday settings” to which some research methods are committed (see Ch.3:2.3.2). (Occasionally I refer to this context by calling participants “ordinary people”.) However, the ethical reasoning of individuals taking the decisions to do harm at all levels remained the most important focus. This makes the assumption that context does not significantly affect the structure and principles of ethical reasoning.

Ethical reasoning is the preserve of ethical philosophy. Ethical philosophy aims at rationality, to make valid arguments, logical in form, and based on premises which are “true” (Grayling, 2007: pp 34-35). People in the real world are not reliably rational in this sense. So-called bounded rationality is one class of reason for this; we cannot know enough or process it well enough or in time (Scott, 2003: p 157). Our internal physical and psychological make up, and the culture we are part of, are others.

Ethical philosophy tries to mount arguments which are either independent of these influences – though we are all stuck with bounded rationality - or are clear about the ways in which they are dependent (Strawson, 1962); it tries, in short, to abstract itself from distracting influences, and in that way contributes to the quality of ethical decision-making.

There is, however, a risk in abstraction – precisely that it may be too abstract and distant from the situations people find themselves in. Coates, writing about the ethics of war, argues that consequently

*More thought needs to be given in moral theory itself to the question of the feasibility of principles. (Coates, 2006: p 209.)*

“Feasibility” means “practical, possible; ... convenient, serviceable” (*Shorter Oxford English Dictionary*, 2002). “Convenient” suggests venality. “Possible” seems either to enter the debate about whether “ought” implies “can” or to be axiomatic. “Practical” and “serviceable” – implying fitness for purpose, functionality, usefulness - seemed the most likely to be helpful. Ethical principles are intended (partly) as guidance for action. If they were not practical in the sense that they failed to engage with the needs of people in political, social, family or personal conflicts making moral decisions significant in those contexts, they could not achieve that aim.

So the aim was not simply to report what people *said* about justification but to be able to show *that*, and if possible *how*, it arose out of real world situations. If they were doing harm to employees, eg by sacking them, what sort of behaviour on whose part would give rise to the intention to sack? What evidence, and what standard of evidence, would the sacker look for? What benefits to whom should the dismissal be expected to achieve? In what circumstances, in a conflict, do people see it as ethically justified to do harm to others physically or psychologically? And how does this reasoning compare with that in the ethical literature?

Several elements were thus present. One was empirical: what sort of conflicts did ordinary people find themselves in on a day-to-day basis, and what sorts of harm-doing arose? The second was ethical: how did they respond to these situations – especially in terms of justification? The third was evaluative: what were the results of comparing ethical theory and the justifications given by the respondents? Did ethical theory support and give guidance for what they needed to do? Were the justifications

good in terms of ethical theory (as opposed to application to the conflict in question)? The first two elements were essentially exploratory and the third, depending on exploratory work as it did, can also be seen in that light.

So, my commitments became to establishing what good ethical reasoning about harm-doing was; and crucially that it was relevant to real situations.

Finally, two points of clarification.

This research is about harm-doing arising from conflict. In abortion and euthanasia, for example, people arguably do harm to others, but though the events give rise to conflict, they are not normally tactics within one and do not form part of the focus of this work.

Secondly, it is about conflict and the contribution to it that normative ethics can make. Philosophy is not typically an empirical subject and though some work is carried out under the banner of experimental philosophy (Knobe & Nichols, 2008: see Ch 7), and some of it is related to ethics, its scope is not extensive and it is not focused on harm-doing. It is closely related to moral psychology (Doris, et al, 2008). The current work is however *not* in the latter area; my question addresses whether “pure” ethics deals with the practical demands of real situations, not the psychological processes individuals go through in doing so.

### **3 Character of the Research: Methodology, Development and Layout of the Thesis**

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This work is thus essentially exploratory in that it seeks “new insights” and “to assess phenomena in a new light”, and, since there is little possibility of this work being exhaustive, to suggest further research (Robson, 2002: p 59).

The work had three distinct stages. It is important that they were carried out in the following sequence and that the first two stages were completed largely independently of each other:

**Stage 1: Chapters 3, 4 and 5:** an empirical investigation into how, and in what circumstances, people justify the use of physical or psychological violence, aggression, or harm-doing in general (“the Model”);

**Stage 2: Chapter 2:** a Literature review; and

**Stage 3: Chapter 6:** a process of comparing and contrasting the Model with the Literature.

In sequence, **Stage 1** of the work was to develop a Model of how ordinary people justified doing harm in conflicts.

It sought to answer the first focal question: *How do people justify or make sense of their decisions to use harm-doing in conflict?*

The purpose was not to focus on the way people argued the merits of specific cases, where much context-specific material would be essential, but rather to search for processes, arguments and contextual factors which are common to all such conflicts (“*specific*” and “*common*” processes and factors).

Grounded theory was chosen to produce the Model from interviews with “ordinary people”. It (grounded theory) has several advantages for this work. It has a strong commitment to generating theory based in the data. It has a close relationship with symbolic interactionism which provides an essential account of the relationship between individuals and groups, and also of how ideas, including ethical ones, can adapt over time to keep them “feasible”. It provides a framework to process the data towards a high level of conceptualisation of the data (focusing on “common processes”); and its insistence on microscopic analysis and constant comparison is good practice.

Chapter 3 explains how and why grounded theory was chosen from a range of alternatives, what data-gathering methods were used and why the data should be regarded as valid. Chapter 4 and Appendices 1-4 show how the process was carried out. Chapter 5 is the Model itself.

**Stage 2** in sequence was the Literature review, Chapter 2. It is a key feature of the grounded theory process that theory emerges from the data and is not determined by the literature. However, the attitude of grounded theory to literature before and during data collection and processing is arguably ambiguous in the Strauss and Corbin approach largely followed here: it should be both “bracketed out” and used to hone the researcher’s creative sensitivity (see Ch 3: 5.2.2 and 3: Strauss & Corbin, 1998). I feared exposure to the literature would risk my seeing everything in its terms, so I decided to minimise this risk by deferring the literature review till after the

completion of the Model. I reviewed the Literature on an analogous basis – developing reading from general texts rather than from the issues raised in the Model. The literature review included the conceptualisation of conflict, four broad ethical approaches – consequentialism, deontology, contractarianism, and virtue ethics - and applied ethical writing about conflict-related harm-doing.

Though the Literature Review was the second main stage to be carried out it is presented at the beginning of the work in order to articulate and explain the issues I sought to deal with in the work as a whole.

The Review seeks to answer the second focal question pair: *What is conflict? Do theories and processes in normative ethics address the issues involved in deciding to do harm in conflict, and if so, how?*

**Stage 3** in sequence, Chapter 6, was to review the Literature in terms of the Model and the Model in terms of the Literature. Stage 3 seeks to answer the third focal question pair: *Do theories and processes in normative ethics which address the issues involved in deciding to do harm in conflict, also address the issues people actually face in this area as identified in the Model? Are they (the theories) feasible, practical and useful?*

This review suggested that consideration of further literature was required. It is introduced in Ch.6 rather than in Ch.2 following the principle of transparency discussed in Ch.3 Methodology.

The outcome included a marked contrast in conceptualisation of conflict between the Model and the Literature. The Model followed (up to a point) an ethical approach consistent with its conceptualisation. The Model contrasted also with my expectations, suggesting it had emerged from the data without strong personal bias. There was also a range of detailed points of comparison.

The thesis thus follows the following conceptual outline:

1. *How do people justify or make sense of their decisions to use harm-doing in conflict? (Stage 1, Ch.5.)*
2. *What is conflict? Do theories and processes in normative ethics address issues involved in deciding to do harm in conflict, and if so, how? (Stage 2, Ch.2.)*

3. *Do theories and processes in normative ethics which address issues involved in deciding to do harm in conflict, also address the issues people face in this area as identified in the Model? Are they (the theories) feasible, practical and useful? (Stage 3, Ch.6.)*

## 4 The Research Journey

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A PhD is a professional research training (Silverman, 2005). There are, Phillips and Pugh argue, three main kinds of PhD research which provide a context for this: exploratory, testing-out, and problem-solving. They are unequivocal in recommending testing-out “the limits of previously proposed generalisations” (Phillips & Pugh, 2005: pp 50-55). This will use an “established framework”, in which the tools and methods of using them will be well understood, providing “protection in the [academic] environment”. Problem-solving, on the other hand, being a real-world activity, is likely to involve coping with its messiness and potentially hard-to-combine disciplines and methodologies. About exploratory research, they are minatory. “[E]xploratory and problem-solving approaches...are undoubtedly less structured and therefore more advanced activities... [students] should be considering whether they can run before they can walk.” They suggest it as appropriate only if “you have a lot of confidence, stemming, say, from a great deal of experience”. Phillips and Pugh concede exploratory research “seems very attractive”.

Why did I feel able to take on an exploratory piece?

Firstly, I was particularly committed to the subject for the reasons given above. Through appropriate publication it might possibly lead to improvement in people’s ability to reason effectively for themselves and with others in difficult circumstances. Also, real commitment, once entered into, is hard to abandon.

Secondly I had undertaken two research methods courses in preparation. One was directly associated with the Hallam PhD course and covered a wide range of methodology; the second was part of a Master’s programme in Education and was slanted towards qualitative approaches. The assessment consisted of meticulous guided analysis of a published paper, and was especially illuminating. I also undertook two short courses on the technicalities of NVIVO software which I later used to manage data and analysis. There seems to be general agreement that

research, especially PhD research, is a craft (Phillips & Pugh, 2005: p 54) consisting in “skills and personal know-how, developed through training and long practice” (Kvale & Brinkmann, 2009: p 324). I had significant experience of some of the craft skills, such as interview technique and managing data, in my pre-university career in accounting. As a university teacher in a social science subject, I also had some experience of teaching critical appraisal (which Stage 3 above amounts to, in general terms) and research supervision at Master’s level. However, research expertise as a whole comes through actually doing research; it seemed to make sense to get on with it.

Thirdly, my undergraduate degree included political history and philosophy, and I had a lifelong, if unsystematic, interest in conflict and ethics.

I made use of the training and skills to make the task as achievable as possible. Grounded theory is a well-trodden path, widely used in my host University, and so I have some “protection” in Phillips and Pugh’s terms. However, I used more than one discipline and methodology, which are not commonly combined. I do not see the relationship between the Model and ethical theory as especially problematic - it is arguably not important to rationalist ethics where the reasoning it is to evaluate comes from (in the sense that data collected from incommensurable methodologies might be problematic to combine or theorise about). That suggested a possible methodological contribution from the work. Should rationalist ethics, at least sometimes, and in some ways, seek to ground its thinking explicitly in “the real world”?

So this particular exploration does not, indeed, have preset boundaries and tramlines in the sense that “testing-out” research would do, but nor is it without some useful guidelines. In fact the absence of some preset boundaries provides the opportunity to make original contributions both in methodology and theory; and the challenge arguably makes it a better training exercise. (Please see also Researcher’s Perspective Ch.3:7.)

## **5 Usage, Conventions and Assumptions**

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Please see Appendix 5 for writing Assumptions, including the use of the first person.

## 6 Chapter Summary

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This chapter has outlined why and how the work was undertaken overall, and my preparation for it.

The literature review is presented next in order to prepare the reader for the conflict and ethical issues which the Model and its review explored.

# Chapter 2

## Literature Review

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### 1 Introduction

---

As explained in the introduction, the literature review was carried out after the Model was constructed, but is presented here in order to explain the issues which the thesis sought to address.

This chapter reviews firstly, how the literature conceptualises conflict; and then the ways in which the literature of normative ethics identifies, explores, and reviews the range of issues involved in considering whether to do harm in conflicts. It addresses the second focal question pair:

*What is conflict? Do theories and processes in normative ethics address issues involved in deciding to do harm in conflict, and if so, how?*

This requires investigation of the meanings of, *inter alia* “ethics”, “conflict” and “violence”. The latter two terms are discussed in section 2 below and ethics in section 3.

Anecdotally, people have little difficulty in describing the phenomena we denote by the word “conflict”: war, fighting, heated argument, emotional disputes, the incompatibility of contrasting scientific evidence. Academic debates are however usually located in one discipline context or another such as, for example, international relations and war (Miall et al., 1999; Overy, 1999; Howard, 2002), organisational behaviour or social psychology (Hogg & Vaughan, 2005; Robbins, 2003; Strauss & Corbin, 1998; Mullins, 2002; Scott, 2003) or groups of people considered in societal or ethnic contexts (Fisher et al., 2000) or simply as communicators (Pearce, 1994; Pearce & Littlejohn, 1997). They (the debates) concern the sources of conflict in that context, its causes, affective meaning, significance, relation to other issues, and how to prevent, resolve, manage or make the best of it, rather than simply what it is. For example, Miall et al. assume roughly the first two meanings I suggest above (war and fighting) - their book is subtitled “*the prevention, management and transformation of deadly conflicts*” - but describe conflict as

*... an expression of the heterogeneity of interests, values and beliefs that arise as new formations generated by social change come up against inherited constraints. But the way we deal with conflict is a matter of habit and choices. It is possible to change habitual responses and exercise intelligent choices. (Miall et al., 1999: p 5.)*

This contains many complex concepts, judgements, prescriptions and conclusions. One for example is that how we react in conflict can be a matter of our choice. Not everyone shares that belief. The right to use violence in self defence, and that it would be exercised, may be taken for granted rather than seen as an option. That it is possible to change habitual responses in some situations is no doubt true but it is not obvious that it would be easy in all circumstances. And just because interests and values are different does not by itself necessarily entail violent conflict, or indeed any at all. They may be complementary – my interests in making my living from the extraction of iron ore (and my commercial values) may support the surgeon's interest in appearing competent (and his values in helping people directly) by supplying the raw material for the sharpest of scalpels.

The aim of this work was to find out how people not professionally involved in the study of ethics see the issues, in order to contrast this view with that of the literature. This literature comes from several disciplines (international relations, organisational studies, ethics). In this work, there therefore needed to be some clarity of understanding of the terms, "some agreement in description and explanation" (Hogg & Vaughan, 2005: p 446), to collect data about it and to comment on it.

I begin with dictionary definitions. Language dictionaries usually convey little if anything of the work carried out in a discipline which gives the words the significance they have in the research context. However, as this research considers what ordinary people think, it is appropriate to start here, using the Shorter Oxford Dictionary as the authority (*Shorter Oxford English Dictionary*, 2002).

At this level, *conflict* and *violence* are often used to denote similar things. These meanings are discussed and then their individual identities are separately developed.

## **2 Meaning of Conflict, Violence and Harm-doing**

### **2.1 Meaning in ordinary language**

The noun “conflict” is defined in the Shorter Oxford Dictionary (*Shorter Oxford English Dictionary*, 2002) as follows (the following dictionary entries are edited to exclude etymology and redundant sections):

*A fight, a battle, a (prolonged) struggle between opposing forces (lit. & fig.); fighting, strife; the clashing or variance of opposed principles, beliefs, etc; Psychology (the emotional stress due to) the opposition of incompatible wishes etc in a person.*

The corresponding verb “conflict” is defined as follows:

1. Verb intrans. *Fight, struggle (with)*. lit. and fig.
3. Verb intrans. *Of principles, interests, etc; clash; be incompatible.*

“Conflictual” is the adjective; “confliction” the noun meaning the action or condition of being in conflict. I use “conflictant” occasionally to mean one engaged in conflict, but it is not in the Shorter Oxford.

“Violence” appears as follows:

1. *The exercise of physical force so as to cause injury or damage to a person, property, etc.; physically violent behaviour or treatment.*  
*b. An instance of this; a violent or injurious act; a physical assault.*
2. *The state or quality of being violent in action or effect; great force or strength in operation; vehemence, severity, intensity. Also, an instance of this.*
3. *Strength or intensity of emotion; fervour, passion.*

The words are clearly not defined in exactly the same terms, but their usage overlap in both their literal and figurative applications (eg “fighting” and “the exercise of physical force”). This, and how they are often used for example in the news media, is illustrated in this extract from a history of the First World War:

*Those who fought in it called it simply “the Great War”. ...it began as a purely European conflict, arising out of the conflicting ambitions of the European Powers. (Howard, 2002: p 1)*

A war fought through many battles (terms implicit or explicit in the definition of *conflict* above), involving the exercise of intense physical force causing injury to millions (*violence*), arising out of clashing principles (*conflict*), and causing such

passion (*violence*) as to lead to its being named “the Great War”, can thus be described in ordinary usage by the word *conflict*.

However, this work is not intended to relate solely to political contexts and physical violence. “Violence”, writes Arendt, “always needs implements ...” (Arendt, 1969: p 4), but this is a very narrow view. People do each other very substantial harm without the need for weapons in any physical form. Judicial punishment, involving fines or imprisonment, is an example. But sacking someone, putting them through a disciplinary process, divorcing, or stealing, bullying or aggressive behaviour such as simply shouting at someone who is frightened by it, all imply harm, which the Shorter Oxford defines as:

*Hurt, injury, damage, mischief...*

This might be rendered as “non-physical” violence, and “harm” or “harm-doing” is the general expression normally used in this work.

## **2.2 Meaning and Role of Conflict in the Literature**

### **2.2.1 Conflict**

This work wishes to be useful in a wide range of contexts from international relations to groups of people. As mentioned above, conflict is however mostly discussed in specific empirical contexts or distinct disciplines. They tend to define terms in ways suitable to their own disciplinary and expository needs, eg Miall et al’s (1999) discussion of conflict above. Is it possible to identify something in common between them all, or at any rate, something which can be widely applied?

This work has its origins in international relations and organisational behaviour. The former has been discussed, briefly, above. In the field of organisational behaviour, conflict has usually, if not always, been seen as negative. Robbins begins his discussion of it by saying that

*Conflict can be a serious problem in an organisation. It can create chaotic conditions that make it nearly impossible for employees to work together. On the other hand, conflict also has a less well-known positive side. (Robbins, 2003: p 394.)*

The grudging and reluctant recognition that conflict may be beneficial reflected in the final sentence is explicitly present in Mullins's comments in even greater measure:

*Properly managed, it can arguably have potentially positive outcomes.*

His view of conflict is clearly pejorative, reflecting "the traditional view", which he sees as being that:

*...conflict is perceived as disruptive and unnatural, and represents a form of deviant behaviour which should be controlled and changed.* (Mullins, 2002: p 814.)

In organisational behaviour, this negative assessment seems to derive primarily from the so-called "unitary perspective" (Mullins, 2002 : p 813). The organisation is or should be an

*...integrated and harmonious whole, with managers and other staff sharing common interests and objectives...a common source of loyalty, one focus of effort and one accepted leader.* (Mullins, 2002 : p 709)

If this is disrupted the tendency is to identify people or their failings to blame: poor communication, clashing personalities or perhaps trade union militants.

This assumes that the desirability of the organisation's goals is uncontested, and perhaps that there is only one set of desirable goals available to an organisation; in short that "there is consensus rather than conflict over goals" (Scott, 2003: p 77). This is no longer accepted in the literature (Scott, 2003 part 2, passim, and pp 76-78; Stacey, 2004; Stacey, 2007 : p 313). It is recognised there can be tensions between different parts of an organisation with different functions. These will need to be co-ordinated, and perhaps modified, for the overall good – even where all parties are sincere in wanting to serve the interests of organisation, and agree on the nature of those interests (Scott, 2003: pp 74,242-244; Lawrence & Lorsch, 1967). An example might be that the marketing department, charged with maximising sales, would prefer goods highly customised for each small segment of customers, while the manufacturing department, charged with minimising unit costs, want long runs uninterrupted by changes. Both groups share the overall aim of maximising profit, but have their own way of achieving it. This is the pluralist view, or at least a version of it (Mullins, 2002:p 709).

Even in an organisation run by “unitarists”, conflict is all but inevitable.

Innovation is a major factor in the survival and growth of organisations (McGee et al., 2010:pp 451-480; Kanter et al., 1995; Peters & Waterman, 1982). One of the consequences of innovation is that individuals’ and groups’ roles change. Pfeffer writes that innovation is “an inherently political activity” (Pfeffer, 1992: p 7). New or contrasting views inevitably spark passions, and indeed conflict and creativity are likely to feed off each other (Carnall, 2003: pp 92-6,128).

There are more emotionally and ethically charged examples of conflict in commercial organisations. The tobacco industry is widely believed to have suppressed knowledge about the addictive and unhealthy nature of its product, favouring some aspects of the interests of some stakeholders - their shareholders and staff - above those of other groups, notably their customers whose health was compromised (Crane & Matten, 2004:p48). The US company Enron collapsed amid allegations of fraud and false accounting, in which their auditors, Arthur Andersen, were alleged to have at best passively colluded. Here, individual senior managers in Enron appeared to favour their financial and emotional interests over those of other staff and shareholders, while Arthur Andersen arguably failed in the fundamental purpose of their existence as statutory auditors – to protect the business community by maintaining the integrity of public accounts (Crane & Matten, 2004: pp 312-314). Had employees who “blew the whistle” been listened to, the collapse might have been prevented or its impact lessened (BBC, 2002).

In these two examples, chosen from amongst a potentially long list, issues of lives, quality of life, and livelihoods, were at stake. It is not surprising that much commentary on conflict is cast in strong – indeed emotional – terms. This is reflected in the way the authors then go on to define or characterise conflict. Mullin’s formulation is again directly pejorative. Conflict is:

*...behaviour intended to obstruct the achievement of some other person’s goals.* (Mullins, 2002: p 814.)

Robbins gives a more complex definition. Conflict is

*the process which begins when one party perceives that another party has negatively affected, or is about to negatively affect, something that the first party cares about.* (Robbins, 2003: p 395.)

This has a number of merits. It is value-neutral both in that it makes no judgements about the desirability of the process, and in that it does not favour any particular set of stakeholders. It recognises explicitly that conflict involves issues which the parties “care about” and that strong feeling could therefore be involved. By characterising it as a process, Robbins recognises that conflict is not a one-off event but is likely to take time to develop and work itself out.

There are commonalities between Miall et al’s (1999) description (above) and the discussion in the organisational behaviour literature. The “heterogeneity of interests, values and beliefs” is, *mutatis mutandis*, another way of describing the pluralist view of organisations. “New formations generated by social change come up against inherited constraints” is arguably another way of describing the challenge to existing roles envisaged by Pfeffer (1992:p7) and Carnall (2003). Robbins (2003) sees people “caring” about issues. This is clearly present in the worlds of political philosophy and political action, say in the writings of John Stuart Mill and the history of Northern Ireland (Berlin, 1969; Mulholland, 2002). Perhaps the most important parallel is the concept of process. In “the age of catastrophes”, the twentieth century, there were many examples of how conflict grew from events into long processes. Ireland is again an instance (Kee, 1980; Mulholland, 2002).

So powerful is the role of emotion in colouring participation in and understanding of conflict that a way of looking at conflict developed from which it was largely removed, exposing the roles of both rational and affective reasoning: game theory (Binmore, 2007; Davis, 1970/1983; Rapoport, 1970/2001). Drama Theory subsequently built on this approach – but restoring a role for emotion and focusing attention on its impact in specific phases of military (Howard, 1999) and commercial situations (Bryant, 2003).

### **2.2.2 Towards a characterisation and a working definition of conflict**

The aim is to develop a definition of conflict which focuses on its fundamental elements to make clear discussion possible, and to facilitate data collection and comparison of concepts across literatures and from non-specialist interviewees. However, conflict in the real world is formidably complex. The approach adopted here is to try to bring the complexity under control by identifying the

most important characteristics conflict has, from the point of view of exploring how people justify the use of violence in promoting their goals.

To do this I approached conflict as having first-order and second-order characteristics. The first order characteristics seek to deal with the essence of conflicts but are abstracted from the enacted specifics of real world conflicts, which are the second order characteristics.

### **2.2.2.1 First order characteristics**

Conflict has two essential elements, the conceptual and the behavioural, both of which must be present in the social world for the conflict to be perceptible. The elements are here called incompatible goals and conflictual behaviour.

The analysis of the nature of conflict adopted here is based on, but not identical to, two sources in particular. The first is Fisher et al (2000:Ch.1). They write as practitioners in the resolution of social conflict in international locations, which may be said to give them a perspective analogous to that of grounded theory, arising directly out of real conflicts. (This Review followed the construction of the Model.) The second is Miall et al (1999:Ch.2). The authors write as academics reviewing the history of peace studies writing, notably the contribution of Galtung (1996). However, the current analysis differs from both sources as discussed below.

### **2.2.2.2 Incompatible goals**

Conceptual incompatibility arises where two propositions (Grayling, 1997: pp12-15) cannot both be true at the same time. (This references the dictionary definition of conflict above: *the clashing or variance of opposed principles, beliefs, etc.*) The subjects covered by such propositions may be very diverse. They may be almost entirely conceptual: if two lines are parallel the claim that they also meet would, in Euclidian geometry, be incompatible (Gowers, 2002: p87). They may be more directly related to human behaviour: the political concepts “freedom from” and “freedom to” are, arguably, partly compatible and partly incompatible, the extent of compatibility being variable with the assumptions, perceptions and judgements of the discussants (Berlin, 1998: pp 191-242; Berlin, 2003).

We cannot completely separate the conceptual from the down to earth, because, if our concepts are inconsistent, then the way we try to enact them in the real world is likely to be problematic (Blackburn, 1998: p 309). For example, if two people have the same goal, say that they both want the last orange on the costermonger's stall, they cannot each have all of it; their goals are incompatible.

Goals or aims may be intrinsically ambiguous and expressed in ambivalent language, both of which points make them capable of subtle interpretation and re-interpretation to suit circumstances. Isolating the conceptual facilitates the analysis of the propositions. This in turn makes reframing of them easier. The two people in my example may both be able to get all they want from the single orange – but they have to reformulate the proposition, and make some of their goals more refined and explicit, eg to recognise that one can have all the zest and the other all the juice. (Contingently, of course, this may not be possible.)

The incompatibility of goals is the sort of conceptual incompatibility with which the study of conflict in human society is mainly concerned. Human goals are very varied. The (metaphorical) orange does not have to be corporeal, for it to be the object of competition. It might be status, perhaps, or love, promotion or well-timed retirement. It may be complex, as in irredentism, liberalism, apartheid or any number of political concepts, or internally disputed, as in Christianity, postmodernism, or psychotherapy. The range is inexhaustible.

There has to be some sense in which two aims cannot be realised, or enacted, simultaneously, and in the same place, if there is to be conflict. Blackburn gives an example in relation to location: if he permits smoking in his house, and someone else forbids it in theirs, there is not necessarily a conflict. But if the wife permits it, but her husband forbids it, in the house there share, there is one (Blackburn, 1998: p69).

### **2.2.2.3 Conflictual behaviour**

The second element is behavioural. "*Conflictual behaviour*" describes the events which include and follow the attempt of one or more actors to enact goals which are, or are perceived by one or more of the actors to be, incompatible with those of others, and the reactions of other actors. It may, or

may not, be overtly aggressive. It is often not bilateral, and may involve third parties easily, or not so easily, predicted.

This description is drawn broadly because though many examples of conflictual behaviour will be linear and unambiguous, many will not. In times of high unemployment, if A and B apply for a specific post, they are trying to enact their goal of promotion, and they will be in conflict with each other and the hundred or so other people applying; this is relatively straightforward. The outbreak of WW1, however, requires an understanding of a wide variety of issues. The connection between the assassination of a prince in the Balkans, and Germany's attacking France, is notoriously circuitous, rather than linear (Howard, 2002). The "reactions of other actors" may not be what one expects. Mussolini, aggressively promoting Italian economic and cultural interests, banned German language and culture in the regions ceded to Italy from Austria after WW1 (Farrell, 2003). This was clearly incompatible with Hitler's even more aggressive pan-Germanism. However, Hitler avoided immediate open conflict to preserve the possibility of deep longer-term co-operation with Mussolini (Bullock, 1998: p576). In my terms this avoidance was conflictual behaviour; it explicitly accepted the conflict and decided how to respond (Robbins, 2003: p416; Thomas, 1992). Avoidance does not necessarily mean no action; it may mean tactical withdrawal in contemplation of fighting another day – and it may mean resentment is stored up to fuel another dispute. An example was the sense of betrayal felt by many Germans over their leaders' behaviour at the end of WW1 (Bullock, 1962; Norman, 1995a: p 209).

Underlying this approach is a view of social action - complex systems. Stacey writes, describing the assumptions made in such theories particularly in the context of organisations:

*... the future of complex systems is under perpetual construction in the self organising, that is, local interacting, of the entities comprising them. The long term future of the whole system, that is, the pattern of the relationships across whole populations of agents, emerges in such local interaction. Emergence means that there is no blueprint, plan or programme for the whole system, the population-wide pattern. In other words the whole cannot be designed by any of the agents comprising it because they collectively produce it as participants in it. (Stacey, 2007:p 183.)*

This “local interaction” is also recognised in social constructionist interpretations (Campbell, 2000). However, the point is not just an organisational concept, and is used in a wide variety of disciplines to discuss the working of groups (Stacey, 2007; Smith, 2007; Gleik, 1998). The essential idea of interconnectedness is elegantly described in the development of group therapies, where in explaining the idea of the therapeutic community, Kennard writes:

*...the individual members of a group, community or institution can be regarded as the connected parts of system...extending...to...eventually the whole society to which [they] belong... [This leads to] the view that mental illness is not located primarily within an individual but in the network of relationships of which he is a part. (Kennard, 1988: p161.)*

Once this non-linearity and interconnectedness is taken on board, the route from the Balkan assassination to the full horrors of WW1 may be no easier to follow, but it can at least no longer be a surprise that unexpected consequences follow from almost any action.

#### **2.2.2.4 A third element?**

Miall et al consider a third element in referring to Galtung’s triangular model (Galtung, 1996). Two points of the triangle are “contradiction” and “behaviour”, corresponding broadly to my two elements. The third element is “attitude”. This is described by Miall et al as including

*...the parties perceptions and misperceptions of each other and of themselves...emotive (feeling), cognitive (belief) and conative (will) elements. (Miall et al., 1999: pp 14-15.)*

They give as an example the tendency of the parties to create “demeaning stereotypes” of the other conflicting parties deriving from “fear, anger, bitterness and hatred”.

I prefer just the two elements. This is not because the issues covered by “attitude” are not in point; they are better seen not as an independent factor but as an integral component of the ideas of *incompatible goals* and *conflictual behaviour*.

Goals consist in values: when we set a goal we are saying it is something which is valuable to us which we are trying to obtain. *Ipsa facto*, perceptions, emotions, the affective and subjective elements of human temperament and various contextual issues (culture, family, profession and so on) are already

present in the concept. Arguably therefore it is preferable to treat goals as subject to wide interpretation, by their very nature (cf. Saunders et al., 2007).

The same is also true of behaviour. Suppose we see A shoot B dead. How can we make sense of this? We may turn to the Christian religion for guidance. If we read the King James Bible we will find the commandment that “thou shalt not kill” (Stirling, 1960: Exodus 21) and no doubt condemn the act. If we read a different version, we will discover that “you must not murder” (New World Bible Translation Committee, 1961/1980) and look to the circumstances which affect whether it is murder. It could, on investigation, turn out to be a rescue killing – the circumstances in which this is legitimate being highly disputed (Fabre, 2007; Fabre, 2009). (See also Ch.6:2.3.2.)

Goals and behaviour cannot be understood without considering a wide range of interpretive elements. If we further allow that the specifics of any one situation can be relevant to how we might understand them, the range is immense. There are thus no goals or behaviours which exist objectively and independently of interpretation; the interpretation is fundamental to any meaning we attach to them.

### **2.2.2.5 More clarification of incompatible goals and conflictual behaviour**

Fisher et al (2000;p5) set their views out in a two-by-two matrix (figure 2.1).

<b>Goals and Behaviour</b>		<b>Goals</b>	
		<i>Compatible Goals</i>	<i>Incompatible Goals</i>
<b>Behaviour</b>	<i>Compatible Behaviour</i>	No Conflict	Latent Conflict
	<i>Incompatible Behaviour</i>	Surface Conflict	Open Conflict

In the fourth quadrant, the simultaneous presence of “incompatible goals” (effectively the same as in my definition) and “incompatible behaviour” (not

directly defined) is *open conflict* and in the first, absence of both, *no conflict* at all. My categorisation produces the same result.

In the second quadrant, if there are “incompatible goals” but no “incompatible behaviour”, there is said to be potential or “latent” conflict. This again corresponds to my own schema.

In the third quadrant, if there is incompatible behaviour without incompatible goals, there is said to be only “surface” conflict. This should be resolved by “improved communication” (Fisher et al., 2000: p6). In my definition of the term *conflictual behaviour*, however, there can be none without incompatible goals. Fisher et al (2000) do not explicitly describe what they mean by “incompatible behaviour” but the purpose of the surface conflict category seems to be to address situations where one party, A, misunderstands the goals of another, B, and in some way attacks B. Mediators might then be able to point out the misunderstanding and negotiate a cessation of hostilities and compensations as appropriate. They might, on the other hand, not. The attack, physical or otherwise, and mistaken or not, may have had consequences far too serious to be easily resolved.

I have tried to imagine a situation in which the conflict could be described as “surface” in Fisher et al’s terms. B, leaving the pub, unexpectedly collapses on a weak ankle. Simultaneously A, suffering a new attack of tennis elbow, has to put down his beer sharply and equally unpredictably. It is knocked over by B. At this stage neither party can be said to have goals at all, at least, not in the sense of prior conscious and explicit aims directly in relation to the accident and its aftermath. However, the situation could easily develop into violence, for example if A believes B acted intentionally, or if either is “looking for trouble”. Issues of ego, status, temperament, identity, self-defence, culture, lack of control due to alcohol or other drugs, encouragement or otherwise from other customers intervene, and goals are rapidly formed. It does not seem appropriate to label such a situation “surface” conflict if this is to be understood as minimal. A minor incident can rapidly grow – to repeat an example, the assassination of the Archduke Franz Ferdinand was surely not, by itself, worth the First World War (Howard, 2002).

My purpose is not to deny Fisher et al's contention that some conflicts may be more easily dealt with than others, and that this may be due to the nature of their goals or the intensity with which they are held and pursued (Fisher et al., 2000). However, this can only be established by detailed consideration of all the issues involved. As in any complex system the outcome may depend on *minutiae*, such as the proverbial flapping of a butterfly's or seagull's wings or the "squishing" of a mosquito (Stacey, 2007: pp190-191; Smith, 2007: p6). This detailed consideration always includes the goals which participants have at the outset *and/or which they develop as events unfold*.

### **2.2.2.6 An objection to the two-element approach**

My definitions of the two elements are such that conflictual behaviour means the actual pursuit of incompatible goals. Why then have two categories? It is arguably at least inelegant and possibly duplication.

The reason is that it is useful to have them to direct attention to particular factors in the situation. First, ethical enquiry requires at least some abstraction and conceptualisation of the goals to distance them from the special pleading which may accompany individual incidents in the real world – from actual behaviours. Second, it is useful to analyse the abstracted concepts to identify whether they are in fact as "incompatible" as they may be presented or understood – these two reasons would be part of the process of "separating the people from the problem" (Fisher et al., 1991). Reciprocally, and thirdly, behaviour can be similarly abstracted and reviewed, eg by disciplines such as psychology, social psychology, history, politics, economics and so on. Finally, and anecdotally, people habitually distinguish between how they behave and concepts – the distinction reflects practice.

### **2.2.2.7 Second Order Characteristics**

This discussion leaves a number of issues open which might be expected to be resolved. If the aim is a definition of conflict analogous to a legal definition of a crime, it would be likely to specify the nature of the act (*actus reus*), the mental state of the actor (*mens rea*), and who the actors are (Simester, 2010). Other laws may define who can intervene and how. But as we have seen the nature of the acts which constitute conflict can be very varied; the mental state, in the

sense of the interpretation of the actors of the concepts and behaviours involved, similarly disparate; and participants can include actors who would not have been seen as immediately involved at all.

In the definitions of conflict offered so far, who are the participants? Are they fixed in identity or number? When does a conflict start and finish? Mullins's "pejorative" definition of conflict above ("*...behaviour intended to obstruct the achievement of some other person's goals*" (Mullins, 2002)) effectively roots the concept in the confrontation between principals (the term is implied rather than used) and locates it in time at the point they perceive each other as behaving conflictually. Robbins' does the same (above: Robbins, 2003) with the important exception that in referring to a "process" he suggests that a conflict, once started, may develop unpredictably and be of indeterminate duration. There is no real answer at all.

### **2.2.3 A definition of conflict**

These approaches are thus incomplete in a crucial respect; they do not explicitly provide a definition of who or what is involved (what I have called a principal for want of a better term), or address the impact on others, third parties, envisaged above. This is not to say they do not recognise that it has such an impact: "it can make it nearly impossible for employees to work together" (Robbins, 2003: p394).

My contention is however that a substantial part of what makes conflict important to study is the unpredictability of its causes and effects - including precisely who becomes involved in it.

This reflects the tendency of conflicts to spread unpredictably, to be of indeterminate duration and inception, to be of contested, arguable and even obscure origin, and to have flexible boundaries – WW1 and the French Revolution, beginning in mob rule and ending in Empire, being two examples (Howard, 2007; Thompson, 1944). Few divorces, or other family or group dysfunctions, are the result of a single event or follow a predictable path (Boscolo et al., 1987; Agazarian, 1997; Foulkes, 1948/1983).

Such indeterminacies (who, when, where, how) in definitions of conflict are hard to fully allow for explicitly. These difficulties lead to the following wide-scope definition:

*Conflict describes the range of social and individual phenomena which flow into, include and flow from incompatible goals and conflictual behaviour.*

This reflects the writer's view that conflicts are the product of a great number of constituent factors acting together to produce not so much a range of outcomes, as this implies linearity, but rather a dynamic complex situation lived in the present, organically growing out of the past and developing unpredictably into the future. This has affinities for a complex adaptive systems world of the sort envisaged in Stacey (2004) but that "the results of men's actions are beyond the actors' control" (Arendt, 1969:p 4) is a well established concept.

### **3 Meaning of Ethics**

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"Ethics" is that branch of philosophy which involves "thinking and theorising about good and bad, and how people should live" (Grayling, 2003:p ix; cf. Austin, 1968: p 21). Ethics asks questions such as what, if anything, is good in itself? What is the right thing to do? What is the good life, and how do we know it when we see it? What makes it appropriate to apportion praise or blame? How can behaviour be justified? Ethics develops principles which can then be applied to specific, real world issues, such as, for example, abortion, euthanasia, war, violence and human responsibilities to, and the moral status of, animals.

As a serious and systematic enquiry it begins with the ancient Greeks (Norman, 1995b). Plato put the words "Man is the measure of all things" into the mouth of the Sophist Protagoras, who lived in the fifth century BCE (Grayling, 2003: p 15; Flew, 1989: pp 81-2). However, as an intense human activity it must date from the very origins of humankind and language. "Human beings are ethical animals" (Blackburn, 2001: p4). This does not mean that we are all infallibly upright, or that we follow "a system of nasty puritanical prohibitions", in Singer's straw man caricature of morality as misunderstood by "some people" (Singer, 1993b: p 1). Rather it reflects our intense interest in each other, what we do, what we should do, what we should not do. What is our duty to them? What is

theirs to us? Should we worry about our carbon footprint? Should abortion be permitted at will or at all? Is our dominion over animals unqualified? Blackburn implies that this fervent interest is the simple underlying reason for the immense popular success of TV soap operas (Blackburn, 2001: p5). Certainly there are few dramas on stage or screen, or in novels, that do not involve conflict between people seeking to behave differently or otherwise deal with ethical issues – indeed art in the widest sense can draw fine distinctions between virtues, and other “goods” and “bads”, which are hard to be precise about in academic language (Blackburn, 1998: pp 28-30; Grayling, 2003: pp 228-229). The news media are full of such conflicts as played out in real life. “Morality is a subject which interests us above all others”, wrote Hume (Hume, 1739/1969: p 507).

In section 3, I review what I see as key concepts in ethics which are important to the task of critiquing the Model. For the sake of having reasonably coherent boundaries and in order to avoid an impossibly wide task, I have stayed entirely in the tradition of Anglo-Saxon thought and culture, particularly Anglo-American. The possible cost of this is addressed briefly in Ch:7:3.

### ***3.1 Areas of ethical discussion***

In contemporary approaches to ethics as an academic discipline, the subject is often seen as having two main branches: meta-ethics and normative ethics, the latter subdivided into ethical theory and applied or practical ethics. Meta-ethics deals with the subject’s fundamental underpinnings; ethical theory, with the systematic attempt to establish the criteria by which we will judge ethically relevant acts; and applied or practical ethics, with the application of these criteria to actions or classes of action in the real world. This map is fairly commonly used though ethical philosophers do not always put the frontiers in exactly the same place, give the territories exactly the same names, or prevent ideas from being considered in more than one jurisdiction (Singer, 1993b; Shafer-Landau, 2010: pp1-2; Harrison, 1995).

A final introductory point: “rights” rarely feature in the discussion below. This is not because I disagree with what “rights”, such as human rights, or the right to self defence, are said to uphold. It is rather that I accept that rights are essentially legal concepts and that what is to be discussed here is not law or its

applications but the ethical reasoning *behind* the rights (Norman, 2006; Warnock, 1998: pp 77-107).

### **3.2 Meta-ethics**

Meta-ethics examines the meaning of ethical concepts, their logical properties and relations. It addresses questions which go to the root of what ethical statements mean. Can the claims of normative ethics be in any sense “true”? (Perhaps, if constructed in accordance with the rules of the discipline (Grayling, 2007).) Are they merely the expression of emotions (Warnock, 1998: p14; Ayer, 1946: pp102-119)? Do they have any authority over our actions? A number of familiar attacks or comments on ethical thinking are on the agenda of meta-ethics: relativism, the doctrine that values are culture-specific and there is no reason for inhabitants of one culture to accept those of another; subjectivism, the (contrasting) doctrine that values are merely expressions of personal opinion and are of no persuasive force; the naturalistic fallacy, the denial that ethical claims can be objective or empirically determined and are therefore human, or humanistic, in origin; the authority of religion; and the issue of free will and determinism (Shafer-Landau, 2010: pp1-15, 275-318; Singer, 1993a: pp339-542; Moore, 1903).

This is not the place to argue the case for any particular stance in detail. However, in researching how people justify the use of violence in conflict, and what factors people see as important in that, I am clearly arguing that these are worthwhile issues to investigate. The previous paragraph lists a number of ways philosophers debate the force of ethical arguments. To argue against strong ethical scepticism by analogy, they also debate whether “truth”, or the predicate “...is true”, has any meaning, but nonetheless they live their lives as we live ours, on the basis of the ordinary language meanings of these terms. Grayling writes:

*Here is something that can be agreed as a datum: that ordinary discourse about the spatio-temporal world of things and events is straightforwardly realist in character. We think and talk as if our assertions are true or otherwise...(Grayling, 2007: p2.)*

In the case of ethics, broadly I assume the position that ethical propositions are not capable of being true or false in the empirically verifiable sense that propositions (say) about the bus timetable can be (Hume, 1739/1969: pp501-

670; Hare & Magee, 1978); and that they derive their force from their essentially contractarian origins, ie the need to co-operate to realise the benefits of living in groups (Shafer-Landau, 2010: pp176-201; See 3.3.3 below:Kymlicka, 1993; Lucas, 1966). This does allow us (provided we are careful) to talk of some ethical propositions as true to the extent that they are well constructed, coherent, consistent, justified within the terms of the discipline, persuasive and useful (Blackburn, 1998: pp 309-310, passim; Grayling, 2007: pp31-38). And however cynical many may be about the value of ethics, nonetheless we mostly expect that we and our interlocutors will act on the basis of our conclusions (Blackburn, 1998: eg p308).

### ***3.3 Normative Ethics: Ethical Theory***

Ethical theory seeks to establish (in no particular order) the criteria by which we judge what in the real world is ethically relevant, whether something of ethical relevance is good or bad, what sorts of concrete content these latter terms will have, and how we will assess the validity of ethical theories. It aims to give guidance on how to act.

I say “in no particular order” because “one of the puzzles about moral thinking is knowing where to begin” (Shafer-Landau, 2010: p3).

A useful start-point here is however that arguments in ethics need to be sound in the same way as in any other discipline. The truth of their conclusions depends on their logical form and the truth of their premises (Shafer-Landau, 2010: pp 6-12; Shaw, 1997; Lemmon, 1965; Thomson, 1999). Often, however, assumptions are hidden in premises and to evaluate the argument as a whole involves much unpacking of its components (Shaw, 1997: p 59; Thomson, 1999; Fisher, 1988). This is not in itself controversial, but examples of it are likely to be. Indeed, O’Neill claims to have identified three sizable classes of writing about Kantian ethics only one of which attends to what Kant actually said (O’Neill, 1993). Approaches to ethical arguments need to be wary; they may contain ambushes.

It is often suggested that a key criterion by which to assess whether a theory is plausible is the extent to which it avoids, or does not avoid, contradiction (Singer, 1993b; Shafer-Landau, 2010: pp12-14, and passim). For example, at

first blush an absolute ban on killing innocent people by act or omission may be seen as an attractive and even not especially controversial principle – “thou shalt not kill” (Stirling, 1960: Exodus 21). But philosophers are adept at creating counter cases. Suppose you have the chance to shoot dead an innocent carrier of an incurable and always fatal plague before he is able accidentally to infect your remote community (example due to Shafer-Landau, 2010: p 213). If your underlying principle is to value innocent life, and you have the chance to save more by killing one rather than thousands (by omission), it seems hard not to sacrifice the one for the many. However, this contradicts the absolute ban on killing the innocent. Which imperative does one follow: save the many or obey the rule? (And is an omission as good or bad as an act?) Such a contradiction (as we will see below) is not necessarily fatal to the argument that we should not take innocent lives, but it does provide a focus for analysis, review and refinement. Of course in the real world there may be many alternative courses of action and there may be many other relevant facts. That is the point; on the one hand there is always a theoretical perspective to be argued; and on the other there are the demands of the real world. One of the motivations behind this work is that “ethics” may not always take the latter into account sufficiently. (Schematic examples of the kind used here seem intensely vulnerable to the accusation that they are unrealistic in precisely the ways they need to be realistic for practical arguments (they are written to be definite and comprehensive instead of uncertain and partial). I intend to use them only as illustrations of specific issues and never as parts of arguments.)

Coherence is another key criterion. It implies that a moral claim “receives support from, and lends support to, a large number of our other beliefs” (Shafer-Landau, 2010: p227), so that it “fits in” consistently with what else we and others think. (An argument against early abortion on the grounds of the sanctity of human life would not cohere with a belief that the embryo does not attain human status before, say, 28 weeks.) It is a significant part of what Grayling identifies as criteria for value and “truth” (Grayling, 2007: pp 34-35). There is however the risk that in being closely integrated with other ideas, the argument may be circular; our principle may derive its legitimacy from others which are ultimately found to rely on the one we started with (Shafer-Landau, 2010: p227-9).

Coherence and absence of contradiction are not, however, a comprehensive specification for what makes an ethical proposition sound.

On the one hand, ethics is a real-world, practical subject (Singer, 1993b). “The practical role of ethics is what defines it” (Blackburn, 1998: p1). The number of situations to which it is relevant in the real, practical world is virtually infinite. However much ethical theory aims to make sense of what is important about the world, it is bound to run into situations, people or thinking which challenge it. Many theories (as we see below) are argued to have such weaknesses - and it may be that a theory of how to reconcile contradictions, live with incoherencies, or support more than one significant principle, would be the most useful feature of any theory. Ross’s *prima facie* duties approach does precisely this (See 3.3.2.2 below: Shafer-Landau, 2010: pp 220-229).

On the other hand, Blackburn writes:

*If our beliefs are inconsistent, that is, if they cannot all be true together, then something is wrong....But [this] should not blind us to other virtues. As well as coherence, there are maturity, imagination, sympathy and culture...sometimes single-mindedness is simplistic and it is virtuous to be in two minds about things* (Blackburn, 1998: pp309-310.)

Building in maturity, imagination, sympathy and culture is perhaps not an easy task since the terms themselves are complex and arguable. But there is here a warning: however tightly constructed a theory of ethics may be, one needs to stand back to see how it “lives”. That applies especially if an ethical theory is to be any use as a guide.

The range and number of ethical theories, and the amount of writing about them, is very large – Grayling refers to “the vast industrial output of academic literature generated by the professionalisation of philosophy in the last century or so” (Grayling, 2003: pp ix-x). To choose which to summarise, even focusing on the particular subject of this research, is bound to result in some arbitrary decisions and inadequate coverage.

Broadly speaking, however, on the Pareto principle, ethical theory can be said to divide into a small number of families, each with many branches. In consequentialist ethics the outcomes of actions are said to be all that matter. In deontological ethics, action is right or wrong in itself and the consequences are not to be taken into account (all things being equal). In the social contract

tradition, the needs of living together in societies is the basis of ethical argument. In virtue ethics, the behaviour of the virtuous is the yardstick.

### 3.3.1 Consequentialist Reasoning

#### 3.3.1.1 *What consequentialism is*

Consequentialism takes a number of forms, of which the best known is Mill's utilitarianism (Mill, 1861/1991). This has some features – for example, the pleasure principle – which distinguish it (Graham, 2004: p139). Mostly the points I want to make are concerned with the generality of consequentialist reasoning, and I normally only use Mill's utilitarianism in making points for this purpose. The descriptive account given here broadly follows Shafer-Landau and Graham unless otherwise indicated (Shafer-Landau, 2010: pp 112-143; Graham, 2004: pp 128-161).

Consequentialists argue that the only things which matter in determining the ethical *rightness of an action* are its consequences.

The *kinds* of outcome that are to be taken into account are those that the version of consequentialism considers should be (more on this below: 3.3.1.2.2).

In general, consequentialists explicitly assume impartiality, ie that each person counts equally (we also return to this below). This does not mean exactly one person, one vote. If the outcomes of an action are great for some people and slight for others, the numbers and weightings are to be taken into account. Clearly this is problematic. Comparing (say) the pleasure derived (or harm experienced) by one person from one factor in a situation with that of another person is not a task for which there is any obvious precision tool. If the task is to compare the consequences of action A which affects profoundly the members of small Group One, with the consequences of action B which affects slightly the members of large Group Two, the difficulties are arguably exponentially harder.

It is debated whether *all* consequences are to be taken into account whether anticipated or not, or whether only expected, or reasonably expected outcomes are to be considered. This arises both in assessing whether course of action A or B is the right one to take now, or alternatively, in assessing whether A or B

was right from our perspective some time later. This is partly about the practical problems of using consequentialism as a guide to right action, one of the most salient of which is the issue of time; assessing each action we wish to undertake would leave little time to actually undertake them. It is however also concerned with the issue of whether apportioning moral praise or blame is possible or desirable. In everyday terms, people are mostly held to be responsible only for those outcomes they could reasonably foresee (see Ch.6:2.3.2). Some versions of consequentialism, however, are very strict in the sense that the rightness or otherwise of an action can be determined by events long separated in time or causal connection from the original act.

In what reads almost as an exercise in ethical *reductio ad absurdum*, Graham recounts the story of how the Archduke Ferdinand came to be assassinated. This is the event usually credited with setting off WW1 (Graham, 2004: p 140). It is not hard to trace from WW1 to the Russian Revolution, the rise of Stalin and of Hitler and to WW2. But apparently the assassins only succeeded because the Archduke's driver mistakenly turned up a blind alley. In slowing to turn, he gave the killers their chance. Is the driver to be blamed for *all* the consequences, including WW2? Might not the assassins bear some of the responsibility? And if the driver, why not the people who assigned him the job and failed to make sure he knew the route? This can regress infinitely.

This story stresses that consequences by themselves are not very important; what matters is what sort they are, and what sense is to be made of them. It illustrates also the possibility that the strict consequentialist may have to surrender the concept of moral responsibility, since intention is not a relevant part of the identification of outcomes. In this respect it resembles strict liability in English law, where only an act, the *actus reus*, and not an intention, the *mens rea*, has to be established for criminal conviction – parking offences, for example (Simester, 2010; Lucas, 1966: p 240). Normally these are lesser offences where (arguably) it would be disproportionate to insist on a full criminal trial for each offence. In strict consequentialist reasoning, it seems, confusingly, to apply to significant acts too.

There is one further aspect of consequentialist reasoning which should be discussed as it mitigates, if it does not avoid, some of these difficulties: rule

consequentialism (Graham, 2004: pp135-137). This is a version of the basic principle which evaluates not individual acts, but classes of action. This does not get us involved in assessing every last outcome of an act, but enables us to conclude, on the basis of our experience, that such-and-such a class of act usually has a balance of positive or negative outcomes. Thus we can formulate a rule which can be used as guidance. According to Shafer-Landau, some advocates of rule utilitarianism envisage sticking to the rules even where they can see (in the foreseeable future) that an act based on it has a balance of negative outcomes. This inflexibility led the Australian philosopher JJC Smart to dismiss the approach out of hand and the mud stuck; it never achieved widespread acceptance (Shafer-Landau, 2010: p141-142). However, its approach to the problems of computing outcomes, and assessing acts, is arguably more practicable than that of act consequentialism: it provides some sort of rule of thumb which is more likely to be useful when time is short. And more systematically than act consequentialism, it seems to support a number of what Shafer-Landau identifies as generally accepted principles of conduct (eg kindness is good, slavery bad) (Shafer-Landau, 2010: p 120). Rule consequentialism thus has some advantages over act consequentialism as a guide to conduct.

### ***3.3.1.2 Assessing Consequentialist Reasoning***

Consequentialist and deontological ethics are often seen as examples of ethical monism (Shafer-Landau, 2010: p 202; Dancy, 1993; Berlin, 1953/1992: pp 5-6). Monism is the metaphysical doctrine that there is only one substance in the universe (Lowe, 1995). In ethics the word is taken in metaphor to mean that consequentialists and deontologists argue independently and against each other that theirs are the only principles which can, or need, be taken into account. These views are contrasted with ethical pluralism, which accepts that there may be more than one principle, that they may conflict and that one may have to give way to other (Shafer-Landau, 2010).

It seems to me that there are two reasons in particular why consequentialism cannot live up to the status of ethical monism or be held out as an exhaustively useful principle in the real world.

### 3.3.1.2.1 The difficulties of assessing outcomes

The first is practical. We want ethics to support (or even direct) our decision-making. It is a forward-looking activity. But we cannot foretell the future. To be more precise, we can make a reasonable shot at it over a short period of time; but beyond a certain point, which is quite unpredictable, we are not in control of the results of our actions. We can probably agree to meet in the Red Lion tomorrow night with a reasonable degree of certainty, barring accidents; but if we made the date for twenty years hence, the Red Lion might not be there, we may have fallen out, or prohibition might have been introduced. The world may have changed in ways I cannot guess at which would prevent our meeting.

The difficulty of foretelling the future is not a new idea, but the family of mathematical and applied principles known as complexity, chaos and catastrophe theories puts it on a formal footing (Stacey, 2007; Smith, 2007; Gleik, 1998). Two key points about causal predictability are illustrated by the metaphor of the (almost) proverbial butterfly effect. This is based in the complexities of meteorology (Smith, 2007: pp5-6): "... it is possible for a butterfly to flap its wings in São Paolo, so making a tiny change to air pressure there, and for this tiny change to escalate up into a hurricane over Miami" (Stacey, 2007: p 190). So, on the one hand small changes can have disproportionate effects. On the other, the idea that we can assess the effects of an action by applying notions of simple linear causality clearly has limits in time and principle.

The point here is however about much more than time. Whatever one actor does can lead directly or indirectly to another taking further action which may have unpredictable results or results to which we do not have access (and so on *ad infinitum*). This may negate the effects the original actor intended, or exaggerate them, or have little effect. Competitor A may lower his price anticipating an increase in sales and, on A's view of the economics of the industry, profits, at the expense of A's competitors. He may be successful. But if he is wrong about the economics, he may go out of business. Or if all the other competitors simply match the reduction, and no new buyers enter the market, the net result may be that all the competitor suppliers are worse off. This may lead firms who were considering entering the industry to back off – possibly

undermining the whole industry's ability to innovate and prosper (cf. McGee et al., 2010: pp 155-156). This illustrates the sense in which the future is jointly constructed by the actions of all participants (Campbell, 2000). Further, some actions are "slow burners" and may take some time to develop an impact: "As often as not great and even good philosophy only slowly creates the sensibilities by which it gets recognized" (Blackburn, 2006). The implications of complexity were also discussed above (2.2.2.2.1).

Davis writes:

*Since it may be difficult to determine what consequences will follow upon one's chosen course of action, and impossible to foresee all the consequences of one's deeds, consequentialism has been criticised as unrealistic or impractical. Commentators disagree about the force of such criticism, and many consequentialists think that it does not pose a serious objection. (Davis, 1993: p 210.)*

It will (hopefully) be clear that I am arguing that these difficulties do pose very serious objections. Shafer-Landau gives us the opportunity to reject consequentialism out of hand.

First, he specifies four "things" essential to consequentialist reasoning: basically adding up the benefits and disbenefits of an action, taking a balance and comparing that balance with that of other actions. He then writes that "if it is impossible *in principle* to follow these steps, then utilitarianism is sunk" (his emphasis) (Shafer-Landau, 2010: 125).

It *is* impossible in principle, because we cannot know all the outcomes of our actions – in principle, and not just because of the practicalities, though they are formidable.

Nonetheless, I do not think this fatally holes consequentialist reasoning below the water-line.

Rule consequentialism abandons the requirement that the outcomes of each action have to be fully assessed. It takes from us what a committed consequentialist might see as a *complete* decision making process, but it gives in return one we can actually use in practice in medium-term decision-making.

The second saving grace is more general and is dealt with in 3.3.1.2.4 below.

### 3.3.1.2.2 Deciding the good decides the outcomes

The second reason consequentialism is not capable of being the one best way (so to speak) is also decisive. When you are looking for outcomes, what do you look for, and what counts as an ethically-relevant outcome? Shafer-Landau answers these questions very clearly. He begins his exposition of how consequentialist reasoning operates by delineating five steps. The first is:

*First identify what is worth having for its own sake...focus on the thing itself. Then ask: Is there anything valuable about this thing? If the answer is yes, then it is intrinsically good – valuable in and of itself. (Shafer-Landau, 2010: p 114.)*

That is to say – before you begin to add up the positive and negative outcomes of an act, which, as we have seen, is a difficult enough task in itself, first decide what sorts of thing you are going to look for. But this is the crucial issue. It is what determines the result of the assessment of outcomes – because it tells you what to look for (Crisp, 1995).

On this basis it would, however, be possible to use consequentialist reasoning to support almost anything. Consequentialist reasoning is reduced to a sort of ethical formalism, rather like the logical formalism Shafer-Landau discusses using the following illustration.

*John Quincy Adams was either the eight or the ninth president of the United States.*

*John Quincy Adams was not the eighth US president.*

*Therefore, John Quincy Adams was the ninth US president.*

*In one way, this reasoning is impeccable. It is logically flawless. This is a valid argument. ...But the argument is still a bad one...it has a false premise (John Quincy Addams was the sixth US President). And a false conclusion. (Shafer-Landau, 2010: p8)*

Suppose you focus on happiness, and consider that there is something “valuable about this thing”, something “intrinsically good”, you then have the wherewithal to assess, or at least make contributions to the debates on, abortion, euthanasia, war, and many other things. But you could then change your mind and decide that virtue is the only thing valuable in and of itself, or knowledge. In either case it seems at least likely that you will get different answers to the same question. Or perhaps you will decide that national autonomy and complete non-violence are the joint single most valuable end.

Before consequentialist reasoning can come into play, it has to be told what to value, what counts as ethically relevant. And in choosing one thing rather than another, or one basket of good rather than another, the moral agent chooses the outcome of the consequentialist assessment. Suppose one chose autonomy as the supreme good. Had British foreign policy been based on this principle (and some measure of cosmopolitanism or at least empathy for the Nazis' Czech victims), perhaps WW2 would have started on the annexation of the Sudetenland. Or perhaps not, if we decide that the evil inherent in fighting a war one might lose is to be taken into account, eg on the direct ground that it would involve surrendering autonomy. Suppose one chose pacifism and non-violence. This might involve refusal to intervene even to prevent an Auschwitz - I have heard exactly that argued on strictly (rule) consequentialist grounds that violence always has incalculable evil outcomes unmitigated by good (Research Interview C and cf Norman, 1995a: p 210).

It is also clearly crucial *whose* interests are to be taken into account. In the case of utilitarianism proper, Mill's insistence that each person's happiness counts equally (the principle of impartiality mentioned above) was not only technically controversial (did it overturn the idea of "just deserts"?) but, when compared to say the Southern States' contemporary views on slavery, radical and directed in a particular direction (Mill, 1861/1991: pp 198-199). There was nothing neutral about it. And this decision was not one which derived *from* utilitarianism, but was chosen as a value by which it would be guided. Warnock writes:

*...no purely utilitarian argument could serve to settle the question of who should count.*(Warnock, 1998: p 69.)

Indeed there are many situations where impartiality is not expected. Parents are not expected to treat their own children and those of the rest of mankind impartially. In commerce it is argued that some "stakeholders" may be prioritised over others, eg where they have more power or less, are likely to have a big impact on profitability, or are given priority in law (McGee et al., 2010; Johnson et al., 2008). In politics such prioritisation is deliberate and taken for granted; hence the start of state pensions for the elderly in 1911 and the founding of the National Health Service in 1948 to raise health standards amongst the poor (Marr, 2009; Marr, 2008), or, say, the violent policies based

on the superiority of Germans over Slavs and others according to Nazi mythology (Overy, 1999; Bullock, 1998). Impartiality seems a bogus claim.

I have written above as though consequentialism not only claimed to be the sole method of choosing the right thing to do, but also typically envisaged there being one aim alone to pursue. This is not in fact the case; it could not be (Norman, 1995a: p 9). Perhaps the best known consequentialist argument is Mill's in his essay *Utilitarianism* (Mill, 1861/1991). He appears to set a single principle - the pursuit of pleasure and the avoidance of pain. This is based on what he asserts is the fact that people *do* desire pleasure and the absence of pain. He recognised however that people

*...do desire things, which, in common language, are decidedly distinguished from happiness.*(Mill, 1861/1991: p 169.)

What he then does is assimilate these other things to pleasure (and the absence of pain), so that they count as pleasure. This requires a little effort, but not much. Virtue (and the absence of vice) is desired partly because “[it] promote[s] another end than virtue” (good consequentialist thinking) but also because it is “to the individual, ...good in itself” (Mill, 1861/1991: p 169), which, as we shall see, sounds remarkably deontological. Even money can be

*...desired in and for itself;...not for the sake of an end, but as part of the end...*(Mill, 1861/1991: p170)

Given that “the love of money is the root of all evil” (Stirling, 1960: 1 Timothy 6.10), this is a particularly arresting claim, and it would have been interesting to have heard Mill's contribution to the debate about the £6.5million bonus paid to the chief executive of Barclay's Bank in March 2011 (BBC News., 2011a). Mill mentions power and fame, along with money, in this context. He also mentions justice, which, he says,

*...is a name for certain classes of moral rules, which concern the well being more nearly, and are therefore of more absolute obligation, than any other rules for the guidance of life...*(Mill, 1861/1991: p 195.)

Taken on its own this seems to put justice on a par with utility (or pleasure), if not above it, for utilitarianism is surely for the guidance of life, but again Mill assimilates justice to utility.

This list of alternative goods surely counts as ethical pluralism, in flat contradiction to the claim of utilitarians to be ethical monists (Shafer-Landau,

2010: p 202). They are not advocating the pursuit of “the greatest happiness of the greatest number” in the sense that there is one thing and one thing only that we should pursue. Rather “happiness” is a “lazy” expression. This is one which could be replaced by more precise and informative concepts if we had (as it were) the time and energy; thus pronouns replace the exact name of a friend whose comments we are repeating, or “nice” replaces a more exacting description of our experience (Grayling, 2007: p 32). So Mill substitutes the word “happiness” where otherwise he would have had to specify exactly what good things he meant; and this would be a long list. This is not a purely intellectual point. I write as the 2011 agenda of the census is being debated. The BBC report:

*Once we have agreed on a good way of measuring well-being, the idea is that we can then use it to shape our public policy.* (Easton, 2011.)

First calibrate your ruler, then measure the length; first determine the values at stake, then organise to realise them. But what matters is the first step.

This pluralism is not, by itself, to negatively criticise utilitarianism or consequentialism. On the contrary, it means utilitarians recognise the complexities of ethical decisions. But it does mean that discussions amongst utilitarians and between them and (say) deontologists or virtue theorists are going to have to begin in much the same manner: “let us agree what the good is that we are talking about...” So consequentialism cannot ever be the sole means by which we assess the ethical implications of a situation.

### **3.3.1.2.3 Consequentialism and hindsight**

At least two ethical systems mentioned below see experience or example as crucial to the process of getting to right principles (*prima facie* duties and virtue ethics (Shafer-Landau, 2010)). This suggests by analogy the possibility that we may be able to improve our consequentialist reasoning by reviewing history and seeing how things turned out in some actual cases. We could practice deciding what was “right” by looking at what happened – which Tolstoy saw as essential, according to Berlin:

*History alone – the sum of all empirically discoverable data - held the key to why what happened, happened as it did and not otherwise; and only history, consequently, could throw light on the fundamental ethical*

*problems which obsessed him...what is to be done? How should one live? ...What must we be and do?* (Berlin, 1953/1992: p 13)

In fact historians (and others reviewing their pasts) argue interminably about how we have come to be where we are. In the twentieth century, the role of the Russians in defeating the Nazi regime was arguably underplayed in the West for many years, despite their human losses exceeding those of the other Allies by colossal amounts. Eventually the passage of time, and the changing perspectives caused by the ending of the cold war, led to re-appraisal (Overy, 1999; Bullock, 1962). This sort of discussion is right and proper, and inescapable. Perspectives change for many reasons. New facts are discovered; the significance of old, well known facts seems different in the light of new discoveries; and changing social values independently drive reappraisal. People take up positions to bolster their current positions.

The Chinese leader Zhou Enlai saw the problem but seemed wary of coming to a firm conclusion about how to deal with it. When asked whether the French Revolution of 1789 was a good thing, he is alleged to have replied: "it is too early to say" (Zhou, 2011).

Consequentialism is no easier in retrospect than it is in prospect.

#### **3.3.1.2.4 Coming to Conclusions about Consequentialist Reasoning**

Yet consequentialism has many adherents. On the one hand, many regarded as leading ethical philosophers – Moore in the early twentieth, and Warnock and Singer contemporaneously (Singer, 1993b; Shafer-Landau, 2010; Warnock, 1998:pp 12, 69; Moore, 1903: eg pp 22-23) - support the idea. The reasons are, I think, two-fold.

First, once the "good" has been decided it provides a *conceptually coherent* means of deciding the "right", against which is it hard to argue. If such-and-such a course of action leads to more good than the other, or at least to a greater balance of good over bad, or pleasure over pain, or justice over injustice, or wealth over poverty, or health over sickness, then common sense says it must be right to choose it. This may well be so. But it means consequentialism is essentially a tool, and a conceptual rather than a practical one. However, in simple cases it may well be possible to establish the balance of good. Norman captures the appeal of consequentialism in his comment : "It can hardly be

denied...that some dilemmas are properly dealt with by weighing one set of harms and benefits against another” (Norman, 1995a: p 46). In complex ones, as I argue above, it still leaves us guessing: “The problem was that one just did not know enough about what would happen afterwards, if one did nothing or if one did something” (McCall Smith, 2004b: p 124).

Second, consequentialism has a certain “utility” - in the sense of expediency. It has long provided a basis for investigating the needs of public policy in the UK (Hare & Magee, 1978: p 126). Pettit seems to take it for granted that governments would behave this way (Pettit, 1993). Warnock argues that it is the best approach – but there is here an explicit assumption about whose interests should be measured (the weaknesses in which argument have already been discussed above):

*...broadly speaking, in trying to decide what it would be best to do, legislators should be consequentialists....each member of society should count for one and no-one should be given special consideration.*  
(Warnock, 1998: p 68.)

This role in public administration perhaps derives not only from recognition of the point about conceptual coherence. It is also practical. It leaves “wriggle room”. It can be manipulated to support contradictory policies. And, as argued above in the discussion of “impartiality”, this is a custom as honoured in the breach as in the observance; in the real world there are always felt, or seen, to be winners and losers from every significant policy.

Consequentialist reasoning is thus in no sense a silver bullet solution to ethical problems. It raises as many questions as it answers. It does however leave us with a default presumption that, all things being equal, if one course of action seems likely to cause more good than harm, that will be the right one. That is an imprecise formulation, but such is the nature of consequentialism.

It is like a computer program: “garbage in, garbage out”; and if the programmer has inserted meanings for “the good” we do not agree with, we will not agree with the recommendation for “the right” either.

### 3.3.2 Deontological Ethics

#### 3.3.2.1 *The Deontological Approach in General*

The descriptive elements of the account below are owed mainly to Shafer-Landau and Davis (Shafer-Landau, 2010; Davis, 1993).

Deontological ethics contrasts sharply with consequentialist ethics.

Consequentialism does not characterise any actions as wrong in themselves, not even rape and murder (Shafer-Landau, 2010: p 134). Deontological approaches see actions as valuable in and of themselves, and not in terms of their consequences. They make no distinction between the good and the right (Davis, 1993). If consequentialist thinking is predominantly about *calculating* the “right”, deontological ethics is predominantly about *asserting* it. When deontologists explain what makes their prescriptions good, they may fall back on a version of Kantian thinking (Davis, 1993), of which more below, or they may simply “turn away in disgust” treating their challengers as “not worth taking seriously” (Blackburn, 1998: p 25), suggesting, perhaps, some form of intuitionism.

Typically deontological approaches give a list of prohibited actions usually expressed in negative rather than positive form – so, “do not lie”, rather than “tell the truth”; “do not kill”, rather than “always preserve life”, “do not cheat” rather than “always be honest” (Crisp, 1995). I follow Davis in calling these rules “deontological constraints” as this carries less baggage in terms of day-to-day meanings than expressions such as “laws” or “prohibitions” (Davis, 1993: p 208).

This is because the positive forms could have unwanted implications. Suppose one adopted “preserve life as far as possible” as a main rule. It might be used to justify killing (say) two people on the street to provide transplant organs for four or five. On the other hand, in our schematic example of the innocent carrier (3.3 above), it might be helpful. An agent would be faced with having to break the constraint once in killing the innocent carrier, but in doing so, he would preserve the lives of the many. The traditional example derived from Kant is the would-be murderer who demands to know where your close friend is (Sandel and Conefrey, 2011). If the form is “do not lie”, the argument is that you are

permitted to mislead in some way eg by saying you knew he was in the supermarket ten minutes ago (true), and not disclosing that he is now in your room upstairs. If the form was “tell the whole truth at all times” you do not have that escape route.

Deontology needs some such pressure valve. This is because it (normally) wants to be distinguished from moral absolutism, the claim that some actions are *always* wrong whatever the consequences or other aspects of the situation (Norman, 1995c). The negative formulation of its constraints is part of one of the ways it avoids this charge. In contrast, in consequentialism, there is a conceptually, if not practically, straightforward way of choosing between apparently conflicting right actions: calculate the balance of good from each of them and choose the better balance. This route is not available in deontology. For one thing it does not distinguish between the right and the good. In our schematic example of the innocent carrier of a fatal disease (above, 3.3), you cannot, on the basis of the deontological constraint against killing the innocent, shoot him. Many deaths will ensue as a result. Can the deontologist absolve you from the responsibility for these deaths? If the constraint is that you should always preserve innocent life, then you are caught in the trap of refusing to kill one innocent knowing this will lead directly to the death of many innocents.

This seems a perverse position. Deontological approaches seek to get round it through setting great store by the difference between the effects *intended* by actors and those which they may *foresee*, but not intend. To shoot the innocent carrier dead, with that *intent*, contravenes the rule that you should not take innocent life. You may *foresee* the consequent deaths in the village, but you do not intend them. It is thus not permissible to kill the innocent carrier, and the other consequences are not to be taken into account. The unwanted but inevitable outcomes, multiple deaths of innocents in my schematic example, are sometimes characterised, perhaps dismissively, as “side effects” (Dent, 1995a) or “collateral damage” - of lesser importance.

This is the doctrine of double effect (Norman, 1995a: p 90; Dent, 1995a). You may carry out a good act which has bad side effects, as for example, in giving high doses of pain killer *intentionally* which relieve the patient’s symptoms (good) while hastening their death (bad if intentional, acceptable if only

*foreseen*). Conversely, you may not carry out a prohibited act just because it has good consequences. To the extent that this can be readily reframed in terms of an argument about which was the principally intended result, and which the side effect, this does not seem to be an unarguable proposition. In the schematic example, can I not say – my principal aim is to prevent the deaths of the villagers and the death of the carrier is an unfortunate side effect? There seem to be two issues here. The first is that as mentioned above, deontological ethics tends to cast its principles in negative, not positive, terms – so *do not kill*, not *preserve life*. A concealed premise in this argument which may make it more understandable is that deontology tends towards the “agent relative” (Sandel and Conefrey, 2011) – it is primarily concerned with what it is right for *an individual* to do. This does not however quite deal with the issue. Suppose we add to the schematic example that the carrier knows he is a carrier and plans to enter the village deliberately with the intention of passing on his plague or recklessly not caring. It may be bad for me to kill the carrier, but why is it right for me to allow him to kill the villagers? If killing the innocent is the problem, surely, I protect more innocents by killing the carrier. Perhaps it softens the harshness of the position to acknowledge that neither the side effect nor the agent relative argument is (without prejudice) intuitively a totally complete and effective defence: “[f]or the deontologist, an act may be permissible without being the best (or even a good) option” (Davis, 1993: p 209). So whether the intention of the agent is good enough to achieve distance from moral absolutism “remains a matter for debate” (Norman, 1995c).

Deontology gives itself further “wriggle room” through the distinction between acts of commission and of omission. Suppose the innocent carrier (he is now again ignorant of the fact he is a carrier) is himself already sick with another disease which is invariably and quickly fatal if untreated but easily curable with the right drugs. These you have with you, along with your rifle. Following the deontological model, you cannot shoot him dead. However, if you do not treat him, he will die outside the village, and its inhabitants are saved. The outcome is essentially the same as if you shot him, and this would be all the consequentialist would be concerned with. But from the point of view of the deontological thinker, you have also done as required. You were prohibited from killing the carrier, and you have not carried out an act which did that.

There is a third priest-hole for deontologists. Some deontological writers will admit that in “catastrophic” cases it may be necessary for a constraint to give way. Here I follow Davis and her references to Fried’s *Right and Wrong*, 1978 (Davis, 1993: p 217-218). Suppose that (in a very thin schematic example) if you do not kill innocent person A your nation will be destroyed. Fried accepts that you can kill A in this situation. He argues that the situation is a “catastrophe” and the catastrophic is a distinct concept “identify[ing] the extreme situations in which the usual categories of judgement (including the category of right and wrong) no longer apply” (ibid). Davis asks what it is that distinguishes the catastrophic, and what it is about it which enables us to abandon our constraints; no answer is given. This suggests that the concept of catastrophe needs discussion. But for me this also illustrates the dangers of substituting schematised examples for argument. Here the schema seems to be unreasonably demanding. Does one have to imagine oneself a fanatical Russian communist, in a room with (say) President Kennedy as he presses the nuclear button after Khrushchev has stood his ground instead of giving way? (Perhaps Kennedy would not then be “innocent”.) Or are we thinking of the possibility of killing (say) Hitler before... Suppose we could have shot Hitler, possibly to save Poland, Czechoslovakia, Austria, Soviet Russia, or the United Kingdom and so on (or Stalin, or Mao)? At what stage are we going to do it? When he is showing signs of annexing Austria, after occupying the Ruhr and the Sudetenland, at which time there is already a political class who will be capable of carrying on his policy and minded to do so, and also likely to be encouraged towards revenge by their leader’s murder as Bush was by 9/11? Or when he is a struggling artist in Vienna, when he has shown no sign of genocidal capability at all? What ground would one then have...? Or when we read *Mein Kampf* and think lunatics should be purged from the race...the catastrophe argument is a symptom rather than a solution.

Deontology has the advantage over consequentialism that it usually expresses its prescriptions in clear straightforward terms that are readily understandable by a moral agent, and it avoids cumbersome, problematic and potentially stifling calculations of advantage (Blackburn, 1998: p 39). Blackburn characterises it as the ethics of the police and the law courts (Blackburn, 1998: p 30). It has the great merit of certainty. Sometimes, however, it will be the

distributor of rough justice in the form of unwelcome or hard-to-implement conclusions, especially in contexts which the constraints were not designed for.

### 3.3.2.2 *Prima Facie Duties*

Deontological ethics has problems in dealing with conflicting principles or situations because, when faced with such a conflict, it is very reluctant for either side to give way. There is however a simple move which can largely deal with this: if the rules are not (all but) absolute, many (if not all) the problems disappear. And this is what happens with Ross's *Prima Facie Duties*. The following is based on Shafer-Landau's and Dancy's descriptions and commentaries on Ross's work, mainly *The Right and the Good* (Oxford, 1930) and *Foundations of Ethics* (Oxford, 1939) (Shafer-Landau, 2010: pp 220-233; Dancy, 1993).

This "move" – accepting that duties can conflict and that making one give way to another does not destroy its force in other situations – roughly represents Ross's position when he argues for what he called "*prima facie* duties" (Shafer-Landau, 2010: p220-233; Dancy, 1993). We can (he argued) more or less agree on a range of duties which simultaneously represent the good and the right. However, in some situations we can see that we might set them in different orders of priority. Take our schematic example of the innocent carrier. We certainly have a duty not to kill him. However, we have a duty to preserve the lives of the village, and this seems a bigger moral imperative. An incidental benefit of Ross's approach is that we can couch our deontological constraints in positive rather than negative terms, because it would regard unwanted consequences as issues to be argued about and resolved. And "preserve life" has a wider – so more comprehensive and helpful - scope than "do not kill the innocent", though that implies also something potentially more demanding and thus controversial in its application.

The power of the imperative is not however the result of consequentialist reasoning, which, Ross argues, can give a "wrong" answer. Rather it is based on an assessment of the whole context which reveals which is the more powerful duty on that occasion. Such a case might arise in the case of conflicting promises. Suppose failing to fulfil the promise made first, causes marginally more *pleasure* to the second promisee or marginally less *pain* to the

first promisee than failing to fulfil the second. Ross would say that to act on that alone would be to deny the value of promise keeping and this might tip the balance (Dancy, 1993).

Being overruled is not only *not* fatal to the claim of a *prima facie* duty to be such, but the *prima facie* duty in question continues to exist as a factor in the situation weighing on one side. It is likely that if we do choose to overrule it, we will regret it – not to the point of thinking we chose wrongly, but to the point of recognising that the argument was not all one way (Shafer-Landau, 2010: pp 220-233; cf Tiberius, 2008: p 168). “This [process] is inescapably a matter for judgement, according to Ross, and theory cannot help at all” (Dancy, 1993: p 221).

Ross was an intuitionist: he thought the *prima facie* duties, specifically, their intrinsic goodness and rightness, could be established as it were by inspection. They are self evident, the meaning obvious to anyone who thinks seriously about the issue, in much the same way as two people have to agree that the wall is red – if it is, and they are not insensitive to colour (Stratton-Lake, 2002). This is not entirely unreasonable; all argument must have an agreed, or at any rate a, starting point to avoid infinite regress (Shafer-Landau, 2010: pp 227, 231). However, he did not hold that *all* moral judgements were of this type. The world is messy and complicated. We can only learn by experience, and in relation to “duties proper” – not the *prima facie* duties, but what we actually have to do in the real world today, after the exercise of our judgement – we cannot know for certain but only on the balance of probabilities (Dancy, 1993; Stratton-Lake, 2002). Ross would not claim certainty in duties proper.

The idea of *prima facie* duties has some attractive properties. Anecdotally, I believe many people would say that they balanced features in a situation to choose a course of action, and they would not claim it was always right – or, on the other hand, that they did not take consequences into account. This reflects the second attractive property, namely that the theory recognises that the world is complicated and it is counter-intuitive and against our experience to suppose that there is ever one and only one source of goodness (religious arguments apart). Indeed, both consequentialist and deontological theories fight hard to find ways to admit this without giving up their claim to relying on a single

principle. These are welcome touches of realism. But intuition might not be the best means of incorporating them into ethical discussion; perhaps an account more closely derived from the actual experience of how humans inter-relate would be more effective (Norman, 1995a: pp 25-26 and see below 4.3 and 3.4.).

### **3.3.2.3 Kantian deontology**

#### **3.3.2.3.1 The Categorical Imperative – the Formula of Universal Law**

Kant's writings are widely recognised as enormously influential (Russell, 1946) – and yet also as having failed in their aim of providing a source of ethical principles which was incontestable. Kant sought to find a procedure, perhaps well described as a philosophical one not tainted by practicality, which would yield right moral prescriptions and which relied on the operation of reason alone.

To this end, he identifies two main sorts of prescription or imperative, the hypothetical and the categorical (Graham, 2004: pp 108-110; Paton, 1948: p 27; Kant, 1785/1948: pp 78-80). "Hypothetical imperatives" in general start from a human motivation and proceed to recommend an action, a means to realise an end. He divides them into two kinds, a "technical" imperative of "skill" and a "prudential, assertoric" imperative (Kant, 1785/1948: p 79). A (modern) example of the first is as follows. "If you want to pass the driving test, you will have to learn to reverse accurately." To someone who has no interest in or desire to pass the driving test, it is easy to simply reject the recommendation. Assertoric imperatives promote "... a natural necessity". Perhaps an example might be "eat, if you wish to live". They are *a priori* and can be presumed present in everyone because they are essential to our well-being (Kant, 1785/1948: p 79). Nonetheless they are still not "universally binding"; they can be rejected without contradiction (Graham, 2004: p 109; Kant, 1785/1948: pp 78-80).

Kant distinguishes a third imperative, the "moral" categorical imperative. It differs from the hypothetical in lacking a conditional based in the psychology or desires of the agent, but it relies instead on the agent's status as a rational being; this is how Kant argues that its "truth" does not reside in features of the

individual but in humanity as a whole. Its basic form, known as the Formula of Universal Law, is

*Act only on that maxim through which you can at the same time will that it should become a universal law.* (Kant, 1785/1948: p 84.)

This is not the place to analyse the intricacies of this argument in detail (Kant's philosophical writing is described by Grayling as "ferociously difficult and highly technical" (Grayling, 2003: p 150)), but to identify the points significant for this work. The maxim is the *reasoning* of the agent. What the categorical imperative seeks to do is to transform it into what *could* be a general binding "law", or rather, to assess it to see whether it can be transformed in this way. We do this by asking whether when we examine that reasoning we could accept it as something which could be generally implemented as a moral rule. If so, then it passes the test and we can act on it. This is the principle of universalisability.

This is widely seen to fail as a general principle – albeit honourably (Graham, 2004: pp 98-127). Kant gives four examples of universalising maxims (Graham, 2004: pp 98-127; Kant, 1785/1948: pp 85-6). To take just one to investigate the principle, Kant considers a person contemplating suicide. He argues that the person's "maxim" is "[f]rom self-love I make it my principle to shorten my life if its continuance threatens more evil than it promises pleasure" (Kant, 1785/1948: p 85). But self-love is the same principle "whose function is to stimulate the furtherance of life" and it is being asked here to support the very opposite – to contradict itself (Kant, 1785/1948: p 85). To my mind Kant has made a point very good in itself. However, there seem to be two reasons why we might not feel it was systematically compelling. First, it is not quite clear why anyone else should form the maxim the same way. People have committed suicide through motives other than "self-love". They may experience self-loathing after what they consider to be a vile act – some perpetrators of child abuse and most random mass murders in the United States and the United Kingdom (Hungerford, Dunblane, Cumbria) have apparently killed themselves for this reason. So the maxim Kant formulates is one approach and not necessarily a universal one. Second, Kant, in setting the scene, stipulates that the man is still "in possession of his reason". Arguably this is precisely what many suicides are not, including sufferers from dementia, say. So his principle – don't commit suicide - would not in any event be universal for contingent

reasons. Graham argues that all four cases fall at these hurdles (Graham, 2004: 98-127).

Graham believes this may mean nothing more than that Kant was a bad writer of examples. However, he also finds himself unable to put together one which stands up in the way Kant intended, suggesting the problem goes deeper. Graham and Shafer–Landau argue that universalisability can allow *too wide* a range of “maxims” (Shafer-Landau, 2010: p 154; Graham, 2004: pp 98-127). In particular it allows the “sincere and consistent Nazi” maxim. (I am following Graham’s outline.) Supposing the Nazi’s maxim to be “All Jews should be killed (even those useful to the Nazi regime)” then this would probably have put some leading Nazis in the position that they should themselves be killed if they had Jewish ancestry (a far from impossible situation (Wikipedia., 2011a)). To be consistent they would have to condone their own death. If they failed to submit, they could be accused, at least, of hypocrisy or special pleading. There would however be nothing inconsistent or logically contradictory about consenting to be killed. On the other hand, suppose my maxim is “never kill people just because they are Jewish”. This seems to be equally capable of being universalised in this sense – but it yields exactly the opposite conclusion. There is nothing in Kant’s categorical imperative to distinguish between the two maxims and it fails as a means of choosing which of two contradictory moral rules to follow. Kant “...cannot provide the means by which to decide right from wrong” (Graham, 2004: p 120).

Perhaps that can best be seen as a way of re-emphasising the inability of the categorical imperative to decide conclusively between two approaches – at least, in the form of the Universal Law.

However, to my mind that does not quite deal Kant’s universalisability a death blow. Partly, universalisability *helps to define* cases where clearly it would be wrong to act in particular ways. Graham argues that it particularly picks out those cases where, if everyone behaved (badly) in a particular way, the act under consideration would be impossible (Graham, 2004: p 114). His example is cheating, whether (presumably) commercial, in exams, or whatever. If this were universal, life (at least as we know it) would be impossible. So the mass of

people do not do it; and therefore for any one person to try to act in the (bad) way envisaged would be special pleading.

This perhaps shows exactly what universalisability can do for us. Hare argues that the role of the word “ought” – the main modal verb in prescriptive ethics – is such that any statement of the form “I ought to do such-and-such” includes the meaning that the prescription would apply to anyone in any situation which was like the present one in every material respect. This descriptive quality is widely drawn to include not only the facts of the situation, but also the “characteristics of the people in it, including their desires and motivations” (Hare, 1993: p 456). Universalisability, says Hare, should not be confused with generality: the prescriptions can be quite closely written, and do not have to be “very general and simple”. This reads almost like a correction to Kant to whose formulation Hare refers. Kant says “never tell lies” but Hare’s version can run to many words: “Never tell lies except when it is necessary in order to save innocent life, and except when... and except when...” (Hare, 1993: p 457). Hare recognises this can be very complex and subtle: “In a morally developed person, the exceptions may get too complex to be formulated in words” (Hare, 1993: p 457), he says, adding that principles which are not too specific can be useful in the world as it is. (Perhaps there is a handicap in being too morally developed; it may become hard to communicate our meaning to ordinary mortals.) However, the principle that what is sauce for the goose should be sauce for the gander is intuitively plausible, and we would, I believe, be very suspicious of moral argument which put onerous requirements on everyone but the advocate. Analogously, equality before the law is said to be a critical part of the rule of law. Universalisability looks like a necessary, if not a sufficient, condition for a valid moral rule (Lucas, 1966: pp 128-129; Downie, 1995; Swartz, 1997), at least in the sense that if two cases are to be treated differently, we must be able to specify what the relevant factor is which requires or enables this.

### **3.3.2.3.2 The Categorical Imperative – the other formulae**

However, perhaps this argument about Kant’s categorical imperative and universalisability includes an element of *ignoratio elenchi*. We may be criticising it for one thing when, actually, wholly or partly, it was intended to mean

something slightly different – as part of a whole the real strength of which lies elsewhere.

We have criticised the *form* of the maxim as being not merely arbitrary and not universalisable, but capable of being hijacked for evil ends. This is not merely theoretical; Arendt's account of Eichmann's trial quotes him as basing his philosophy on Kant (Graham, 2004: p 121).

However, this is to look at the first formulation of the categorical imperative and to unjustifiably privilege it above the other formulations.

Kant does not stop at the first formulation, but claims that it can be developed into, or entails already, the following:

*Act in such a way that you always treat humanity, whether in your own person or that of another, never simply as a means, but always at the same time as an end.* (Kant, 1785/1948: p 90.)

This is known as the "Formula of the End in Itself" (O'Neill, 1993; Paton, 1948) or the perhaps more evocative Formula of Humanity (Blackburn, 2001: p 106). However, Kant's ethics has two other cornerstones: the Formula of Autonomy and the Formula of the Kingdom of Ends. (There is a third – making five in total – but arguably the Formula of the Law of Nature adds little to this argument.)

In the Formula of Autonomy, the "will of every rational being [...] makes universal law" (Kant, 1785/1948: p 93). (I take "every rational being" to mean every adult. Whether particular adults, the insane, or young children, fully fit the definition will make little difference here.) The will "mak[es] the law for itself and precisely on this account [is] first of all subject to the law (of which it can regard itself as the author)" (Kant, 1785/1948: p 93).

In the Formula of the Kingdom of Ends, "kingdom" means "a systematic union of different rational beings under a common law" (Kant, 1785/1948: p 95) – perhaps it would be better rendered in contemporary English as a "community". The rational being has two roles in this community. He is a member; but when he makes his universal laws, he is also its head, when "he is subject to the will of no other" (Kant, 1785/1948: p 95). Now, this cannot therefore be a community in the sense that (say) a political entity such as country is one, with a legitimising apparatus such as a parliament for specifying all the law; it would not be possible to change the law for all every time any individual decided to

act. Russell thought that if each person was an “absolute end”, this might be read as creating just that impossible situation. However, he allowed the possibility that a less stringent interpretation, such as I give here, could allow the same principle to stand as a foundation stone of democracy (Russell, 1946: p 684).

So what this theoretical being is doing is exercising his very special status as a rational, autonomous being who must take into account others’ status as rational beings and as ends in themselves, in deciding how he will act. Kant argues a very high status for *each* individual. Indeed, morality is not confined to an educated elite, and Kant held that the man in the street had a reasonably good grasp of the subject (Grayling, 2003: pp 153-154). His “formulae” thus involve an egalitarianism far more thoroughgoing, more fundamental and more convincingly integrated into the central theory than that displayed in consequentialism (above). In consequentialism, it has to be imported from outside.

Once these developments of the theory are taken into account, some of the criticisms made above of the first formulation drop away. The sincere and consistent Nazi cannot possibly look to Kant for support. In proposing to enslave the slaves, or to exterminate members of lesser races, he plainly runs foul of the Formula of the End in Itself. But it runs even deeper than this, as the formula of Autonomy tells us all human beings are effectively equal members of the Community of Ends and must treat the other members with respect (O'Neill, 1993; Kant, 1785/1948); one might say that the soul of Kantianism was against the concept underlying racialism.

There is a further sense in which some criticisms of Kant miss the target. It is the same mistake Russell almost made (above Russell, 1946: p 684), namely to see the law-making in literal and social terms. Rather the laws are personal and notional; they are the rules we live by ourselves in our private lives; they are not the law of the land or even generally accepted social rules of conduct. We are nearer to virtue ethics here than to jurisprudence. Kant insists that the good will alone can be taken as good without qualification (Kant, 1785/1948: p 59). This is essentially a matter of motivation not of outcomes; almost the contrary of contractarianism (see below).

Nonetheless, for use in the practical world, O'Neill identifies a number of principles founded on the Formula of the End in Itself, in a very brief sketch. Kant espouses a limited beneficence, needed to help others develop their ends. We cannot refuse a request for needed help, though in practice we cannot offer comprehensive assistance to all. This contrasts with consequentialism's unlimited and uncontrollable drive to maximise good. We must develop (to some extent) our own potential to support this beneficence (O'Neill, 1993).

I began by saying that Kant was very influential in philosophy (c.f. Russell, 1946: pp 677,682). The Formula of the End in Itself is argued by O'Neill to have had had the greatest cultural impact of all Kant's thinking. Indeed, Grayling too argues that it is not just on account of his own strict system that Kant has influenced thought, but rather through what it represented and what has been made of his ethical enterprise and its conclusions. He quintessentially represented the eighteenth century Enlightenment (Grayling, 2003: pp 150-157).

My account here is sympathetic. This is for three main reasons. Kant's account does not depend on a deity for authority. (In some of his writing, if not all relevant work, Kant introduced a god to give limited support for the idea that doing right would also do good in the sense of produce happiness (Paton, 1948: pp 37-38).) Second, in the absence of any external source of goodness, he founds his system on mankind, and in particular on a key feature of it, namely its ability to reason; he is determinedly humanistic. Thirdly, he argues his point systematically, comprehensively and without compromise. "Many people," writes Blackburn, "think Kant offers the best possible attempt ...to justify ethics on the basis of reason alone" (Blackburn, 2001: p107). Kant may be "ferociously" intellectual, and there may be weaknesses in his scheme, but the solid grounding in humanity in both senses, and those practical principles as articulated by O'Neill, form part of a balanced and integrated approach to some of the practicalities of society. In their apparent cosmopolitanism – assuming the equal dignity of all mankind (Atack, 2005: p 1) – they are resonant with much contemporary thought.

### 3.3.2.3.3 Assessing deontology

Deontology, like consequentialism, has a number of variants. Some simply assert the identity of the good and the right, and this requires fancy footwork to get it out of trouble – in which it may, or may not, succeed. However, in the systematic technicality of Kant, and the down to earth intuitionism of Ross, it seeks to integrate the good and the right in ways which may not answer all questions, but which make honourable attempts at doing so. Whereas consequentialism constantly tells moral agents to “go figure”, deontology provides some specific guidance for action and the future. However, to my mind it does not give especially compelling reasons to follow that guidance. *Prima facie* duties rely on intuitionism, and that seems to slide all too easily into relativism if not subjectivism. Kant’s five formulae taken together as a whole, are more attractive because they are coherent - they relate their precepts to the social context in which they have to operate. This is the special territory of the next group of theories.

### 3.3.3 Contractarian Ethics

The family of theories labelled “Contractarian” or just “Contract”, consider how people should behave in communities, specifically political ones, and they are sometimes considered political as opposed to ethical theories. However, in Aristotle and Plato politics and ethics were not so sharply distinguished and were seen as opposite sides to the same coin. Both dealt with how to behave in the *polis*.

Contract theories have a number of features which emphasise aspects of ethics which are useful in this work. To my mind they give a (reasonably) consistent, coherent and compelling answer to the central question *why should we do what is right?* and helps answer *why should we behave towards each other in particular ways?* It is therefore useful in this work; and also because the “family” exposes very contrasting views of what human nature and society are like which can help in deciding issues of whether we should do harm.

The basic role of the notional contract is to provide a starting-point from which to argue that people have a reason to co-operate with their fellow citizens and a duty to the state. These are founded on the idea that they have agreed to

surrender some liberty in return for the benefits of living in society. There probably is no actual case in history where people have transformed themselves into citizens of a state by contracting *en masse* with rulers or each other in the literal sense (Kymlicka, 1993; Lucas, 1966: p 284). (In a limited way the naturalisation process may be an example for a small number of people.) And if in fact a group had contracted in this way, there is no obvious reason why the contract should bind successor generations (Lucas, 1966: p 284).

The idea of a contract of this sort is however very familiar in other situations. Many people have joined sports clubs, churches, unions, universities, employers, and the like, where they consent to be bound by the body's constitution or rules. Here, the benefits gained, and the relative costs, are clear, immediate and obvious, and they change only within reasonably predictable limits. Nonetheless they are slight compared to membership of a state. The state provides benefits such as protection from internal crime and external attack (Walzer, 2006: p 54), and the maintenance of economic infrastructure. However, the State's position is less like a contracting party than smaller organisations. The latter's rules are more focused and certain than in the case of states or societies, which continue through time and therefore through many new situations to which they may have to adapt in fundamental ways (so presumably should the nature of the contract – eg from feudal to modern), without members being able to explicitly negotiate or “resign”. Yet certainty is what a contract in law seeks to give (Lucas, 1966: p 285). So there is little real basis for using the analogy of a contract – or the name, other than the convention that some theories are called “contract” or “contractarian” theories, which I continue to follow.

Kymlicka concludes that there no such things as “contract theories, for that label does not explain either their premises or conclusions” (Kymlicka, 1993). Rather there is a contract *device* which various theories use for various reasons, which I discuss below.

### **3.3.3.1 Three Contract Theories: the good, the bad and the ugly**

Contractarian ideas are found in Plato (Shafer-Landau, 2010: p 178) but the idea burst into the politics of the enlightenment though Rousseau's charismatic work *The Social Contract* (Berlin, 2003: pp 28-49; Dent, 1995b; Rousseau,

1762/1998). Rousseau combined what might for brevity and with charity be called an arch-Kantian view of the individual's moral significance (O'Neill, 1993: p 179) and need for autonomy with a Calvinist strictness in his attitude to collective moral rules and behaviour. These centrifugal forces he was able to combine though the operation of the "general will". If it was quite unacceptable to expect the individual to give up freedom through being coerced to do so by state power, well, it would cease to be so if the individual willed it – albeit notionally, through the medium of a social contract. And if all individuals willed it, through the general will, then the state could do as it liked, precisely because all individuals willed it; and in particular it could coerce those whose moral stature was insufficient to see the rightness of the state's actions. He wrote:

*...the general will is always right...Men always desire their own good, but do not always discern it; the people are never corrupted, though often deceived, and it only then that they seem to will what is evil...If the people came to a decision when adequately informed and without any communication among the citizens, the general will would always result...(Emphasis added; Rousseau, 1762/1998: p 29.) ...[the citizen's] life is no longer merely a gift of nature, but a conditional gift of the state.(Rousseau, 1762/1998: p 35.)*

It is these claims that individuals culpably do not know their own mind and can be misled by "factions" or even discussion amongst themselves, and that the state can therefore force them to behave rightly, that (to my mind) distinguish totalitarian from merely authoritarian regimes (c.f. Berlin, 2003: pp 27-49; Dent, 1995b). But not for nothing do both Dent and Berlin refer to Rousseau's fragile mental health; and what looked like Kantian autonomy at the beginning of Rousseau's intellectual journey has become even-more-than-Hobbesian coercion by the end.

Hobbes's version notoriously argues that for humanity to live in "a state of nature" was so unpleasant an experience that there would be no social life, no art, no letters, "continual fear and danger of violent death; and the life of man solitary, poor, nasty, brutish and short" (Hobbes, 1651/1996: p 84). To avoid this, people would put up with much loss of liberty, if that was what it took to make life tolerable. In consequence the power of the sovereign (the head of state) could be virtually unlimited, by (again notional) contractual agreement (Kymlicka, 1993). Kymlicka sees Hobbes as allowing the effective enslavement of people and the exploitation of the weaker by the stronger. Essentially this

was the principle that might is right, and not, therefore, Kymlicka argues, recognisably an ethical principle at all. However, in Hobbes there is a compelling reason to support surrendering some personal autonomy – naked self interest, in terms at least of protection from disorder; “a secure answer to the moral sceptic” (Kymlicka, 1993).

The basis of Hobbes’s argument is essentially different from (say) Kantian humanism in that it develops from what Hobbes calls (near-enough) equality of power – physical and mental - amongst people (Hobbes, 1651/1996: p 82) as opposed to equality of moral status. Rawls, in *A Theory of Justice* (London, Oxford University Press, 1971), puts forward what Kymlicka calls a Kantian version of the contract approach which precisely does develop from this latter concept (Kymlicka, 1993). Such theories insist on impartiality in the choice of terms to the social contract, but need to find ways to implement it, or rather, imagine it happening. Rawls uses a device he calls “the veil of ignorance”. We are all hidden behind this screen during the wholly notional process of contracting. The veil prevents us from appreciating our own advantages or disadvantages or those of other people. We do not know the position we will take up in society. Thus,

*...asking people to decide what is best for themselves, has the same consequence as asking them to decide what is best for everyone considered impartially...as I must put myself in the shoes of every person in society...since I may end up being any one of those people.*  
(Kymlicka, 1993.)

Blackburn suggests the fair contract approach is intrinsically flawed (Blackburn, 1998: p 272). People may want better than what is fair, or they may misjudge the situation so that they accept less than what might be considered fair if information were perfect. However, if one introduces *some* assumptions about human nature (such as the “incomplete unselfishness” or “fallible judgement” described by Lucas (Lucas, 1966: p 2) and implied by Blackburn here) it is not obvious why one should exclude *others*. Indeed, Rawls does make some other assumptions. He gives the contractors “a dislike of risk, a concern for the fairly long term” and a desire for the basic necessities of living (Blackburn, 1998: p 273). Rawls argues that as a result these

*...impartial contractors would agree to distribute resources equally,*

*unless the inequality is to the benefit of the less well-off.* (Kymlicka, 1993.)

So, we would all be impartial, but only partially. Rawls expected his scheme to produce, in Blackburn's words, a choice for a "legal and economic system closely resembling those of modern welfare-state democracies...with a substantial budget of freedoms under the law, and a substantial welfare floor" (Blackburn, 1998: p 273).

With other assumptions, other outcomes would be possible "as Rawls admits" (Kymlicka, 1993). So what we have here is exactly what we had in the case of consequentialism: the assumptions we feed in determine what we get out. Rawls's assumptions are not neutral at all, and, as in consequentialism, it is they, rather than the procedure for establishing (a version of) the right, which need the attention and the discussion (Blackburn, 1998: pp 269-278; Kymlicka, 1993).

Our contract theories have thus yielded one deeply unattractive result (Rousseau's), one highly ambiguous one which we might find compelling in some situations but which we might otherwise be repelled by (Hobbes's), and one procedure carefully weighted to favour a particular outcome. Much as I may favour this outcome myself, I am not sure how I could "sell it" to people who differed significantly in fundamental approach - for example, the sincere and consistent Nazi (see above) or a fanatical follower of a religion who believes states should be run by religious zealots (Ruthven, 2007). Neither of these would find it easy to treat all other contracting parties as their equals (Blackburn, 1998: pp 273-274). Is contractarianism as unhelpful an approach as it is beginning to sound?

### **3.3.3.2 Contract theories – the good, the right and the process**

There is no question of a literal contract, and nor does a notional one seem to help much. However, contractarian ethics starts from the fundamental fact that humanity is gregarious and we live in communities. Without this, there would be limited need to have an ethical philosophy. (*Pace* Shafer-Landau (Shafer-Landau, 2010: p 183), not no need at all; a virtue ethics which promoted

temperance, courage and wisdom might be positively useful (see below), and one might wish to preserve one's environment.)

Given that we do live together, there is a good reason why communities should be well regulated; it is in everyone's interest. Many of society's benefits are, of their essence, joint and cannot be enjoyed individually – such as political autonomy (Fabre, 2008), but they require regulation, at a basic level, to be exercised effectively (Citrine, 1943). There is no doubt that violent disorder is, *ceteris paribus*, something most people would wish to avoid – assuming that the sovereign was (reasonably) just (Kymlicka, 1993: p 187) and not the source of (too much) arbitrary violence. However, if Hobbes sought to argue that man's natural state was “war of every man against every man” (Hobbes, 1651/1996: p 84) – that is to say, that there would always and necessarily be perpetual violence unless there was a sovereign to stop it – the argument is false. People in primitive and complex societies self-organise sometimes entirely and sometimes largely without violence (Dentan, 2004; Dobinson, 2004). The idea that contractarian ethics is essentially about individuals combining together for minimal protection needs (Lucas, 1966: p 284) ignores man's gregariousness. We have a direct practical interest in mutual co-operation on a daily and secular basis. I type this on a computer not one part of which do I have any idea how to manufacture. That we have such instruments is due to the division of labour, which has enabled the development of specialist theory and manufacturing skill (Smith, 1776/1993: p 18). Smith may not have been the first to describe this division but he was the first to elaborate it into a key part of a theory of economics and society (Sutherland, 1993: *passim* esp. pp xxii-xxiii). Today we take computers and many other things for granted. This phenomenon was familiar in the eighteenth century, when Smith wrote:

*...if we examine, I say, all these things, and consider what a variety of labour is employed about each of them, we shall be sensible that without the assistance and co-operation of many thousands, the very meanest person in a civilised country could not be provided, even according to, what we very falsely imagine, the easy and simple manner in which he is commonly accommodated. (Smith, 1776/1993: p 20.)*

Today “many thousands” might be perhaps replaced by “billions”. This does however require “a well governed society” (Smith, 1776/1993: p 18). It requires a great deal of co-operation between members and parts of society – eg in the

vital task of educating youth (Smith, 1776/1993: pp 420-436). It requires some measure of shared values or we would not have the basis of communication or living together (Lucas, 1966: *passim*, esp. pp 2, 284-301).

Without this co-operation and sharing of values, we would have developed over the millennia none of the direct economic benefits we now enjoy and nor would we have the social and individual benefits of modern medicine or the pleasures of the arts, sports and so on. Of course, some question whether we make entirely the best use of the economic benefits (Singer, 1993b: pp 218-246).

That there is such an argument is perhaps the point. On the one hand we have very compelling reasons to co-operate (Shafer-Landau, 2010: pp 183-184). We do not have to imagine some mythical contract-making to put forward the idea that we have some sort of obligations towards each other in return for clear benefits. They provide us with a strong reason to accept some rules founded in self-interest understood in a broad sense, but leave a wide field on which to allow contrasting views of the good and the right to fight it out (Shafer-Landau, 2010: pp 184-185). Those rules will be more than the minimum state, if that means that only the most basic protection from violence is provided; the association has to involve more than that if it is to be willingly followed (Lucas, 1966: pp 287-294). There has to be some further measure of shared values, or people will have no start-point from which to argue and build agreement (Shafer-Landau, 2010; Lucas, 1966: p 290). Kantian humanism (apart from the cold Formula of Universal Law) or Humean beneficence (Hume, 1751/2008) might be a base for this in the West. *Prima facie* duties might help guide some decisions, without making it a matter of mere obedience. Consequentialism might provide a help in assessing some of these arguments (*faute de mieux*). This is not the same as saying that everything will be straightforward. On the contrary, almost every proposition of ethics will be hotly disputed by at least some people (Lucas, 1966: p 290); this is realistic and supported by experience. These disputes will cover whether and how much they will arrange things to support the less well-off, protect themselves from Hobbes's state of nature, and resist Rousseau's pernicious doctrines. But contract theories start from the proposition that humanity lives in complex associations which require us to recognise each other's needs (understood in a wide, Kantian sense); and it is

an advantage for a theory, or an argument, to have a premise which is plainly true.

It does not however address directly what it may be like, as an individual, to cope with such an association, and that is the focus of our next section.

### 3.3.4 Virtue Ethics

Virtue ethics faces people rather than principle, in the sense that it looks at individuals' behaviours, characters and traits. It has considerable significance for this work as the harm or violence it considers is harm which individuals have decided to do (though it is perhaps less helpful than it might be – as we shall see). Virtue ethics has two main perspectives (Slote, 1995).

One holds virtue to be success or diligence in implementing the precepts of a pre-existing ethical system external to the agent, eg Kantianism or consequentialism. This is not an especially developed field. According to Pence, Blum writes:

*It is especially striking that utilitarianism, which seems to advocate that each person devote his or her entire life to the achievement of the greatest possible good or happiness of all people, has barely attempted to provide a convincing description of what it would be like to live that sort of life.* (Pence, 1993.)

I do not take this further on the ground that it would not add significantly to the discussion above in relation to the “external” ethical systems.

The other holds that virtue is “to be understood in terms of inner traits” (Slote, 1995). Shafer-Landau says that virtue ethics argues that

*An act is morally right just because it is one that a virtuous person, acting in character, would do in that situation.* (Shafer-Landau, 2010: p 241.)

This formulation has a number of problems. The first is that it would not be comfortable to be found arguing that (say) rape is wrong only because virtuous people would not do it (Shafer-Landau, 2010: p 256). At the very least one would feel like falling back on Kant's Community of Ends and say it was using the victim as a means not an end (but even that sounds anaemic).

The second is that it has at least the appearance of circularity (equivalent to “it is right because someone who is right would have done it”) and it calls to mind the Socratic Dialogue *Euthyphro* in which Socrates enquires whether the gods

are holy because they do good things, or the things are good because the gods do them (Lucas, 1966: p 234; Woodhead, 1953: pp 1-29). (To be fair, Shafer-Landau refers to this elsewhere (Shafer-Landau, 2010: p 257)). However, if there is a pre-existing theory of virtue which is distinct from right action, this would not be the case (Grayling, 2003: p 228).

The issue would however remain as to where the commendation of certain acts or dispositions as virtuous comes from. If it is based on outcomes of classes of action, we are dealing with a variant of consequentialism. If it identifies duties and focuses on lapses from it, we are in the area of deontology (Blackburn, 1998: p 35). It is possible to read Kant's insistence that only those acts which were motivated by duty – that is to say, disinterestedly following the moral law – as essentially, or at least in parallel, an exercise in virtue ethics. Here Kant's real focus appears to be on how an individual leads a good life. Later, from the Formula of Ends comes the imperative to develop one's own talents. This is arguably a particularly clear example of virtue development. The individual has to refine his own talents "since they serve him" (Kant, 1785/1948: pp 85-86) – and since we are later enjoined to serve each other in the Community of Ends, this needs to be read in the social context. They help everyone else too.

The origins of virtue theory lie in ancient philosophy, especially but not only that of Aristotle in the *Nicomachean Ethics* and Plato (Grayling, 2003: p 30; Shafer-Landau, 2010: p 241; Slote, 1995).

Grayling characterises Aristotle's ethics as aiming to answer the question "what is the best life for [humanity]?" (Grayling, 2003: p 228). Humanity seeks what its nature is to desire – later being joined by Hume in a similar starting point (Hume, 1751/2008). Aristotle, like Mill, sees happiness as what humanity desires, and coins the term *eudaimonia* for it. But this is no less a "lazy" term than in Mill's usage (see above, Consequentialism) (Grayling, 2007). By it he means happiness of the kind he wants it to mean – "...an active kind of well-being and well doing... a flourishing state of the soul" (Grayling, 2003: p 31). This reflects humanity's ability to use its reason to identify and pursue its own most important interests. This individuals will achieve if they live a virtuous lives, ie lives lived in accordance with virtue. Aristotle describes this as reflecting the golden mean, that is to say, the right balance between extremes of action such

as cowardice and rashness. How is this right balance arrived at? It is learnt on the basis of experience and watching the behaviour of those judged virtuous. It is also the product of careful consideration of the actual morally relevant factors in the actual situation under review (Slote, 1995), providing the wall from which Ross's *prima facie* ethics would echo two millennia later.

Virtue ethics seem to stand back, look around and observe a combination of character traits, outcomes and motives which, all things considered, produce a good society and so should be encouraged. Indeed virtue ethics is sometimes seen as the preserve of the moral educator (Blackburn, 1998: p 30); it is systemic and holistic.

Plato differed from Aristotle in stressing the "admirable motives ... whose very expression in ... actions serves to *make* those actions admirable" (emphasis in original: Slote, 1995). However, Grayling characterises Plato's outlook as similar to Aristotle's in valuing inner harmony between conflicting aspects of human nature – reason, the emotions and the physical appetites (Grayling, 2003: pp 26-28). If they are in harmony, so is the individual happy. So proportionality and balance play a significant role in Plato as in Aristotle (though there are significant differences in their approaches too) (Grayling, 2003; Slote, 1995). There is however debate as to whether greater virtue consists in having a balanced and harmonious outlook naturally, or whether it lies in having the opposite temperament and overcoming it (Slote, 1995).

Virtue ethics is ambiguous about harm-doing; or rather says little about it. Slote lists the four main virtues Aristotle argues for as "temperance, justice, courage and (practical) wisdom" (Slote, 1995). None of these is explicit about its attitude to violence, which has frequently, if not exclusively, been used in support of justice (as in capital punishment and a just war) and courage. Indeed, Aristotle treated courage as primarily a battlefield virtue, but in contemporary usage Gandhi can also be seen as behaving courageously in his quintessentially non-violent campaigns (Shafer-Landau, 2010: p 247). Perhaps *temperance* has a bias against aggression. Slote says "faith, hope and charity" were added to the list by Christian writers in the Middle Ages (Slote, 1995), but individual warplanes were celebrated with these names in WW2 (Wikipedia., 2011). Virtue ethics does not help much in giving rules about whether to harm or not to harm,

as deontology might. In relying on experience and learning it does however give (what to my mind is) a convincing explanation of why its precepts should be followed. It is grounded in experience, calling to mind the methodology embraced in Ch 3 below. This authority must however be defeasible by decisive counter-experience (just as a late eighteenth century European would have had to revise his opinion that all swans were white); no-one before 1945 had to cope with making decisions which might have the effect of wiping out the whole human race. The approach of virtue ethics reflects the writer's view that ethics is complex in a complex world.

### ***3.4 Normative Ethics: Applied or Practical Ethics***

In applied or practical ethics the principles in ethical theories are applied to specific issues in the real world. As will be seen, this is often an eclectic process, with aspects of one theory or another being appealed to for support as seems appropriate to the circumstances. Expertise from other disciplines has to be imported to elucidate those circumstances; valid forms of arguments do not themselves guarantee true conclusions and the empirical premises must be sound if the ethical conclusion is to be appropriate. An example is the debate on abortion, where the stages of development which the foetus goes through are held to be critical (Warnock, 1998). In just war theory, law, military reasoning, and political theory and practice are likely to be relevant (see below); "what [may be questionable is] not the principle, but the assessment of the situation" (Solomon, 2006 : 108-132: p 129).

Animal rights, vivisection, poverty and economic cosmopolitanism, personal and gender relationships, bioethics, business ethics and environmentalism have perhaps received most attention in practical ethics in the last quarter century (eg Singer, 1993b; Warnock, 1998; Singer, 1993a; Sandel, 2009). Issues most directly bearing on doing harm to humans are abortion, euthanasia, crime and punishment, and war (the latter two areas being very closely involved with other disciplines). However, some of the earlier list can and do include it (eg gender relations or "structural violence" due to inequality in wealth and bargaining power (Norman, 1995a: pp 36-37; Galtung, 1996)).

War and organisational ethics receive most attention in this work because of its origins in conflict in international relations and organisational behaviour, where,

in both cases, livelihoods, as well as lives, are at stake. War lays waste to economies; businesses can kill, eg through their products (eg tobacco), or negligent management (eg Bhopal).

Abortion and euthanasia may give rise to conflicts, but do not normally arise out of them in the sense the term is used here and are not covered. It is however difficult to leave them out altogether; see below. Structural violence is not discussed because its focus is on systemic rather than individual decisions about violence.

### **3.4.1 What, if anything, is wrong with killing and doing harm to others?**

What is it that makes doing harm to others wrong? To take the extreme case of harm-doing, what is wrong with killing, the extreme case of harm-doing?

There is arguably a paradox in public attitudes. On the one hand, perhaps the novelist McCall Smith's character Mma Ramotswe articulates what most people, most of the time, would wish to be thought to think:

*If you knew what it was like to be another person, then how could you possibly do something which could cause [them] pain?*  
(McCall Smith, 2004a.)

Yet somehow the same people seem to accept killing on a grand scale as somehow inevitable. "War is, for most people, the big exception" (Norman, 1995a: p 1). This is sometimes seen as good, or at any rate necessary, in that it makes collective self-defence possible. Sometimes it is seen as bad: it may corrupt by allowing killing without the burden of guilt or remorse. This is because the formal declaration of belligerency provides a structure which enables combatants to pass the responsibility to their leaders and/or to adopt social roles which allow and even require killing (Coates, 1997: pp 83-84). The confrontation between Shakespeare's King Henry V and some of his soldiers is a well-known example of this being argued (cf *Henry V Act iv sc 1* (Walter, 1954: pp 97-105)).

I start with a review of the reasons killing, and harm doing in general, might be considered wrong. I then look at specific instances of killing, making inferences for lesser harm-doing as seems appropriate, and move on to war.

### **3.4.1.1 Possible bases for opposition to killing**

I largely follow Norman's structure though not necessarily his content. Norman starts his review of explanations of why killing is wrong with the idea of the sanctity of life (Norman, 1995a: pp 36-72). If based on a belief in a creating deity, it has no meaning for non-believers. Even if not so based, but unqualified, it would surely commit us to too much. It would apply to all animals, including those we habitually kill to eat (which may be fine from the vegan perspective), and to plant life (which would leave humans foodless). It could further be seen as imposing an impractical duty to avoid accidental deaths caused simply by stepping on an ant – or blade of grass. Limited to the sanctity of *human* life, it may still be too restrictive if it prohibits (say) rescue killings, killings in self defence, reasonable force, abortion or euthanasia (see below).

Consequentialism gives a weak account (Norman, 1995a: pp 44-50). Humans experience pain and pleasure. This gives a basis for arguing that, firstly, causing pain to the relatives, friends and other connections of the victim (including the perpetrator) creates a presumption against killing (assuming no consequences point in the opposite direction); and secondly that depriving a person of the potential to experience pleasures and pains is wrong *prima facie* because it diminishes the potential for net benefit.

Norman uses an example from Dostoevsky's novel *Crime and Punishment*. Explicit consequentialist argument clearly seems to support a murder for financial gain, until certain other events change the perception – Raskolnikov unintentionally kills two people instead of one and feels great remorse. Full-blown consequentialism is committed to looking at *all* outcomes and the ramifications of Raskolnikov's act for himself and his dependents and anyone else involved have to be taken into account – including his remorse. This is thus another example of the two main weaknesses of consequentialism (Ch.2:3.1.2.1.2). First, assessing all the actual and possible consequences in any one case would be impossible; for example, the calculation changes when Raskolnikov unexpectedly makes a mistake he regrets. (Perhaps a risk assessment has to be made for each act.) Second, to take an outcome into account, consequentialists have to have decided beforehand what sorts of results matter, and what is to be considered *pleasure* or *pain*. Raskolnikov saw

the calculation one way. It is a fair bet his victims would have seen it differently. Admittedly rule consequentialism might have fared better.

Perhaps it may leave us feeling that it is the individual victim's life *and no-one else's*, and certainly not Raskolnikov's, *to take away* (Norman, 1995a: pp 48-50). Lucas writes:

*We forbid murder not so much because it is wrong for the killer to kill as because it is bad for the killed to be dead.* (Lucas, 1966: p 344)

Perhaps pacifists who believe that killing corrupts and degrades the killer might balance the formulation more evenly. However, Norman argues that no-one has any status from which to interfere in any other person's life (in the sense of being alive, living), all things being equal – though leaving it open that there may be particular circumstances which justify the taking of life.

Norman argues that formulating this principle is problematical. If done in terms of “respecting autonomy” (cf Kant, 3.1.2.2.3.2 above) some may interpret the concept of autonomy to imply a high degree of intellectual command or rationality, excluding fetuses, babies and seriously brain-damaged adults from the scope. His conclusion is that the best principle would be “respect for life” – life not purely in the biological sense, but in the sense that a person can conceive of, plan and put into effect a series of activities which might be described by a “biography” and which amount to the lifelong experiences which make life worth living (Norman, 1995a: pp 55-62). They may not do it well; they may be intellectually poor, or babies which have not yet learnt to articulate concepts, but they themselves derive value from their being alive. If a person actually decided that his or her life, in this sense, was not worth living, respect for their life would imply that they should be allowed to give it up. Norman concedes there is debate about what he calls “marginal cases” - abortion, euthanasia, infanticide, animals - and argues that no principle makes these cases significantly easier or clear cut (Norman, 1995a: pp 62-72). (Religious ones might be an exception in the sense that they claim special authority.)

The arguments about the marginal cases invariably involve debate about what it is to be human or what it is about being human which makes it morally significant.

To take the former idea first, if a high level of rationality and intellectual command is part of the definition, that may make it relatively easy to decide that abortion, infanticide and euthanasia are acceptable where the person has lost their consciousness (eg are in a permanent vegetative state). Some argue that to restrict the principle to “human” life is “speciesism”, analogous to racism and sexism. They argue variously that all, most or some non-human animals should receive substantially the same ethical treatment as humans accord themselves (Singer, 1993b: pp 55-82; De Grazia, 2002). Others argue that it is only because humans are fundamentally different from other animals that we can think in these terms, since, however strongly we feel an obligation (say) to protect some animals, like, say, horses and cattle, from cruelty by our fellow humans, there is no sense in which we could impose the same obligations on predator animals like foxes, wolves and the big cats (Warnock, 1998: pp 95-100). This difference - or rather, the conscious, relatively rational nature of humans - is the source of our obligations to each other as we live together in civil society and allow each other recognisable rights (Warnock, 1998: see also Contractarianism, above Ch 2, 3.1.2.3 and below).

What is it about human life which makes it morally significant? Norman is circumspect. Though he believes respect for life is a valid principle in itself, and is the reason killing is normally wrong, and he thinks this is of great significance, he says he does not know what he would say to persuade someone who disagreed on the latter judgement (Norman, 1995a: pp 70-2). Perhaps this is where meta-ethics and applied ethics meet; or perhaps it is a natural endpoint of regression in ethical argument (cf Blackburn in Ch.2:3.1.2.2.1 above; and an example in consequentialism, Ch.2:3.3.1.2.1). However, he has a powerful argument in reserve: the feeling of grief experienced by almost everyone (but perhaps not by some lacking empathy (Baron-Cohen, 2011a)). This is powerful in itself and it reflects Hume’s view that the passions and emotions are in any event the basis of morality (Hume, 1751/2008; Broackes, 1995). Indeed, almost every society has some sort of bar or rules on taking life (Singer, 1993b: p 85). Nonetheless Norman’s apparent bewilderment is an important issue: there are some who do not share his view at all (cf Fanaticism, Ch.2:3.1.3.3.2 below).

This issue arises equally in several of the systems of ethics discussed above. Intuitionist deontology (*prima facie* duties, for example) can give a clear instruction, but only limited reasoning in support which might persuade others to agree against their inclination. However, contractarian theory (Ch.2:3.3.3) is founded on the bases of protecting the members of a community from the effects of disorder and taking advantage of co-operation. It thus includes a built-in and reasoned presumption founded in (enlightened) self-interest against the initiation of violence. Societies have however found arguments to justify harm-doing, including imprisonment, capital punishment, and defending themselves violently against external attack, so the presumption is not immediate and total. Contractarianism does however provide a structure in which to argue about the need for sanctions to ensure compliance with its basic rules (cf Ch.2:3.3.3.2 above).

Virtue ethics supports war-like courage as well as peaceful temperance (cf Ch.2:3.3.4 above). No doubt modern versions could draw on the experience of the twentieth century's "age of catastrophes" (Mulholland, 2002) to argue that there was more virtue to be found in "speaking softly" than in "carrying a big stick" or at any rate using one (to adapt Theodore Roosevelt (*Oxford Dictionary of Quotations*, 1979)).

### **3.4.2 Specific Acts of Killing**

#### **3.4.2.1 Self Defence**

The structure of this section, though not always its content, follows Norman closely (Norman, 1995a: pp 120-132).

Self-defence describes the situation where A attempts to kill V, and V retaliates, that is to say, where V kills A to prevent A killing V. V's behaviour is often treated as though no justification were needed. This seems to imply an assertion that V cannot be blamed for choosing his or her life over A's (Fabre, 2009). Absent other reasoning this appears to be a case of every person for himself, and it is not clear why the rest of us should take V's part or prefer his survival to A's. We may often feel the contrary. Suppose V has murdered A's young daughter; the evidence in newspapers is that many people would back A to the hilt, however much the philosophy of punishment, requiring due authority,

might say otherwise (see also Rescue Killings below). However, in most cases the sympathy would probably lie with V. Suppose that if A kills V, one of V's organs will be transplanted to A, who will not otherwise survive. Intuitively one would expect little support for A. Or to return to the pure self defence situation, but to shift the argument slightly, suppose V does retaliate, is A then justified in killing him to save his, A's, own life? In the everyman-for-himself argument, there seems no obvious reason why not.

Norman holds that three factors need all to be present to support killing in self-defence (Norman, 1995a: p 127):

1. the circumstances are such that A forces the choice on V, such that
2. it is A, rather than B, who should bear the responsibility for V's retaliatory action; and
3. the threat to V's life is immediate.

Norman has previously developed an account of responsibility providing a basis for arguing "where one person's responsibilities end and another person's begins" (Norman, 1995a: p 97). This is essentially a social account, in which contextual roles are important, rather than an individualistic one, directly attaching accountability to simple action. This leaves much indeterminate, with overlapping and shared responsibilities, and inspection of the actual circumstances is necessary in each case.

The significance of feature 3 is that if the threat to V is removed in any way, his or her justification for killing A evaporates. For this reason Norman does not wish to see self-defence in terms of V having a "right" to kill A, or of A's having forfeited his or her right to life, since this seems to imply that V might be able to take A's life at any time – what might be called an enduring right (Norman, 1995a: p 122). This does not seem an especially big problem since there need be no more difficulty in defining a conditional right of limited duration than in talking of justifications "evaporating" or ceasing to be effective. Fabre argues for the forfeiture of V's right to live but does not mention the issue of immediacy (Fabre, 2009: p 154-155). She does however appear to rely on V's action being "culpable" and this is another way of introducing the idea of responsibility.

Further, the issue of forcing choice is arguably implicit in her reasoning, which uses the idea of legitimate partiality (for one's own life or a victim's).

Perhaps the "evaporation" of the justification is based on the ideas underlying "right attitude": one's own purpose should be promoting peace (see 3.1.3.5 below and Coates, 2006). However, for some, *lex talionis* does not merely give a victim a *right* to kill an attacker, but actually puts a *duty* on the victim to do so, according to Rabbinical interpretation of Exodus 22.1 (Solomon, 2006 : 108-132: p 111).

Norman argues that there may be a relationship between the idea of an "enduring" right and the feeling that if an attacker loses his life, that is both just and is equivalent to punishment. Punishment however requires institutional support, predictable law, and impartial judgement (Norman, 1995a: p 123; Bedau, 1995). The concept is thus arguably not appropriate here since the circumstances in which self-defence arises are not likely to be capable of allowing such a legalistic process, at least at the individual level.

St Augustine himself appears to have disapproved of private cases of killing in self defence, and to have accepted it only where it amounted to a rescue killing (see next section) in pursuit of the duties of a public office formally given the role of defence (Coates, 1997: p 78).

### **3.4.2.2 Rescue Killing**

If V has the right to retaliate lethally if similarly attacked, does C, a bystander, have a right or even a duty to kill A in defence of V? On the whole, the argument of forced choice, responsibility, and immediacy is held by Norman broadly to follow in this case too (Norman, 1995a: pp 132-133). This is not the only way the case is made, however. Fabre considers that there is a duty on C to act to kill A unless C's life or ability to live a flourishing life would be at risk (Fabre, 2007; Fabre, 2009). This is based on the idea that V can implicitly or explicitly transfer his or her right to self defence to C who can then act on V's behalf. Given that the situations in which the argument is likely to be relevant at all are probably fraught, this transfer is likely to be notional rather than explicit. Underlying this is Fabre's view that there can be a duty to provide assistance. Her argument includes lengthy consideration about what would constitute a

sufficiently large threat to C's flourishing to defeat her or his duty to act – paralysis below the waist probably would, a broken thumb would not (Fabre, 2007: p 368). Perhaps it remains to be argued how accurately C could predict the consequences of his or her intervention - another instance of the difficulties of consequentialism.

### **3.4.3 Just war Theory: its use in this work**

In outline, Just War Theory provides criteria to judge the rightness of a serious act of political violence, and a structure to support them (who can do it, what the limits are, and so on). It is not the only approach, but it provides a widely-used framework (see below) in which to discuss the issues. It has been used over a long period and is (arguably) coherently related to other theory in religion, politics and social science in general. The ideas were developed over the centuries by Christian churches (see below), but in a secular form are now widely used to inform modern international law and to frame public argument about the cases for wars and their conduct (Norman, 1995a: p 117; Kirwan, 1995; Sorabji & Rodin, 2006). It is seen as having “monopolised the debate about war, at least in the Western World” (Coates, 1997: p 1). It is used for two purposes here. The first is to directly frame discussion of lethal violence in various forms, political and otherwise. The second is to provide a structure to discuss similar but lesser violence. One aspect of it demands particular critical attention.

#### **3.4.3.1 *Justice and other goods***

Just War Theory makes the assumption that it is possible for a war to be assessed as just or unjust. Unfortunately, the idea of justice is highly contested.

Some general characteristics are fairly widely accepted. It can be said to be about “who should receive benefits and burdens, good or bad things of many sorts, given that others might receive these things” (Sankowski, 1995).

This arises in two general contexts in particular.

One is the issue of how the benefits of society should be shared amongst its members. This is Sandel's justice as welfare (Sandel, 2009: p 6), otherwise perhaps better known as distributive justice (Blackburn, 1994: p 203). The good here is particularly but not only economic in nature (cf the discussion of Rawls's

contractarianism above). How a society rewards virtue is also included. An example is the privileges given to holders of the Purple Heart medal given to members of the US military injured physically in war but withheld from those suffering mentally from post traumatic stress disorder (Sandel, 2009: pp 11-12).

The second is closer to law in general and the criminal law in particular (but is contrasted with law precisely by not being formally supported by institutions and penalties), where it is often called retributive justice. Here the idea is in some way to restore what some culpable injury has destroyed. Sometimes such restoration is impossible – a victim may be dead – and in any event the criminal justice systems of most societies do not require the offender to make amends with the victim (say, of theft) where it *would* be possible. Rather, the offender is “punished” in some way, usually by the state, this being held to restore the balance. It is a version of the *lex talionis*, the law of retaliation. Retributive justice is not exclusively a matter of the requirements of law; so-called honour killings supposedly intended to restore honour to a family are an extreme example (BBC., 2011c).

Punishment involves harm being done to the offender and this is held to require justification (Bedau, 1995; Blackburn, 1994: p 310; Uniacke 2000).

Consequentialist approaches are likely to focus on prevention (while in prison, a person cannot commit further murders, or more theft, in society at large), deterrence and reform. Bedau describes Kant’s and Hegel’s “full-blown” retributive approach as requiring that the punishment should be “equivalent (as in *lex talionis*) or at least proportional in its severity to the crime and the culpability of the offender” (Bedau, 1995).

These two general senses – distributive and retributive justice – are complex but this does not meet head on the critical problem of the idea of “justice”. Lucas argues that because of the “infinite complexity of human affairs” it is more likely that we could identify in specific cases what made a factor “*unjust*”, than that we could specify in advance exactly what it was that would make anything “*just*” (Lucas, 1966: pp 129, 130). This reflects the wide variety of criteria employed to identify the “*just*” within the general definitions above (Sandel, 2009; Sankowski, 1995). Lucas sums up the problem:

*Often the word “unjust” is used as the most general word of legal or political opprobrium, and the word “just” as the most general word of legal or political commendation, so that Justice includes all other political goods...(Lucas, 1966: p 233.)*

The range of goods Lucas has in mind is wide and deep. He cites equity, legality, liberty, public interest, morality, natural law, humanity, rationality and equality. He carefully distinguishes them from justice, not to diminish either them or justice, but to clarify what we mean by justice itself (Lucas, 1966: pp 233-243). They are very potent goods. Yet they overlap and sometimes have to be traded off the one against the other. It may be just to punish cruelly an offender who has committed a heinous offence and in that sense deserves it, but it may not be humane – it may be disproportionate. Humanity may be the “good” that wins. In the aftermath of a great disaster, however, exemplary and deterrent punishments (say) for looters may be justified in the public interest though not being just in the sense of proportionately matching the penalty to the offence. Equity requires that people should be treated in the same way in the same circumstances (a sort of universalisability – see above), and justice starts from that point, but unpredictable individual circumstances may require differences in outcomes. Justice may conflict with freedom, which allows us to act arbitrarily, (say), to vote for one political party rather than another though they clearly do not merit it on past performance, unjustly rewarding failure.

Why pick “justice” as the public good which alone can justify war, when it is so ambiguous? This is answered in the paragraphs below.

### **3.4.3.2 Just War Theory – reasons to go to war (see figure 2; p77)**

Just War Theory addresses both the reasons to go to war (usually called *jus ad bellum*) and conduct in war (*jus in bello*; see below). Justness is the key issue in that none of the other parts of the theory can justify a war if the reasons for it do not satisfy this condition. It is thus clearly a necessary condition (Swartz, 1997). Which of the others is also necessary, and which, together, add up to a jointly sufficient list, is not always debated or clear.

Justice is no clearer in its application to war than in general. Whether a war is just is the most contentious of the criteria. It has not always been seen as relevant to war at all. Laiou suggests that in the Byzantine Empire “justice was

often equated to fiscal justice” and the contrast with the Crusaders’ views led to conflict between fighters notionally on the same side (Laiou, 2006: p 40).

Nabulsi, quoting a draft Russian text at the Brussels Conference of 1874 on the law relating to war, says that “[i]n the traditional customs of war...civilians who participated in hostilities were considered *outlaws* and were to be ‘delivered to justice’ ” (emphasis in original: Nabulsi, 2006: p 53); surely counter-intuitive in an age which admires the French Resistance and Mandela’s campaign.

St Augustine of Hippo (354-450 AD) is often treated as the originator of Just War Theory, though comparable ideas can be traced to antiquity (Kirwan, 1995). His purpose was to adapt what had become at that stage essentially pacifist christian doctrine to the needs of a new role as the state religion of the belligerent Roman Empire. To achieve some sort of reconciliation between the two attitudes, the idea emerged that war could only be fought to “right a specific wrong” (Norman, 1995a: p 119) and indeed that it could be seen as in some sense a punishment for transgression. This was a clear link with the idea of retributive justice sketched above. The particular transgression which became widely seen as the paradigm was aggression, and thus the just war was seen as essentially a defensive one: “...the just warrior must fight from necessity not from choice...” (Sorabji, 2006). However, this could be framed in different terms. The violation of a law of passage across territory could lead to a just war (Sorabji, 2006). However, it is hard to see how the fresh acquisition of territory or of other resources, or a holy war (Tyerman, 2004) could be just in this sense – though Augustine apparently declared that a war commanded by god could be just (Sorabji, 2006).

If the main reason to go to war, even defensively, was analogous to punishment (as retributive justice), it required something further: right attitude. The aim of the just warrior, as of the punisher, was to avenge, to exact retribution, but with the benevolent “intention of correcting those who had done wrong”. The aim was also to procure peace (Sorabji, 2006). Arguably the idea of proportionality is therefore inherent in “right attitude”. The right attitude was fundamental to the Augustinian concept of the just war. It became less prominent over time, and

**Just War Theory****Figure 2****Jus ad bellum – reasons for going to war**

1. The war must be fought for a just cause.
2. It should be fought for that reason and not for ulterior motives; the right attitude is needed.
3. There should be proportionality – the good to be achieved should not be outweighed by the harm which will be done. There must be a reasonable hope of success.
4. The appropriate legitimate authority should make the decision.
5. There must be a formal declaration of war.
6. The war should be the last resort.

**Jus in bello – conduct of the war**

1. The requirement for non-combatant immunity.
2. Proportionality.

**Other categories sometimes included within Just War Theory**

These categories are not followed up here on the grounds that the substantial arguments are covered under other headings, eg Kantian respect, right attitude.

1. Jus post bellum – mainly about military conduct towards the conquered
2. Jus ad pacem – a just peace (perhaps Versailles, 1919, was not one)

Figure 2 Adapted from:

(Norman, 1995a; Walzer, 2006; Sorabji & Rodin, 2006: pp 1-9; MacMahan, 2006)

does not even feature in some lists of the just war criteria (eg Sorabji & Rodin, 2006: p 3). To some it remains very important. Coates sees it as the factor, which, if present, makes it relatively easy to meet just war criteria, and the absence of which leads to the worst moral depredations of war (Coates, 2006). Essentially it means regarding the “enemy” as one’s moral equal, having legitimate interests and needs, as someone with whom one may be fighting but with whom one soon expects to be at peace. Crucially it means not regarding them as what Coates calls “the Other” – people so fundamentally different as to be perhaps subhuman and not worthy of morally decent treatment. “The other” should therefore be treated in the harshest terms and the requirements of *jus in bello*, such as non-combatant immunity, may be ignored (see below).

Coates illustrates his point as follows. He contrasts the behaviour of the German army in its war in western Europe in WW2, and of the American army *vis-à-vis* the German, with the Nazis’ behaviour towards the Russians in the east and the Americans’ towards the Japanese. The first pair broadly observed the rules of war, the second “fought dirty”. The Russians were the Nazis’ “Other”, condemned by racial ideology to underclass status (Overy, 1999; cf Bullock, 1998). The Japanese achieved “Other” status perhaps through the meaning given by the Americans to Pearl Harbour and through their own cruel treatment of their opponents.

Coates’s point is that with “right attitude” towards one’s opponents, it is easy to fight a just war *ad bellum* and *in bello*, limited in scope, savagery and duration.

On the one hand, if the Other is permanently an enemy war is permanently the right thing. One example is the Russians in Nazi and Teutonic ideology; another lasting over a long period, and not dismissible as just an act in the heat of war, is the Ottoman massacres of Armenians between 1890 and 1915 (Baron-Cohen, 2011a: pp 8-9).

On the other, without right attitude, even the prosecution of an otherwise just war may become corrupted. The justice of the war may be interpreted in a self-congratulatory manner by those fighting it as giving them just, superior, *Übermensch* status, subtly converting their opponents into “the Other”; this results in “moral triumphalism” (Coates, 1997: p 3).

It would be easy to draw parallels between Kant's Community of Humanity and "right attitude". Coates argues something rather different from this, however, in that he draws attention to the link between attitudes to war and cultural beliefs within the societies fighting them (such as the Nazis' racial doctrine, and the Americans reactive harshness). Coates argues that the "right attitude" is founded not just in individual or individuals' philosophies, but rather that how a society carries out a war is determined by its own culture, its shared beliefs and ethical stance (cf the references to complexity theory and social construction above and below). His underling purpose is to deny that war has a logic and a life of its own which necessarily leads to excesses of inhuman behaviour. Arguably he succeeds in demonstrating this. This is further discussed in Fanaticism, Ch.2:3.4.4.2 below.

It (regretfully) seems to me however that the argument begs a question. Why is it wrong to regard treating "the other" as a legitimate target of violent attack? One reason is that given; violence breeds violence and it must be a sound aim of policy to avoid this. However, this seems to start a process of regression. One might be tempted to ask, again, why is breeding violence wrong, if, for example, one regarded "the other" as literally pestilential, or vermin, to be eliminated at all costs? Intuitively there seem to be two reasons. The first is that human life is too valuable to treat people as this implies; and secondly (to head off the argument that "the other" is not truly human), that *all* human life (or almost all) is *equally* valuable in this sense.

The "right attitude" creates an intimate relationship between three of the remaining four criteria identified in figure 2 (Coates, 2006). War, being waged to promote peace, should be *the last resort* and all other avenues should be exhausted before committing to it. In some versions a formal *declaration of war* is called for, probably because in former times this would have created a "cooling off period" or delay in which to allow more negotiation, but also because it disallowed treacherous unprovoked attacks. War should be a *proportionate response* to the problem (see also *jus in bello* below); trivial matters should be dealt with in less destructive ways. An aspect of this is that there should be a reasonable prospect of success in the war, since in losing it,

the declarer is likely to suffer disproportionate harm, perhaps negating the whole purpose of the war (Norman, 1995a: p 196).

In each case, the “right attitude” makes the criterion easier to achieve. If the opponent is not also “the Other” of course there is more scope to “invent options for mutual gain” (Fisher et al., 1991) and this goes with a readiness to use a declaration of war (or some such equivalent time-creating mechanism) to make use of it. Unprovoked attack against “the Other” is to be expected; not against moral equals. If the opponent *is* “the Other”, these restraints do not apply – there is no reason to withhold from destroying them, either by time delay or by softening the military approach.

Finally *the appropriate authority* should make the decision. That normally meant the ruler of a territory, or indeed sometimes the church, eg in some crusades (Laiou, 2006: p 30; Sorabji, 2006; Tyerman, 2004). In modern times it would mean (probably) the government or state legislature. There may however be range of disputes under this heading. The authority of a new government coming to power through civil war rather than by vote, and of the UN, is often contested. Even the UK legislature has not always been formally involved before the event, as in WW2 (BBC., 2011b; Gilbert, 1976: pp 1095-1115).

There is at least one more fundamental dispute.

Fabre argues that cosmopolitanism reduces the significance of a legitimate authority (Fabre, 2008). Cosmopolitanism is the doctrine that the basic units of moral concern are individuals (Atack, 2005: p 1). They have or should be seen as having an equal right to at least “a minimally flourishing life” (Fabre, 2008), understood to mean basic requirements to which political borders would not be relevant. States derive such authority as they have from their ability to promote the minimally flourishing life of their constituent individuals. A state government should not make a distinction in this respect between its own citizens and those of other states (though, presumably, not in the sense that they become responsible for citizens of other states in the way they are for their own).

States are already no longer regarded as the only possible legitimate authority. In the post colonial period national liberation movements have been recognised as such. Fabre argues that cosmopolitanism implies that this recognition should be extended even to individuals. The right to a minimally flourishing life can be

denied to individuals as members of a group (eg by denying them voting rights), or as individuals, eg by torture, or being denied the practice of their religion. The state may not allow the individuals access to the political process needed to try to change its actions. There is thus no (institutional) authority to appeal to. If the individuals rise up against the tyrannical state, legitimacy can be conferred on their actions. (The meaning of “legitimacy” has here perhaps necessarily changed from specifying the status of an “institution” to signify “moral justification”.) Fabre goes so far as to contend that individuals can obtain this legitimacy even though not members of an organised community. Lest this appear to justify terrorism (understood as killing “non-combatants”), it should be pointed out that this argument is not intended also to mean that any of the other requirements of “just war” need not be met.

### **3.4.3.3 *Just War theory: conduct in war (see figure 2)***

*Jus in bello* is usually presented as having two components, proportionality and non-combatant immunity. The significance of right attitude is again apparent.

#### **3.4.3.3.1 Proportionality**

Proportionality in both *jus ad bellum* and *jus in bello* is not - or was not in its conception - only a matter of adding up the pros and the cons of a course of action, as in crude consequentialism (Norman, 1995a: pp 195-6). Rather, the nature of the good to be sought has to be weighed against the means used to achieve it. If the good were not just, no ends would be proportionate. Norman turns the Berlin airlift, in which the Russians blockaded the West of the City, into a schematic example. Preservation of a free West Berlin, with all its personal, cultural and political goods, would be a just cause, arguably, but if the result of a war in defence of it, perhaps using nuclear weapons, was to destroy these features of life for many hundreds of miles in all directions, then the war would sacrifice the very things it was being fought to preserve (Norman, 1995a: p 196).

Perhaps, in the actual conduct of war, “crude consequentialism” may win the argument – for pragmatic reasons rather than because it is right, eg *how many people will be killed by our action?*, and *are they “ours” or “theirs”?* However, in this context, deontological constraints may still be relevant, eg issues such as

the use of civilians as human shields, or retaliatory mass killings following a resistance attack in an occupied territory.

Another influence is the Conventions establishing international law which limit the use of gas, chemical or biological weapons, to reduce evil in the conduct of war (Norman, 1995a: pp 163-164). But this perhaps brings us back to right attitude. If our purposes are proportionate in the sense that we are not trying to destroy or hurt “the other” as an end in itself, the decisions are likely to tend towards mercy. However, St Paul deontologically forbids doing any evil that good may come – arguably undermining the possibility of killing at all and perhaps providing support for the Augustinian pacifism mentioned above (Stirling, 1960: Romans 3.8).

Proportionality is a highly contestable issue since its terms are likely to be argued on the ethical theories discussed above, and they are, in turn, hotly debated even before the introduction of empirical argument. Indeed it has been argued that the all-consuming nature of modern warfare as exemplified by the two world wars and the possibility of nuclear war makes proportionality irrelevant. No end can be proportional to total destruction (Coates, 1997: p 79).

#### **3.4.3.3.2 Non-combatant immunity**

Innocent non-combatant immunity is the principle that only soldiers or other military personnel are legitimate targets in war (Norman, 1995a: p 159-169; Sorabji, 2006: p 19). This is not only a theoretical principle, but is enshrined in international law through the Geneva and Hague Conventions and supporting protocols (Norman, 1995a: p 160). Civilians, and, usually especially, women and children, should not be killed. This is a prime reason for rejecting the use of nuclear weapons – the Hiroshima and Nagasaki bombs killed indiscriminately, and in huge numbers.

Norman criticises this concept with some intensity (Norman, 1995a). It is not that he thinks civilians should be killed in war, rather than he is unable to discern a necessary morally-relevant difference between combatants and non-combatants. If it were accepted that no such distinction was possible, and given the likelihood that large numbers of recognisable non-combatants as well as combatants are likely to be killed in wars, it can be argued that *jus in bello* is never deliverable – and so no war can be in this sense just.

Does the concept of “innocence” help (as opposed to non-combatants unqualified)? It is politicians not frontline soldiers who commit a country to war, and electorates which support them in power. Arguably they are the people who bear responsibility for the violence, and are not in that sense innocent.

Accepting this point might have the perhaps unexpected effect of justifying the British firebombing of German cities in WW2, as targeting the voters who supported Hitler and the civil society which actually enabled the war.

Perhaps also there are many in civilian populations who work more directly on the war effort – in ammunition factories, for example – than those soldiers who run the messes, medical services and bands. Indeed Walzer writes that “[w]hen it is militarily necessary, workers in a tank factory can be attacked and killed, but not workers in a food processing plant”. This is because it is “not its belly but its arms that make it an army”. He says that “innocence” is a term of art which means that “[the individuals] have done nothing...that entails a loss of their rights” (Walzer, 2006: all quotations from p 146). Norman rightly dismisses this argument as meaningless, in that what needs to be done is not to assert a definition but to argue what it is about the military status of some people which costs them “their rights”.

Norman suggests that a possible argument is that the job of a military is to do harm to people and property – it is “nocent” or harm-doing (Norman, 1995a: p 168-169). Accordingly, on the principle of self defence, there is an apparent justification for attacking the military and civilians who support the war effort. Within the just war tradition, this is perhaps as good as it gets.

Perhaps also another way of looking at the issue is as follows. The use of chemical and biological weapons is also regulated through conventions (Norman, 1995a: pp 163-164). It is an interesting question why conventions such as this “stick”, but, say, proposals to simply hold a convention instead of using lethal force do not. That would however be to abolish war, and as already mentioned, war is accepted in human society in ways other forms of violence are not.

### 3.4.4 Other attitudes to War

Just War Theory is not the only reasoning identified in the literature. Below I argue pacifism and fanaticism are opposite ends of a continuum. Pacifism sees war and killing as intrinsically wrong. Fanaticism sees war and killing as intrinsically good. Just War would fit perhaps a third of the way along from pacifism. It accepts that an actor may need to go to war, but shares with pacifism at least a measure of regret. It is however a risk of just war that it may become triumphalist and thus approach closer to fanaticism (Ch.2:3.4.4.2 below). Realism lies somewhere between Just War (in seeing a war as something which needs justification) and fanaticism (in sometimes seeing no constraints on the conduct of war). Here I follow Coates closely (Coates, 1997).

#### 3.4.4.1 *Pacifism*

Pacifism seems to follow logically from a strong view of the wrongness of killing discussed above. It essentially means opposing resort to war on general moral grounds. It thus does not (in this sense) cover opposition to any one war on grounds limited to that situation (Coates, 1997: pp 78-82). These may be political or prudential rather than moral in nature, and do not reflect the distinctive position of full pacifism. The “pure” pacifist would also see the moral unacceptability of war as not having arisen recently from developments in destructive weaponry (rendering proportionality and non-combatant immunity impossible) but as always having depended on the “moral degradation and corruption that war inevitably brings about” (Coates, 1997: p 82). In deontological terms, war is intrinsically evil, and, in consequentialist terms, it necessarily brings more harm than good. It cannot therefore be a valid instrument of policy (cf Realism below). Both individuals and the community of which they form part are defiled by war.

Some pacifists however accept that killing in self-defence or to rescue victims is permissible at the individual level. This has been attacked from the *pro-war* side as inconsistent. This is on the basis that war is sufficiently analogous to self-defence and lawful punishment (using Just War perspectives) to sustain an argument that the differences between individual and collective violence are of morally-insignificant degree rather than kind (Coates, 1997: p 93). To defend the pacifist position, war can however arguably be distinguished on the basis

that its uncontrollable nature and all-encompassing dimensions are materially different from the limited scale of individual self-defence and the systematic, reasoned and limited coercion built into a legal system. Others - on the extreme pacifist side - argue that war is indeed closely analogous to individual self-defence and rescue killing, and maintain consistency by concluding that these are wrong too.

This last is perhaps the most challenging position, especially for a contractarian part of whose fundamental argument is the need for defence against externally- and internally-generated disorder (Ch.2:3.3.3.above). It suggests something approaching anarchy (no legal sanctions permitted), and submission to invading aggressors (no self-defence allowed). This is not however a necessary implication. Consent to be governed can be withdrawn partially and for limited periods. Gandhi and Martin Luther King practised and argued forms of civil disobedience involving exactly that. To a greater or lesser extent, and allowing for the influence of other factors, this changed oppressive situations for the better (Coates, 1997: pp 88-90; Parekh, 2001). Even authoritarian regimes do ultimately depend on consent (cf the collapse of communism across eastern Europe in 1989-90) - even if only from those holding the gun from the barrel of which Mao said that power issued. It can be further argued that the aim of the pacifist should be not merely to oppose war but to replace the all-pervasive "military-industrial complex" (Eisenhower, 1961), which promotes it, with comparably powerful systemic forces of their own.

#### **3.4.4.2 *Fanaticism***

Fanaticism in this sense is the mirror image of pacifism; it supports resort to war on general moral grounds. Coates uses the term "Militarism" (Coates, 1997: pp 40-76). However, on the basis of my personal experience in talking to British military personnel (eg. Dstl. , 2011 (subject to Chatham House Rule)), Eisenhower's farewell address (Eisenhower, 1961), and the low-key or at least un-ideological role played by the military in the politics of many countries, the attitude of the military to war rarely shows any of the features of so-called "militarism" – particularly the political, social and psychological ones mentioned below. Indeed, almost all Coates's examples relate primarily to non-military

contexts. The reasons I choose “fanaticism” to replace “militarism” will hopefully become clear.

To set the scene it will be useful to start with a selection of the examples of what I am calling fanaticism used by Coates: twentieth century fascistic regimes; the violent excesses of the French revolution; Islamic fundamentalism; the medieval Christian Crusades; the Spanish conquest of the Americas; German nationalism leading to WW1; the Pan-German racialism of the Nazi regime; the Soviet response to German attack; the Easter Rising in 1916; the serial revolutionism of Che Guevara; the Marx and Engels of the *Collected Works* (Coates, 1997: p 300); the writings of Frantz Fanon; the Soviet crushing of the *kulaks*; the Kamikaze attacks by Japan on American Warships in the battle of Okinawa; Mao, and Lenin.

Fanaticism in this sense thus spans the political and religious spectrum. The list includes both the political left and right (though not the liberal centre); inter-state and intra-state violence; social movements; cases from a various periods of history and parts of the world; and from at least two religions. What these cases have in common is that their actors, to use Marshall’s words,

*...would rather get what [they] want by fighting than by any other way...I have heard socialists who were ardent pacifists on international questions, talk like this of class warfare. I have heard suffragists talk like this of the struggle for sexual equality. They were all talking pure militarism [or “fanaticism” in my terminology] - they were all moved by the desire to dominate rather than to co-operate, to vanquish and humiliate the enemy rather than convert him to a friend. (Coates, 1997: p 56.)*

These cases clearly involve repudiation of the idea that human life is intrinsically valuable and to be preserved in the absence of specific and restricted reasons to the contrary, but on what grounds this is based is *not* clear and explicit – at least, not within the sort of terms we have discussed above.

Since the argument is not made explicitly, it has to be inferred. Arguably it is implicit that the end for which the violence is undertaken, is more valuable than the lives lost. To understand how this might be, we need to visit the “means” first: to some extent the violence itself provides a good. This seems to have two possible grounds. One is the nature of the enemy, characterised as uniquely implacable, unmerciful, and destructive, capable of defeat only by the strongest measures. The other is what this positive effort does for the enemy’s victims,

“our” side. In *The Wretched of the Earth* Fanon, “ideologue of ...liberation movements throughout the Third World” (Coates, 1997: p 54) offers little if any philosophy in the sense used in the literature above, but he clearly sees violence as playing a vital spiritual role in his causes:

*Violence alone, violence committed by the people, violence organised and educated by its leaders, makes it possible for the masses to understand social truths and gives the keys to them.*  
(Fanon, 1961: p 118.)

In what could be read as a denial that Gandhi’s, Luther King’s, and Mandela’s patient and long term struggles could be effective (though writing before the latter two), Fanon goes on:

*Without that [violent] struggle, without that knowledge of the practice of action, there’s nothing but a fancy dress parade and the blare of trumpets. There’s nothing save...an undivided mass, still living in the middle ages, endlessly marking time.* (Fanon, 1961: p 118.)

It is perhaps possible to read Fanon’s aim as being the restoration of the (Kantian) autonomy of the people whose lands had been colonised, and his means as based on the logic of the *lex talionis*. However, given Fanon’s language, the Formula of Ends or of the Kingdom of Ends would surely repudiate the possibility. From another perspective, it would perhaps not be hard to justify wars of colonial liberation in Just War terms (Ch.2:3.4.3 above). What would distinguish this from Fanon is his apparent lack of proportionality, of support for non-combatant immunity, and, especially, of right attitude; the colonists become “the other” (Ch.2:3.4.3.2 above).

Something parallel appears to apply in all the examples cited above. For instance, the Crusaders’ violence against the infidel was similarly seen as right in and of itself. Tyerman comments on the fall of Jerusalem in 1099:

*...the ensuing massacre shocked Muslim and Jewish opinion. [But] Western observers described it approvingly, in apocalyptic terms.*  
(Tyerman, 2004: pp 25-26.)

It also offered spiritual benefits. In recruiting soldiers for the first crusading army, pope Urban II set the following terms, namely that:

*Those dying in battle or otherwise in fulfilment of their vow could expect eternal salvation and to be treated as martyrs.* (Tyerman, 2004: p16.)

What seems to be distinctive about the cases of fanaticism is that they are supported by a coherent and focused “narrative”, in which violence is an integral part of a constructed complex system. Each narrative has five main elements.

The first is a long history, which, loaded with meaning, lists intrinsically evil acts by a demonized opponent - eg English violence in Ireland, capitalist domination of workers, the failure of cultural inferiors to recognise the superior German cultural and economic development of the nineteenth century and to allow Germany “a place in the sun”.

This is integrated (secondly) with a transcendent and exogenous principle giving an inspiring aim, that is, one claimed to be totally compelling and valid independently of the fact that particular people believe it - eg the rightness of the revealed religions of the book; Marxism-Leninism; racist Nazism.

Thirdly there is what might be called an account of a “future history” of action in which the wrong is righted, the principle fulfilled and the boot put firmly on the other foot – eg Guevara’s ambulant participation in revolution; Stalin’s brutal starving of millions of kulaks to cement Moscow’s control; terrorism in various forms; the “final solution”.

The fourth and fifth features are outside the direct scope of this work. They are a social context in which these features can (and for some reason do) take root and spread (the domain of social sciences such as politics or sociology). Finally, what also seems to be present in the justifications of fanaticism, whether necessarily so or not, is a profound, bitter and all-consuming resentment. This is the concern of social and individual psychology.

Examples of the first three follow. First is the “loaded” history (illustrating also the resentment): Ruthven quotes Qutb whose writings have influenced Islamic Fundamentalism:

*Humanity today is living in a large brothel! One has only to glance at its press, films, fashion shows, beauty contests, ballrooms, wine bars, and broadcasting stations! Or observe its mad lust for naked flesh, provocative postures, and sick, suggestive statements in literature, the arts and the mass media! Add to all this the system of usury which fuels man’s voracity for money and engenders vile methods for its accumulation and investment, in addition to fraud, trickery and blackmail dressed up in the garb of law. ( Ruthven, 2007: p 26.)*

Second is the principle: Ruthven, writing about religious fundamentalism in general, is able to supply a quotation from a follower of a different religion from Qutb's which could equally serve his (Qutb's) purposes. It is from the American evangelist Pat Robertson:

*Only a return to God can save the nation.* (Ruthven, 2007: p 83.)

Finally comes the "future history of action": In a so-called suicide video Umar Islam ("formerly Brian Young" (BBC., 2010a)), convicted in connection with planning liquid bomb attacks on aircraft, said that the Koran supported his (attempted) killing of non-believers, and that "Muslims who die due to your attacks will be in the paradise", whereas "your dead are in hellfire". This "path" will continue till "the law of Allah [is] established on earth" (BBC., 2010a).

Arguably this call to violence does not need the sort of thoughtful justification of individual killings or wars we have expected above; it is validated by the prior history of evil attacks by "the other", by the guiding principle, by the social pressures of the groups in which it grows, and by the profound resentment which takes over the psyche.

There are two further points to make here. First, fanaticism stands the normal expectation on his head:

*It is peace, not war, which stands in the way of progress.*  
(Coates, 1997: p 58.)

And to make a more general point about practical ethics, Gandhi's ethical stance was also supported by narrative in the sense used here and perhaps that was what gave it its power (Parekh, 2001: pp 78-110). Perhaps such narratives can contribute something to "feasibility" in the sense mentioned in the Introduction (Ch.1). Clearly Gandhi came to wholly different conclusions relating to violence. It would be interesting to identify what led to that - perhaps lack of resentment.

### **3.4.4.3 Realism**

Realism in this sense is mainly a concept in the discipline of international relations (Coates, 1997: pp 17-39; Wilkinson, 2007) and to that extent outside the scope of this work. Here I try to extract what is relevant for this ethical discussion.

Realism, argues Coates, leans towards Just War principles in that its attitude to recourse to war is pragmatic and instrumental, neither glorying in it like the fanatic nor ruling it out of court in all circumstances like the pacifist.

*For the realist war is not an end in itself but a means to something else.*  
(Coates, 1997: p25.)

This sets boundaries to war; it need not be carried on beyond the attainment of its ends.

An extreme realist view will hold that ethics or moralistic attitudes are not and should not be part of the foreign policy of a state. There are two main reasons. The first is that the practicalities of power are thought always to overwhelm ethical aims. The second is that policy undertaken predominantly for moralistic reasons often fails disastrously. Kissinger cited Vietnam as an example where the USA's "naïve idealism" in seeking to protect the world from communism blinded it to the realities of the situation and led it into a catastrophic failure (Kissinger quoted in Coates, 1997: p 23).

To take the first point, power is clearly an important factor in ethics. Power can be summed up as the ability to do things (Morriss, 1987; Hills, 1994: pp 2-13). However, we are not usually taken to be responsible for what we cannot "do", control or affect – compare the Just War principle of proportionality and whether there is a reasonable chance of success. So, if we do not have the power to act in a manner capable of being called ethical, we cannot be held responsible for not doing so. But then – it would be a strong claim to say we were responsible for *no* acts we undertake. (I return to responsibility in Ch.6.)

To take the second point, things go wrong in politics for many reasons and I have no doubt unrealistic aims are one of them.

The two points seem both to identify points relevant to *some* acts which are extended to cover *all* acts without a justification being given.

Perhaps "should not be part of the foreign policy of a state" can be interpreted more strongly than implied by the Vietnam case – perhaps one should simply never take ethics into account in international relations. Coates quotes Carr:

*...relations between states are governed solely by power and...morality plays no part in them.* (Coates, 1997: p 21.)

And later Coates writes of this approach:

*Realism of the amoral kind systematically suppresses the moral context of politics and war.* (Coates, 1997: p 32.)

As an assessment of the role of ethics in international relations, this is simply incoherent. (Framing it differently, in terms of free will and determinism, would make another discussion.) In international relations as in every other sphere of life, people act with the intention of realising purposes (Pink, 2004). They make choices between aims or purposes (or are unimaginative or not responsible for their actions). In choosing one aim rather than another they are saying they prefer it; it is more valuable; so they have chosen in accordance with what they see as the good and the right; and they have made an ethical determination. We may not like it; we may not agree with it; we may feel it was mistaken in prudential terms or in ethical; the outcomes may be very unpleasant; but it is still a choice of values, and they are susceptible to ethical analysis and moral discussion.

Realists also address *jus in bello*. They may assert the “tragic but irresolvable opposition of morality and politics” at the coal face, so to speak (Coates, 1997: p 34). Sooner or later a politician and *a fortiori* a soldier will encounter a clash between principles. An example might arise if a commander of “our” forces believed that torturing a prisoner would be successful in extracting information which would save many of “our” people (Coates, 1997: p 34). The fact of contradiction is not however unique to war, and the same point about incoherence applies as in just recourse (see last paragraph). For example, Ross, in his account of *prima facie* duties (Ch.2:3.3.3.2 above), addresses precisely the situation where two or more principles contradict each other. Other deontological approaches and consequentialism would also claim to do so. One way of approaching this problem, avoiding the detailed assessment Ross would have envisaged, is to claim that the state’s interests trump all others. However as a means of resolving the contradiction, it is also subject to ethical appraisal. Yet another approach is to separate the domain of the state and the individual and claim morality applies only to the latter. Again, this is an ethical argument not a principle somehow above and outside ethics and binding of it. As Thomas More puts it in *A Man for All Seasons*:

*...I believe, when statesmen forsake their own private conscience for the sake of their public duties, they lead their country by a short route to chaos. (Bolt, 1960: Act 1, p 12.)*

Realism, understood as a doctrine removing ethics from the assessment of events, is of little use.

## 4 Summary of Chapter

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This Chapter had two purposes, to set the scene for the reader and to address the second focal question pair: *What is conflict? Do theories and processes in normative ethics address issues involved in deciding to do harm in conflict, and if so, how?*

We have given a complex definition of conflict and shown some of the ways in which normative ethics clearly does address harm-doing – though few approaches, and still fewer applications, are uncontested.

We now turn to the methodology involved in building the Model of how people deal with harm-doing in conflict.

# Chapter 3

## Methodology

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### 1 Introduction

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This Chapter justifies the choice of methodology on which the Model (Stage 1) was based and the methods by which it was constructed.

The Chapter begins with the assumptions the researcher makes about the social world, develops criteria by which to choose a methodology, and then reviews five “candidate” approaches which broadly satisfied the criteria. It justifies the choice of grounded theory primarily as “best fit”. It then discusses methods of data collection, and criteria of validity and reliability by which the research may be judged. Finally it outlines the personal perspectives which the researcher consciously brings to the work.

### 2 Review of Basic Assumptions

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The research methodology used necessarily reflects, explicitly or otherwise, the researcher’s fundamental assumptions about ontology, epistemology, and social science methods (Burrell & Morgan, 1979/2005: pp 1-40; Cohen et al., 2000: pp 6-7; Johnson & Dubberley, 2000). These are now discussed.

#### ***2.1 Ontology of social worlds***

Ontology addresses the nature of reality. Ontologically, is the social world “hard, real and external to the individual....or ...of a softer, personal and more subjective quality” (Burrell & Morgan, 1979/2005: p 2)? The former may be called a “realist” and the latter a “nominalist” position. The researcher’s view is that the social world contains elements of both. It seems “incontestable...that human beings must see [everything] from their perspective” (Blumer, 1969: p 22). This does not mean all phenomena are entirely subjective. I cannot reinterpret an apple as a pear, or the Christmas tsunami as a forest fire. Discussing whether it was an act of god or of satan, or a consequence of a geological event or an exercise in fluid dynamics, are ways of making sense of the tsunami: but that “it”, and its defining characteristics, were not invented by

those who talk about them or by the process of so doing. Cohen et al. report Woods (1979) as arguing:

*Humans inhabit two different worlds: the 'natural' world wherein they are organisms of drives and instincts and where the external world exists independently of them, and the social world, where the existence of symbols, like language, enables them to give meaning to objects.*  
(Cohen et al., 2000: p 25.)

This provides a recognition of the assumption in ordinary life that the range of meanings people have are not all generated solely by themselves or even solely by their interaction with other people; and the fact that individual human beings must see everything in their terms does not mean reality consists solely of those mental processes. They may be influenced by factors wholly or partly outside people's control, such as (internally) genes and health or (externally) poverty, climate change and war. If there were not something, objects and events (ie other than the symbols themselves) to which different individuals were to some extent compelled to give broadly consistent meanings, there would need to be some new account of how people achieve the broad consistencies in which they interact. It would "make empirical science impossible" (Blumer, 1969: p 22); it would also make social life impossible (cf Lucas, who sets requirements for "the possibility of communal existence" and Strawson Ch 6:2.3.1 below (Lucas, 1966: p 2; Strawson, 1962)).

Robson quotes Hughes and Sharrock: "The world as 'mind independent' ... is one of the keys to our whole way of thinking and can only be denied at the risk of absurdity" (Robson, 2002: p 24). Again, this is not to deny that all human knowledge is known by humans, and subject to any psychological and philosophical constraints that implies – eg the theory-laden nature of observation (Gill & Johnson, 2002: p 179).

## **2.2 Epistemological implications**

Epistemology addresses "the nature of knowledge and what constitutes acceptable knowledge in a field of study" (Saunders et al., 2007: p 597). Section 2.1 perhaps suggests an implicit epistemological stance: different methods of enquiry are indispensable, because phenomena are themselves different. Given that people are inquisitive, indeed, that we have a desperate need to make sense of the world we live in, we are likely to be interested in three categories of

thing: firstly, entities external to ourselves such as galaxies, bacteria, cars, relationships and so on; secondly, how we think and feel about, and evaluate, them; and thirdly, ourselves. They are not mutually exclusive. Some of these phenomena are observable directly, including our own exteriors. Some are not. Inevitably methods of establishing acceptable knowledge will vary (cf. Grayling, 2007: p 33). Sometimes they have become a matter of controversy and of “the politics of evidence” (Morse 1999). Indeed, as an example Kvale and Brinkman report Cochrane’s listing of medical research methods in a hierarchy with randomised controlled experiments at the top, and qualitative research and expert opinion, at the bottom (Kvale & Brinkmann, 2009: p 39).

There are various ways of categorising these methods (Saunders et al., 2007; Easterby-Smith et al., 2002). Gill and Johnson offer perhaps the most general (Gill & Johnson, 2002): division in to nomothetic and idiographic methods. This approach seems most relevant to this work. The Model’s (limited) role is to provide an account of people’s justifications derived from concrete experience – rather than to provide a cause-and-effect explanation of social phenomena.

## **2.3 Nomothetic and idiographic methods**

### **2.3.1 Nomothetic methods**

Nomothetic methods are directed towards generating explanations of phenomena based on law-like descriptions of their relationships and causality, following the expectation in natural science: statistical methods would be a typical example (Burrell & Morgan, 1979/2005: p 6). The deductive method of reasoning, involving the use of quantitative data in testing hypotheses, together with highly structured methods to ensure that the test (if not the results) can be replicated, are also typical of this approach (Gill & Johnson, 2002: p 44).

To take an example from the mid-twentieth-century, Eysenck here asserts that the rôle of the psychologist is to uncover laws of behaviour and seeks to identify an example:

*Social psychology... attempts to formulate laws which will enable us to predict what people will do under certain conditions...we might mention here...voting behaviour in an election. These clearly are social phenomena, and general laws can be discovered regarding them.*  
(Eysenck, 1958: p 181.)

If there is a case against qualitative methods there is equally one against mechanistic approaches to human affairs devoid of contextual understanding and ethical appraisal. Eysenck does not mention what these laws would be about, how they might be used (to manipulate results?), and whether there were other important things about how people vote not capable of being reduced to laws. Do people choose at least partly on the issues, and does this require them to process data against values and feelings or are their votes simple reactions to stimuli (see also 5.1 below)?

This approach is often called positivism, though the expression is not coterminous with nomothetic methods. It was developed by Auguste Comte in the mid-1800s who “made a historical contribution to the social sciences”. It involved rejecting “religious dogma and metaphysical speculation”, and insisted on the use of observable data (Kvale & Brinkmann, 2009: pp 56-57). This became, in the mid-twentieth century, a rigid and bureaucratic insistence on a formal scientific method independent of the nature of the phenomena under investigation which “took as its starting point the elimination of human subjectivity” (Kvale & Brinkmann, 2009: pp 57-58).

### **2.3.2 Idiographic methods**

Idiographic investigation, in contrast, emphasises the (relative) uniqueness of situations and aims to develop a full understanding of them by close investigation particularly of people’s interpretations; phenomenological interviews would be such a method (Kvale, 1996). Induction is the more usual basis for theory building; generating explanations from data, rather than using data to test theory. There is a “commitment to research in everyday settings” and to explanation in terms of subjective meaning rather than objective laws (Burrell & Morgan, 1979/2005: p 6; Gill & Johnson, 2002: p 44). This reflects the context identified in Ch.1:2.

Saunders et al. list no fewer than ten “research philosophies” which, seeing human subjectivity as an important component of the social world, to a greater or lesser extent use idiographic methods in preference to nomothetic (Saunders et al., 2007: pp 102-108). In particular phenomenology (particularly concerned with individuals) and symbolic interactionism (concerned with people in social contexts) involve focus on the way we “interpret” the world around us and adjust

the meanings we give it. Hence Saunders et al. call them “interpretive” methods.

### **2.3.3 Appropriate use of these methods**

Arguably, both approaches have appropriate uses – and indeed are mutually supportive. Suppose we want to understand the attitudes of the workforce of a company. The *prevalence* of particular attitudes may be established by nomothetic methods – statistical work. But establishing what those attitudes are, and mean, requires the researcher to “occupy the frame of reference of the participant” (Burrell & Morgan, 1979/2005: p 5). The “attitudes of a workforce” are, axiomatically, the attitudes of the members of the workforce, and there is no direct method of establishing what they are other than to ask them using idiographic methods. Otherwise, the risk is that researchers project their own assumptions (Ashworth et al, 1997).

This is not to imply that researchers cannot set a list of questions about the same workforce which are not based directly on the participants’ views. They may be perfectly legitimate and useful ones; but there is no quantitative data gathering without some broadly qualitative thought about the data which needs to be gathered.

To sum up, nomothetic methods are broadly identified with the natural science approaches of formal experiments, and in social sciences, perhaps with some kinds of surveys; idiographic with less formal surveys, interviews, action research, and ethnography (Gill & Johnson, 2002: p 44).

## **3 Criteria for choosing a methodology**

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### **3.1 Criteria based on assumptions**

Given the ontological and epistemological discussion above, what criteria should be set for a research methodology here?

The research task focuses on people’s sense-making in response to phenomena which may have both objective and subjective aspects, reflecting the split ontology argued above. If one sacks an employee, or wounds someone in a war, there is an objective reality in the sense that others can see the same

events as the participants; but its meaning for those individuals involved is internal, perhaps hidden from view, partially rooted in the past, partly contemplating the future, and partly lived unpleasantly in the present. The research question focuses on part of this meaning (justification of harm doing). This suggests that the epistemological assumptions and research methods are likely to be *idiographic* and *interpretive* (the “criterion of approach”).

### **3.2 Focal criteria**

The object of the research and role played by the Model is set out in Ch.1:2 and Ch.3:2. The methodology must be able to generate and process broad varied data which can support such a Model. In particular it must be able to collect accounts of the articulation of justifications used by people in those events, and to process them into a conceptualised or generalised Model (the “criterion of purpose”).

Conflict is a social phenomenon. An account of people’s sense-making in conflict must therefore address the relationship between individuals and groups. This is particularly in order to explain how “interpretation” and ethical discussion can be a joint enterprise and how it can change with time to become or remain feasible. The relationship between individual and group behaviour is problematic. People are always in and/or affected by social groups at many levels – including families, organisations, cultures, and societies (Foulkes, 1948/1983; Bion, 1961; Stacey, 2007; Weick, 2001; Berger & Luckman, 1967). The methodology must clearly be capable of dealing with this issue (the “criterion of context”).

To sum up, in Silverman’s words, “...you should choose a method that is appropriate to what you are trying to find out” (Silverman, 2005: p 6); and “Don’t over-theorise” (Silverman, 2006: p 7).

## **4 Review of candidate methodologies**

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The argument in section 3 suggests that nomothetic approaches would be inappropriate in that they would not satisfactorily meet one aspect or another of the criteria – however useful they would be in other circumstances.

Experiments, quasi-experiments and statistical surveys for example, simply do

not address either of the focal criteria, and assume just the knowledge about justifications we are seeking.

The following structure in Section 4 follows Creswell, especially his schema in Ch.4 (Creswell, 2007). The methodologies, being idiographic, all pass the criterion of approach.

### **4.1 Narrative Research**

Narrative research, concentrating on biography and the stories of individuals, would capture "the detailed stories or life experiences of a life or the lives of a small number of individuals" (Creswell, 2007: p 55). This would yield deep, rich and specific data about events in a small number of people's lives, but not broad, varied data capable of being generalised into a theory useful in the ways indicated. By definition it would also not encompass group behaviour (though it could throw light on aspects of individuals' relationship to it). Clearly this approach could help understand specific situations and deepen understanding of the personal pressures an individual may be under: but that is not the target here. This fails the focal criteria of purpose and context.

### **4.2 Case Studies**

Case studies focus on one or a small number of situations, bounded systems, which the researcher investigates in depth, using multiple sources and triangulating extensively. As a result of this depth they are credited with the power to "establish cause and effect" (Cohen et al., 2000: p 181). If several cases are chosen, they can be compared and contrasted, but, for given resources, there is a trade off between depth and number of cases. Again, case studies could provide useful insights. The case or cases could be chosen to address the relationship between groups and individuals. They are however open to the same objections as narrative research: depth, but insufficient breadth to allow conceptual generalisation about sense-making and justification. Indeed Creswell sees case studies as illustrating theory rather than generating it (Creswell, 2007: p 74). This fails the focal criterion of purpose, though perhaps not that of context.

### **4.3 Phenomenology**

“Phenomenology” is especially heavily laden with philosophical history. Husserl’s approach may perhaps be left aside as working towards clarifying the underpinnings of knowledge and arguably seeking an objective reality (Ashworth 1996), indeed, arguably being the purest positivist approach (Kvale & Brinkmann, 2009: p 57), and thus dealing with issues not immediately involved in the main focus of the present research. The main focus of Merleau-Ponty’s existential phenomenology is the “life-world” (Burrell & Morgan, 1979/2005: p 243) or “lived experience” of individuals and its aim is to identify the subjective essence of this experience. A phenomenological study, requiring depth and time, might however rest on a relatively small number of respondents and again is open to the same objection as the previous two approaches. A further objection is that the research question is not about bringing to light people’s *experience*, but about a particular kind of sense that they make of it, their interpretation, rationalisation, and justification of their actions. Like narrative research, phenomenology would throw light on aspects of the subject but in terms of a relatively small number of individuals’ perspectives. It again does not do well against the focal criteria.

### **4.4 Ethnography**

Ethnographic investigations describe and comment upon behaviour and meaning in a cultural unit (Creswell, 2007: p 76; Hammersley & Atkinson, 1995: Ch 1). This may be a small society (eg a Malaysian tribe (Dentan, 2004)) or a part of a large one (eg Norway (Dobinson, 2004)). It may be a company department. Characteristically, ethnography is exploratory, in that it looks to identify culture, meanings and behaviours, and it is based on lengthy participant observation (Creswell, 2007: pp 68-72; Hammersley & Atkinson, 1995). The present work is exploratory, but does not intend to explicitly focus on one culture or unit and does not have the resources for lengthy participant observation. It is looking for a range of *common processes*. These processes are however not of observable behaviour but of sense-making. It seems most relevant to work directly on those processes *ab initio* by the approach described below. This again fails the criterion of purpose.

## ***4.5 Grounded Theory and Symbolic Interactionism***

The last of Creswell's list is grounded theory which is detailed below. Whether it is distinct methodology or a methodical process of doing qualitative research is debated, but I intend to sidestep the point by arguing that it is integral to symbolic interactionism. Between them grounded theory and symbolic interactionism meet all the criteria.

## **5 Review of Chosen Methodology: Symbolic Interactionism and Grounded Theory**

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### ***5.1 Symbolic Interactionism ("SI")***

Burrell and Morgan discuss a variety of forms of interactionism and indeed of symbolic interactionism (Burrell & Morgan, 1979/2005: pp 69-82).

Interactionism is a family of sociological theories in which how people react with each other in society is central. In SI the interaction is on the basis of articulated and normally verbal meanings they give to events; these are the "symbols". Reactions based directly on others' body language, for example, would not be symbolic in this sense.

Blumer saw this as involving a different account of the human self from that usually adopted in his discipline (Blumer, 1969: Chs 2 and 3). According to Blumer, psychologists and sociologists in the first half of the twentieth century saw the human self as a sort of processing mechanism through which stimuli such as other people's actions, culture, values, or social rôles were transformed into the subject's actions in accordance with predetermined rules or laws which were there to be discovered; like a catalyst, the self changed little if at all. (The example of Eysenck illustrates this (2.3.1).) Blumer followed the philosopher Mead in seeing the relationship between the self and the stimulus as an interaction, not a one-way process (Blumer, 1969; Mead, 1982). Rather than being a mechanised given, the self was an organic entity which would grow and change in response to those stimuli as well as react to them; perhaps more like yeast than a catalyst. The medium of this change was the interpretation, the meaning, the self put onto what it encountered, and this giving-of-meaning sat between the stimulus to the individuals and their response (Blumer, 1969: p 79).

Burrell and Morgan suggest the adherents of SI vary in the extent to which they share underpinnings and assumptions about data (Burrell & Morgan, 1979/2005: pp 78-82). Locke sees the “Iowa School” as emphasising “hypothesis testing and the application of more detached, quantitative information gathering and analysis techniques to access social worlds” (Locke, 2001: p 25). It is argued to have tended towards structural or great force interpretations. Burrell and Morgan see these as essentially positivistic epistemological approaches to a realist social world (Burrell & Morgan, 1979/2005: pp 78-82). They present Blumer – “the Chicago School” - as adopting a more interpretative approach to a nominalist world (Cohen et al., 2000: p 7).

We have already seen how Blumer follows Mead, for example, in seeing objects (meaning objects of human thought, and not only physical objects) as human constructs (Blumer, 1969: Ch 3), and have used his reasoning in setting out the researcher’s assumptions.

The Blumer version of SI is thus consistent with the criteria of approach and context in 4.1 and 4.2. First, it provides “locations” for the sense-making or justification of actions on which I wish to focus – namely in the processes of interpretation of individuals and their exchanges of meanings. Second, it gives a framework, if not detailed, account of the relationship between the individual and the group, contemporaneously and over time. Individuals express themselves in various ways through words and actions. These “symbols” are perceived and interpreted by others contemporaneously, perhaps changing their significance in the process, or, at least, the others make sense of them in their own terms. This may be on an individual-to-individual basis or through mass media like television and the internet.

This gives also a mechanism for more systematic change. As circumstances in a society change, the interpretative process will acquire different characteristics, and so therefore will individuals’ judgements about their worlds. In this way, ethical reasoning can adapt to keep itself “feasible” (Ch.1 above).

## 5.2 *Grounded Theory*

Here I outline Grounded Theory mainly to show how it meets the criteria. How it was carried out is described in detail in Chapter 4 and Appendix 1.

### 5.2.1 Outline of Grounded Theory

However else they differ, symbolic interactionists share a belief that theory should be closely based on first-hand acquaintance with empirical data (Cohen et al., 2000: pp 23-26; Locke, 2001: p 24). This is also characteristic of Grounded Theory, which was developed by researchers who acknowledged a debt to Blumer (Cohen et al., 2000: p 23; Locke, 2001: p 25; Strauss & Corbin, 1998: p 9). Indeed, Glaser and Strauss saw themselves as making a material contribution to SI in developing a method for generating theory which Blumer (they said) had omitted to do (Glaser & Strauss, 1967: p 14).

Grounded theory involves a highly structured approach, the purpose of which is to provide a method by which substantive theory can “emerge” from the data. Substantive theory is theory based on the project data and is contrasted with “formal” theory which, based on a far greater variation of data, has wider explanatory power (Strauss & Corbin, 1998: p 23).

This process begins with the strategic decision to push existing literature into the background (discussed further below). This leaves the field clear for the researchers to approach the data not with *no* preconceptions but with fewer of them and without the self-fulfilling prophesy which applying existing theory might entail (Strauss & Corbin, 1998: p 49).

This approach takes place in a series of stages, which, though progressive, are iterative rather than sequential. These are, broadly, data gathering, and the analytic stages of identification of main themes, development of depth in the themes, and theory construction (Strauss & Corbin, 1998).

Data-gathering is organised through the concept of “theoretical sampling”.

Strauss and Corbin write:

*To say that one samples theoretically means that sampling, rather than being predetermined before beginning the research, evolves during the process. (Strauss & Corbin, 1998: p 102)*

Researchers analyse the data as it is collected rather than waiting till it is all available. As they move from one data source to the next, and as their view of the data develops, they consider what further kinds would support the development of the theory which is the aim of the process. They adjust their questions or investigation of the data to take account of what they have found so far, eg by seeking contrary or negative cases, building in variation (Strauss & Corbin, 1998: pp 46, 160-161). The researchers analyse the data “microscopically” and by using “constant comparison” (Strauss & Corbin, 1998: Ch 5). These analytic stages are characterised by “coding” in which categories of phenomena are systematically identified, named and, crucially, related to each other. Building up these relations is how substantive theory is developed.

### 5.2.2 Role of Theory and Literature in Grounded Theory

The role of existing theory and literature is perhaps somewhat ambiguous. It is certainly not there to provide hypotheses which are then tested deductively, and it is only in the later stages that a literature review is developed. However, this literature may be used to “confirm findings *and*...findings can be used to illustrate where the literature is incorrect, is overly simplistic, or only partially explains phenomena” (Strauss & Corbin, 1998: pp 51-52). It can also be used to help formulate initial questions and during the process of microscopic analysis, eg as a basis for comparisons, or to develop new perspectives (Strauss & Corbin, 1998: pp 51, 53).

Yet researchers are to be deliberately unbiased by prior theory, ready to discard those concepts used *pro tem* to provide a start to data-gathering (Strauss & Corbin, 1998: p 205); and to “temporarily bracket out” (Locke, 2001: p 89) existing theory in initial sampling and coding. Bringer et al. report Glaser as emphasising this aspect of the process more than Strauss (Bringer et al, 2004). Sherlock Holmes sums up the idea succinctly: “It is a capital mistake to theorise before one has [enough?] data. Insensibly one begins to twist facts to suit theories, instead of theories to suit facts” (Conan Doyle, 1892/1994).

Nevertheless researchers are to be “sufficiently ‘theoretically sensitive’ to be able to conceptualize their data” (Glaser and Strauss, 1967:p 46). This theoretical sensitivity comes from researchers’ own creativity and their ability to conceptualise what lies behind the data and is reflected by it; which in turn

comes partly from disciplinary training (partly theoretical), or “commitment to a ...paradigm of enquiry” such as interpretivism (Strauss & Corbin, 1998: p 272). Holmes also advises acquiring “the wide range of exact knowledge which is essential to the higher developments of [the] art” (Conan Doyle, 1930: p 90). This sensitivity produces results in the immersion in the data represented by the microscopic analysis and constant comparison method.

To be fair Strauss and Corbin recognise that there is a problem reconciling the demands (as they put it) of objectivity and sensitivity. Objectivity here means “distance from the research materials” (Strauss & Corbin, 1998: p 35), or “openness, a willingness to listen” (Strauss & Corbin, 1998: pp 42-43). They suggest active development of both skills in parallel. To make sense of it, my own approach is to borrow in metaphor the concept of “active listening”; the researcher should try to “actively listen” to the data in the way counsellors would listen to clients - without prejudging their meaning.

However, the bracketing out of theory does not suggest that the researcher’s own assumptions, conscious or otherwise, should or can be discarded or are of no influence – on the contrary, they cannot be excluded but should be reflexively articulated (as far as possible; see section 7 below).

### **5.2.3 Use of theory and literature in this research**

Given this ambiguity I decided to treat the stages of research as separate, so that conflict and ethical literature was excluded from the data-gathering and Model building. This strong “bracketing out” seemed to be dictated by the exploratory nature of the research. If I used existing theory to set direction, I would inevitably find material focused on it and use it to interpret, whereas the aim was to identify what people thought and to build substantive theory on that basis. Reciprocally I reviewed literature without specific reference to the Model; and Chapter 6 shows the use of literature after that second stage.

### **5.2.4 Variations in grounded theory**

Glaser and Strauss, and others, later diverged on the ways of carrying out this whole process (Locke, 2001; Strauss & Corbin, 1998; Glaser & Strauss, 1967; Charmaz, 2006). This divergence extends to perspectives on the nature of what they were trying to achieve.

Glaser stressed that theory should remain intimately connected with the data, and indeed the title of Glaser and Strauss's original work, *The Discovery of Grounded Theory*, is not inconsistent with a positivist belief that the truth is there to be mined (Glaser & Strauss, 1967). Strauss and Corbin however argue that the process of emergence of meaning should not be seen in a positivist sense (Strauss & Corbin, 1998: p 266) but rather depends on the researchers' sensitivity to the data (Strauss & Corbin, 1998: pp 46-48). However, some see this process as essentially constructionist (Locke, 2001: p 34; Charmaz, 2006). Meaning can indeed be seen as constructed from the systematic interaction amongst researchers, their respondents and their data. This is surely a question of emphasis; the involvement of others in forming our sensitivity is as inescapable as any other aspect of our experience.

### **5.2.5 Conclusion: the suitability of grounded theory for this research**

Strauss later emphasised the search for *abstraction and conceptualisation of the processes observed* (Strauss & Corbin, 1998: pp 103, 105, 272; Richards & Morse, 2007: p 63).

The focal criterion of purpose is firstly to identify justifications which arise from concrete experiences, which (in general terms) is what grounded theory attempts; and second, identifying *common processes* rather than *specific* ones, to build a conceptualisation of how people justify harm-doing. The Strauss and Corbin approach arguably supported this best and it was followed.

Grounded theory, considered together with symbolic interactionism, therefore meets all the requirements for a methodology for this research.

## **6 Choice of Data Collection Methods**

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### **6.1 Chosen data-collection method: Interviews**

The purpose of the data-gathering is to collect data about how people articulate ethical reasoning (cf the focal criteria). It makes sense to ask them directly. As Kvale and Brinkman put it:

*If you want to know how people understand their world and their lives, why not talk with them?...In an interview conversation, the researcher*

*asks about, and listens to, what people tell about their lived world.* (Kvale & Brinkmann, 2009: p xvii.)

In Ch.2:2 above, individual conflicts were said to be complex and to take place in, and to have meaning for, more than one time-zone, place and context. To gather useful data about them demands the flexibility sensitively to vary the focus of attention. Though interviews generally have this quality, some are more flexible than others. I now consider the form of the interviews.

### **6.1.1 Group interviews and focus groups**

Saunders et al. suggest group interviews (of which focus groups are a subset implying greater focus on a specific topic) have a particular role in exploratory work (Saunders et al., 2007: p 133), in that they can be a good way to identify themes for later development (Cohen et al., 2000: p 288).

Groups to be interviewed may consist of between six and twelve participants (Robson, 2002: p 285; Kvale & Brinkmann, 2009: p 150). All things being equal this is an efficient use of resources compared to one-to-one interviewing, but this advantage may be undermined if a second researcher is needed to help manage the process and the data, eg by identifying who said what in transcripts (Robson, 2002: p 284). This was a practical (but not determining) argument for avoiding group interviews.

The main ground was that group interviews were unlikely to have produced the data required for three reasons:

First, it may not have been possible to ask so many questions, ie to cover the same amount of ground, as in an individual interview.

Second, it was essential to be able to develop points with individuals, more difficult in a group setting (Cohen et al., 2000: p 288).

Third, the subject was likely to be sensitive – recalling personal conflicts can be stressful at the least. (This was actually addressed in the ethical procedures for the study (appendix 3 below).) Opinion is split as to whether group interviews are a good approach to sensitive or taboo subjects. Some argue that social pressures, group dynamics and the desire for privacy or confidentiality may inhibit access to the information sought (Cohen et al., 2000: pp 287-288; Robson, 2002: p 284; Easterby-Smith et al., 2002: p 106). Others argue that it

may actually bring points to the surface likely otherwise to be concealed (Kvale & Brinkmann, 2009: p 150), even as part of a grounded theory study (Creswell, 2007: p 90). I accepted the view of Watts and Ebutt that a group interview amongst people who knew each other, and shared a particular experience, could well achieve this (Cohen et al., 2000: p 287). However, it was unlikely to work where people were strangers (as they were, mostly, here). I decided group interviews would not be successful.

### **6.1.2 Individual Interviews**

Individual interviews can vary in a number of ways. They may be face-to-face, by telephone, or by email. The main advantage of the first is that the interviewer may develop rapport with the respondent and can respond to all aspects of the interview including facial expression and body language as well as tone of voice and content (Cohen et al., 2000: p 124; Robson, 2002: pp 272-274). Phone interviews do not allow an interviewer access to the first two of these and email interviews rely only on content – but cannot achieve the speed of response and subtlety even of a phone interview. However, telephone interviews do allow correction of perceived misunderstandings, and, like email approaches, may reduce the social pressure on respondents to give interviewers what they appear to want. Both may be cheaper especially if large numbers are needed.

Individual face-to-face interviews were thus on balance what was required (I saw rapport as important) but can themselves be categorised in a variety of ways, eg on a continuum from structured to unstructured. This is addressed in Ch.4:2.2 and questions about the validity of interview data in Ch.3:6.3.

## **6.2 Rejected data-gathering methods**

A number of other data collection methods were considered.

### **6.2.1 Surveys and Questionnaires**

Surveys and questionnaires are frequently used in qualitative as well as quantitative work. In particular, however, they are associated with nomothetic investigations of cause, testing of hypotheses or the description of populations (Gill & Johnson, 2002: 96-97). The main features of this approach are “the collection of a small amount of data in standardised form from a large number of

individuals” (Robson, 2002: p 230). The researcher sets a fixed list of questions. This depends on prior work and understanding to define its terms (Robson, 2002: p 235). This work is too early in the process to have hypotheses to test, or populations to describe; it is exploratory.

The formal survey restricts the participant’s ability to respond to questions or requests for elucidation, or to add explanations, nuances, anecdotes, concrete examples and the like. It is axiomatic in an exploratory study that data will be gathered in a way which will enable people to tell the researcher what the researcher does not already know.

Surveys fail the criteria of approach and purpose.

### **6.2.2 Observation**

Observation of behaviours (Richards & Morse, 2007: p 115) would not yield data about how people articulate and verbalise justification, thus not meeting the criterion of purpose.

### **6.2.3 Other methods**

Robson lists a number of “additional methods” such as using pre-existing documents, content analysis, data archives, and the mysterious “unobtrusive measures” (Robson, 2002: pp 346-385). People are unlikely to have recorded their personal ideas in institutional documents and archives, or in a form in which counting the frequency of particular words or ideas would be possible (content analysis). The almost Sherlock Holmesian example of unobtrusive measures given was to judge the popularity of museum exhibits by the frequency with which the surrounding floor tiles were replaced (Robson, 2002: pp 346-347). None of these approaches collect the data required here.

## ***6.3 Validity and reliability***

### **6.3.1 Difficulties in qualitative research in general and this thesis in particular**

Qualitative research, research collecting primarily non-numerical data and based on idiographic methods (Saunders et al., 2007: p 608), has sometimes been attacked as not scientific. Morse bluntly sums up why this might be a problem:

*If it is not science, then why should it be funded, published, implemented or taken seriously? (Morse 1999:underlining added.)*

Here the underlined point is the most important.

Nomothetic methods have the advantage that the exact procedures to be followed to get particular outcomes can be specified (Robson, 2002: pp 96, 164); crucially, this means that there is already a good theoretical understanding of what is being researched. In contrast, a grounded theory study intends to develop new theory out of the data, not, perhaps, a theory which covers a whole discipline, but one which explains a reasonably bounded set of circumstances (Locke, 2001). How might this be assessed?

### **6.3.2 Criteria for assessing qualitative work**

Nomothetic research has developed established criteria for validity, such as statistical tests (Clegg, 1990), and reliability. Validity means essentially that the research shows what it claims to. Variant kinds of validity are discussed in the literature. For example, population validity relates to the extent to which the conclusions can be generalised across a defined population (Gill & Johnson, 2002: p 162-163); and there are many other subclasses of validity (Robson, 2002: pp 101-106). Reliability reflects the principles of nomothetic, law-seeking methods, standardised tests for example. If those methods are repeated in relation to the same phenomena, with different researchers, they should get the same results if the research is reliable - or there needs to be a credible explanation for why they do not (Robson, 2002: pp 101-106; Strauss & Corbin, 1998: p 267).

Qualitative research does not have such a straightforward canon. Idiographic methods collect data which may be unreproducible, and in that way, from the nomothetic point of view, are both unreliable and invalid (Robson, 2002: p 101). Suppose the researcher, seeking better ways to support victims, interviews refugees from a war about the experience of being attacked and wounded. They may not survive to be asked again; or perhaps their memory may fade, modify or simply vanish in self-defence. People may just change their minds; suppose a Catholic interviewee finds himself defending abortion but a week later rediscovers the authority of his Church. There may be cumulative minor

changes in conditions beyond the control of the researcher (Strauss & Corbin, 1998: p 266).

However, it has to be shown that in a broad sense qualitative research is valid and reliable, and the response has two main aspects.

First, the concepts of validity and reliability have to be slightly refined to suit the “complexities of social phenomena” (Strauss & Corbin, 1998: p 266). The redefinition is not intended to change the basic concepts. “Valid” may not follow natural science rules exactly but retains the meaning it has in everyday life - roughly, accurate and true, in accordance with the criteria of the relevant discipline (Robson, 2002: p 170; Grayling, 2007: pp 33-37). “Reliable” cannot mean just reproducible in the nomothetic sense for the reasons given above. However, data collection methods must therefore be shown to be otherwise robust and reliable, in the everyday sense of trustworthy (Robson, 2002: p 176; Strauss & Corbin, 1998: p 267; Fisher, 1988). Strauss and Corbin do however report cases where broadly comparable conclusions have been reached by researchers sharing assumptions and methodological approaches (Strauss & Corbin, 1998: p 267), so perhaps claims that any one piece of qualitative research is unreliable should not be accepted without careful consideration of the case.

Secondly, to meet these marginally changed criteria, each stage of the process of a research project must be rigorously carried out and (so claims for that are credible) transparent to the reader. Here I largely follow Robson (Robson, 2002: pp 170-176). This Chapter deals with principles, and Chapter 4 explains how this work makes use of them.

### **6.3.3 Rigour, validity and transparency**

#### ***6.3.3.1 Dealing with particular “threats”***

Robson quotes Maxwell as presenting three “kinds of understanding involved in qualitative research” (Robson, 2002: p 171); each is associated with a particular risk of being undermined.

Data gathering should produce an accurate and complete record of (in this case) the interview, in the absence of which, the data would be neither valid nor

reliable. Recording and transcription is recommended. This was done thoroughly in this work: see Ch.4:2.4 and Appendix 2:3.3. Part of the process was “member checking” (Robson, 2002: p 175) in which the interviewee reviews the transcript – this was done here, but was very limited in scale as it was not considered likely to have much impact (see Ch.4:2.4 and next paragraph).

Imposing a personal interpretation on the data, as opposed to allowing it to emerge, would undermine the validity of the work. In the case of exploratory work, where I was not seeking an explanation of how things fitted together as cause and effect, this is perhaps of less crucial importance. However, as Chs 6 and 7 explain, some outcomes of the research were unexpected, which suggests that I succeeded in minimising the impact of my preconceptions. Ch 4 and Appendices 1-4 give a detailed account of how the process was carried out. Section 7 discusses my perspective as a researcher, giving readers the opportunity to judge for themselves how that might have affected the work (Strauss & Corbin, 1998: p 273).

Not considering alternative explanations would be a threat to validity. Since this work is not explanatory, straightforward triangulation was probably not in point. However, using secondary sources, I sought comparable data from an entirely contrasting environment, which also introduced other data-gatherers and disciplines. This is analogous to “negative case analysis”. This is developed in Ch.4.3.

### **6.3.3.2 Interview data**

Interview data, specifically, are subject to a wide variety of threats to validity (Cohen et al., 2000: pp 120-126; Kvale & Brinkmann, 2009: pp 248-265). However, arguably they do not all affect this work directly. For example, simple inaccuracy in the interviewees’ responses does not seem important. I am not seeking to know exactly how many times A threatened B before B decided to shoot A; rather I want to know how B articulated the reasoning which led to his or her action. The issue seems rather to be what might lead B to misrepresent this reasoning. The list is, to a considerable extent, the same as may lead to confusion in ordinary life; for example, power imbalances between the interviewer and interviewees, failure of the one to understand the other, the

stressful nature of the incidents recounted, the use of inappropriate leading questions, poor interview technique, prejudice, the desire of the interviewee to please or confound the interviewer, a biased sample and a host of other factors (Cohen et al., 2000: pp 120-126; Kvale & Brinkmann, 2009: pp 248-265).

Kvale and Brinkmann present interviewing as a craft with many techniques and skills expertise in which will minimise the negative effect of these features (Kvale & Brinkmann, 2009: pp 248-9). As I indicate in Section 9 and Ch.4 and Ch.7 below, I have some experience in factual and counselling interviewing, prepared carefully for the interviews and sought some feedback from interviewees. I also recognised that in early interviews I made some mistakes which I was able to correct. My conclusion is that people did not mislead.

### **6.3.3.3 *The Importance of Transparency***

Strauss and Corbin take the view that qualitative research writing should be as transparent as possible so that readers can evaluate the main stages of the work, including the point about validity of interview data (Strauss & Corbin, 1998: pp 269-272). This work is explicit at every stage, reflecting Kvale and Brinkmann's view that validation "permeates the whole process" (Kvale & Brinkmann, 2009: p 248); each stage, from formulating the research project to writing up the results, needs to be carried out well. My intention is that each of these stages is transparent to the reader. The process is also reviewed in Chapter 7.

I used the NVIVO 8 computer program to support the analysis and theory building, and, as part of the commitment to transparency, Ch.4 and Appendix 1 shows how that was done (Bringer et al, 2004).

### **6.3.4 Generalisability**

One of the sets of "rules" nomothetic methods have available is statistics, in particular concerning the extent to which any given sample of data is representative of a larger population (Robson, 2002; Clegg, 1990). This is a valuable prize because if the conclusions of a piece of research are *not* generalisable, and can be seen as relevant only to the particular data collected, they may be dismissed as (merely) descriptive and of little weight (Silverman, 2006: p 303-310). In an interview study such as this it is unlikely, for time

reasons alone, that enough exploratory or unstructured interviews could be carried out to constitute a statistically satisfactory sample.

Qualitative researchers argue that they should not be defensive (Silverman, 2006: pp 303-310; Strauss & Corbin, 1998: pp 265-270). Nomothetic approaches result in laws applicable to a reasonably wide population and epidemiologists, for example, claim very significant discoveries, such as the role of tobacco in disease (Saracci, 2010). But in social contexts this can be at the cost of being so general they may be dismissed as superficial and irrelevant; as a teacher I have often had to defend management theory as relevant in that it delineates general principles which can help interpret day-to-day reality, though not necessarily determine actions. (And indeed one wonders at the usefulness of the epidemiological demonstration of the role of tobacco to a doctor treating an individual patient.) A large amount of data by itself is not necessarily the sole determinant of useful outcomes. Arguably a discovery as significant as the role of the heart as a pump could (in principle) be made from an examination of a single heart (Kvale & Brinkmann, 2009: p 265); and Silverman cites the work of Douglas in building a theory of social relations on an investigation of an African tribe's attitude to the pangolin (Silverman, 2005: p 104).

Strauss and Corbin argue that the strength of the grounded theory approach is to build theory which depends for its usefulness on its explanatory power rather than on its statistical representativeness (Strauss & Corbin, 1998: p 267). For them, "explanatory" involves "predictability". It is able to achieve prediction through "specify[ing] the conditions that give rise to certain phenomena – problems, issues and the use of strategies or actions/interactions to manage these problems or issues..." (Strauss & Corbin, 1998: p 267), identifying, in this case, what justifications might result from harm-doing in conflict. These substantive or local theories do not have the wide explanatory power of formal theories (6.2.1 above), which depend on greater variation of data. Substantive theories are useful in their own context and they may be useful in other contexts – depending on the similarities and differences the situations exhibit. This is "analytic generalisation" (Kvale & Brinkmann, 2009: p 262).

What makes a grounded theory generalisable in this sense is therefore essentially the same as that which makes it valid and reliable; and as a result

the Model may be seen as relevant in situations where the context is substantially similar to that of the participants.

## 7 Perspective of the Researcher

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In explaining her own perspective, Locke goes back to her undergraduate degree (Locke, 2001: pp x-xi). I start sooner, with O-level English Literature. This was my first exposure to the liberating discipline of citing evidence in support of well-articulated reasoning. It was liberating because it relieved one of the onerous task of making things up out of thin air or guessing what was in the teacher's mind; reasoning needed a seed to grow from and (to mix a metaphor) an audit trail. A-level and undergraduate history gave me the conviction that the subject was really about how each generation made sense of how it got to where it was and where it might be going. Social explanations are always fluidly contextual. I also found I admired the Enlightenment ideal of the power of reason, which may influence my liking for normative ethics and my atheism. Undergraduate philosophy gave me a belief in the power of logic (both formal, philosophical and real world (Fisher, 1988)) to help separate strong from weak arguments, though no particular skill in it. I then qualified in accountancy. Accountants see their art as one of interpretation and presentation. I added advocacy to that, by negotiating tax liabilities; and investigative interviewing, and practical analysis of moral responsibility, through a short period as a senior internal auditor. At the same time I was a probation volunteer, where I was exposed to a world in which the assumed manipulative nature of clients led to *all* communication being interpreted in accordance with the professional canon. Part of the training involved counselling techniques. Later, I took an MBA (which I saw as being about management of people and processes in general) and taught in a business school (which I saw as being mistakenly, if understandably, over-focused on for-profit organisations). Teaching, unfortunately, can involve an assumption of superior power, and this showed in my earlier research interviews. My subject was strategy, which has a resolutely teleological approach, being about choosing and pursuing aims. It has no particular aims in mind. It is equally applicable, as a practice, to individuals, not-for-profit or business activities, or private or public sector organisations, including, of course, the military, where the term originated; perhaps this influences me

towards concrete application of theory (as does being a Kolb diverger (Kolb, 1984)). I was exposed to two approaches to group behaviour, Group Analysis (Foulkes, 1948/1983) and the social constructionist Systemic Family Therapy (Boscolo et al., 1987), aetiological and teleological respectively. I much preferred the latter, on the analogy of history and “strategy”. These studies of groups tempered a strong commitment to political individualism (of the John Stuart Mill variety) by a recognition that we are never not in a group of some kind; and that the benefits individuals can enjoy are available only because of collective effort. Hence, in ethics, I tend towards contractarian thinking, in which the obligations of the one to the many and *vice versa* are considered.

My generation heard a lot from its parents about WW2. WW2 was paradoxical: quantitatively at least, the worst violence in history, yet UK participation was seen as fully justified and it gave meaning to many lives. Later, IRA violence came very close to home when a newspaper published a photograph of a large van filled with high explosive under the window at which my then wife was working. Nonetheless, it was only with the passage of time, and the political conflict mentioned in the introduction, that the peace rhetoric of (for example) Eisenhower and *Catch-22* led me to seriously question when (though not whether) political violence was appropriate. I joined the Conflict Research Society, founded by the Australian diplomat and academic John Burton, and was for a while its secretary. My experience of organisational harm-doing was perhaps less predictable. I worked in a private sector employer which made 6,000 staff redundant in three years. No-one doubted that the redundancies were needed. The employer maintained some measure of morale amongst those who remained by treating the dismissed with care, respect and kindness. I then watched a public sector employer in a similar exercise crush the morale of those remaining by treating the dismissed with cruelty. I met no-one who thought the public rationale made sense.

These experiences suggested that justification for harm-doing needed to be investigated.

## 8 Chapter Summary

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This Chapter reviewed methodologies for the empirical stage of this work, aimed at providing answers to the first focal question. Symbolic interactionism was chosen as a contextual methodology and grounded theory as a systematic way to implement it. We then chose which data-gathering methods will support the chosen methodology best: individual respondent interviews, together with triangulation through third party written material.

The following chapter explains in detail how the data was gathered and built into the Model.

# Chapter 4

## Data Collection and Analysis: how the grounded theory process was carried out

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### 1 Introduction

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The previous Chapter set out the theoretical issues involved in constructing a Model to answer the focal question: how do people justify or make sense of their decisions to do harm to others in conflict?

This Chapter explains how the primary and secondary data was collected and processed into the Model.

The Model was developed from twelve semi-structured or unstructured interviews carried out by the researcher (Section 2), and one written source to provide triangulation (Section 3). I used the QSR computer programme NVIVO 8 to manage the data (Ch.6).

Appendices 1-4 give further information about the process, as follows:

*Appendix 1:* gives an audit trail showing how an interview was used to build up part of the Model. It includes NVIVO 8 screenshots.

*Appendix 2:* contains extracts from my research diary.

*Appendix 3:* explains my ethical commitments (including confidentiality of transcriptions), gives examples of requests for participation, includes the formal ethical clearance by the University and shows the risk analysis carried out.

*Appendix 4:* gives the final interview schedule (see 2.2.2 below).

Chapter 7 further critiques how the process was carried out.

## 2 Data Gathering through Oral Interviews

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### 2.1 Selection of interviewees

The basis of selection of interviewees was purposive or theoretical (Ch.3:6.2: Strauss & Corbin, 1998: pp 201-215; Silverman, 2006: pp 307-309; Miles & Huberman, 1994: p 27).

Twelve interviews were carried out. There was no prior decision about the number required and indeed theoretical sampling cannot normally be pre-programmed in detail (Strauss & Corbin, 1998: p 215). However, twelve fell within the range suggested by Kvale & Brinkmann as frequent practice, 15 plus or minus 10 (Kvale & Brinkmann, 2009: p 113). "Saturation" was reached after the twelfth interview and this is discussed further below (2.7).

Broadly the aim was to establish what concepts were relevant, and then to refine understanding of them through the choice of data collected, eg by seeking contrary or "deviant" views (Silverman, 2006: p 319): see section 3 below. The overall aim was to find out what *people saw as relevant to the justification of violence* and from this to answer the focal question. The grounded theory process envisages that there will be no specific theoretical criteria by which to choose early participants, since the aim of the project is precisely to develop such theory. Accordingly, any concepts adopted at the beginning are taken to be starting points which may be discarded as concepts develop out of the material (Strauss & Corbin, 1998: p 205). Indeed Strauss and Corbin suggest the initial participants could be selected almost at random: "one could choose every third person who came though the door" (Strauss & Corbin, 1998: p 206). However, I needed some sort of criteria (if only a specific door) and began by speculating about what might affect the usefulness of contributions.

I decided that the only things that mattered were that the respondent might have something to say and could articulate their views readily. There seemed no virtue in collecting data which was thin on substantial content or required guesswork to understand even at a superficial level (Morse 2000). It would only increase the number of interviews which would be needed. Kvale and Brinkmann point out that the "ideal interviewee", never short of something useful to say, risks being the archetype of an "upper middle-class intellectual" and so

untypical of the “general population” (Kvale & Brinkmann, 2009: p 165). However, I was not, at this stage, trying to identify the characteristics of any particular population and Morse’s point therefore seemed more persuasive.

To find respondents articulate in this sense, I identified two likely groups: “professionals” and university graduates in general. I assumed that the latter group would meet the criterion. I then considered whether it would make a difference if the interviewees were “professionally” involved in managing conflict or not. By “professionally” I meant, for example, through teaching courses in it, being a mediator, studying it as an academic, being a member of a related professional body such as ACAS, or being directly involved in violent conflict as (say) a policeman or soldier. Professionals (I thought) would probably be articulate but might have thought through their ideas to the point of making them untypical. I included no-one with any professional interest or known expertise in relevant areas of ethics.

The solution was to involve both professionals and non-professionals.

The first four interviewees respectively taught conflict management, practised it in the police or a trade union, or had thought about it for many years through religious conviction. These interviews were intended to function to some extent as “pilots” testing my approach and the usefulness of the questions (Gill & Johnson, 2002: p 120). However, arguably, no interviews in grounded theory are set in stone and all are to be developed – as these were (see below, Ch.4:2.2.1 and 2.2.2).

After the first four interviews I chose participants on the bases of

1. seeking views contrary to, or at least different from, either my own or those I had already collected (Strauss & Corbin, 1998: pp 208-209; Silverman, 2006: p 309; Miles & Huberman, 1994: p 29);
2. trying to identify respondents whose contribution would deepen understanding of “categories” or concepts (Strauss & Corbin, 1998: p 208); and
3. “convenience”, ie serendipitously, when the opportunity presented itself (Strauss & Corbin, 1998: pp 208-209).

These bases worked as follows.

With the partial exception of the first interviewee, the first four professional respondents essentially described conflict as being aggressive behaviour rather than some mixture of incompatible values and behaviour in pursuit of them. I was therefore particularly interested in finding how respondents accounted for the relationship between values and interests on the one hand and actions in harm-doing on the other. A student in a class I taught showed interest in violence relating to animals. This led to an interview which yielded some clear statements of values and their relationship to action. I then invited a colleague to take part. Here I particularly wanted to address how people may approach conflict with those with whom they have no real common ground, and knew the colleague and I had contrasting views on this (not themselves amounting to “no real common ground”). Another colleague and a local businessman had what I expected to be sharply contrasting approaches to conflict as aggressive behaviour – the one personally distressed by it, the other positively enjoying it. The two gave revealing perspectives on personal feelings and the role of temperament.

This second group of four respondents proved unusual in that what I hoped for (as described in the previous paragraph) was, more or less, what the interviews provided. The next four did not do this at all.

A professional member of a church whom I had known for many years agreed to take part. I had expected this interview to mirror that with the policeman – with the church providing a structure of values and prescriptions which would influence approaches to conflict analogously to the police’s “Conflict Resolution Model”. I could not see it in the interview transcript. Rather it provided insights into the roles of group identities.

At this point I could no longer identify further suitable respondents from my own immediate range of acquaintances. My supervisor then suggested two graduate students. These interviewees had experienced what seemed to me a surprising variety of intense personal conflicts and in particular gave examples of how current attitudes to doing harm could be rooted in personal and family histories. Finally I arbitrarily invited a colleague to take part. This unexpectedly proved a particularly valuable contribution in which the interviewee spoke closely to the brief throughout.

I could identify no systematic difference between the professional and non-professional groups.

### 2.1.1 Characteristics of Interviewees

Interview Designation	Gender	Approximate age*	Profession
A	F	45-50	Teacher of conflict management techniques
B	M	45-50	University lecturer and union rep
C	M	70-75	Quaker, pacifist and lifelong campaigner for peaceful approaches to conflict management
D	M	40-45	Policeman and trainer of policemen
E	F	20-25	Business student and animal rights campaigner
F	F	55-60	Business lecturer
G	M	40-45	CEO of SME
H	F	50-55	Academic manager and business lecturer
J	M	65-70	Catholic priest
K	M	25-30	PhD student
L	F	25-30	PhD student
M	M	45-50	Business lecturer; catholic layman
NT1	N/A	N/A	See Section 3 below
		* Researcher's estimate	

The numbers in age ranges were as follows:

20-25	1	F
25-30	2	1F, 1M
30-35		
35-40		
40-45	2	2 M
45-50	3	1F, 2M
50-55	1	1F
55-60	1	1F
60-65		
65-70	1	1M
70-75	1	1M
	12	5F, 7M

## ***2.2 Planning the interviews, carrying them out, and reviewing performance***

### **2.2.1 Nature of interviews**

My original intention was that all the interviews would be semi-structured (Silverman, 2006: p 110; Robson, 2002: p 278; Kvale, 1996: p 124).

Saunders, Lewis, & Thornhill suggest that there is a continuum between structured, semi-structured and unstructured interviews (Saunders et al., 2007: pp 311-312). Structured interviews have a predetermined and standardised set of questions which the interviewer puts to the interviewees probably in the same order each time. The questions will usually be closed. This is appropriate where what the researcher wants to know is reasonably clear and unequivocal, and it is important to collect answers comparable enough to be analysed numerically. Neither of these points applied here. At the other end of the continuum, in unstructured interviews, the interviewers are likely to have a general idea of the subjects they wish to explore, but be prepared to let the conversation develop more or less as the respondent wants. This does not mean it can drift into irrelevant areas, but interviewers need to be sensitive to the distinction between the unexpected and the irrelevant. An important strength of this type of interview is that, in contrast to the structured interview, it can lead to that which one does

not know that one does not know. Robson points out that the interviewee's and interviewer's view of the process may be contrasting (Robson, 2002: p 272). The interview may be flexible and unpredictable from the interviewer's point of view, while the respondents may be presenting a highly structured perspective on their "lifeworld". Semi-structured interviews are likely to have a predetermined question-set as do structured ones. However, the questions may be asked in a different order or given different emphasis, and some may be dropped altogether. The interviewers may ask (or answer) supplementary questions to ensure common understanding of the questions and responses, or to follow up unexpected but relevant subjects the respondent raises. The emphasis is less on numerical comparability than on a good understanding of the "themes of the everyday world from the subjects' own perspectives" (Kvale & Brinkmann, 2009: p 27). However, the question-set means data will be gathered on similar topics and themes.

It seemed initially that I wanted data about particular aspects of respondents' views (see subsection on Interview Questions below), and accordingly, before the first interview I prepared a checklist of questions (Robson, 2002: p 279) to ensure issues were addressed. This was also intended as a verbal prompt to ensure there were no unforced silent periods. (Some interviews – D and H, for example - actually had quite long gaps of over thirty seconds where both parties thought about what had just been said and/or where the discussion should go next.)

I reviewed the transcripts of the initial interviews against the list and my general purposes. This yielded two very important points. First, the schedule clearly began to inhibit what the interviewees had to say, being composed in my terms and not theirs. Second, I clearly intervened far too much, in terms of introduction, explaining my questions and discussion. Both of these issues wasted respondent time (in the sense that in an interview, limited by agreement to an hour, it reduced their contribution by (say) ten minutes) and inhibited the identification of what I began to realise was crucially what I was seeking: what I did not know I did not know about respondents' views. Fortunately, however, this did not mean that the early interviewees felt themselves badly constrained by my interventions. I asked the five interviewees D-H for feedback and in the

three instances where the request sheet was returned, they said I did not interfere with what they wanted to say.

By interview F, I no longer followed the schedule systematically if at all and my interventions had reduced substantially. My aim was to set the scene and let respondents talk, giving occasional encouragement to discuss particular issues further. The interviews had become unstructured (Robson, 2002: pp 278-279).

In retrospect this approach, with fewer interventions, made obvious good sense in an exploratory work. However, “[such studies are] almost exclusively of flexible design” (Robson, 2002) and this one adapted to circumstances as they developed. Arguably, the less structured approach should have been adopted *ab initio*. Cohen *et al.* write:

*The issue...is of ‘fitness for purpose’; the more one wishes to gain comparable data...the more standardised and quantitative one’s interview tends to become; the more one wishes to acquire unique, non-standardised...information about how individuals view the world, the more one veers towards qualitative, open-ended, unstructured interviewing.* (Cohen *et al.*, 2000: p 270.)

Thus the way the programme developed reflects Strauss and Corbin’s view that as the original data collection questions – or approach -

*have not evolved from “real” data... [they] must be considered provisional and discarded as the data begins to come in.* (Strauss & Corbin, 1998: p 205.)

## 2.2.2 Interview Questions

The question schedule was never wholly discarded and was the kernel around which the new directions mentioned above developed. It became however more *what I listened for* rather than *what I asked*.

The most refined version of the schedule is to be found in Appendix 4 Question Schedule. It has two sections. The first provided ways to prompt interviewees to explain how they rationalised some of their actions which involved harm-doing on their part or (more likely) that of others (“*explanation*”). The second focused on how they conceptualised conflict (“*conceptualisation*”). In the earliest versions of the schedule the order was the reverse. This led to disproportionately more time being spent on *conceptualisation* and less on *explanation* and was changed to put greater emphasis on the latter. This

response to what actually came out of interviews again reflected the developmental grounded theory approach.

The questions in themselves were not technical in terms of the literature – at this early stage the grounded theory approach seeks to minimise involvement of the literature (Strauss & Corbin, 1998: pp 207-208). However, they were formal and (as indicated above) sometimes required distracting explanation, eg:

*“How do you rationalise or justify these decisions to yourself, other parties, or uninvolved parties?”*

Here “rationalise” risked complex and irrelevant discussion while the other categories, being imprecise, could be similarly time-consuming. Similar problems arose in

*“Do you use a rational calculation of cost and benefit....?”*

where the issue could become “what constitutes a cost or benefit in these circumstances?”

To get round this, my aim became to steer the respondent towards talking about incidents and how they behaved in them. This had the almost inevitable consequence that they sought to explain or justify the actions taken, without the need for my specific questions. I nonetheless always took the schedule to interviews “just in case”.

### ***2.3 Outcomes of interviews: respondents and preparation***

I judged the interviews themselves to be successful in that they provided rich data which led to saturation (see 2.6 below).

This was the product of a number of systemic factors. A critical issue was the decision to seek articulate respondents, who were likely to be interested in and to some extent knowledgeable about the interview and research process. Their graduate status and interest in the subject led them to prepare themselves effectively. This was supported by the introduction to the process, which had two main features. In each case I first discussed orally the purpose of the interviews, checking that the potential participants were able and willing to take part, understood the purpose of the work and were interested in it. This was followed up in the “Ethics Letters”, which formally asked for the respondents’

participation and permission to record the interviews. The letters contained a focused restatement of the purposes and proposed content of the interviews. The cumulative effect was that the respondents appeared highly committed to providing useful material (evidenced in the feedback referred to above as well as in the transcripts). This reflected Kvale's expectation that interviewees can find participation stimulating when they are given the opportunity to express themselves on something interesting – which otherwise they might not get (Kvale, 1996: p 36).

The success involved luck as well as judgement. Some of the interview transcripts showed very different results from what I expected. In one interview I struggled to keep the respondent talking by continually making small interventions. The transcript however reads like a record of a very focused and naturalistic conversation. Again, I brought another interview to an early close because I thought its content of limited use. The transcript however shows the respondent focused remarkably tightly on the brief and my supplementary questions. It produced the fourth highest number of nodes and the fifth of references. This undermines Morse's advice (Morse 2000) to "Put the tapes aside, and do not bother to get them transcribed" if the interview is a poor one.

## ***2.4 Recording and transcribing the interviews, and checking transcripts***

The interviewees each willingly gave their consent in writing for the interview to be recorded. The interviews were carried out on a one-to-one basis in university meeting rooms, the interviewee's office (in two cases), or, in one case each, the interviewee's home and the interviewer's home. The interviews were all recorded and (mostly) professionally transcribed (see also Appendix 3:3).

Once each transcription was completed I read it through listening to the tape, correcting if necessary.

I invited only one interviewee to read through the transcript. I did not expect this process to be especially valuable. I was not concerned with detailed verbal accuracy, careful description of actual circumstances, discourse analysis, use of specific vocabulary and so on but with the concepts underlying what the respondents said - which I did not expect to be much changed by a review process. I judged the changes proposed to be merely cosmetic, consisting

almost entirely of grammar corrections, and the elimination of hesitations. I did not repeat the process. This reflects Kvale and Brinkman's approach which prioritises usefulness to the research over "the correct valid transcription" (Kvale & Brinkmann, 2009: p 186).

The following section discusses how I approached analysis of the transcriptions.

## **2.5 Building the Model**

In Strauss and Corbin, "categories" are the main theoretical concepts which the researcher develops to analyse and make sense of the issue being researched. They have theoretically relevant components and features called "properties and dimensions" (Strauss & Corbin, 1998: pp 101, 113-115; Locke, 2001: pp 50-52). They are developed as follows. Data are collected, analysed and given "names", or "codes", representing the first step by which researchers develop their interpretation of the data (Locke, 2001: p 47). The comparison process (Strauss & Corbin, 1998: pp 78-85; Robson, 2002: pp 192-193; Glaser & Strauss, 1967: Ch 6) is then used to identify the relationships between the names (which are Strauss and Corbin's *properties* and *dimensions* of the categories (op.cit)). It then in turn groups or builds them into more substantial and coherent theoretical concepts. These are the "categories" (Strauss & Corbin, 1998: pp 57-71, 114-115; Locke, 2001: pp 47-50). This is essentially the outline I followed here.

I used QSR's NVIVO 8 programme to facilitate this analysis and as it is usually more convenient to use NVIVO's terms, I should make clear how I am using them to correspond to the grounded theory vocabulary.

*Free nodes* are the original codings or namings. *Tree nodes* are collections of theoretically-related free nodes arranged in a hierarchy and representing stages in the development of categories which appear in the model itself. *References* are quotations from sources which are coded and collected under node headings.

The categories and their properties and dimensions were developed through four processes, not necessarily sequential (rather they were iterative), which together constituted the microscopic analysis envisaged by Strauss & Corbin (Strauss & Corbin, 1998: Ch.5):

1. immersion in the sources;
2. coding or naming of sentences and paragraphs (collected under NVIVO node headings as references), including in this process, writing, reflecting on and developing the coding definitions (free nodes);
3. reflecting on the free nodes and references and developing them into the top and lower levels of tree nodes; and
4. memoing and writing the model (see below).

The original coding process produced some 263 *free nodes*. It is fundamental to the grounded theory process that the coding or nodes are rooted in the data (see Ch.3 above). Though they were rarely *in vivo* (direct quotations), and these did not represent a large proportion of nodes or references (not more than a dozen), they were mostly paraphrases intended to reflect very closely what respondents said (or at least, what I understood them to mean). There were however two other kinds of coding. One was based explicitly on literature – eg the Thomas-Killman analysis of approaches to conflict (competition, co-operation, compromise, avoidance and accommodation). This terminology is so familiar in my normal vocabulary that it did not appear to me to be literature-based and it was a convenient short-hand for what I read in the transcripts. The other was the most frequent kind. The node title reflected the concepts I saw present in the references or (as the analysis developed) more generalised conceptual headings.

In this process I had in mind the image of sculptors who see themselves as cutting away surplus material leaving behind the form which lies hidden in the block of marble (Gombrich, 1995: pp 307, 313). This is not to claim objectivity, or to deny that my theoretical understanding had an influence on the choice of comments to code or the interpretation of them. Rather it reflects my commitment to avoiding the imposition of concepts directly from the literature and more especially to active listening (Ch.3 above).

Under these nodes were grouped of the order of 8,500 references. The meaning and content of the nodes were then clarified or developed, and grouped under what NVIVO terms *tree nodes*. Some of the tree nodes were in turn grouped under higher tree-nodes, using a similar approach. Each level thus

represented a higher abstraction of the substance present in the references, supported by a trail leading back to the sources. The tree nodes correspond to categories and are the main headings in the model. Free nodes could appear under more than one tree (or free) node, reflecting the ambiguity, range of meaning, or varied contextual relevance which could be attributed to respondents' points.

The coding process and the growing of trees were highly iterative. Analysis of later references and nodes often led to revision in the meaning given to earlier ones (and *vice versa*), and sometimes to changes in the titles of free or tree nodes. Bazeley says that in her experience projects do not normally have more than ten trees; this has nine active ones (and some for storage of narrative examples). She says trees would not normally go more than three layers deep without confusion about "what class of thing you are dealing with" (Bazeley, 2007: p 122); this has only a few instances of three and none of more than that. This suggests this project is of typical size, has kept itself within manageable limits, and has organised its categories and subcategories effectively.

The purpose of the analysis was ultimately to support production of the Model. In this final process the tree and free nodes worked as guidance towards useful references, on which the model was ultimately based. The main node sources for the model are marked in Section 1 of Appendix 1. In composing the model I made the final judgements about the relative importance of the concepts which emerged and about which conceptually-based nodes reflected this best.

The Model includes participants' comments about others' behaviour. This study does not strongly differentiate between "direct" and "hearsay" because it is an exploration of the range of views held. A's views about B's behaviour are likely to give as much insight into this range as A's or B's own views ("shadowed data" discussed in 2.7 Completeness (Morse, 2000)).

Appendix 1 gives a detailed example of how the content of an interview was built into the Model.

## **2.6 Writing the Model (Ch 5)**

### **2.6.1 Structure**

The Model reports what sources said or wrote, directly or in paraphrase, together providing answers to the focal question: *How do people justify or make sense of their decisions to use violence?* It does not normally include external commentary, though there are three exceptions, needed to make sense of the section, identified by square brackets. The structure developed in three stages. The first was my original question schedule which was divided into conceptualisation of conflict and accounts of justification. This progressed, through the process above, into the following overall structure:

1. what conflict was – its nature and significant characteristics;
2. what could justify doing harm to others in principle – formal justification, narrative explanations;
3. what evidence and process was needed in practice to support a decision to do harm; and
4. what influenced these principles and practice in terms of context.

Thirdly, the detailed structure, as set out in Ch.5:1, emerged as described above.

### **2.6.2 Content and presentation**

Writing the Model reflected the process described above, but with the necessity to write coherent sentences, further similarities and differences of meaning in the data appeared. The pressure to abstract led to the removal of a number of nuances which may perhaps have existed only in the anxiety of a researcher not to miss anything. Finally, I produced a summary which “fell out” of the main Model very easily, suggesting that it was internally coherent.

## **2.7 Completeness: saturation, and size and nature of samples**

There is no pre-set or precisely calculable sample size in a qualitative research programme (Strauss & Corbin, 1998: pp 202-215; Miles & Huberman, 1994: p 27; Kvale, 1996: p 102). The aim is saturation. As Morse writes:

*An edict of qualitative research is to collect data until saturation occurs...*  
(Morse 1995: p 2.)

The issue then is how many interviews, or how much data, are needed before this occurs and whether these criteria are met in this case. The first sub-section below considers saturation directly and the second the issue of the size of sample, eg the number of interviews.

As mentioned above, twelve oral interviews were carried out and a written secondary source incorporated (see Section 3 below). This is considered fully adequate because of the richness of the data they yielded and its usefulness in building the model. It culminated in “saturation”.

### **2.7.1 Saturation as the criterion for completeness**

In general terms saturation means that the investigator collects data until the latest collected yields no more new information. “Information” should be understood in terms of sense-making about the data, ie theoretical understanding of it. A researcher claimed that one measure of saturation was “the boredom that occurred when investigators had ‘heard it all’ ” (Morse 1995). But to adopt this test would risk confusing mere repetition of data or patterns in the data – respondents telling the same sort of story the same way – with what grounded theory intends (Charmaz, 2006: p 113).

Strauss & Corbin describe “theoretical saturation” in terms of categories:

*[Saturation occurs when]*

- (a) no new or relevant data seem to emerge regarding a category,*
- (b) the category is well developed in terms of its properties and dimensions, and*
- (c) the relationships among categories are well established and validated.*

(Strauss & Corbin, 1998: p 212.)

Locke focuses mainly on Glaser & Strauss (1967) but her operationalisation of the concept of saturation is still relevant here:

*When our categories reach the point where subsequent data incidents result in no new naming activity regarding that category, its development will be complete. (Locke, 2001: p 53.)*

Or, in the terms Charmaz uses, the categories will be saturated when new data no longer “sparks new theoretical insights” (Charmaz, 2006: p 113).

Saturation thus depends on the researcher's approach to analysis of the data. Without microscopic analysis (Strauss & Corbin, 1998: ch.5, *passim*) and thoroughness in developing categories, the resultant theory risks being "unevenly developed, and lacking density and precision" (op.cit: pp 212, 57-72). The primary criteria for assessing whether saturation is reached are thus essentially inside the research itself, as opposed to in (say) a set of externally determined statistical criteria or rules.

Saturation was achieved in this case.

As described above, the coding of data, and the development of trees or categories from the codes, were highly iterative processes and were carried out in detail ("microscopic analysis"(Strauss & Corbin, 1998: Ch.5)). This makes it relatively difficult to identify a point at which new data "sparks no new theoretical insights" (Charmaz, 2006: p 113). However, by the time I carried out the last interview, M, I believed I had extracted everything possible from all other interviews with the possible exceptions of A and C. M was in fact rich but its particular contribution lay in its clarity and focus rather than its differences from other sources. Though I coded more new free nodes in M, they turned out, in the process of developing the tree codes, to be restatements of, or minor variants on, what I already had rather than genuinely new concepts. I revisited A and C at the very end of the process shortly after analysing M. Again I added free nodes but on reflection they also showed themselves to be new ways of making the same points.

Charmaz argues that if research makes a "hefty claim", eg in having a very wide scope or contradicting well-based research, it could be undermined if saturation were claimed too easily (Charmaz, 2006: p 114). Here the claim is relatively modest, namely to have identified how the respondents interviewed justified the use of violence. As a result the claim to have reached saturation is not undermined in this way.

Accordingly I concluded the analysis had reached saturation.

### 2.7.2 Number of interviews as a criterion for completeness

Though sample size is not a critical factor in itself it is still appropriate to consider the impact different characteristics of samples (including size) may tend to have on making saturation possible.

There is no formula in qualitative research for prescribing the number of respondents or interviews. In this respect qualitative research differs characteristically from quantitative research. In the case of studies aiming to understand the features of a large population, it might be appropriate to collect far more data (in the sense of conducting far more interviews, issuing more questionnaires or involving more respondents) than in a grounded theory programme, depending on the precise situation (Morse 2000; Robson, 2002: pp 161, 198; Clegg, 1990: p 122). What matters is that the sample fits the purpose or responds to the circumstances (Morse 2000). Kvale writes:

*If the purpose is to understand the world as experienced by one specific person, this one subject is sufficient.* (Kvale, 1996: p 102.)

Charmaz also argues that as the criterion is saturation rather than a specifiable quantity of data or number of respondents, a “very small sample” might be fully adequate if the methodology supports it (Charmaz, 2006: p 114).

As mentioned above, Kvale and Brinkmann report most qualitative interview studies as involving 15+/-10 respondents (Kvale & Brinkmann, 2009: p 113). Miles & Huberman argue that much above 15 the task of analysis may become unwieldy if the interviews collect rich data (Miles & Huberman, 1994: p 30). If it is important to involve larger numbers of respondents (identifying the full range of views held in a large organisation, for example) it may in any event make sense to consider other methods of data collection. Questionnaires, for example, organise data into more easily controlled parcels.

Morse suggests the relationship between samples and saturation is likely to be affected by five main factors (Morse 2000).

1. The wider the research target, the longer it will take to reach saturation. In the case of this programme the target is focused: how do people justify the use of violence and what conceptual issues do they say they take into account in making the justification? Participants kept well to the subject from the outset,

providing rich data. This tends to suggest a lower number of participants or interviews.

2. If the nature of the topic is abstruse and hard to get to grips with, it is likely to require more attempts at collecting data. Here again the respondents found the topic easy to get to grips with, and readily talked to the subject; again, this suggests fewer rather than more interviews.
3. The better the data collected in the interview, the fewer the interviews needed. Here the quality of data was felt to be high in all cases.
4. Studies may be designed to require more interviews per participant, eg longitudinal studies in which participants are seen before, during and after an event. Such series may, in context, produce data more rich than that provided by a number of independent participants, and require fewer of them. This study needed only one interview per respondent. If it had been longitudinal, fewer interviewees might have been needed.
5. Allowing hearsay evidence (which Morse calls “shadowed data” (op cit: 4)), in which participants discuss the experience of others as well as their own, if this is appropriate, may tend to reduce numbers. It may need to be verified independently where the precise facts are material but here that was not the case: there was no case study and it was the nature of the argumentation which mattered. The shadowed data helps with “direction for theoretical sampling” and in particular

*provides the investigator with some idea of the range of experience...beyond the single participant's personal experience, and it provides some rationale for these differences. (Morse 2000.)*

Accordingly, taking these factors into account there is reason to believe the sample size of twelve was sufficient - so long as it led to saturation as described above.

### 3 Data Gathering from Written Source

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The written source was *Interrogations: inside the minds of the Nazi elite* by Richard Overy (Overy, 2002). The book consists of *verbatim*, but translated and edited, transcripts of interrogations of, interviews with, writing by, or discussions between, some of the accused at the Nuremberg Trials. I chose it because, in looking for a very contrasting context, I thought first of WW2 (see Ch.3:7), and there can be few contexts as different from those of my interviewees as this.

This was secondary data and it had some of the advantages and disadvantages of this identified by Saunders et al (Saunders et al., 2007: pp 246-253). It required fewer resources to collect than primary data. Crucially it gave access to contextual material I would not otherwise have been able to obtain. A weakness of secondary data is that as it is not collected for the researcher's immediate purpose it may not support it. However, many of the transcripts consist of descriptive accounts of the respondents' participation in violence and of their attempts to justify or excuse it. In a number of cases the speakers ascribe motivations to others. This pattern of data closely matches what I found in my primary research. I concluded the content of the book *could* support this work.

The object of using more than one type of source was to "enhance the rigour of the research" by providing triangulation and some negative-case-style analysis (Robson, 2002: pp 174-5).

The main purpose of using this source was to investigate whether a profoundly different context would throw up justifications and explanations different in kind from those found in the primary research. This was analogous to "negative case analysis" where researchers look for evidence which contradicts or at any rate modifies their explanations (Robson, 2002: pp 490-2). However, I was not explaining, but exploring, phenomena. Nothing here could deny the data collected in the primary research; but it could have added new justifications or approaches.

It had methodological purposes too: mainly "observer triangulation", ie, using more than one data collector. The transcripts were collected by an historian, whose methodology could be expected to be different from one based on symbolic interactionism, and this perhaps also counts as theory or

methodological triangulation too (Robson, 2002). That the interviews were non-consensual is notionally in breach of current research ethics but this is not considered an issue as the work is in the public domain. The material was translated and sometimes this was verbally idiosyncratic (Overy, 2002: p 211). In the absence of any suggestion it was systematically misleading this did not seem a major problem.

I read through the transcripts and found no new justifications and arguments beyond those already in the Model-building process (reflecting my experience in justifying the claim to saturation in the interviews (see 2.7.1 above). For example, responsibility for actions was discussed using much the same structures discussed in Ch.2 above and Ch.6 below; and the “other” featured strongly (Ch.2:3.4.3.2).

Thus I concluded that the triangulation supported the Model.

However, I had difficulty in deciding how to use the material because the context, though providing the desired contrast, proved distracting. The transcripts described events which were intensely emotional, and were chosen partly to illustrate the wider context of the Nazi regime and the trials. Mostly, the respondents were arguing under pressure, which meant adversarial legal rhetoric was frequently to the fore. This was so different from the context of my own interviews that I judged it would need disproportionate effort to make it usable.

Accordingly I chose a single transcript to use. It was recorded without the knowledge of the participants, who were both defendants. The conversation, if not exactly relaxed, could be said to resemble an unstructured interview. It covered a number of the headings of the Model. Rather than treating it as a separate data-source to contrast with the primary data, I incorporated it into the NVIVO process through which the Model was constructed.

## **4 Summary of Chapter**

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This Chapter explained how the primary and secondary data were collected and the Model constructed. In particular it explained the selection of interviewees, the interview process, how they were recorded and transcribed. It then discussed the coding of the transcripts and how the Model was built, referring to

Appendix 1 for a detailed example. It then argued that enough data had been collected such that saturation had occurred. Finally it discussed the contribution of the written source of secondary data.

The Model itself now follows.

# Chapter 5

## Model Derived from Interviews and Written Source

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### 1 Introduction and Contents

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Chapter 4 and Appendix 1 explain how the Model was constructed. This Chapter sets out the Model itself, in sections 2-6. It aims to answer the focal question: *How do people justify or make sense of their decisions to use harm-doing in conflict?*

I inserted three explanations where I thought them necessary to understanding particular parts of the model, eg at the start of Section 2, in 3.2 “Narrative explanations” and 4.1 Legitimising Process. They are marked by square brackets. On the next page I first provide an outline of the Model’s contents.

## ***Contents of Model***

### **1. Introduction and Contents**

### **2. What is Conflict? Its Nature**

### **3. The Decision to do Harm – Justification**

#### 3.1. Formal Justifications

- 3.1.1. How to treat people; common humanity
- 3.1.2. Justice and fairness
- 3.1.3. Justification: Revenge
- 3.1.4. Defence of the weak
- 3.1.5. Doing harm to defend yourself against harm: self-defence
- 3.1.6. Doing harm that good may come, or to prevent harm

#### 3.2. Narrative Explanations

- 3.2.1. Temperament and behaviour:  
anger, bullying, cruelty, maturity, self-control, instinct or unconscious mechanisms
- 3.2.2. Behaviour and how conflicts develop
- 3.2.3. Being at others' effect (being "controlled" by others)
- 3.2.4. Connectivity to other events – sequential or contemporaneous
- 3.2.5. Learning and experience
- 3.2.6. Self-conceptualisation

### **4. Process and Evidence**

- 4.1. Legitimising process
- 4.2. Evidence

### **5. Contexts**

- 5.1. Frameworks – formal and informal
- 5.2. Religious Frameworks
- 5.3. Clashes of the ends of life
- 5.4. Theory of change
- 5.5. Social judgements about causes of harm and conflict

### **6. Summary of Model**

## 2 What is conflict? Its nature

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[Conflict is conventionally seen in the literature as a having two essential elements (Ch.2:2.2.1 above):

1. an unseen mental component or construct usually described as the actor's underlying interests, positions, points of view, values, attitudes or related concepts, and
2. perceivable behaviour in pursuit of them. ]

Only one respondent, who was involved in working with conflict as a profession, found a way of defining conflict that fitted reasonably clearly into that approach:

*...for schoolchildren what I define conflict as is a disagreement with a problem. You can have a disagreement and that's not a conflict, I can like white chocolate, you can like mint chocolate, it becomes a problem only if we've got money to buy only one bar of chocolate. (A)*

Most interviewees started from the position that "conflict" was to be primarily understood as behaviour which put the actor into aggressive confrontation with others:

*It's the actions that cause conflicts rather than having those different points of view. (H)*

*I think I'd tend to be at the end of conflict not starting until hostilities are declared. (J)*

*Somebody else could have another view. It's only when you put that into action beyond discussion that that could then impact on how I have to do things that would, would cause a conflict. (H)*

When asked directly, interviewees would agree underlying interests played a rôle but it was not usually described as a dominant one. The assent could sometimes be described as grudging, even in the case of a professional negotiator (B):

*I think there has to be some substance, doesn't there, but actually what could be resolved in ways which are not conflict end up being conflict because of some sort of process. (B)*

Emotion “came first” and prevented the “rational conversation” which would enable the situation to be resolved “without conflict”.

This could be argued to be trivially a difference in the use of words, but it appears rather to imply a view of conflict in which problems arise not from (say) competition for resources but from people’s maladroit or malicious ways of pursuing it.

For some the direct and emotional negative effect on the participant was what made conflict, conflict:

*If it doesn't have any personal impact on you I don't see how it can be conflict. (H)*

This suggests a solipsism not born out by the rest of the interview. Indeed the main reason for interest in conflict is that it hurts others as well as self:

*...what makes me unhappy is the impact that that person's behaviour can [have] on somebody else. Which I see as conflict.(H)*

The view that conflict was predominantly about perceivable behaviour did not always fully survive discussion. An interviewee decided later in the interview that:

*I really do see that conflict is like the iceberg. You know, that most of it is below the surface.(J)*

This change was no doubt partly due to participants articulating their views more comprehensively when given the opportunity to do so, and remembering other aspects of the subject. However, their initial impulses seemed to suggest they saw *the way* interests were pursued as what was primarily important about conflict.

Even where the participant looked beneath the surface, what they were looking for tended to be human emotion, linked to behaviour, rather than interests.

*Instead of just dealing with it at a surface level I try to think, ah well, they've been going through a rough time, the parents are not well, umm, there's issues and perhaps I was just the first in line and they wanted to fire off at somebody. (M)*

This may not of course rule out an analysis of “issues” which conceptualises

emotion as embodying a fundamental personal interest. One participant put it as follows.

*Underlying needs are the needs that all human beings have, and we can't not respect them...we can't say your underlying need for love and respect, you can't have; your underlying need to make a contribution to society, your underlying need for acknowledgment or recognition, you can't have that. So the underlying needs themselves don't conflict. What conflicts is the strategies [people adopt to achieve] those and so if the strategies can be worked out so they don't conflict with each other then the conflict can be sorted. (A)*

But here again the conclusion was, explicitly, that it was in the enactment of the interests, not in the competition they inherently represented, that the problems of conflict lay. There were occasional references to the importance of incompatible ideas in conflict, but this respondent (yet again) saw behaviour, how the parties handled the disagreement, as the critical issue:

*...conflict is created when somebody says my truth is more right...or my right is more right than your right and they are not willing for whatever reason to entertain anything that you say... (F)*

Sometimes an interviewee would engage in some neat verbal footwork to preserve the negative status of *conflict*. An interviewee made a distinction between “tension” and “conflict” to sustain the argument that “different perspectives could exist without conflict”. Tension was divergence of interest or opinion, implicitly in an emotionally charged sense. It could be, generally, positive, a source of creativity, particularly so in terms of personal and relationship development. However, too much emotion could block progress altogether – difficulty in moving on being what the interviewee meant by conflict:

*Conflict for me is when the degree of tension is so high that everybody is quite myopic in their view and therefore there's no common place to move forward... (F)*

This was a rare case where some aspects of conflict were described in a positive light.

Perhaps the reason interviewees saw behaviour as the defining feature of conflict is as banal as that people simply tend not to take into account what they cannot see:

*...we don't really want to see the story behind the words ...what we want to see is our perception of the world ...we don't even check out what people mean half the time we just don't do that... (F)*

### **3 The decision to do harm: Justification**

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#### **3.1 Formal Justifications**

##### **3.1.1 How to Treat People; Common Humanity**

A number of participants cast their attitude to doing harm in terms of “how to treat people”. These contributions fell roughly into three categories. The first small group appeared to assert a philosophical position about the common nature of people which was to be taken as relevant for determining how they were to be treated. A second, larger, group followed the Golden Rule. This is generalised into “Botswana Morality” in the nodes, after the fictional works of McCall Smith (McCall Smith, 2004: passim) in which the idea was widened: its leading character thinks: “If you knew what it was like to be another person, then how could you possibly do something which could cause pain?” In this sense, empathy was particularly important. There were also some prescriptions about specific behaviours. A third (perhaps the largest) appeared really to be discussion of personality or (in the terms of the nodes) temperament; these are taken up under that heading.

People’s common humanity consisted in identical underlying needs (quotation also used above).

*Underlying needs are the needs that all human beings have, and we can't not respect them...we can't say your underlying need for love and respect, you can't have; your underlying need to make a contribution to society, your underlying need for acknowledgment or recognition, you can't have that. So the underlying needs themselves don't conflict. (A)*

What did conflict was the “strategies” people adopted to realise these common aims. But the common “underlying needs themselves don’t conflict with anyone”. This was denied by one source – see the last selection in this section.

Religion could get to the same destination (commonality) by a somewhat different route but one which may perhaps, for believers, be especially powerful.

*I take the line that Jesus ...that we’re all sons of god and there is that of god in everyone. (C)*

Some saw “how to treat people” more or less in the same terms as the Golden Rule. However, one advocated a modified form - if they behaved violently towards you, your response should be carefully pitched. This was one of the very few occasions when the idea of proportionality in harm was mentioned:

*I think you should try and treat people like they treat you in a sense. I suppose you should be quite umm, but obviously you know, if someone’s really violent towards you, you have to be measurable in your response...I always think if someone’s decent to you be decent back, you know, if someone’s nasty to you don’t be nasty back just keep your calm and just treat them with the contempt they deserve. (K)*

This was not a point of abstract principle. It derived from an earlier period in the participant's life when he had not followed this prescription, but had actually taken part in the 1990s streetgangs' practice ironically known as "happy slapping".

*I don’t really do it anymore but when I was still learning, for example I’d go out at night with me friends and me friends are very like, going up to people and slapping and stuff like that just messing about. You shouldn’t treat them like that kind of thing...(K)*

He explained his change of approach in terms of external pressure and increasing maturity - developing autonomy - as well as the behaviour we are entitled to expect from each other (see also “empathy” later in the section).

*I always had criticism from people saying if you act like that with people you’re impacting your standards on them which is in a sense not right really. You know, you’ve got to be just keep it to yourself, you know, just make sure you act by your own standards and don’t expect other people to do the*

*same necessarily and that's I suppose the fair approach of how I'd... (K)*

A key part of treating people properly was to avoid deceit and manipulation, both of which can be seen as doing harm:

*No. No. Umm, but again it comes back to your, your, how you are as a person and as a person I like transparency. I like equity. I like fairness and those are the things that when I, when those are not happening, then I get very cross. So although I might not want that decision to be made if it is open and discussed and people know why its been made, that's okay but its where people, err, there isn't equity umm, people umm, are not being honest with you. (H)*

The issue of honesty, which could perhaps be seen as trust, can be felt intensely enough in the working context, but in the nuclear family it can run very deep and resist the power of time to heal. This is perhaps a key point in the general issue of why one single issue may be more potent in some contexts than others.

*Umm, my dad umm, is very, very, he can be quite two faced and he's all for his friends and not much for his family. So he'll try and spend as little time as he can, he tries to shirk his family time but my mum and dad are separated and that was another massive issue because my mum had an affair and left my dad and she left us when I was really young with my dad and so we've got kind of a bit of conflict there and also she had umm, something when my sister was born where she rejected her child so she over loved me and under loved my sister and that was again another levels of issues there. (L)*

Empathy appeared to be especially important. Whether or not it is seen as a characteristic of personality, or a philosophical readiness to treat other people's needs as relevant to one's own actions, its absence appears to go with problematic behaviour and its presence with behaviour the speaker approves of.

*When you get to talk to young people their ability to empathise is astounding, we tend to give them less credit than is due. You do get ones who find that difficult and they're often the ones that tend to get into trouble at school. (A)*

This could be translated to the contexts of national and international politics.

*...adrenalin tends to have the energy in it which makes you do the two*

*energetic things...one to fight, the other to run away...but it can be used a third way...I was quite hopeful when Tony Blair came into [...] because that was the term being used in South Africa in talking about the non-violent way but the third way is not aggressive or passive but assertive and the assertive view sees the other person has rights, you have rights, and it's a matter of agreeing and negotiating so that both people's needs are met... (C)*

The issue of what constitutes harm, how it may be measured and how it can be evaluated is addressed elsewhere. However, a minor defendant at Nuremburg illustrates how the process and structure of reasoning does not entail any particular outcome. Here a chain of consequentialist reasoning is summed up in a couple of sentences, but there remains a deontological element about how to treat people.

*You know the whole thing was so unnecessary and one could well have got along without it ... what was the purpose of all that beating up? I have nothing at all against the gas chambers. A time can come when it is useful to the race to eliminate certain elements. Extermination is one thing, but there is no need to torture your victims beforehand. (NT1)*

Abstracting the principles from the context, this perhaps also illustrates the idea that if one is doing harm that good may come, it should not be excessive or redundant (a rare nod in the direction of proportionality). It also implicitly denied the proposition in the first selection above that people's underlying needs could not be said to conflict: here, some people are not even entitled to a right to life. Yet even in this situation perhaps some measure of empathy emerges.

### **3.1.2 Justice and fairness**

Justice is a complex construct made sense of by different people in different ways. Interviewees did not appear to systematically distinguish justice from fairness, but the joint concept showed as a strong element in some people's thinking.

*If I felt there was an injustice, again, an injustice, I would want it sorted out. I wouldn't let it go until it's sorted out. There's an injustice element where I'm passionate about...it's impassioned. There's some passion if I feel I'm not being treated fairly. (G)*

This could directly motivate harm in the sense used here. An interviewee explained

how he could handle conflict with customers in a detached way remaining in complete control, but very occasionally criticism from a close colleague could lead to savage verbal violence and the withdrawal of contact for a period.

*So I've done everything I can to help this person ...It's been kind of rubbished. Sort of dismissed out of hand, and then that's been backed up with a criticism that's based on wrong foundations... So it was the injustice of it that evoked such an emotional response. It went well beyond the point where I could control it... I value what he thinks of me. ... So I got up and just said, 'Well, if that's how you feel, fuck off,' and I just walked away, with a few more expletives and words before that actually happened. (G)*

The people involved had had a close relationship over twenty years, analogous to mentor and mentee (the interviewee). There are therefore likely to be other situation-specific factors involved in triggering this response, which the interviewee was able to articulate in general terms.

*There's influence as well. There's influence and ego in it as well. He has some influence over me. Everybody else that works for me has virtually no influence over my life. David actually does, and has had influence. So if he felt a certain way, and there was a certain injustice involved, the emotions would be heightened again. It would be felt more, as well, are that with David, the injustice would be felt more. I could deal with it less, because it comes from him...So I value his opinion more... There's only David that can expose it in a sense of being insulting, or questioning my business skills. (G)*

Feelings about justice or fairness may be so strong as to directly motivate people to take up jobs where intervening in groups to the extent of physical violence is an integral part of their job – as a policeman for example:

*I think [policemen] have got – calling it something as grand as a sense of justice would [not] be true – but I think they have a sense of what's fair ... I think when they perceive something to be unfair, they're much more likely to stand up and say something. (D)*

Supporting fairness in police work did not consist in rigidly imposing prescribed rules of conduct. Empathy and flexibility are necessary before intervention.

*I think when they are working operationally, they will recognise that most people have human foibles and failings, but it comes to the point where you*

*are overstepping the mark, or you are no longer being fair to other people.* (D)

### 3.1.3 Justification: Revenge

Revenge was not often cited as a reason for any participant's actions. Responding to injustice or unfairness was not generally characterised in that way, though, arguably, some of the incidents above included action which was very reactive and appeared motivated by hurt. However, one participant developed her contribution about defending the weak in terms which could be characterised as hot-pursuit revenge. It might perhaps equally be seen as an intense way of expressing disapproval.

*They were both really drunk and they battered the sheep to death. Ripping their eyes out and batting them with metal bars and they left the sheep to bleed to death and they actually filmed it on camera and were going bragging about it. You know. Personally, if I'd have been there, I'd have probably took the metal bar out their hands and bashed it round their heads to see how they liked it.* (E)

Revenge was given more readily as an explanation for the behaviour of others. At the age of seven, one participant had broken the finger of a fellow pupil at school. The latter behaved with considerable psychological - not, apparently physical - aggression towards our participant until the latter's parents intervened with the school authorities.

*Oh yeah, he enjoyed it, he enjoyed the power. It was the power and the control. He was that type of person, he was somebody no one really liked, he was always seen as a bully for as long as I knew him and I'm glad I don't know him anymore. He was, yeah, he was a clear example of a persecutor, I think he's wiring wasn't right, I think there was something going on.* (K)

### 3.1.4 Defence of the weak

Acceptance of doing harm in the defence of the weak was (with a limited exception, for which see later) clear and unequivocal.

The support for defending the weak was clearly articulated here. The argument

also includes the principle that a sin of omission is as bad as that of commission:

*If, if I saw anyone being cruel to any animal I would instantly step in. There is no way I would take that lying down... I don't know how anyone could...If, if you, if you see evil being done and you don't do anything about it then you're just as bad as that person who's committing the evil. (E)*

A respondent praised a case of violence in defence of the weak, though it had clearly cost the child concerned some distress. This appeared to be on the basis the action was empathetic and unselfish.

*...he'd intervened in a conflict, some older boys were beating up a younger boy, and got beaten up for it himself, and came out of it very badly bruised and injured, but not regretful...he said it was the right thing to do... which was fantastic really (A)*

Experience has shown the police that some harm - in this case arrest and possibly physical violence - may be needed where in earlier times it had been discounted.

The context is domestic violence:

*The driver behind the way we do things now is the number of people who got killed because we attended once, thought we'd resolved it, hadn't, and somebody either got injured or killed... So nowadays, just to be super-safe, we will revert to a default position of somebody must be arrested, to remove that person, to get them away from here so it doesn't happen, not tonight. (D)*

There were circumstances in which participants could find their support for the weak mitigated. This police participant might be thought to be saying that applied if they persistently did nothing to help themselves. In fact he is saying that to see domestic violence in these terms is to wholly misunderstand the problem. The police are proud of their role in protecting the weak (see Self-Conceptualisation). This can indeed be worn down by the frequency with which they are expected to do it. The difficulty is that in some cases - clearly not all - this sort of intervention may address the symptoms rather than the underlying causes, which are likely to be complex and affective rather than (apparently) straightforward and rational:

*From the outsider looking in, it's the simplest thing. You know, just say – 'Well he hits you, why on earth do you stick around here?' But there's no*

*sort of talk about the fact that, 'Well, he was drunk, I do love him, and there is the children involved, and we've got to put a roof over our heads,' and all the traditional things that have always been cited, certainly in my service, for people staying with a violent partner. But to the outsider, there is no reason at all. We've got statistics that tell us that it usually takes about seventeen attempts before a partner will leave a violent partner. Because it is a difficult thing to acknowledge to yourself, that you chose wrong. That the person you invested a lot of love, time and attention on turned out to be a 'bad 'un'. (D)*

This is perhaps a plea that we should treat the right problem and that the weak may be so for reasons which can be worked on by other means than direct aggression - in contrast to the first participant's approach and context.

### **3.1.5 Doing harm to defend yourself against harm: self-defence**

Participants generally thought it legitimate to use harm in self defence - with some clear exceptions.

The underlying justification relying perhaps on a bleak view of human nature was that there was an inevitability about harm-doing:

*Why do people bully? And the reason is because they can, they get away with it. (A)*

As a result those who were in favour of "armed resistance" seemed to take its justification so much for granted that it was often given in an undeveloped and intuitive form involving an appeal to the obvious, or to the instinctive basics of human nature. For example:

*Well, it's self preservation isn't it? Protection I suppose. I suppose it's like umm, when you feel threatened you have to react like 'fight or flight' maybe...I don't know, it's quite hard to put me finger on, I suppose I suppose it's like umm, I just react to, I suppose it's like survival almost isn't it? I suppose that kind of instinct kicks in. (K)*

These views were however challenged directly. On the one hand there was an appeal to example - the people the speaker perhaps most admired would not act in this way:

*It's very difficult to find examples of err, holy, people who are considered*

*universally as being holy people or very spiritual people, actually saying go and get your arms and you know, defend yourselves. (M)*

On the other, was the commitment to alternative methods, or at any rate, looking for them:

*I'm not convinced that violence is the only way to stand up for your rights...the assertive view sees the other person has rights, you have rights, and it's a matter of agreeing and negotiating so that both people's needs are met in a situation but not forgetting your own needs and not letting them forget your needs rather than just allowing yourself to be walked over... (C)*

This participant did not claim that this approach solved all problems but was committed to finding a better way. He addressed directly the issue that war, or violence or harm-doing generally, is seen by its proponents as a conflict-solving mechanism:

*...that's my stance that war is ultimately...it appears to be solving the conflict but what it is just buying time and causing more conflicts in the process. (C)*

So harm-doing is counterproductive in the medium to long term - whatever its motive.

It may however be hard to see an alternative. When police intervene to defend the weak, they sometimes find themselves under attack from those they have come to protect (see Defence of the Weak). It is hard to see how society could ask people to put themselves at risk to protect others from violence but deny them the right to deal with it when it is directed against them.

*And all of a sudden you've got somebody clinging onto your back when you're trying to arrest usually the husband, or the male partner. And it happens like that, whereby you know, hang on, I was here protecting you, remember, when he hit you, and now you're trying to claw my eyes out. .. They'll dash into the kitchen, they'll go to the cutlery drawer, they'll know where they keep an iron bar, so that's why nobody sort of, like, races to go towards those sort of things. (D)*

### 3.1.6 Doing harm that good may come, or to prevent harm

In some contexts, notably harm to the point of violence, there was profound opposition to the idea that good could come from doing harm. This was on two main grounds.

One was that the consequences of doing harm were unpredictable and incalculable, and on the whole our experience suggests it is not a good precedent.

*I think it's very difficult actually to say what are going to be the results of a war because most people didn't know the atom bomb was going to be accelerated into being because of this determination to find the ultimate weapon or the fear that the Germans had it so we had to get it first ... (C)*

This is made worse by the frame of mind in which we tend to embark on violence, which is not best calculated to produce good outcomes.

*...the great danger is to get so stressed you then erupt into violence or say something really vicious which you regret and which may lead to worse things happening... (C)*

The other ground was that harm is harm - at the level of war, at least, it is intrinsically and comprehensively, bad. There is no real chance that it *can* yield much good of itself. (Bullet numbers added.)

*The trouble with war as a method is that ultimately there are two things, force and fraud, Hobbes or Machiavelli ..., these are the two cardinal virtues in war. [One] Force, the most force, will win the war is the theory and therefore morality doesn't come into it, whether you are right or wrong, just war then? ... [Two] Fraud, to prevent your troops from being demoralised, you make them feel they are doing it for a good cause ...there's a lot of fraud in war...about the truth about what's actually happening, just to keep people's spirits up, and so on...so war seems to be encouraging fraud and not encouraging morality so I don't think that the just war argument really works. (C)*

Or as another put it more generally, and in a more explicitly deontological manner:

*I think that that is, that to me would be the sort of understanding of, err, of religion that you don't fight evil by evil. (M)*

However, no-one said "two wrongs don't make a right."

At lower levels of intensity the issue was more open. In negotiations tougher techniques could be justified in terms not only of the benefit to one side, but also of the common good:

*The game playing is the negotiations with, well I suppose, the people that you are trying to co-operate with, and broadly speaking you are trying to find the commonalities, ways forward which suit everybody but if you think that the best way to make progress is actually [inaudible] to be a bit more aggressive then you'll do it. ... it's the good cop bad cop routine stuff, we've seen that quite often you know and to the point we don't take it very seriously, but you go, that's what they're doing this time, OK, we can play that game too, and it is part of the normal thinking to try and understand those processes that the other people are using, so, yeah...(B)*

This contrasts sharply with the view of conflict in which the personal impact was what was important about conflict (see *What is conflict? Its nature*). It suggests calculation and detachment, rather than sensitivity and vulnerability. Calculation and detachment appeared to go together often though they are clearly not the same conceptually. In one case the participator's detachment provided a secure hidden base from which to develop calculation and manipulation:

*There's conflict which is non-political, and unemotional, which is probably customers, suppliers. An aggressive customer to me is a non-political conflict. Unemotional. It doesn't stress me. I enjoy it. The more aggressive a customer is, for example, the more I enjoy it. The more in control I am, the more.... it's part of my job, and I like to sort of play around with the customer's mind and ... deal with that situation. (G)*

Calculation may not be cold and "arithmetic"; it may be carried out in a more intuitive way:

*I do think about these things go through my head. What shall I do in that situation, shall I avoid it, if I do something what's the outcome going to be? Is it going to umm, create more problems than, than solving it through dealing with it? Do you know what I mean? So ignore, it's, that conflicts still there. But, but it's short lived and therefore that's probably a better strategy than dealing with it in a confrontational way which could have negative impacts on your relationships. (H)*

Calculation is not always in favour of doing harm in particular ways - here the

argument is that on balance it makes sense to try to avoid physical confrontation at the immediate practical level, but also, standing back, this avoidance leads to solutions which are inherently better:

*... people realising that they cannot go through the entirety of their careers without eventually being bested by somebody that is bigger than them or more muscular or more intoxicated than they are and therefore is less susceptible to the control vision that we have to hand. Or, there's something that realises deep within themselves that it's just a better way of going about things to try and persuade people. (D)*

Sometimes people may have a mixed or confused attitude. In *Self-conception* (later section) a volunteer group leader characterised a member as undermining him. He could however have invited her to leave the group at an early stage but did not.

*I think it [a series of problems in the group] centres around one personality and I, sixteen years ago I could have said to this lady, I know you haven't got a car Sheila but I'd prefer you to get on the bus and [work in a different area] because you're disrupting this one, you know, and you and I can't live together. And in some ways I am immensely pleased with myself that I never did that. But in other ways I wonder whether really I should have because it wasn't just grief for me, it was grief for everybody really. (J)*

The pleasure seemed to derive from denying his personal inclination; the wonder from a utilitarian calculation. Of course such calculations are always future-orientated and so speculative; the deontological self denial was perhaps a certainty weighed against a doubt (the context was religious).

One participant considered how such calculations might be made, using a case where all the facts were not known to all affected. His argument was perhaps more complex than it appears at first sight. M had already shown a commitment to a deontological argument that it was wrong to fight evil with evil (see above). Here the argument is explicitly consequentialist and implies calculation. However, the actor has to act in good faith. This seems to mean quite a number of things. He has to believe, with good reason, since the counterargument will not be enacted,

that the facts being acted upon are substantially true; that they show what the actor claims, and that irrelevancies such as what history will make of the actor's performance ("time in office") are not over weighted. That is not to say they should not take a long view; but that what they are entitled to consider is matters of public good not private reputation. The result is a mixture of explicitly consequentialist and implicitly deontological reasoning the latter concerned especially with the duty of actors and their accountability. The context was a decision to initiate war.

*I think that the only way that you can justify and if you were in that position and having to take such a momentous decision as that is umm, first of all that you acted according to what you felt was good faith, that you acted upon the information that you'd received and therefore you believed that that information lead to that particular perspective. Umm, that the consequences of not taking that action would have been far worse than taking it, although obviously that can't be sort of verified because you've taken the action so it's not going to have an opportunity to show itself umm... That there was no other option available, that things had perhaps reached err, a situation where this was an inevitable conclusion and that I, I suppose what all of these politicians have to do is to think in the history of time this will be looked upon as being a valid course of action. Umm, because I think that a lot of leaders are thinking about what people will make of their time in office umm and obviously the situation that they're faced with today is not going to be how it is looked upon in twenty years, thirty years, forty years time. The only other aspect I think that all these politicians would say is that I'm privileged to have knowledge and information that is not generally available so therefore there is more information at my disposal, so people might think that it was a bad decision but they didn't know all of the facts umm, some of which you know, I can't even disclose now. (M)*

### **3.2 Narrative Explanations**

[Respondents sometimes explicitly sought to justify the doing of harm in terms of specific principles which bore a distinct mark of ethical reasoning, such as defence of the weak. I called these *formal justifications*, above. By *narrative explanations* I mean something like descriptions of events, feelings or judgments about causes in which harm was portrayed as an outcome of a real or hypothetical chain of events, probably an inevitable one. Hidden behind the narrative lay assumptions about

ethically right and wrong ways to act (Ch.2:3.4.4.3) and about how actions could be justified, or, at least, explained with the hope of sympathy. This is discussed in Ch.6:2.3. This section corresponds to the emboldened part of the focal question, *How do people justify **or make sense** of their decisions to use violence?*]

### 3.2.1 Temperament and behaviour

All respondents mentioned individuals' temperament, and behaviour dependent on it, as a factor in the decision to do harm. It was the most frequently cited single point, though it surfaced in many different ways. It did not feature as a direct justification for any particular actions, but it did frequently function as an explanation of them. Given most respondents' views that conflict was primarily an aspect of behaviour rather than an expression of conflicting interests, this is, perhaps, what one would expect. One summed it up as follows:

*I suppose where you get the conflict turning into something more violent is because that's the way people respond, the way the individual people respond, ...but a different person in the same situation might not have responded as violently. (B)*

Asked whether issues or personality were more important in conflict, one respondent (elsewhere quoted as particularly insistent that conflict is about behaviour rather than interests), put it as follows:

*Both. ... people have very different points of view and can you see them but some people are very rigid in their thinking and won't think about other people's point of view whereas other people are, that you deal with, are much more willing to think about it. ... Some people are quite rigid in their behaviours and in how they come across and people are much more accommodating and understanding and flexible in terms of things that they have to deal with. So it is about personalities and it is about issues ... but I do think personalities create conflicts so, so some people I just feel for whatever reason they just have a clash of personalities and that does create conflicts between us on dealing with the most simple things. (H)*

Sex or gender roles are one aspect of temperament in this sense.

*... if we go into a violent domestic - and nowadays we have to take positive*

*action - it usually ends up with an arrest. We must separate people, and usually it's the male of the partnership who is removed. It's usually the male who has actually injured the partner. (D)*

And in the context of a specific violent crime reported in the press at the time, abnormal behaviours were cited.

*I'll bet you anything you like that at the end of the day there's going to be a history of mental health issues with the female. (D)*

Alcohol and other intoxicants can play a major part in aggressive and irresponsible behaviour. Whether this involves changing or emphasising existing traits of temperament is not within the scope of this work. (Quotation used above.)

*A couple of weeks ago I read about umm, err a family nearby had umm, a couple of pet sheep and umm, a couple of guys broke in at night. They were both really drunk and they battered the sheep to death. Ripping their eyes out and batting them with metal bars and they left the sheep to bleed to death and they actually filmed it on camera and were going bragging about it. (E)*

The respondent had to some extent thought into the position of the "guys" and it would have been interesting to interview them to see if her analysis was right. Or might they feel that they could not have done what they did if they had thought about it or the ethical implications?

*It's hard to understand how anyone could ever do that and think that they're right cos they were obviously laughing and bragging about it so they thought they were right in doing that. You'd be hard pushed to find anyone who agrees with them. (E)*

Understanding one's own temperament – how one reacts to others – is important because one's own behaviour may become aggressive in response to some stimuli. If recognised, it can be managed.

*If anything's going to fling me out of the police service, it's a stroppy teenager giving me lip. Because that is the one thing that just presses my button, and I really do have to take a deep breath, count to ten, and do a bit of walking around before I respond. Because it's just the thing that I cannot stand. (D)*

Temperament may be neither recognised not managed – ignored is perhaps not

too strong a word. This can be a factor in conflict – the actor being crucially unaware of cause and effect :

*Some, some people are more willing to reflect on emotions than other people who might, might not want to think that we have emotion at work but we do so... I'm quite an open person and I have to talk about things and get them out and if there is something, you know, I don't want to hide things. Where, so, so but the other person, my perception would be that that they are very not self aware. (H)*

This self awareness was actually a partial misnomer because the respondent then developed her meaning:

*But my perception is that they, from conversations that we've had, that they are not self aware of their impact on other people. (H)*

Confidence – whether arising from experience or personality – can figure greatly in how aggressive situations develop.

*Years and years ago I attended ... a big, boisterous pub, and as soon as I went to the door, the boos, hisses and the odd beer mat came flying in my direction. So you just stand at the front door, knees quivering, big smile on your face, look around the room, hands in your pocket, and bellow out 'Ladies and gentlemen. You've had your fun. It is time for you to go home. I mean **NOW**.' And mirabile dictu, they did. If they just go 'Make us!', then I would have looked decidedly foolish, because there was absolutely nothing I could have done on my tod, to compel them to do that. So the confidence side of things is an extremely effective weapon in your armoury. But confidence has to be matured. (D)*

Several respondents argued that violence begets violence, but the connection was not an inevitable one. At least one decided that she did not intend to allow exposure to violence in her childhood to condition her behaviour towards her own children.

*I grew up in a house where mental and physical and all levels of abuse were rampant and I made a choice that I was not going to follow suit. (F)*

Some temperaments can indeed rejoice in being in control and not responding to violence with violence. This quotation reveals more than one layer, including self-assessment perhaps amounting to self conceptualisation (see section below).

There are kinds of conflict the respondent did not like: when he was no longer in control. “Political” related to relationships with colleagues where the latter had more power (see section *Justice and Fairness*).

*The more aggressive a customer is, for example, the more I enjoy it. The more in control I am, the more.... it's part of my job, and I like to sort of play around with the customer's mind... The conflict that gets to blows, gets the blood going, sort of gets all the emotions flowing, is political conflict..... I don't like conflicts, because of this 'I like to be liked' problem that I have. (G)*

One respondent actually summed up his view, only slightly ironically, with the words “nice people don't have conflicts”. He described a group of people he knew well:

*Entirely amiable people. To perceiving that they are actually, as well as being highly amiable, without exception they are also highly generous and that combination just makes umm, conflict reduction, I think, quite likely. (J)*

Temperament, in the sense of characteristic behaviours, and relationships between temperaments, may not always be spontaneous and may become systemic:

*I've always been characterized by my family as being like a peacemaker or the sensible voice, the voice of reason [laughs] and I think that I've always had to play that part and you know, to try and get some sort of rational sense, calm, peace to look at things. (M)*

This might equally be for ill as for good:

*People need roles in life, they need to be able to put themselves in to categories, I'm this or I'm that, I'm this and that, and if they don't get something society sees as a positive role, they will look for it elsewhere, they will find their role as the biggest bully in school. (A)*

### **3.2.1.1 Anger**

Anger featured quite strongly in respondents' comments, not always negatively.

One respondent thought

*Obviously that [anger] is a part of being human (M).*

Anger had a positive role to play:

*...there are certain feelings that tell us our needs are not being met, so if we're angry, and sometimes we have every right to be angry, anger can be a very very positive emotion because it really gets you motivated to do something and make some changes. (A)*

The same respondent also gave a clear example of how she had reacted angrily to another person's refusal to listen:

*I think when you have tried to express what's going on for you, ...and you are having difficulty finding the words ...or you're blocked because the other person just won't hear what you are saying, either because they are just shouting back, they want to get their point across to you, or they're just not culturally on the same wavelength, or not as intelligent enough, or whatever, then I think it ...the emotions that generates was one of complete frustration and you just want to raise your fist and want to hit somebody... (A)*

The consequences of anger can be incalculable and, indeed, the emotion precisely reduces individuals' ability to calculate. The first quotation is from the same respondent as the last two; the second repeats another's views; the third explicitly pushes home the point about emotions in general (the specific context was anger):

*It's an interesting one, in the fact that when people are angry they lose sight of the past and the future and the consequences...(A)*

*...the great danger is to get so stressed you then erupt into violence or say something really vicious which you regret and which may lead to worse things happening...(C)*

*The two occasions when it's got out of hand, are when the emotions are driven to a point where self-control goes out of the window. So there's no element of self-control in that emotional situation. (G)*

An example of how, once started, anger can build and lead to further aggression and violence, is as follows:

*...yelling at her saying you know, don't start having a go at him it wasn't his fault it was my fault for keeping you all waiting or something and she got to the point where she got so annoyed she literally kicked us both out of the car in the middle of Cathles Road somewhere miles away from home and umm, I started shouting at her as she was driving off and she pulled up came out and came up to me brother, hit me brother then went up to me and I just like picked her up and like slammed her against the car and said, you know, enough, you're not treating me like this, who do you think you*

are? (K)

Anger may be a product of temperament but it may not be instinctive:

*...how you respond when you're in anger will be learnt behaviour for lots of people. (A)*

### **3.2.1.2 Bullying**

To turn to more specific issues of temperament, the concepts of “Bully” and “victim” were characterised by one respondent as follows. Whether this was a question of temperament, or of the relationship between people with different temperaments, was open:

*Oh yeah, he enjoyed it, he enjoyed the power. It was the power and the control.... You have different types of people, you have like a victim, you have a persecutor, somebody who's been a victim can become a persecutor or they can become, you know, someone else who stands up for other people and it's that kind of triangular relationship (K)*

Where this desire to “enjoy the power” comes from was described as, possibly, arising out of an earlier lack of power. (Previously used.)

*Their needs for power, some sort of autonomy, will not be sufficient, in their lives so they will look as to how they feel more powerful ....and I think I mean someone once said to me, why do people bully, and the reason is because they can, they get away with it, and so that feeling of unthinking cruelty, always putting someone down... (A)*

Another victim of bullying showed both an example of the harm that it can do and an apparently effective means of dealing with a specific instance of bullying. The victim sought advice:

*...she said Sharon when are you going to understand that some people are just prats? And that's been a hard lesson for me ...I don't give up easily....and what I've come to realise in my life is that the only person that can make a person's life OK is oneself... I left ...I left, I had another job I went and got another job... (F)*

### **3.2.1.3 Cruelty**

Child abuse was mentioned once or twice (eg the Austrian Joseph Fritzl (Baron-

Cohen, 2011a: pp 7-8) and a not dissimilar unidentified UK case in the press in 2008-9). This appeared to be discussed as enactments of some aspect of temperament. Perhaps the most striking single example along these lines was from the Nuremburg trials.

*He was like death incarnate, always thinking out new methods. In June '41 I saw him chasing a Jew behind a dray until he was exhausted. Then he asked him if he would like some water. So he made him kneel down in front of a bucket and when he bent down to drink he pushed his head down under water with his foot and held him until he drowned. What a swine he was. Everybody knew about him. I can't prove all I heard about him, but I actually saw this. Then there was Untersturmfuehrer Mueller, or some quite ordinary name, a grey-haired elderly man, who used to practise the most incredible obscenities on the corpses when he was drunk. (NT 1)*

### **3.2.1.4 Maturity**

Whatever the temperament of participants in a conflict, their maturity can have an impact, perhaps in how they evaluate the situation, perhaps in what they see as a good response or as a good outcome.

*But I think it goes back to the length of service, whereby people realise that you can't go to every single incident that requires an arrest and fight with everyone. Physically, it's very, very demanding, as time goes on and age catches up with you. You're much more likely to break, and I think a big chunk of self-preservation that tells people 'how about we try this another way?' We try just to negotiate this person to do the right thing. (D)*

Another respondent gave an example of how his relationship with another person had improved partly as they matured and partly, perhaps, because they were no longer forced into too close a relationship.

*...we used to fight psychologically quite a lot, there was just nothing I could do and I just felt awkward around him all the time and he felt the same with me. I mean, since we've left University and met up again we're friends again now you know, because we're not living together and under each other's toes. We're really good friends now, we meet up umm, get on fine with each other and we've both apologised to each other because it's because we're not living...we've both matured as well but we're not, I think it's that living on each other's toes which really got us both frustrated because we both had*

*habits that annoyed each other. (K)*

One node was labelled “calmness” but only included a reference where the respondent set out a philosophy of “counting to ten” – delay, sleeping on it, reflection, no precipitate action – which he ascribed to learning over time.

*I tend to refrain from reacting the immediate moment, I'm very like calm and collected with some of the things, I might look at them a bit but I'll refrain from reacting because I've learnt over the years that's not the right way to do it and then I'll go away and I'll think about it the next morning and I'll be just like what was all that about? I'll put it all, I'll be able to put it all into perspective, it's like the emotional intensity of the situation, brings out, well tries to make me react but I'll refrain from reacting and I'll go away and think about it and the next day or something I'll be fine. (K)*

### **3.2.1.5 Stress**

Four attitudes to the stress prompted by aggression and conflict emerged.

One involved a respondent losing their temper easily and regaining it quickly with no acknowledgment that “a scene” had taken place.

*... she'll kind of put the phone down on me or I'll put the phone down on her because I'm crying and then I'll whittle the night away whereas she will maybe ring me the next morning and go oh, my God did you see Britney Spears on TV this morning and it's gone, the conflict is gone. She bounces straight back, she can say whatever she wants then she'll come straight back from it... (L)*

Another was deeply distressed by the same event and had to recover over time.

*...conflict is not easily resolved like that you know, I'll keep that in me, I'll keep it with me because it's hurt me and I'll probably carry it around a lot more and that then raises conflict just in me personally so I'll feel sort of like I was done a real injustice you know...(L)*

The third was affected so badly he organised his whole way of living to avoid aggressive conflict (B).

*... if there are things which wind me up I find it very hard to come back down again and so that means I'm very reluctant to let anything wind me up because I know that won't be two minutes later I'll be fine again, it'll really play on me and affect me for long term, and I don't want that to happen. So I suppose it is about that kind of...it's about self-protection in a way isn't it*

*really? It's about that fence [sic] you could build up [against] quite aggressive feelings and have to work really very hard to stop that turning into mental violence or possibly even physical violence ...and I think I can do that but I don't want to go through the battle of having to do that, of having to overcome those feelings, so I'd rather kind of exclude them. (B)*

The fourth dealt with the same fear by facing up to it more directly, and addressing and trying to resolve it on the ground this was the lesser of two evils.

*...if you haven't resolved it in whatever way and, even if you don't like the outcome, you've gone through the process, then I think it comes back and can cause all sorts of problems later on. (G)*

### **3.2.1.6 Instinct or other unconscious mechanisms**

One respondent considered sources of behaviour which were not readily perceptible to be of great importance :

*Conflicts I think definitely are generated more in the subconscious than they are in the conscious brain. (A)*

Instinct was not often mentioned directly. Here, the respondent introduced it really only to emphasise the importance of learnt behaviour.

*If something happens like a loud noise, then your genetic imprinting takes over completely and you go into that, run away fight it or just stand still....On the other hand if you see in front of you a pile of dog poo, that is something else, that's not something which is genetic, your values, beliefs, what you have learnt...you know you're going to step round it. There might be the reaction of, aren't people completely inconsiderate ...there are different ways of behaving, that's the cultural differences, that's where our beliefs and values that come from our culture, friends, gender...There can be an issue to anger and there'll be – how you respond when you're in anger will be learnt behaviour for lots of people. (A)*

### **3.2.2 Behaviour and How Conflicts Develop**

Mostly, people discussed how conflicts began and developed in terms which were implicitly in terms of cause and effect. This was not often explicit, and frequently had to be inferred. I could find few if any discussions of causality as a concept which explained and justified decisions to do harm. Discussion about causality at

the level of free will versus determinism was even more limited, but was addressed, if only for it to be gracefully sidestepped as too challenging:

*...to some extent it's going back to whole fundamental philosophical issues about free will and determinism, and I incline towards a deterministic approach in many respects and that influences my whole way of thinking, possibly, but to say it's your personal responsibility is always quite tricky, because what made you decide things in particular ways; if you believe in causality well actually something has caused it and you didn't want to get into free will, it's not part of what you're looking at in your [Interviewer: I think it is] ...it's a major influence on this because one of the ways of looking at this is that none of this is about individual responsibility, it's actually about what are the drivers that affect what people do and how they behave. (B)*

A key component of the emotion and consequent behaviour in conflict can be chemical in origin – whether legal or illegal drugs, alcohol or perhaps adrenalin:

*And usually there is drink involved. Probably about 80% of the times that we go to something that we would describe as 'violent domestic' has usually got drink involved. 80% plus. So that just makes people very, very non-negotiable. They're not reasonable people any more. And the classic thing is after the event, they will be bitterly sorry for what they have done....[From another part of the conversation] When you're chock-full of adrenalin, when you're scared, when you're frightened, when you're wondering if this is all going to go belly-up or not, what works, what doesn't. (D)*

It could also be a less physical but equally compelling pressure – frustration at not being heard, for example. To be shouted down or ignored denies one sufficient respect:

*...you are having difficulty finding the words or having difficulty getting your really intense feelings, your side of the problem, or you're blocked because the other person just won't hear what you are saying, either because they are just shouting back, they want to get their point across to you, or they're just not culturally on the same wavelength, or not as intelligent enough, or whatever, then I think it ...the emotions that generates was one of complete frustration and you just want to raise your fist and want to hit somebody... And so your need for respect, as another human being with needs is nowhere on the radar. (A)*

Aggression to some degree might be expected in some situations. Two examples might be some strikes and team games on the sports field. Here aggression is

allowed within the rules and cultural expectations. However, if it is misplaced, poorly executed or badly intended it is likely to materially alter the situation, and to remove the protection of the rules:

*... when someone does that really well against you, you're impressed by their skill or whatever, but if they hit you deliberately and aggressively, then that actually changes it to a different level of relationship...(B)*

The respondent cited the case of Grunwick as an example from a strike.

Time is a very important factor in the development of a conflict and whether it involves harm. Suppose spouses quarrel; normally, when they are on their own, there is time to sort it out.

*If you were talking about an argument with your partner, well there is a recognition that at the end of the day you will probably come back together, you will probably resolve it somehow. And there will be the time to sort of cool off and think about it, which is a luxury that Police Officers attending a particular incident don't have. (D)*

### **3.2.3 Being “at others’ effect” (psychologically controlled by others)**

When emotions run high, it is possible for control of A's actions to pass psychologically to B. Perhaps the most familiar example of control passing can be the victim's perspective of bullying. Here the respondent blamed a colleague's bullying for behaviour which he considered put him in a bad light with other colleagues, damaging him – in his eyes at least.

*...she made me feel annoyed through the [x] meeting and I ended up almost arguing with other people in the meeting and that was my first kind of impression in [x] that I was giving out to other [colleagues]. I didn't want them to think I was some difficult person when I don't think I am. (K)*

Whether this happens at all, or is a rational response, and whether it is a bad thing or a natural event, can be debated. In this exchange, the interviewee had repeatedly expressed admiration for police officers who found ways of handling situations which avoided violence, but could see that there were pressures working

in the opposite direction.

**Interviewer** ...the one thing [the police officer in a TV documentary] managed to do was not to react to the insult.... And of course if your response is always as a Police Officer to react as violently as the other person, in effect, they are controlling you, rather than you them.

**Interviewee** Yes, I mean that happens all the time. It's not unreasonable for the people under that set of circumstances to react that way, because they will see that they have a job to do, that they have been called to an incident.  
(D)

In one case A lost control to B apparently because B had a substantial long term (and generally benign, even nurturing) influence over A across a wide professional front. Here the respondent is explaining how he reacted:

*So there's no element of self-control in that emotional situation... I could deal with it less, because it comes from him.... [From another but related part of the discussion:] ...so there is some kind of mutual respect where David's turned round to me again, which is totally out of the blue, and said he's learned more from me in his career than he has from anybody else. This is a 63 year old guy that's talking to a 42 year old guy. There's a big age gap. So somewhere, there's a lot of like as well, and a lot of respect.*  
(G)

### 3.2.4 Connectivity to other events – sequential and contemporaneous

This section reflects how respondents saw events and circumstances in the past, or at the same time, influencing each other in the direction of harm, despite being apparently independent, or at least separated in some way.

In practical day-to-day terms, respondents often attributed actions in one context to causes in another. For example:

*...when I was already feeling personal stress because of something outside [my employer] this person kept hounding me to do something which I did not feel it was my job to do and I just lost it.* (H)

This was a short-term and relatively small scale issue, but the “cause” could be both long term and very large scale. Here is an example of the long-term in an

individual's life in which the respondent appeared to bring their feelings directly into the interview room, though reporting an event involving their father from perhaps twenty years before in their childhood:

*...you're a massive hypocrite, you've got a fouler temper than me, I've seen you when I was a child, please don't pretend that you are high, you know, don't take the moral high ground with me dad because this, this and this that you've done therefore I have no respect for you. (L)*

And in the largest scale context...

*...if before Hitler had come into power, we had had proper terms of reparation for the Germans...(C)*

at the Versailles conference, the 1939 war might conceivably have been avoided.

Both cases could however be seen as examples to support the following specific views of causes of violence:

*when people are angry they lose sight of the past and the future and the consequences...(A)*

*...the great danger is to get so stressed you then erupt into violence or say something really vicious which you regret and which may lead to worse things happening...(C)*

A Catholic priest found premises for a small Catholic congregation largely Irish in origin. In the circumstances this met an urgent need and was very convenient, but the premises were also used by a Church of England group.

*... thirty five people who used to come to Mass with us...weren't coming any more and they were all Irish. And that was like to me walking into a lamp post. You know I had just not seen that coming. ... They just tiptoed away but they had not sort of, after eight hundred years of the English oppressing them, they weren't going to put up with what they perceived of as, you know, going into the English Church on a regular basis... they would think of the Church of England as a different faith. You know as like Muslims or Hindus. (J)*

This example is one of only a small number which could be seen as being about territory and identity. The Irish group felt harm by being expected to share religious premises with groups they had little respect for; the respondent felt harmed

because his reasonable solution to a difficult resources problem was undermined without discussion or explanation; and the “flock” the respondent was responsible for was harmed by being deprived of a committed membership. Later in the discussion the respondent quoted a secretary of state for education (who was a catholic) as saying “the main purpose of Catholic Schools is to keep the tribe together”. Here that failed.

The potentially spiralling and complex interrelationship between events and emotions was summed up (and perhaps exemplified) by a respondent in a long sentence:

*... you might for example talk about a category of conflict which arises because of poor management, through managers making very poor decisions, and that impacts on people, who are then very annoyed, upset and conflict develops out of that, but actually even where you have some other kinds of categories, like for example a bullying behaviour, is bad management an aspect of that too? (B)*

The same respondent gave an example:

*... what difference does it make when our current [chief executive] goes and a new person's in place? What kind of perspectives will that alter? Will that mean that some of our counterparts in HR will leave? And they might well do, and be replaced by other people who take different views and that creation of working relationships will be back to a new position again... so all those sorts of things are part of the thinking. I mean, to some extent that makes a difference in terms of how ready are we to sign up to an agreement? (B)*

### **3.2.5 Learning and experience**

Conflict, and in one sense or another, doing harm, may be something we are all involved with but an ability to handle it well is not inborn.

*...it's very easy for adults just to have no understanding about conflict whatsoever. Some of the work I do with staff in schools you can really see that sort of light bulb moment when they suddenly go “Ooh Yes I hadn't looked at it like that...” (A)*

How people decided on doing “harm” depended to some extent on what they had

learnt was effective in getting what they wanted.

*The game playing is the negotiations with, well I suppose, the people that you are trying to co-operate with, and broadly speaking you are trying to find the commonalities, ways forward which suit everybody but if you think that the best way to make progress is actually [inaudible] to be a bit more aggressive then you'll do it... And I suppose at the personal level that was the bit I found hardest to cope with when I first started into this sort of thing... (B; part used also in Doing harm that good may come)*

Exposure to violence could lead to learning on a practical level – “avoid getting hurt” - but also at what the participant saw as a much deeper level of understanding. (Example used above.)

*I think the two things that motor that are either experience, and people realising that they cannot go through the entirety of their careers without eventually being bested by somebody that is bigger than them or more muscular or more intoxicated than they are and therefore is less susceptible to the control vision that we have to hand. Or, there's something that realises deep within themselves that it's just a better way of going about things to try and persuade people. (D)*

This learning could be primarily defensive in personal terms. A participant who was intensely affected by aggression at work eventually found a way of handling her reaction through detachment:

*...that's umm, again learned behaviour and experience because some things now that, that I won't lose sleepless nights over which I would have done a number of years ago....[From a later part of the discussion] I think your temperament can change can't it? Because I know how I deal with conflict now is not how I would have dealt with conflict five, six years ago. And that's not only conflict at work, it's, it's other conflicts that come into, you know, a very simple example of, you know, the kind of conflict when you, that you feel inside yourself when you are trying to get a result from ringing a call centre, for example. (H)*

The quotations above use fairly measured language to describe fairly measured behaviour in pursuit of fairly measured objectives. These three do not always go together, however. The banality of the vocabulary here does not conceal the level of harm, where “Roschke” is prepared to do the most unpleasant of harm in return

for what may seem relatively minor personal benefit:

*I have seen for myself all that has been revealed in the Belsen trial. These people lose all feeling. Roschke for example once told me quite callously that he had volunteered for duty in the crematorium because they got so much time off afterwards. (NT1)*

On the whole, participants did not put much emphasis on how their behaviour had evolved in response to their life experience.

### 3.2.6 Self-conceptualisation

Originally the idea of the node was that when someone considered their identities at the most basic level they found in it justification for doing harm to others. White supremacists might be seen as using this logic. This original conception derived directly from reading some of the interviews. However, on closer inspection, no participant quite went so far as to directly attribute their own harming behaviour to their self-defined identity. Several, however, saw the connection between *others'* conceptions of themselves and their decision to use violence or cause harm. For example, the leader of a voluntary organisation described a clash with a member. She tried to replace the leader's plans with her own, by internecine means. She came from West Africa where she was

*a paramount chief. You know she's surplus to requirements now the colonial era is over but she's got to keep... running things. (J)*

A minor defendant at Nuremburg was "always having good books sent, and used to listen to good music" and perhaps saw himself as cultured and humane. He intervened on behalf of some Jews who were being beaten up on their way to a camp:

*I went up to a young SS man and asked if the beating up was really necessary. He laughed and said they were only scum anyway. (NT 1)*

In these two cases the speaker sees the subject as having a concept of themselves which led to their doing greater or lesser harm to others. In both cases this seems intimately connected with status. But the speakers too seem to draw

comfort from the fact that the subjects were, in a material way, different from them in kind, unable, unlike the speaker, to accept a change in the times, or to appreciate culture and civilised standards of behaviour.

However, on the assumption that another interviewee was a reliable witness (and allowing hearsay evidence), certain animal rights activists perhaps did take their belief in their own special rightness not merely as a mark of their superiority in status but also as a reason to behave aggressively, almost violently, towards others. Specifically they used dress and aggressive, alienating speech to emphasise the difference between themselves and the people who had come to watch their demonstration. It did not seem to be important to the demonstrators that they were unlikely to win converts:

*There were people from that animal rights group there and they were all dressed in intimidating army colours, beating drums and stuff and they were the ones shouting, you know, obscenities at the police and, and, you know, it makes us all look, look crazy as if we're all, all thugs...I remember one, one passer-by coming up to this animal rights activist saying 'Oh why are you against science then? Why are you anti science?' Instead of the, the activist just, you know, talking normally and explaining to this person, she started shouting through the megaphone "You don't know what you're talking about", and, and, you know, how an earth is that going to persuade that person that these people are right? (E)*

Self-conceptualisation could however also be interpreted as awareness of the rôle the actor undertakes in social contexts, which can be expected to lead to violence and harm. This could be formal, eg as police officers or teachers, or informal as in the case of habitually learnt behaviour in families. A policeman described his commitment to his rôle in trying to prevent domestic violence and what that now entailed:

*All you are required to, and is expected of you, and can ever be expected of you, is that tonight, on your shift, those two people will be kept safe. This person will not injure that person. That person will not kill that person. The children will not be affected. Tonight, when you are on duty, you kind of did your bit to make sure that it didn't happen...[From a different but related part*

*of the discussion] If it cannot be resolved within the first, say x number of minutes, then somebody's got to come away. If there's any allegation of any violence whatsoever, then somebody will be arrested. (D)*

These roles may not be consciously and rationally chosen:

*People need roles in life, they need to be able to put themselves in to categories, I'm this or I'm that, I'm this and that, and if they don't get something society sees as a positive role, they will look for it elsewhere, they will find their role as the biggest bully in school. (A)*

To illustrate this mechanism further and to show that happily the results are not always "bad":

*I think I've always been characterized by my family as being like a peacemaker or the sensible voice, the voice of reason and I think that I've always had to play that part and you know, to try and get some sort of rational sense, calm, peace to look at things and try and come to some mutually understood agreement. (M)*

## 4 Process and Evidence

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### 4.1 Legitimising Process

[Originally I included this node under 2.b. This was because I first saw respondents directly justifying their and other's actions by reference to the process by which they had been decided. On reflection this appeared to be a misperception. It was not that they *justified* the actions in this way, arguing that the harm was right because it had been decided by due process in the way one might argue that it was right to shoot suicide bombers before they detonated the bomb they were carrying because of a consequentialist calculation that this would result in less harm. Rather they used the processes as a reason to *accept* the actions and to pass the responsibility for them to others. I am not saying this is illegitimate. In a large democracy, a tyranny, or a complex environment like medicine, we cannot ourselves be involved in all decisions which affect us. And of course we may agree or disagree with the decisions arrived at through the legitimising process in the sense that we might take the same decision if it were up to us alone. But the

argument about legitimising process showed itself in the minds of respondents not to be directly about what *they thought was right*, but about what *they could tolerate* or *what degree of control over their actions by others they were prepared to accept*. Compare the comments below on the importance of transparency and the right to participate in the processes; both can be seen as relating to the extent to which the respondent can feel part of the process and thus more readily accept its outcomes.]

In deciding whether it is right to do harm, the presence or absence of a process which may legitimise it is seen as an important factor.

A legitimising process could persuade people to - in some sense - accept violence which they personally felt was deeply wrong.

*I don't actually agree with the idea of abortion because of my religious belief but having said that umm, there is a law in the land that allows that to happen within certain defined criteria and I can sort of co-exist with that umm and then say well, I think society's wrong, I can argue against it but you know, it wouldn't affect my err, particular situation because I would still have choice over, you know, but I'd have an influence anyway or for how it might impact upon my own family perhaps. (M)*

This reflected a wider context, in that the process could not only permit direct immediate harm but allow for further "sanctions" in support of the outcomes.

*There's a, in certain situations there's always codes of conduct, codes of appropriate behaviour and obviously within any society there are going to be umm, codes that are legally sanctioned and err, consequently providing they are deemed to be for the good of society then I think there's a rationale for people abiding by them and if not abiding by them, facing whatever sanction might be. (M)*

In the absence of the legitimising process, this might read as mere obedience to force, but the same respondent also articulated the basis on which he would accept the legal sanctions as legitimate. For example, in the previous quotations, the participant sets a limit to what he can accept as an individual. The outcomes should not be unreasonable in the circumstances. In the case of abortion at least this appears to mean that it is not universally compulsory and allows individual opt-

outs on the basis of conscience; the UK's legalisation on abortion is not Herodian in scope.

Further, the right to campaign for change within the system was important in establishing the process as genuinely legitimate.

*I have chosen to stay in my country and therefore I justify it by saying that it's important to campaign for a society which is rather more differently run than the one in which we're actually living in...(C)*

So, in effect, the participants would generally accept the majority will provided it is arrived at as the result of some sort of democratic process:

*...to a large degree I think that if you live in a democracy, whatever that means, then I think you have to abide by the laws of that democracy or fight against it umm, petition against them. (M)*

The nature of a legitimate process was not however cast in stone and it might have to be sensitively adapted to circumstances. Western democracy, for example, might not be the only legitimate or acceptable political format. This might depend on the context, as in the invasion of Iraq:

*... there was no consideration of what the end gain might be which led to the consequent umm, craziness of being in a country where you're not wanted, trying to impose a democracy that is not required, a format that doesn't work for the local community yeah? (M)*

The form of the legitimising process is important "but obviously the whole term democracy [is] a hot bed of contention".

Where there were clashes of expectations or understanding, in particular where a democracy might be too slow and not take sufficient account of minority views, political principles underlying democracy such as the need to be heard might lead to acceptance of actions outside the formal process. No readily acceptable and accepted boundary is articulated here, but direct action at least in the sense of public demonstrations, if not revolution, appeared to be in the respondent's mind:

*So I think minority voices sometimes, err, need to be noticed and don't see*

*the possibility of being noticed through a democratic system or it certainly not going to happen quick enough so that's why a more immediate course of action seems to be the way.(M)*

Legitimate processes could also be undermined if those in power manipulated them in an illegitimate way:

*...the weapons of mass destruction... the rubbish err, that went on and how it seemed to be so evident that the political process was being manoeuvred to come to an engineered end, end game. (M)*

This is not a problem only with national political systems. It can affect the respect with which organisational management are treated.

*I know, I know within organizations there are some things that, that, you know, that senior management for whatever reason don't want to share with us, and I can, I understand that. But what I don't like is where the truth is twisted, manipulated, that makes me very very cross. (H)*

So clearly it is not just the process itself which matters but whether it is carried out not only well, conscientiously and in good faith but also transparently.

The following arose in the context of the UK government's participation in the US attack on Iraq. It sets out a list of criteria which the respondent felt were essential if decisions taken effectively *in camera* were to be accepted as legitimate. The bullet numbers are added.

*[1] think that umm, the only way that you can justify and if you were in that position and having to take such a momentous decision as that is umm, [1] first of all that you acted according to what you felt was good faith... Umm,[2] that the consequences of not taking that action would have been far worse than taking it, although obviously that can't be sort of verified because you've taken the action so it's not going to have an opportunity to show itself umm... [3] That there was no other option available... [4] The only other aspect I think that all these politicians would say is that I'm privileged to have knowledge and information that is not generally available so therefore there is more information at my disposal, so people might think that it was a bad decision but they didn't know all of the facts umm, some of which you know, I can't even disclose now. (M)*

Processes do not have to be subject to full public scrutiny to be legitimate. The

referee system used in sport is an example with a parallel in commercial situations, eg arbitrators. The role of both is to decide a dispute usually without appeal. (Professional sport such as international cricket is developing appeals.) This process could result in harm in the sense used here (eg players being sent off or penalised in some other way; groups of workers awarded pay rises seen as excessive by employers). Its legitimacy depends on widespread acceptance that some such approach is necessary.

*[Rules are] explicit and they're refereed in the fairly literal sense... there is a person who has the job of enforcing the rules...(B commenting on amateur sport.)*

Here some rough justice may be tolerated pragmatically in the interests of keeping the game moving.

The law (enforced by the courts) was not explicitly mentioned but perhaps is covered in principle by the previous source - though there would be far more detailed discussion about all aspects of the process especially the sanctions available as they may be especially strong, eg long imprisonment or indeed death.

Some gave dialogue a very important role as part of a legitimising process.

*If you have a disagreement about something, you could have the rational conversation which says, on balance, considering the different perspectives, what's the best outcome we would both be Ok with, and we go for that... but conflict arises because it's a situation where you can't have that rational conversation....(B)*

Another respondent gave a concrete example from a disciplinary procedure:

*...what I did was that I was very clear about the process ...there was a process and so you know, you had objectives and we had reviews and they weren't being met and you got supported through the things that you said you needed to get to where you needed to go and you still didn't do it and therefore you chose ... (F)*

The point here is that people can make assumptions which may be false and destructive – dialogue can help remove them. This was clearly expressed as

follows:

*We might start off, in a different positions but if through the discussion, debate, argument whatever that person persuaded me that actually yeah, that that, what they are saying is, has merit, that wouldn't cause me internal conflict. Because I would have been persuaded by their discussion and their arguments. (H)*

To summarise: if harm is decided through the application of a legitimising process, it is more likely to be accepted than if its imposition is seen as arbitrary. However, the process must be legitimate in itself. In western culture this is likely to mean that it is democratically authorised. This may not be the case in other cultures or belief systems (such as religion). Moreover, even where the overall process is both legitimising and legitimate, sub-processes, or the way it is implemented, need also to qualify under the same criteria. Ultimately also the outcome, ie ends, need to be accepted as legitimate as well as the means: nothing justifies a means but an end. And each of these points is qualified as to degree, so that, for example, some measure of illegitimacy in an outcome (eg abortion) may be trumped by a sound process provided its application is not unreasonable. No respondent actually directly justified an action simply because it had been decided by a legitimate process.

## **4.2 Evidence**

Relatively little was said about the quality and quantity of evidence needed to justify harm.

The two main examples both arose in the context of performance management at work. Both respondents followed a “natural justice” process in which the member of staff performing poorly had the opportunity to discuss the issues, the first case in particular in a relaxed atmosphere. This case was also (apparently) based on accumulation of evidence over a reasonable period. The respondent had “how to treat people” (see section of that name) and his own comfort in mind as well.

*...the last incident I could think of, I had to get rid of a sales guy. The sales guy was clearly not up to the job, he was clearly spending way too much time not on the job. Now I've found the best way to deal with that is to sort of, back to what I'm comfortable with, is to sit down with that guy, which I did, and say 'Look Alan.' Not deal with it in an aggressive, confrontational way. I actually said to him, 'Look. I've actually got your interests at heart here. You're only quite a relatively young guy. I just want to talk to you about whether you're happy in your job, what you're doing in your job, why you're doing certain things, why you've made certain decisions to go into sales...' We had a two hour discussion on this person and I felt, he felt that I was interested in him as a person. At the end of that discussion, he said 'I don't think I'm cut out for sales, am I?' I said 'No.' ... We talked, in this particular case, for a couple of hours, and by the end of it he thanked me. He said, 'You've really helped me. I wasn't enjoying my job, you're right.' So I dealt with a situation, a poor performance, in a way that I like to deal with it. That's a mixture of all the different aspects of me. One is that I wanted to come away from that meeting helping that person. So I'm not just firing that person, and saying, 'Right, bang, you're gone. You're not up to it.' I thought I could be a mentor; it was a youngish guy; let's talk about various things, look, I can help you. (G)*

Another case reflected similar difficulties on the part of the “sacker” and perhaps these two cases show how empathy can be an important factor: neither respondent wanted to do harm (cf Botswana morality). In each case there was plenty of opportunity given for discussion and relevant issues to be exposed.

*Yes and that was one of the hardest things for me to do ... there was a process and so you know, you had objectives and we had reviews and they weren't being met and you got supported through the things that you said you needed to get to where you needed to go and you still didn't do it and therefore you chose ... They had policies around attaining objectives and what happened when you didn't, and you had reviews and you did all of those things. I think one of the things in that sort of case...I've always tried to be extremely clear ...this is the reality, this is the and to get the person to agree so what you do in those instances is you get them to co-create their objectives to get them to put into that so it's not I'm telling you this is what you need to do and we going to sit down we're going to do this...it took me a lot .... To actually bring myself to give up on that person...I don't give up on people particularly easily (F)*

## 5 Context

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### 5.1 Frameworks – formal and informal (eg culture)

Frameworks of one kind or another arguably have a profound effect. This slightly edited exchange between the interviewer and respondent illustrates the point.

*Resp. ... There are certainly times when I wish that I didn't have to be responsible err, when I see other people acting in a total irrational or emotive way and I think, what a liberty, what a fantastic thing to have that freedom to do that. Umm, there have been occasions in my life when I've let myself go like that and within five minutes somebody will draw me back down to earth with a bump and so I think that it is part of my function in life really, not to lose that sort of aspect umm, even when I want to.*

*Int. One of my principles umm, is that, never act out of character, you always fall flat on your face when you act out of character because you don't understand the....*

*Resp. Don't know the rules. (M)*

The respondent appeared to be saying he had lost, as it were, his moral compass and practical guidelines, all at once.

Culture was rarely cited as a factor explicitly. This was one of the few instances.

*There might be the reaction of, aren't people completely inconsiderate, how dare they let their dog of foul the pavement, attitude, I'm going to throw it at them...there are different ways of behaving, that's the cultural differences, that's where our beliefs and values that come from our culture, friends, gender.(A)*

This is perhaps to be expected as culture is taken for granted. Sometimes its effects were cited but the cause not given a specific name.

*I'm a bit annoyed because of the way that society's set up and the way we are shoved into this heterosexual world then my identity and my sexual practices and my experiences have all been decided for me and that annoys me because I've been limited. (L)*

Law was also rarely mentioned explicitly. Here the respondent supports its existence in principle on the assumption it can be justified. (He emphasised the

importance of legitimate process (qv) in this.)

*There's a, in certain situations there's always codes of conduct, codes of appropriate behaviour and obviously within any society there are going to be umm, codes that are legally sanctioned and err, consequently providing they are deemed to be for the good of society then I think there's a rationale for people abiding by them and if not abiding by them, facing whatever sanction might be. (M)*

Indeed law was sometimes treated as though it did not exist, though perhaps the context was specific in the respondent's mind.

*Well, in the context of the relationship between me and a manager in a trade union issue, I don't think there is an arbiter who says, are you playing by the rules or not? (B)*

Other rules agreed amongst the direct participants might have less formal force but informally and by common consent could govern behaviour even in the absence of an "enforcer".

*I mean you could say we're going to play a hockey match, there isn't an umpire available, let's just carry on anyway in a friendly and co-operative way. I have known that happen. (B)*

The respondent saw this as unusual. In the sphere of international relations such a way of approaching things appeared however to be the norm. Even when a "referee" was available disputants might reject the idea of using it. It might be seen as a sign of powerlessness.

*...it is in fact the norm in a lot of other areas of conflict where you say well OK there is someone we could ask for some views you know a conflict between two countries we could go to the United Nations, but why would you? You'd rather resolve it without going to them, because it would be a sign of weakness but that's a separate different issue ...(B)*

Apart from the law the police have two particular frameworks which influence strongly and directly how they deal with and use aggression, violence and harm-doing: Conflict Resolution Management Models and training in how to apply them ("control methods"). The respondent here describes the context which these are designed to support officers in the field:

*... there is a bit of a tipping point where people realise it's either going to end in some sort of control method, and whereby that's very easy... And a lot of it is very obvious; it's abundantly clear to people, for instance, if they go into a situation that things are potentially hostile, or potentially have conflict about them, because all the physiological effects will be there. The timbres of the voice, the extra couple of seconds of eye contact that instantaneously tell you about... (D)*

This training could be very directly focused on minutiae of behaviour. It also covers the issue of accountability and shows a role of such frameworks: providing a vocabulary to describe what happens. Perhaps such a vocabulary both conditions and reflects how the actions are interpreted:

*... The body language side of things is literally almost like animalistic displays of aggression, just stopping short of true aggression. You know, when people start striding around and can't stand still - you know - puffing their chest out, shoulders back, heads up, knitting the eyebrows, you know. ...All these things are very, very obvious, but we just give a name to those things, so that our young officers can recognise it - because some of them have never really had a fight since they've been at school, - and also so that they can talk about it after the event, and also record it in a statement or in a pocket book as the justification for having resorted to using defensive tactics. (D)*

This framework is responsive to changing cultural attitudes. This describes how attitudes to "violent domestics" have changed.

*... The number of people who continued to fight with ... their injury or even killing people was unacceptable. Quite unacceptable. So now we have to do a blanket, positive action. If it cannot be resolved within the first, say x number of minutes, then somebody's got to come away. If there's any allegation of any violence whatsoever, then somebody will be arrested. (D)*

Another respondent saw an employing organisation as setting a series of frameworks and described how the sometimes incompatible aims of different parts of it, and of participating individuals, created an unpredictable matrix of conflict hard to control.

*... the nature of the environment we're working creates lots of conflicts because there's lots of different interest groups and we've all got our*

*own agendas which don't necessarily coincide which can create small scale conflict or large scale conflict. So, so, the fact that we've got quite a lot of flexibility here on how we operate can actually create more conflict in some ways I feel, than, than in other situations. (H)*

## **5.2 Religious frameworks**

Religion was not often cited as a reason for the participant to do harm - indeed, to take any kind of action. This was perhaps a little surprising as three of the participants had been selected because of their religious affiliation - one was a catholic priest. However religion was often the object of commentary: the participants saw other people as citing religion as a reason for doing harm.

Here a clear religious principle was given as a reason for precisely not doing harm.

*...the Christians, if they were in the army, tended to leave it or else only do policing duties because they felt that Jesus had said you should not kill and never killed, himself...So I decided to register as a conscientious objector (C)*

Or again:

*I don't actually agree with the idea of abortion because of my religious belief (M)*

The clarity could nonetheless lead to debate about application. Working in the military medical unit

*could actually further the war fighting in some respects though I can see now that it's helping people to survive and it's not actually killing anybody yourself, so I don't know if I would make that distinction now. (C)*

These principles applied on a person-to-person as well as a social or political basis. This participant's stance could be seen as an instance of temperament-based empathy, but the touch of (his) god he sees as present in everyone gives it a powerful structural support.

*I take the line that Jesus ...that we're all sons of god and there is that of god in everyone ...every time one feels like enemising or demonising them you tell yourself ...if I was in their shoes ...what would I be thinking and feeling? And I'm not in their shoes but respect and try and work out where*

*they're coming from in doing what they're doing. (C)*

The power of religious belief was briefly summed up in this participant's ironic recognition that it was often prayed in aid by both sides in a conflict.

*How many times do people say God is on our side? [Laughs.] And why do they say that? Because it gives them a sense of peace and sort of justice and yeah. (M)*

A common position was an arm's length denunciation of what were perceived to be others' religion-based motivations.

*And if you look at conflict if you look at war it just escalates from a little conversation in the Deli Bar to you know religious whatever's are slaughtering people in the name of their god...so you know there's this huge continuum...that's the essence for me...(F)*

Religion could sometimes get the benefit of the doubt and harm done in its name ascribed to other factors or kinds of analysis – perhaps to get people off a hook (this is the same participant cited in the previous paragraph):

*...if you use religion or what if you look at the religious history I'm not going to accept the fact that people are killed in the name of god... I'm not going to do that and for me that's not...but for me what I am going to try and do is to understand the cultural context ...what I mean by that is not just the national context but the familial context (F)*

This means of relating to religion - or avoiding it, reducing it to the level of any other analysis – was not uncommon. Here it was again used as a way to link the "big" themes like war to more day to day issues.

*Those views and approaches are underpinned by something that I believe to be flawed and wrong and based on almost myth and corruption and err, misinterpretation and a lot of the Christian views, I believe, are not there in the bible. It's interpreted in a different way and used for whatever means they deem to be appropriate and that's not because God said that, that's because you are saying that and that's my issue. (L)*

This negative view of the impact of religion could prevail even where there was empathic sympathy for the support it could provide individuals:

*...wars and things are all orchestrated by religion and you know, some*

*religious views are sometimes really enforced upon other people in really bad ways and that's what I don't like about religion. I feel like it can be a form of brainwashing. (L)*

This participant saw the effect of this brainwashing as very harmful, reporting the effect of religious principles on a school community:

*...what about gay, lesbians and bisexuals and trans-gendered people and they would say well, what about them, they're sick, they're abnormal, they're deviant, we're not going to cater for people that have lost their way (L)*

The result was the creation of approved and non-approved groupings, which was particularly painful to members of the latter, but also destructive for the former:

*You know, it's been used to kill people and to almost form in-groups and out-groups and if you're in an out-group therefore you're horrible and you're wrong and you're deviant I just, I just believe it isn't healthy to have such stringent views that nobody can deviate from (L)*

This disapproval could result in the most serious harm:

*If you exclude some young people by saying this is right, you are meant to be married, men and women should have sex, that's what's natural that's what's normal and you are explicitly saying homosexuality is deviant and sick then those people that may sit there that are lesbian, gay or bisexual or go on to be a lesbian and gay may result in and you know there are high levels of suicide, depression, substance misuse in lesbian, gay and bisexual people and that's because they feel excluded, they feel marginalized. (L)*

### **5.3 Clashes of the Ends of Life (contrasting or irreconcilable values)**

This section owes its title to Berlin's essay on Mill (1969) and a need to settle on a general term. The nodes under which I collected these ideas were called (*inter alia*) Irreconcilable Differences, Conflict of *Weltanschauung*, Incompatible Ways of Life, but, in practice, the differences were not material. There was also a tree node called Values and Interests which duplicated some of the material under the specified headings. It is now incorporated below.

Respondents often gave examples of situations where individuals or groups held

views which were incompatible. (This applied even where they also held that conflict was not conflict till it was voiced or unless there was aggressive behaviour; cf nature of conflict, above.)

This mattered in most of the instances because both sets of views could not be simultaneously enacted in the same place, eg because one view might actually involve the actual death of holders of other views (in the case, for example, of suicide bombers).

A less final example, but equally complete in the incompatibility of the views involved, is as follows. A vegan, also particularly moved by what she sees as cruelty to animals, discusses the French passion for *pâté de foie gras*.

*Ahh. Yeah you see a lot of people don't really know what it is I suppose but I know, I know France is massive on it. It's their national dish and I er, I've watched programs on, in this country, where they've produced it and it's a delicacy. You know, people think wow, foie gras. Let's eat that. It's, ahh, it's the diseased fatty liver of a, of a bird that's been imprisoned in a cage and had a pipe shoved into its mouth and force fed. You know, and people eat that. That's disgusting. How? And it's like umm, it, I, I've seen pictures of it in these foie gras factories. The birds that can't put on weight fast enough, they get minced alive into a machine, just line up and all get put into a machine and minced alive. That's disgusting. To get rid of them faster they just kill them alive instantly if they are not gaining weight fast enough. To be foie gras birds. (E)*

The geese are treated cruelly and with no consideration at all; the humans are contaminated both by eating “diseased fat” and by supporting the cruelty. There is aesthetic repulsion too. The respondent had studied the situation and knew the ground. There is no obvious route by which the respondent might be led to a less passionate and condemnatory view.

Respondents rarely faced up to the implications of meeting approaches incompatible with their own. However, one at least was ready to recognise the difficulty (some minor editing as indicated in brackets):

*...if [they're] not willing to create the space that we can both evolve...or*

*begin to understand one another's position, then that's where the conflict arises for me not ...whether I agree with that position or not is by the by...it doesn't matter ...conflict is created when somebody says my truth is more right...or my right is more right than your right and they are not willing for whatever reason to entertain anything that you say... (F)*

Asked what the respondent would say to a suicide bomber, religiously or politically (eg the Tamil Tigers) motivated, she replied:

*Probably nothing because possibly [they] are just so fixed and so imbued with the beliefs and the values that got [them] to where [they] are today we could probably not have a conversation that would evolve either one of our viewpoints and I do not ... (F)*

Another way of putting the same point – that the only way to deal with incompatibility was to discuss the issues till they were worked out somehow – was argued as follows. Here the significance of a legitimate process is also implicitly referenced.

*I justify it by saying that it's important to campaign for a society which is rather more differently run than the one in which we're actually living in...(C)*

It was argued that to some extent at least this incompatibility was not complete – common humanity implied there were certain values and interests which could not be denied and provided means of solving apparent conflict. For this and contrary views, see 2.3.1 above *How to treat people; common humanity*.

Another way two views could be incompatible in the sense mentioned might be because the holder of a post had the sole prerogative of action in the area concerned. The following case illustrates this but also that the “harm” is not always as precisely articulated as in the case of violence and could in many cases be highly debated.

A headmaster of a faith school was replaced. There seems to have been little dispute that the outgoing head was “weak” but the approach of the new incumbent was to focus very hard on academic rather than faith issues – in the view of the respondent, throwing out the baby with the bathwater.

*...[They] had appointed a man and specifically charged him to turn the school round academically which he did. I mean you know, he got it into the top fifty in the country but he did it to my mind, not just by neglecting any concern about whether it was promoting the [x] Faith but by doing things which were not really reconcilable to the [x] Faith. Helping himself to the special needs fund for other purposes. I mean he was an elitist. He was one of these who, who, he actually said to my successor that he was baptizing the wrong sort of people. You know, that's one of the most stunning things and stupid things anybody could ever have said. (J)*

Indeed the respondent commentator clearly saw the new incumbent as not merely choosing a path he disagreed with, but showing some disdain for the “true” path.

*...at one stage he rushed out and bought thirty seven plastic crucifixes and put one in every classroom. That's about the only thing he ever did for the [x] School. (J)*

Clearly issues of political power were very important here. But that does not mean there is nothing to say ethically about the various decisions to do harm – dismiss the head, dismiss the chair of governors, abandon the faith aspect of education damaging a generation of school students (from the point of view of those who support the faith), to name a few.

In another case the nature of the harm being caused (also in the context of a faith school) was perhaps more immediate and personal and arose directly out of a clash of values and beliefs about the right way to live – between the teachers and the taught, or at least the latter's parents. Here the respondent observes teachers attacking ways of life which at least some of their pupils are experiencing – but which they are not (being young teenage school students) directly responsible for.

The staff say:

*this is wrong and that's wrong you know and that even cohabitating and living together and... you know, a lot of them are actually located in these family forms so be told that they're very deviant and wrong and that marriage is the only way and that you can only gain, you know, a valid life and happiness etc, etc in the institution of marriage I believe is you know, a bit damaging potentially. (L)*

Religion and politics were shown above to generate incompatibilities, but some crimes, representing to some extent a choice of lifestyle, moved one respondent to the point of losing his ability to envisage how he could deal with the situation. In both cases he cites the harm being done to others was clear and few would dispute it.

*...but obviously there are some people who it would be almost impossible I think to have a, have a communication with because they just have such a different view of life. So I mean obviously you know, to use a easy example, somebody who, who is sort of into child pornography ... I don't think I would really be able to even talk to that person and understand where, what's going on there....it would be as hard for me to actually communicate with somebody who had a totally alien set of principles yeah, yeah. Like this guy who's had seven children from his daughter and all this sort of stuff. (M)*

Not all cases involved a confrontation of incompatible positions with no way out. In a previous example a manager sacked a salesman. The latter was, however, able to see his failings and apparently use this as a base from which move on.

*We had a two hour discussion on this person and I felt, he felt that I was interested in him as a person. At the end of that discussion, he said 'I don't think I'm cut out for sales, am I?' I said 'No.' (G)*

Sometimes the issues can be too small to allow them to interfere with important business.

*...some conflicts can be quite low level and you can therefore ignore and work around it. (H)*

Sometimes one person's power is such that everyone else accepts that person's way of doing things or avoids it altogether. The issue was smoking, which not one everyone would classify as "low level".

*She has to put up with it, me dad wouldn't. Me dad's quite old fashioned he wouldn't, you know, she just has to put up with it. He's a really nice guy but he's quite old fashioned in his views you know, so umm, yeah, everyone else has to put up with it. (K)*

## 5.4 Theory of Social Change

Participants (in a few cases) justified doing harm by reference to the potential good which might come from it but they did not show a consistent idea of how this might come about in social contexts. Few addressed the idea directly. One participant however saw the individual as crucial if only as the grain of sand which leads to a pearl:

*Well no, but I still think it's wrong to turn round and say one person can't make a difference because one can. If everybody had that attitude, every person said I'm just one person, what I can do, I won't do it. Then nothing would never change, nothing would ever get done would it. Because it all starts with one person who influences another person who influences another person, that's how, that's how things change. (E)*

But individuals need to come together to gain weight and skills to enable them to influence the legitimate processes of decision-making:

*...the whole idea of animal rights groups is so people get together in numbers, you know, they fund them, send them donations and things and as a group, as a body, they are gonna have more depth and persuasion than just individuals, you know, they can have the, the depth of the whole country and they, they also have the power to lobby the Government. You know, they can hire specialists in lobbying and umm, get MP's on their side to vote for the bills of change. (E)*

This is not a reliable process however. It may act neither fast not sensitively enough and this may lead people to act outside them:

*So I think minority voices sometimes err, need to be noticed and don't see the possibility of being noticed through a democratic system or it certainly not going to happen quick enough so that's why a more immediate course of action seems to be the way. (M)*

Religion had an impact in this area in principle because it brought people together and organised them (C, J).

## 5.5 Social groups' judgements about causes of harm and conflict

Explanations of other people's behaviour were sometimes given in terms of the

effect they had on the speaker. For example, in one example a subgroup undermined the group's fundraising efforts and those of the leader, who saw the subgroup's motives as mean spirited.

*But it's the sort of, the spirit in which this goes on that gets under my skin a bit. Other people it wouldn't get under their skin. (J)*

Yet other subgroups had a different character which made damaging behaviour far less likely and easier to contain:

*...without exception they are also highly generous and that combination just makes umm, conflict reduction, I think, quite likely. (J)*

Perhaps "nice people don't have conflicts".

## 6 Summary of Model

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Conflict was confrontational or aggressive behaviour. This was undesirable largely because it caused others pain of some kind. There had to be some underlying issue of substance in a conflict, but the aggressive behaviour, rather than the issue, was the main problem. It was rare that conflict could be seen as in any sense good.

Doing harm or causing pain was wrong in principle because it violated the right way to treat people. "The right way" was based on our common humanity. This meant the underlying needs which all people had. No-one could deny to others the satisfaction of these needs, such as (*inter alia*) those for respect and to make a contribution to society. Again, the problem lay, not in the nature of the underlying needs, but in the sometimes aggressive ways people pursued them. This approach mostly assumed an ethical position like the Golden Rule: do unto others proportionately as you would have them do unto you. The role of empathy in this was explicit. This could mean either a philosophical position that others needed to be taken into account, or personal warmth and sensitivity towards others.

Doing harm to others could however be directly justified in five ways. Justice and fairness (1) had great emotional power in motivating harm-doing, in particular, in

righting a specific instance of injustice or unfairness. However, revenge (2) was not claimed as a justification by any participant, though it was attributed to others. Defence of the weak (3) and self defence (4) could both justify harm-doing. Human nature inevitably involved doing harm to others and doing it in return was equally inevitable. This was denied only by the pacifist position. This argued essentially that harm-doing led to unpredictable and incalculable consequences which experience showed were invariably predominantly evil. An alternative to using harm-doing as a conflict resolution mechanism lay in assertiveness and respect for others. Harm could be done that good might come (5), but not in all situations. The outcomes of aggression were, again, always unpredictable. If the level of violence was considerable (eg war), harm should be withheld. At lower levels it was perhaps inevitable given the practicalities of life, eg in negotiation. Where the boundary between acceptable and unacceptable violence was situated was not clear. Calculation was often required, though sometimes the harm was wrong in itself.

Doing harm to others could be explained (as opposed to justified) in six ways. Temperament (1), as a general term for whatever lies behind the systematic way in which individuals react to stimuli, was a crucial factor as it determined behaviour – the key component of conflict. Whether people had the ability to empathically appreciate others' situations was important. Understanding one's own temperament, eg one's own confidence, could affect how one reacted in situations of aggression. Abnormal mental states could be relevant, as could "normal" emotions such as anger. Crucially, given the behavioural nature of conflict, violence leads to further violence (2), whether originating (say) in intoxicated behaviour or through frustration at being ignored. Control of one person's behaviour could effectively pass to another psychologically (as opposed to in a military or other command-and-control situation) (3). Examples were a long personal relationship exacerbating feelings of injustice caused by being demeaned; and bullying involving A's emotional reaction being largely controlled by B. A

current decision to do harm might be profoundly affected by prior or parallel events not obviously or immediately connected (4). Small and large scale examples were familial conflict from childhood shaping adult reactions, and the Treaty of Versailles 1919 arguably creating the conditions for WW2. The connection might be complex, systemic and all but invisible. People learnt ways of handling conflict (5) which might be defensive (about avoiding harm) or manipulative, eg how to use aggression in negotiation. This learning might not be benign. How people saw themselves and their social roles (self-conceptualisation (6)) would directly affect their readiness to take aggressive action in support (eg) of justice and fairness, the weak, themselves.

Where the harm was proposed by a legitimising process, people were often readier to accept it, than if it was seen as arbitrary. This would apply even if they did not necessarily think it fully justified by their own standards. Sanctions (eg imprisonment, sacking) in support of harm, where both the original aim and the sanction are decided by a legitimate process, might be justified given the need for order and efficiency. What constituted a legitimate process was debatable. Democracy was a prime candidate but might lose its legitimacy through flawed implementation, and might not be the only form of legitimate process in all circumstances. Some aggression in support of partisan views might be acceptable even if there were a legitimate process in place if it did not provide a route for their promotion. Organisations needed legitimising processes as well as states. Evidence used to justify harm-doing should be good, it being a characteristic of a legitimising process that it was transparent and made the justification public. Neither justification, explanation nor legitimising processes arose in a vacuum. *Inter alia*, national and organisational cultures, religions, legal structures, organisational constitutions, or rules of engagement for military forces provided values and behavioural guidelines such as structures for decision-making and procedures for carrying the harm into effect. None of these factors was unchanging,

but there was no consistent theory of how people could affect change in them, otherwise than in the sense that they needed to join together to give their view weight of numbers. Contrasting values, held by different people or groups of people, were important factors in the decision to do harm. However, since conflict is about behaviour rather than issues (in which values are axiomatically critical), people's values sometimes appeared mainly as intensifiers of emotion. Dealing with the implications of values incompatible with one's own was problematic and was often delegated to the operation of legitimising processes, eg employment procedures or political elections to choose who was in charge of X entity. This is however in itself problematic where the participants do not accept the same legitimising processes, eg suicide bombers and their victims.

## **7 Summary of Chapter**

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This Chapter has set out the Model. In the next Chapter we carry out a dual process in which we review the Model in the light of ethical theory and ethical theory in the light of the Model. The aim is to explore whether ethical theory addresses people's real needs for ethical support in these areas, and whether people make reasonable sense of the ethical issues they face.

# Chapter 6

## Theoretical Analysis and Discussion of Model (conflict and ethical theory)

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### 1 Introduction

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This Chapter addresses the third focal question pair:

*Do theories and processes in normative ethics which address issues involved in deciding to do harm in conflict, also address the issues people face in this area as identified in the Model? Are they (the theories) feasible, practical and useful?*

The purpose of this chapter is to use the Model and the Literature to make sense of how ethical reasoning about the use of harm-doing in conflict can be used. It was not clear in advance what (if anything) this might mean. Broadly, however, what seemed likely to be most useful as a general approach was to compare the main themes in the literature with those in the model. Do the model and the literature deal with the same main themes in comparable, or importantly different, ways? The literature was chosen independently of the Model (Ch.1:3), which was written before the main literature was investigated. The Model is rooted in how people actually talk about justifying harm-doing in conflict – does the literature address the same issues, and if not, why not? If it does, does it help or hinder? In particular, can the theory be called “unworldly, non-experiential” and irrelevant to the needs of people in the real world to have explanation and guidance - or are the principles “feasible” (Coates, 2006: Ch 1 above)?

The comments below follow the sections of the Model. I do not normally reference specifically anything to the Model section, but where necessary I have inserted a #.

## 2 Reviewing the Model

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### 2.1 What is conflict? Its nature

#### 2.1.1 Character of conflict

To help explain the significance I attach to this section, I begin with an outline of what I expected to find. This was that the Model would see conflict as competition between actors seeking to realise incompatible aims. Since resources are limited some people or groups would not be able to fully realise their aims. Because some of the aims were of immense importance, this would be a fraught situation and to resolve the dispute, one or all sides would sometimes resort to harm-doing to get their way. This would involve ethics in several ways. Being about the best way to live (Ch.2:3 *passim*), ethics would help to formulate, evaluate, choose and prioritise the aims or ends and also assess means - their proportionality, for example. Tiberius suggests a complex, iterative version of this (Tiberius, 2008: p 3). Ethics would also get its hands dirty, so to speak, and develop these functions in the complex real world, where (intellectually) other disciplines would be needed to make sense of the context and (practically) our bounded rationality would undermine any conceptual certainties we might have established (Ch.2:2.2.2.7 and 3.4 *passim*; applied or practical ethics). Ethics considers social aims (eg contractarian ethics, Ch.2:3.3.3) and individual morality (eg Kantianism and Virtue Ethics, Ch 2:3.3.2.3 and 3.3.4) so its scope is wide enough to encompass any situation.

The Model did not turn out like that. In characterising conflict, it gave little weight, if any, to aims. They were hardly mentioned, and when they were, almost seemed subordinate to means: "I think there has to be some substance, doesn't there, but what could be resolved in ways which are not conflict end up being conflict because of some sort of process" (Ch.5:2).

It would be wrong to say that incompatible aims did not form a part of the Model at all (see *Clashes of the ends of life* (Ch.6:2.5.3 below)). It did not however form an integral part of how the Model conceptualised conflict.

The Model's view of conflict may be due to the context in which the interviews took place. The literature stressed the "heterogeneity of interests, values and

beliefs” amongst people (Ch.2:2.2.1). Mostly, however, people discussed their own concrete experiences, which were predominantly organisational or familial, contexts in which, perhaps, the “interests, values and beliefs” had become settled. These experiences did not often extend to the political, which is where incompatible aims are perhaps most obvious because their potential range is wide and may involve war. However, when politics and violence arose in discussions, WW2 was often chosen as the paradigmatic case and there was relatively little dispute about the aims (cf Coates, 1997: p 149) – though there was debate about means (eg Ch.5:3.1.6, 3.2.4 and 5.2). Meanwhile, the organisational literature (an issue for several respondents), and management action, tend to present conflict as intrinsically undesirable and to stress the importance of common aims, which, indeed, do make the conduct of joint day-to-day activities easier (Ch.2:2.2.1 above). Conflict can be an unavoidable result of innovation or change which are seen as good in themselves, but this again formed only a very small part of the model (Ch.5:2); it was not in the forefront of participants’ minds. So, despite the literature discussion of pluralist aims in organisations, there is perhaps a systemic pressure to conform, or (more constructively) to follow where people with better information lead. In families, perceived parental neglect was an issue for participants. Social expectations are clearly that parents will care for their children, so that if this does not happen, there seems little need to discuss it as an aim - as opposed to the failure to live up to agreed expectations (cf Ch.5:3.2.4 above). Finally, presumably individuals concentrated on issues that came to the fore for them - which were likely to focus on the unpleasant stress they experienced (Ch.5:2). So for one reason or another, aims were not much in dispute in the participants’ conflicts, they were not seen as especially “relevant and important” and they did not figure strongly in the Model.

Complexity (eg Ch.2:2.2.2.2.1) was largely absent from the Model. People’s views of causality were for the most part linear and direct, with only a few exceptions (eg the pacifist case against war rested partly on its unpredictability – Ch.2:3.4.4.1). The impact of this absence in ethical reasoning is arguably beyond the scope of this work but it surfaces in different guises in 2.3.2 and 2.4.2 below, especially 2.3.2.1.2.

## 2.1.2 Consequences of focus on behaviour

The Model thus saw conflict as being *essentially* about aggressive behaviour, and it plays down the importance of aims. This turned the view of conflict in the literature almost on its head. In Ch.2:2.2.2.3 I concluded that conflictual behaviour included the concept of “incompatible goals” and only separated the terms “behaviour” and “goals” to facilitate analysis; in other words, what matters is the incompatible aims. Again, the literature discusses stakeholder theory, a way of emphasising the “heterogeneity” of environmental aims.

In the literature of conflict, behaviour certainly has a role. Violence begets violence, and careful management of behaviour can stop conflict spilling over into violence. However, two peoples do not go to war, or two people fight, divorce, or sue each other, without directing aims. (See also Ch.6:2.2.1.1 below.) Indeed, where “incompatible aims” are not present (see Ch. 2:2.2.2.3 above), the conflict is dismissed as “surface... [having] shallow or no roots” (Fisher et al., 2000: p 6), so that conflict settlement may be only a matter of “improved communication” (ibid.).

Assuming the literature is right in stressing aims, the concept of conflict in the Model seems to handicap efforts to manage conflict by ignoring a fundamental issue in conceptualising and understanding behaviour, and thus in how to affect it in ourselves and others.

This suggests also that the role ethics might have in the Model is different from my expectations. In dealing with goals, ethics is working on a secondary issue. Its main function is to regulate behaviour, conceived of not primarily as goal directed activity, but as social intercourse. Perhaps this is not so much to remove goals from consideration as to privilege some over others – the immediate, personal and day-to-day over the future, societal, and idealistic. So, for example, people’s behaviour should not cause stress or distress to others. It would probably be possible to derive guidance about behaviour in this sense from almost all the ethical systems considered in Ch 2. It could reflect contractarian ethics (giving a high priority to co-operation); Kantian ethics (treating fellow members of the Community of Ends with respect); or virtue ethics (temperate behaviour). Only consequentialist ethics would be

problematic, since we may not have enough data to judge the balance of advantage. However, these considerations formed little part of the Model in relation to the nature of conflict.

## **2.2 The decision to do harm – Formal Justifications**

This section of the Model reflected the ways of talking about justification in recognisably ethical terms, where the good and the right were appealed to.

### **2.2.1 How to treat people: common humanity (Ch.5:3.1.1)**

“The right way to treat people” was a frequent, if unspecific, theme in the interviews. On inspection it seemed readily analysable into “respect for persons” and a “common human nature”. The Model also stressed the importance of empathy. Arguably these are closely related phenomena. They are also consistent with the conceptualisation of conflict as essentially behavioural.

#### **2.2.1.1 Common Humanity**

According to the Model, human beings all have the same needs, such as love, respect, recognition and wanting to make a contribution to society. These were said not to conflict, in the sense that they were fixed parts of universal human nature and it would not be legitimate to deny them. The problem was that when people tried to realise these goods, their “strategies” for doing so *did* conflict. This was consistent with the Model’s behavioural view of conflict but equally points up the weakness of this view. If people want the same things, but have limited resources to achieve them, it implies competition for resources and thus conflict; this had better be recognised if it is to be dealt with. Hobbes takes this view. Even given apparently large differences between individuals, they are broadly equal in ability,

*...from which ariseth equality of hope in the attaining of our ends. And therefore if any two men desire the same thing, which nevertheless they cannot both enjoy, they become enemies; and in the way to their end (which is principally their own conservation, and sometimes their delectation only), endeavour to destroy, or subdue one another.*  
(Hobbes, 1651/1996 : p 83.)

The Model gave examples of common needs but is quite limited in its development of the idea of human nature, the literature on which is, in contrast, varied and highly contested (Ruse, 1995; Blackburn, 1994: p 178, and Ch 2:

3.4.1.1 above). The Model's view is perhaps closest to Hume's and the Contractarian approaches in stressing shared individual and social needs (Ch.2:3.3.3.2 and 3.3.4). It has a relationship with Norman's view of why it is wrong to kill (Ch.2:3.4.1.1), in the sense that we can recognise in each other the incidents of "biography" since they are given meaning by the shared emotions.

### **2.2.1.2 Respect for persons**

Respect for persons is a strongly Kantian theme (Ch.2:3.3.2.3). "Happy slapping" (#) would not treat victims as ends in themselves; but the maturity which enabled the perpetrator to stop doing it, refers to Kantian moral autonomy and the capacity for self development which is implied by it (Ch.2:3.3.2.3). The Model saw this respect in terms of the Golden Rule rather than Kantian formulations, but did not take into account the practical point that others' tastes need to be taken into account or other related issues (*Oxford Dictionary of Quotations*, 1979: p 497 (GB Shaw); Shafer-Landau, 2010: p 146). Crucially however it introduced the idea of "proportionality" – or perhaps "right intention" in the sense that what was advocated was not just limiting oneself to responding in similar kind and degree (Ch.2:3.4.3.2), but perhaps avoiding joining in the bad behaviour altogether (#; Ch.5:3.1.1).

Here then there is commonality between the literature and the Model though the latter is unsurprisingly less developed.

### **2.2.1.3 Empathy**

Empathy, however, called by that name and understood as sympathetic insight into another's mind, did not feature strongly in the literature. Even in philosophical works, it tends to be seen as a psychological rather than a philosophical phenomenon (Stueber, 2008) and it does not feature at all in the indexes to relevant works of Grayling and Honderich (Grayling, 2003; Honderich, 1995). This is perhaps (but only perhaps) a significant omission. If an ethical theory does not explicitly recognise that other people have experiences comparable to our own, it must do implicitly, since otherwise it is hard to see on what basis any system of ethics could ask for (voluntary) compliance (cf Ch.2 Contractarian Theories); and the essence of philosophy is to make things explicit. Perhaps "shared values" is the philosophical substitute,

in the sense that it assumes knowledge of more than one person's mind, even if it does not address the (empathetic) mechanism by which it establishes this (Ch.2:3.3.3 Contractarian Theories; especially Lucas). This suggests a methodological difference between the literature and the Model, where the demands of relationships between people presented as a significant factor in determining what was right – eg in persuading the “happy slapper” to abandon his teenage activities. Empathy could even persuade a convinced Nazi that some aspects of deliberate cruelty were wrong (#) – and indeed Himmler sought to mitigate the damage this could wreak on those carrying it out (Bennett, 1994: p 298-300). Hume is perhaps nearest to the position advocated in our model: “...sympathy is the chief source of moral distinctions...” (Hume, 1739/1969: p 668). Indeed, “empathy” is a twentieth century coinage (*Shorter Oxford English Dictionary*, 2002) and Hume wrote in the eighteenth; perhaps he would have chosen “empathy” had he been able to, as he saw the contemplation of virtue in others as fundamental to his system of morality (Broackes, 1995). Bennett argues that testing our moral principles against our sympathies (widely interpreted) is a good triangulation test for them (Bennett, 1994).

However, more can be claimed for empathy than the traffic will bear. In a work reporting empirical investigation of the brain and abnormal mental states, Baron-Cohen declares his purpose to be “...to understand human cruelty, replacing the unscientific term ‘evil’ with the scientific term ‘empathy’ ” (Baron-Cohen, 2011a: p ix). This sounds frankly odd. “The Yorkshire Ripper was empathy” does not look like something someone might say if they grasped the meaning of the terms (cf Grayling, 1997). It is not a mere editing slip, however; Baron-Cohen actually asks later: “Does replacing the word ‘evil’ with the word ‘empathy’ really explain [human cruelty]?” (Baron-Cohen, 2011a: p 111). Well, no, in any sense of the sentence or proposition. Even applying the principle of charity to (say) allow the possibility that the form of the expression is intended as a slogan to make the work attractive to a general reader rather than a substantive claim, it is far from clear what is meant.

Unfortunately the confusion is not lessened when the substance is examined. Baron-Cohen lists a number of terrorist murders. He appears to expect his

readers to take it for granted that some are to be condemned (eg Arab terrorism in Israel), but appears almost surprised that “the same logic” may require them to feel the same about others (eg those undertaken by the armed wing of the African National Congress of which Mandela was the leader). Now, “evil” is a term which many have applied to terrorist killings, as they deliberately target those most people categorise as non-combatants (Ch.2:3.4.3.3.2, *Jus in Bello*).

Yet Baron-Cohen now says:

*Because the terrorist’s unempathic act is selected because of the terrorist’s belief (eg a belief that freedom and identity are being threatened), the act is not necessarily the result of an empathy deficit.*  
(Baron-Cohen, 2011a: p 114.)

Yet the declared aim of the work was apparently to show that that was precisely what it would be the result of, since he wants, in one sense or another, to replace “evil” with “empathy”. This apparent confusion opens a gap for the word “evil” to fill, even by Baron-Cohen’s own lights. Further, he says that at the moment of the actual terrorist event the terrorist’s “empathy circuits” must have been switched off (there is perhaps understandably no direct evidence) as opposed to non-existent, but taken with the quotation above, this surely demotes empathy to a small role, lesser than that of reasoning.

Now, on the one hand, in the ethical literature, to say someone is motivated “by a reason” is to take a position in the free-will argument important in determining responsibility, and indeed in the argument about the role of reason in promoting actions (Hume, 1739/1969: p 509; Weatherford, 1995; Pink, 2004). On the other, we have already seen that it (the readiness to actually kill in war) may be far more than a matter of not being empathic: part of Coates’s work identifies instances of cruel behaviour which depend on A seeing B as someone with whom it is actively *inappropriate* to empathise, because they are “the other” (Ch.2:3.4.4.2).

There seem to be two problems here. One is writing which simply does not say what it means. The second is that when the discussion crosses into ethics (the writer is professor of developmental psychopathology (Baron-Cohen, 2011b)) it fails to address the discipline’s needs as developed in its literature, without substituting a “narrative” which would enable it to make direct use of the new idea. Thus the literature here does appear not to be especially helpful.

Baron-Cohen's overall argument, however, stresses the uncertain, unpredictable and non-linear relationships between genes, hormones, what he calls the internal pot of gold (eg early family influences, attachment theory), and environmental factors ( Baron-Cohen, 2011a: pp 85-99; cf. Stockley, 2011). This supports the complexity theory explanation of behaviour which is important especially in Ch.2:2.2.

### **2.2.2 Justice and fairness (Ch.5:3.1.2)**

The literature on justice is copious and refined (see especially Ch.2:3.4.3.1). It is centrally concerned with the distribution of benefits and burdens, and it is used in many harm-doing contexts – war, crime and punishment, the distribution of the economic benefits of society, rewards for virtue, for example. It further requires the detailed circumstances of the actual case to be taken into account. Yet the Model did not develop any complexity in its conception or application of justice. Rather it confined itself to the emotional and motivational power of these ideas in personal situations where people felt a sharp sense of *injustice*, but also in rationalising social roles where they could promote “fairness” (such as the police). Perhaps respondents intended the examples they gave to be examples of something wider; but justice was not alluded to in discussion of war or other personal examples. The Model seems to under-use a powerful concept.

Arguably, however, it is not clear how much the discussion was really about “justice” as an ethical concept, as opposed to a description of feelings perhaps of resentment (in the case of the personal situations, see also next section) or a rationalisation of the actual role the speaker was required to perform.

### **2.2.3 Revenge (Ch.5:3.1.3)**

Arguably only the second case cited represents revenge, as opposed to vengeance. Uniacke characterises the distinction as follows:

*...whereas vengeance is motivated by moral indignation, revenge is grounded in resentment.* (Uniacke 2000.)

In the first case, there was a wrong – cruelty – to be righted, and though the proposed method may not be acceptable, generally the intention to right the wrong corresponds to Uniacke's vengeance. In the second, the original act by

the respondent was accidental (see Ch.6:2.3.2 below) and so to penalise him would arguably be unjust (Ch 2:3.4.3.1, and Uniacke 2000). However, the original victim appears to be taking vindictive pleasure in the pain of our respondent (at least in the latter's eyes). This argues Uniacke, is revenge and as such is inappropriate, as it involves

...[deriving] satisfaction from another person's suffering, not for any instrumental value, but just for the sake of the suffering. (Uniacke 2000.)

In treating revenge as a form of justification, the conceptualisation in the Model (by me) is arguably misguided.

### **2.2.4 Defence of the weak (Ch.5:3.1.4)**

The issues covered by defence of the weak, self-defence, and doing harm that good may come, overlapped.

There was unequivocal support for doing harm in defence of the weak (but see 2.2.6 below). It is not unequivocally clear on what basis, however.

The support for intervention in the first two quotations (#) seemed to come fairly clearly from an empathic identification with the suffering of the victim, human or animal (Ch.6:2.2.1.3). It may have also come partly from an obligation to assist reflecting the argument that there may be such a duty in some circumstances (Fabre, 2007). It may also be parallel to the argument in Ch.2:3.4.2.1 that there may even be a duty to kill in self-defence – perhaps if there is an obligation to defend one's own life, there is *a fortiori* one in respect of another's. Indeed the next section suggests something of this kind.

In the Model sins of omission were treated as being as bad as those of commission. To allow evil to be enacted was as bad as doing it oneself; if A threatens V, there is therefore an obligation on bystander B to intervene. The respondent did not argue the point theoretically but it appears to be essentially consequentialist. If the consequences of omission and commission are the same, morally the acts are equivalent. In Ch.2:3.3.2.1, however, we considered the argument that this was precisely not the case: in fact, the difference was one of the ways deontological argument gave otherwise absolute rules a measure of flexibility. This was on the basis that the "rules" were constituted negatively, so that "do not take innocent life" did not entail "preserve life".

It is arguable that the consequentialist analysis is intuitively more forceful. However, the literature (eg Ch.2:3.4.2.2) identifies situations where this might not hold eg where the risk to B is disproportionate.

The Model used an example of police intervention in domestic violence to deal with issues perhaps more appropriate to Sections 3.2.5, 4 and 5 (ie, learning, culture, evidence, process). It had two salient points. First, it highlighted that police intervention in defence of the weak had changed in the light of experience and the development of social attitudes. Second, it argued not that this intervention was in any way wrong, but that it might be treating the symptoms rather than the disease. This re-enforced the great importance of the role of other disciplines in applied ethics in helping to define the problem ethics needed to focus on, and the breadth of knowledge necessary in practice to establish what the right actually is.

### **2.2.5 Doing harm to defend yourself against harm: self-defence (Ch.5:3.1.5)**

The Model took a right to self-defence more-or-less for granted. There seemed to be two elements to the underlying justification.

The first was simple self-preservation. Self-defence was instinctive. It would inevitably happen; it might as well be accepted.

The second was that this was probably a good thing in the sense that the *need for it* was inevitable – people harmed others and the only way to minimise this was to prevent the harmers from getting away with it. This is perhaps the justification for the Rabbinical interpretation of the *lex talionis* referred to in Ch.2:3.4.2.1, the duty to kill the attacker.

The latter is perhaps a bleak and Hobbsean attitude to human nature (Ch.2:3.3.3.1), while the kinder versions of contractarian ethics (Ch.2:3.3.3) try to provide ways of preventing the harm without relying on individual retaliation.

The former – instinctive self-preservation – does not distinguish between the varieties of justification in Ch.2:3.4.2.1. It may be seen as “every man for himself”; or it may be a matter of A surrendering his or her right to live. There is no explicit discussion of the role of partiality or responsibility in deciding how to

react to threat, though perhaps the idea of the instinctive nature and inevitability of the defensive reaction suggests an acceptance of partiality.

There were however challenges to the taken-for-granted view.

On the one hand some people who were held to have special moral status (“holy men”) would not advocate retaliation. This echoes virtue ethics (Ch.2:3.3.4), the Christian principle mentioned in the next section, and arguably also “right attitude” (Ch.2:3.4.3.2). The latter was however not found explicitly in the Model at all.

### **2.2.6 Doing harm that good may come, or to prevent harm (Ch.5:3.1.6)**

The Model reflected different attitudes depending on the context. It also cited a prudential problem: in the real world, good would not normally come from doing serious harm (see also the end of this section). At the level of war and serious violence, doing harm that good may come was therefore something to be firmly resisted. At other levels there was more flexibility.

There were two elements in the arguments for the anti-war position. First, at this level, the violence and its consequences were bad in themselves. This had a deontological element, reflecting the general rule against killing, and a Christian principle that you should not fight evil by evil (Stirling, 1960: Romans, 3.8). It also had a consequentialist strain. In war, more or less by definition, huge damage would be done to people and to property (and hence people). The damage would be moral as well as physical, in that “fraud” in the sense of misrepresenting the strength of one’s own side’s case and performance (and perhaps that of the other side too (cf “the other” Ch.2:3.4.3.2)), and force, by involving people in evil acts, would corrupt them. There was therefore an agglomeration of evil which would require a very great deal of good if it were to be wiped out. However, secondly, the aggressive attitude required to do violence was itself likely directly to produce further undesirable consequences. In a sense these outcomes were unpredictable but experience showed they were likely to be bad. WW2, for example, had produced nuclear weapons, which were seen as wholly undesirable. This reflects the pacifist literature (Ch.2:3.4.4.1). No-one put forward explicitly any of the views I described as

fanaticism (Ch.2:3.4.4.2). Nor did they mention anything resembling Blair's doctrine of humanitarian intervention (Blair, 1999: see also Ch. 2: 3.4.2.2).

Elements of Ross's *prima facie* duties approach seem significant in the Model, in that there is emphasis on the point that whether or not it can do any good, this level of violence remains an evil which has to be weighed in the balance.

At much lesser levels of violence the attitude was different. Mostly, the Model was consequentialist. In a negotiation, aggression was acceptable. As it was used so frequently, it was not taken seriously. This however contrasted sharply (but not explicitly) with the Model's view of conflict, where what mattered was not the aims and objectives of the participants but how they pursued them – and causing upset and distress was not “how to treat people” (Ch.6:2.2.1 above). It may also treat people as means (instruments in getting the aggressor's way) rather than ends. It may be possible to reconcile the two points of view by the principle of *de minimis non curat lex*, the law does not concern itself with trifles. However, it is not clear who is to decide what constitutes a trifle, or indeed on what grounds it would be decided. What constitutes harassment and bullying, or indeed harm, is personally and culturally determined (Mullins, 2002: p 318) and so to a considerable degree unpredictable. Perhaps another aspect of Ross's *prima facie* duties doctrine is relevant here: the application of *prima facie* duties to the real world to produce duties proper is a detailed, messy, and uncertain business (Ch.2:3.3.2.2 above). I would assert that there are occasions in human relationships where firm treatment of others is essential to development, change and necessary action; one cannot *refuse* to shout at someone because it may be seen as bullying if it is the only way to get them to leave a burning building. The “prudential” problem mentioned at the beginning of the section is not non-ethical; rather, those arguing it took it for granted that the acts and results of war or violence were likely to be predominantly bad. There is not a great deal of dispute about this in the literature. Fanaticism was the only approach which took the opposite stance (Ch.2:3.4.4.2). Just War and realist approaches both accept that violence may happen but do not see it as good in itself.

However, “prevention of harm to the weak” (Ch.6:2.2.4 above) had unequivocal support. This appears to be a paradigmatic instance of the principle in this section, and it is not immediately obvious why the Model took what seem to be

contrary views. Perhaps it was as simple as the fact that in this section, the agents were specified as the harm-doers, and the participants did not wish to be so identified. In the earlier sections they were saving others from harm – and perhaps it was not obvious that harm might have to be done to achieve this (cf Rescue Killings Ch.2:3.4.2.2). This is to offer a psychological explanation founded on bounded rationality (Kreitner et al., 2002: pp 388-389; Robbins, 2003: pp 135-136), rather than an ethical one, however.

### **2.3 The decision to do harm - Narrative Explanations**

This section of the Model addressed harm-doing behaviour in ways which avoided the explicit use of the language of formal justification, in contrast to 2.2. Much of it deals with behaviour in an apparently descriptive manner with justification appearing unsystematically; it explains, causally, why someone did something involving harm-doing, rather than directly assesses whether it was right or good. This does not cover the whole Model section – mostly *Temperament and Behaviour* (Ch.5:3.2.1) and *Behaviour and How Conflicts Develop* (Ch.5:3.2.2) - and other parts of it are dealt with separately below (2.3.4 onwards).

This perhaps addresses the “sense-making” part of the focal question for the Model: *How do people justify or make sense of their decisions to use violence?*

It is possible (for example) that participants saw themselves as discussing not the ethics but the management of conflict. Another interpretation, explicitly raised in the Model, is that the harm-doers did not always see themselves as being responsible for their actions (or their observers did not). This could be for either or both of two strategic reasons, namely:

1. the question of the moral responsibility of individuals or groups for events; and
2. the issue of determinism and whether assignment of moral responsibility is possible at all.

Ch.2:3.2 identified determinism as a meta-ethical issue which was outside the scope of this work. Though the Literature review *did* address moral responsibility it did not do so in a way directly focused on the content of this part of the Model.

However, in the event both issues were explicitly addressed in the Model and it seems necessary to revisit the literature. 2.3.1 considers Determinism and 2.3.2 Moral responsibility. 2.3.3 then reviews Section 3.2 of the Model in the light of this material. 2.3.4 and 2.3.5 consider other matters arising.

The Model quoted a respondent as follows:

*...it's going back to whole fundamental philosophical issues about free will and determinism...what made you decide things in particular ways; if you believe in causality well something has caused it and you didn't want to get into free will, it's not part of what you're looking at...one of the ways of looking at this is that none of this is about individual responsibility, it's actually about what are the drivers that affect what people do and how they behave. (Ch.5:3.2.2 above.)*

### 2.3.1 Determinism and free will

This quotation can be interpreted as upholding determinism. This is taken to mean that in principle if not in practice, it would be possible for someone with perfect knowledge of the present state of things and of all causal connections throughout the universe to predict with certainty what would happen in the future or specify what had happened in the past (Young, 1993: p 544).

Individuals' actions would be predictable because they would be caused in the scientific sense and no-one would be capable of acting otherwise than they did (Warnock, 1998: pp 139-140). This is usually said to make ethics impossible.

Young writes:

Since it is required *inter alia* of morally responsible decisions and actions that agents act freely – that is, they may be able to decide or act differently from the ways they do – if determinism is true, no-one ever acts morally responsibly. (Young, 1993: p 536.)

Those who think in that way are called “incompatibilists”, holding that free will in the sense required for ethics is incompatible with determinism. Some hold that since we *are* free in the sense required, determinism cannot be true (these incompatibilists are specifically known as “libertarians”). “Compatibilists” argue that even if determinism were true we would still be free in the relevant sense, eg because we have the potential still to decide to act otherwise than we do – even if we do not exercise it. There are many variants of compatibilist and incompatibilist theory (Pink, 2004; Young, 1993; Strawson, 1962).

Determinism is primarily a metaphysical doctrine about the nature of the universe in general and causation in particular (Young, 1993; Warnock, 1998: p 139). This is not the place to try to investigate this issue, but several factors suggest that determinism should not be taken as defeating ethically-relevant freedom. There is enough dispute to regard the truth of determinism as not yet proven (Pink, 2004; Young, 1993; Strawson, 1962). It may *never* be conclusively shown to be the case, in the sense that to prove that causation is always as it is now supposed to be, requires all cases to be considered – ie for the life of the universe (cf Humean causality – contingent, and so possibly changeable, and not necessary (Mackie, 1995)). Then, from within science, elements of quantum mechanics are arguably non-deterministic (Davies, 1989: p x). Again, according to complexity theory, human systems lack one of the features necessary to determinism; its predictability in principle. Sub-systems interact and self-organise “to generate emergent new forms of the whole system in the absence of any blueprint or programme for that whole... The creative novelty that emerges in this fashion is fundamentally unpredictable” (Stacey, 2007: p 212). Now, unpredictability by itself does not disprove determinism - we may merely lack the required knowledge and instruments. However, “fundamental unpredictability”, implying we could not predict whatever our knowledge and instruments, would be fatal. In particular, “creative novelty” explicitly introduces the possibility that something more than the mechanistic product of the causative factors involved could emerge. Indeed, many things about humans are different from the rest of nature – for example our capacity for rationality, the phenomenon of consciousness, our day-to-day experience of (or belief in) the ability to take decisions for reasons rather than from instinct or on the basis of compelling causes (Pink, 2004: eg p 123). In short, there is a gap where an explanation needs to be – whether in the form of the ghost in the machine, the mind, or some other formulation (Weatherford, 1995). The issue of determinism should not be a bar to ethical reasoning.

Strawson argues a more thoroughgoing point. Our reactions to, or what Hume might have called our sympathies for, other people and their actions are such as to be fundamental to our idea of ourselves and other people (Strawson, 1962). It would be impossible to make our attitudes to other people what the

determinist seems to demand, namely appreciation of them as mere cause and effect, equating our reactions to (say) someone's show of ingratitude with our reactions to the operation of a steam-train. This is perhaps less a matter of taking a compatibilist stance than of sidestepping the metaphysics entirely and looking directly at what human life and moral argument requires (Young, 1993: p 539; Warnock, 1998: pp 150-153). Strawson writes:

*[There] is an increased historical and anthropological awareness of the great variety of forms which these human attitudes may take at different times and in different cultures. This makes one rightly chary of claiming as essential features of the concept of morality in general, forms of these attitudes which may have a local and temporal prominence. No doubt to some extent my own descriptions of human attitudes have reflected local and temporary features of our own culture. But an awareness of variety of forms should not prevent us from acknowledging also that in the absence of any of these attitudes it is doubtful whether we should have anything that we could find intelligible as a system of human relationships, as human society. (Emphasis added: Strawson, 1962.)*

In short, we have to cope with human nature as it is. For this, ethical and moral reasoning is an essential tool, however much aspects of it may be argued about. Strawson is saying metaphysics should not be allowed to obscure social reality. Or as Warnock sums it up:

*... the need for an ethical system is a fundamental need of human nature. (Warnock, 1998: p 130).*

All these arguments lead me to the conclusion that ethical responsibility is at least a plausible, and certainly a very useful, working hypothesis.

### **2.3.2 Moral Responsibility**

In fact, the quotation from Ch.5:3.2.2. may not have been focused on determinism, despite appearances: "...the drivers that affect what people do and how they behave" arguably sounds practical and immediate rather than metaphysical. It may have sought to argue that, even if ethics were possible, the actions discussed still did not fulfil the criteria which would entitle the agent to praise or reward or make them liable for blame or punishment for their actions – in other words, the agents would not be morally responsible for them (Norman, 1995a; Sankowski, 1995; Kekes, 1995).

This is explicitly the case in the Model, at least to some extent. However, there are also some cases of *implied* blaming which conceal the moral implications in

anodyne vocabulary. There are also some instances where empirical, apparently causal, explanation was provided rather than ethical.

### **2.3.2.1 Concepts of responsibility**

It will be useful to look at responsibility from two points of view, the social and the individual. This is to some extent an artificial distinction. However, it follows the Model, in which the actions, and consequently the responsibility, of any one person are presented as simple and unanalysable, and which rarely considered the complexities of social or individual action.

#### **2.3.2.1.1 Responsibility generally and in an individual context**

Klein links causal, legal and moral responsibility (Klein, 1995). The first is necessary for the other two, with certain exceptions mentioned below. To include some consideration of the legal is useful as assignments of responsibility are fundamental in criminal law. However, there is no necessary connection between legal and moral responsibility.

##### **2.3.2.1.1.1 Causal responsibility and the analysis of actions**

To have causal responsibility involves a person in “bring[ing] [a state of affairs] about ...directly or indirectly” (Klein, 1995). This is an acceptable summary, in that it gives a target for the analyser of actions to achieve. If the philosophy either of action or of causality is considered it becomes clear that any one example may have complexities which we perhaps ignore in ordinary conversation. This is not the place to fully develop either, but the potential complexity of causality in assignments of moral responsibility is suggested by I.M Copi, who

*...bids us ponder the fate of the insurance investigator who reports back to his company that the cause of a mysterious fire in the house of a policy-holder was ‘the presence of oxygen in the air.’*  
(Feinberg, 1968: p 112.)

Feinberg suggests that if we wish to eliminate the cause of harm, we tend to look for the *necessary conditions* of the problem, supposing that if we eliminate them, we will have removed the problem. (This does not save our insurance investigator; the relevant conditions have to be modifiable.) If our aim is to promote something desirable, we seek out the *sufficient conditions*, hoping that

together with other conditions normally present, this will produce the desired outcome (Feinberg, 1968: p 114). Here the ethicist needs help from other disciplines: any one event is likely to have a range of causal factors and required conditions, and the specialist can usefully identify and explain them.

In describing actions, we encounter further detailed complexity. Again Feinberg provides an instructive example (Feinberg, 1968: p 106). Suppose Jones opens the door to a room in which Smith is working, startling him to the point that he has a heart attack and dies. Language will allow this to be expressed in a number of ways. “Jones opened the door and startled Smith”, fixes on two parts of the sequence as a cause and an effect. Or “Jones startled Smith”, conflates the original act and consequence into one act. We might also say that Jones’s opening of the door then caused Smith’s death, or that Jones’s startling Smith did, or simply that Jones killed Smith. (See also Ch.6:2.3.2.1.1.3 below.)

Thus we need to carefully consider the actual terms and meanings of any description of causality or agency.

#### **2.3.2.1.1.2 Moral Responsibility**

To build Klein’s simple definition into *legal* responsibility the action or omission must fulfil the criteria of the legal jurisdiction. To build it into *moral* responsibility the agents “should have known what [they were] doing and been willing to do it” (Klein, 1995) - (henceforward the “moral criterion”).

There are modifications to each point. A may be vicariously liable in law and morally for the actions of B, though not involved directly or causally. A pub landlord might be charged, under old law, if an employee sold alcohol outside hours even if entirely without the landlord’s knowledge (Klein, 1995); parents might be held responsible for the actions of an unsuitable person they appointed to look after their children (see also next section, and Ch.6:2.3.2.1.2 below). People may be held legally and ethically responsible for omissions as well as acts, cf Ch.2:3.3.2.1 and Ch.6:2.2.5 above. People are normally liable in English Law only for acts intended to produce the effects they did – cf Ch.2:2.2.1.1.3 and 3.3.1.2 above – a requirement similar to that for moral responsibility noted above. Sometimes intention or at least *mens rea* is not required in law, eg in “strict liability” offences such as parking infringements

(Simester, 2010). The relevance of intention is not always clear in consequentialist ethics, where all consequences of an act, whoever carries them out, and whatever their intentions, may be taken into account in judging its rightness (cf Ch.2:3.3.1. above). In other ethical theories, Kant's for example, or virtue ethics, individuals' intentions are of the essence (see Ch.2:3.3.2.3 and 3.3.2.4 above).

To the moral criterion can be added the requirement that agents possess "the general ability to understand what they are doing and to control their behaviour" (Klein, 1995). This is perhaps more directly associated with legal responsibility (eg in the concept of "diminished responsibility" as a defence) but it would be hard to hold someone suffering from advanced dementia fully responsible either for criminal or morally questionable acts (Warnock, 1998: p 151). I will call this "incompetence", so to be morally responsible, an agent should be "competent" in this sense.

### **2.3.2.1.1.3 Justifications and Excuses**

One way of avoiding blame for an action is to justify it: I shot X because he was about to kill me (Ch.2:3.4.2.1 and Ch.5:3.1.5). Another way is to make an excuse, ie in some way undermine the moral responsibility; to admit wrongdoing in some sense, but to deny blameworthiness (Zimmerman, 2008: p 193).

Essentially, an excuse denies that the action was to be correctly viewed as fully that of the agent, such that s/he has complete moral responsibility for it. It does not necessarily deny the full chain of causality, rather the ascription of agency. I, Jones, may well have startled Smith, but even that wasn't really my fault; it was not really my action. Johnson barged into me and sent me hurtling through the door with much noise and commotion. Therefore, *a fortiori*, I can't be said to have killed Smith. To summarise an example due to Austin (Austin, 1968: pp 35-42), suppose A, in a position of care over B, turns on the wrong (hot) tap believing he is turning on the correct (cold) tap, and scalds B to death. It would be possible to say that A "mistakenly" turned on the hot tap (he was clearly intending to turn on a tap), but not that he "mistakenly" killed B; this might suggest he was trying to scald someone, C, perhaps, but hit the wrong target. Some other adverb of excuse would be needed: "accidentally", "inadvertently", perhaps. Austin writes:

*It is very evident that the problems of excuses and those of the different descriptions of actions are throughout bound up with each other. (Austin, 1968: p 40.)*

That is to say, causality, the nature of actions, and moral responsibility are intimately connected, and it needs care to disentangle them successfully.

#### **2.3.2.1.1.4 Summary of what we need for moral responsibility – and further caveats**

To sum up, for moral responsibility we need

1. Causal responsibility – A did X.
2. The moral criterion – A knew s/he was doing X and did so willingly. If this is missing, eg because the agent has been compelled by another person or circumstances to act, unwillingly, as they did, I will say that here is an “exculpatory excuse”, or just “exculpation”; and
3. That the agent should be competent.

Items 1 and 3 place great reliance on disciplines other than ethics to determine, eg medicine in general or psychiatry in the case of 3; almost any in the case of 1.

Item 2, the search for justifications and excuses, is at first sight the main focus here. Justifications, as they arose in the model, have been dealt with above (Ch.6:2.2). However, as suggested above, item 1 and item 2 cannot be separated.

#### **2.3.2.1.2 Responsibility in a social context**

Norman sees responsibility as a complex, essentially social concept in which the explicit or implicit obligations of our social roles have to be taken into account (Norman, 1995a: pp 95-115). The context is that he is seeking a way to ethically analyse challenging (and partially schematic or hypothetical) situations such as terrorist threats to kill many unless a few are surrendered for murder or torture. To do this he wants precisely to emphasise that responsibility is shared and interconnected. The examples below widen the context.

The social dimension can make determining the quantum of responsibility appropriate to each person hard to determine. Feinberg gives a number of examples, such as a death due to drunken driving (Feinberg, 1968: pp 114-

116). What follows is an example from the author's experience as an internal auditor. The departmental head would insist, when a significant fraud was identified, in identifying as many of the contributory factors as possible. For example, the chief executive of a small third-world subsidiary engaged in "teeming and lading", in which today's receipts from debtors are stolen, to be partially replaced in the accounts by those received tomorrow – and so on. This was a clear instance of theft by the executive concerned. It results in the accounts showing increasing levels of debt owed to the company. This should have been noticed by local and Head Office accountants. Indeed it was noticed, but then not acted upon, which again clearly contributed to the overall loss. Then, it should not have been possible, systemically, for the executive to both receive funds and enter the fact in the company's books; separating these duties is a way of making theft more difficult. So those responsible for the design of the original system bore some responsibility for the theft by failing to erect barriers against it; as did any auditors who did not recommend the system be changed, and any executives who blocked the recommendation locally or in Head Office. Culture and circumstances would also be part of the analysis. Pressure on those with a job in such countries could be immense; one gardener was said to support seventy people. There could be powerful obligations (eg *guanxi*) on individuals or groups to help others (Fan, 2002). Was the executive paid a living wage – if so in whose terms, local or Head Office's? How was he recruited? The end report would be very wide ranging. Cases of child abuse in the UK have been investigated with comparable systemic analyses of responsibility (BBC., 2011d; BBC., 2010b).

Social responsibility is thus complex and debateable. To establish exactly what the *causal* relationships were is not always easy in itself, perhaps requiring the application of complex disciplines which are themselves contested. The case of Sally Clark is an example of both highly debated scientific disciplinary evidence and the problems of interpreting it causally and morally (*Sally Clark, victim of a miscarriage of justice*, 2009).

### **2.3.3 Ascriptions of Responsibility in the Model**

This section covers any issue relating to the above which arises in Model Section 3.2.

#### ***2.3.3.1 Taken for granted and implied analysis***

In this part of the Model, eg in Ch.5:3.2.1 Temperament and Behaviour, how individuals behaved was sometimes presented as a fact to be taken for granted, or at any rate accepted. There was often no further explicit analysis, either linking the action to the moral criterion or to an exculpatory excuse. Different people behaved differently. Some were amiable and generous and rarely became involved in conflict or harm-doing. Some were flexible in their thinking, others rigid, so some personalities would produce conflict and others would not). The Model treats conflict as (mainly destructive) aggressive behaviour so, if there was aggressive behaviour, and bad outcomes, *causal* responsibility at least was being assigned – albeit implicitly. However, this fell short of *explicitly* blaming the people, ie assigning moral responsibility to them; the moral criterion was not referred to.

There may be implied criticism where the terms have a negative connotation in ordinary discourse (eg the reference to “rigid” thinking) but these instances were not directly and unequivocally focused on assigning blame. There was also implied praise, in that, for example, anger, sometimes seen as destructive, was also cited as capable of producing necessary motivation for self-defence. The Model was thus ambiguous about anger. It did not directly address the issue of the moral criterion. However, in one case (#; Ch.5:3.2.1.1) the anger seems exculpatory or perhaps even causing temporary loss of competence – the agent apparently lost control. Stress was treated in a very similar way.

#### ***2.3.3.2 Drink, other drugs and possible lack of competence***

There were a few exceptions where the conclusions about moral responsibility were explicit or could be reasonably inferred. There was one (fairly) unequivocal denial of competence due to poor mental health. It was speculative, and if true would have led to a plea of diminished responsibility in UK legal terms. There

were also examples of the effects of intoxication, but their implications for competence or moral responsibility were not reasoned explicitly.

One such example was certainly not seen as exculpatory but perhaps rather as an aggravating factor. If one deliberately, knowing from experience what the effects will be, puts oneself beyond self-control by overindulgence in drink or drugs, one is responsible for the consequences (cf 2.3.3.4 below). The particular case in question involved a case of extreme cruelty to animals. Revenge or vengeance by other humans was apparently seen as entirely appropriate (cf Ch.5:3.1.3).

No doubt there are many factors modifying the fact or degree of responsibility perhaps through excuses. If the drug had been taken not deliberately, but unwittingly, eg because someone had “spiked” the drinks, this would presumably reduce the blame on the analogy of Jones claiming Johnson pushed him. Some consequences may arguably be too trivial to become overly concerned about; some minor undignified behaviour from drunkenness, for example. Anecdotally, some people may even use alcohol to enable more relaxed, and not negative, behaviour in themselves. The Model includes a case of “boisterous” behaviour deriving from alcohol that the witness apparently saw as within reasonable bounds (though threatening worse).

### **2.3.3.3 *Instinct and other unconscious mechanisms***

Perhaps the most important section from the point of view of moral responsibility was Instinct and Other Unconscious mechanisms, Ch.5:3.2.1.6, both of which undermined the moral criterion.

However, little was attributed to instinct in the Model. Instinct is defined by the Shorter Oxford Dictionary to mean “...a natural propensity to act without conscious intention; a fixed pattern of behaviour...in response to certain stimuli” (*Shorter Oxford English Dictionary*, 2002). The putative absence of conscious awareness, and the implication in the “fixed pattern” that the behaviour may not be either conscious or willed, at least makes a *prima facie* case for saying the moral criterion would not be met. Instinctive behaviour might even be incompetent. The Model does not address the issue of how to identify it in humans with any confidence.

To turn to unconscious mechanisms, Grayling, after discussing Freudianism, outlines the view that “many perceptual and cognitive processes occur at a subliminal level, and that what is consciously learned can become automatic and remain non-consciously effective” (Grayling, 2003: p 212). This seems clearly the case in terms (say) of language or driving a car. Here, “non-conscious” does not quite mean “unwilling” (and perhaps not fully “unconscious” in that the processes could probably be called to mind), and even if I do not give a running commentary when I drive, I would say that I gave signals willingly, or perhaps negligently failed to give them (accepting blame). There may be stronger unconscious pressures, however, which undermine the moral criterion. Baron-Cohen indeed argues that how individuals’ brains develop has significant effects on their behaviour and questions whether some people actually have access to the full range of reactions mentioned by Strawson (Baron-Cohen, 2011a: Ch 6: 2.2.1.3 above; Strawson, 1962: Ch 6: 2.3.1 above). Baron-Cohen argues that as a result, and in some circumstances, we may not be in control of our actions in morally relevant ways.

The Model included instances of bullying in Ch.5:3.2.3 and 3.2.1.2. In these circumstances control of A’s behaviour appears to pass to B in a way which involves unconscious mechanisms (Adams, 1992: pp 96-107). As with instinct it is not immediately apparent where the limits of this analysis lie. Perhaps this is a case where only the microscopic analysis recommended by grounded theory (Ch.3 above), together with the contributions of other disciplines, can produce a valid result.

#### **2.3.3.4 The impact of self-knowledge**

The Model mentioned “self-knowledge” several times. These references suggested another area of ethics, virtue theory (Ch.2:3.3.4 above), in that individuals were (arguably) increasing their *arête*, their ability to mature and refine their contribution to their lives and those of others (Blackburn, 1994). (Kantian maturity would be another way of looking at it.) One person was very self-aware of their reactions to conflict and this enabled them to remain in control in stressful situations, indeed, to manipulate them to their advantage. It enabled another participant to learn to manage a tendency to over-reaction; another saw absence of self-knowledge as the problem in another. Another,

violently abused as a child, determined not to repeat the process with their own children. Indeed the prudential benefits of maturity in helping people to see there was a better way than violence was specifically identified (Ch.5:3.2.5), better in the senses that less damage might be done to self and others (consequentialist reasoning, but acting from “right attitude”?). Here the discussion seems to “float” between ethical concepts and moral psychology and the extent to which personality, and/or character, can be changed (Tiberius, 2008).

### **2.3.4 Connectivity (Ch.5:3.2.4)**

Examples where events in one context significantly affected behaviour in another varied in complexity.

Stress outside work appeared to be an exculpatory excuse for “losing it” at work. Where early family conflict was cited twenty years later there seemed to be a range of underlying intentions; to some extent it excused violent temper loss; it represented justification by way of vengeance or justice for the harm of love withheld; and to some extent it seemed just to express hurt. A religious community dissolved – avoiding what it saw as attack, but undermining its leader - when it had to share facilities with another it had no respect for historically and in religious terms. A union official speculated about the unintended consequences of poor management actions in producing situations in which people might behave in ways analogous to those the religious community adopted. Perhaps these were minor examples of the narrative-building important in fanaticism (cf Ch.2:3.4.4.2), which in turn might be seen as elaborately-developed justification.

### **2.3.5 Learning and Experience (Ch.5:3.2.5)**

Learning and Experience were mentioned usually in terms of improving the ability to manipulate situations to one’s own advantage rather than in terms of developing their characters “in response to their life experience” #. This thus failed to reflect the approach of virtue ethics, where developing the character by experience and observation and wide knowledge are core factors (Ch.2:3.3.4). However, there were counter examples. Handling violence and conflict well is not an inborn trait but can be learnt. In the Section on Defence of the Weak

(Ch.5:3.1.4) the Model used an example of police intervention in domestic violence to deal with issues of learning and culture. It highlighted that police intervention had changed in the light of experience and the development of social attitudes. It argued not that this intervention was in any way wrong, but that it might be treating the symptoms rather than the disease. This re-enforced the great importance of the role of other disciplines in applied ethics in helping to define the problem ethics needed to focus on, and the breadth of knowledge necessary in practice to establish what the right actually is.

### **2.3.6 Self-conceptualisation (Ch.5:3.2.6)**

No respondents said in terms that they did harm to others on the ground that their identity justified it, as Nazis believers might have done (Bullock, 1998; Overy, 1999). However, they reported others as behaving that way. In one case X found they lacked the authority to which they had been accustomed and in seeking to regain status, damaged others. This may not have looked so negative from X's point of view, though their unilateral actions undoubtedly lacked the legitimacy which participation in open community processes might have given them (see 2.4.1 below). An interpreter in a Nazi extermination camp saw his identity as a cultured man as distinguishing him from the cruel and barbarous actions of uneducated guards, though his own claim to the moral high ground was perhaps slim (cf Ch.5:3.1.1). Animal rights activists were seen by a spectator sympathetic to their cause as acting counter-productively in a damaging bullying manner, apparently on the basis their opinions raised them above others. Police saw themselves as authorised by their position to do harm in support of victims, and though this undoubtedly can be seen in terms of their social role, respondents also identified their personal feelings about fairness and a desire to protect the innocent as a factor in their behaviour. Y saw himself cast in the role of peacemaker in his family (a contrastingly positive role).

These examples have in common that, like the issues dealt with under 2.3.4 and 5 above, the apparent reasoning can be seen as part of a narrative justification (cf Ch.2:3.4.4.2). Particularly in the camp and animal rights cases, the narrative clearly identifies an "other", doing harm to whom is not seen negatively.

## **2.4 Process and Evidence (Ch.5:4)**

This section returns to the unambiguously ethical, considering how aspects of how ethically-relevant decisions may be taken, socially or individually.

### **2.4.1 Legitimising process (Ch.5:4.1)**

The Model and the literature approached this from different perspectives.

In the Model, a legitimising process did not justify an action. Respondents saw it rather as something which would enable them to tolerate an action by others. So, however much X might be opposed to abortion, they would accept that it should take place in society on the basis that they were not themselves compelled to abort and the process by which the law had been established was legitimate. This seems to leave some relevant situations out of account. A policeman and a prison guard would be likely to consider their actions in arresting and holding Y in jail justified, if Y had broken a law and a court had duly authorised the imprisonment (Bedau, 1995). Fabre argues that violent wars of colonial liberation have been accepted as justified and “legitimate” (Fabre, 2008; Fanon, 1961). Why did the Model take a different point of view? Arguably this was because they mostly spoke as ordinary citizens rather than politically powerful ones. The police respondent appears to have felt “justified” in his actions as a result of the role legitimately given by society through law and social custom, though s/he expressed it in other terms.

For a political process to be legitimate, it had (normally) to be transparent, open to challenge, and appropriate to the society in which it was located. Western democracy was not necessarily appropriate to all situations. This applied to organisational processes too (*mutatis mutandis*: eg sharing of general information, disciplinary processes), but the precise limits of comparison were not spelt out. Where an otherwise legitimate process or system was slow to respond to minorities, they might be justified in taking direct action (see Ch.6:2.5.4 below).

In the previous paragraph, “normally” is there to exclude two possibilities. In some cases political justification for practical reasons has to be made without full public scrutiny

(Ch.6:2.4.2 below). In others, sports referees or legal arbitrators are examples of systems where full detailed accountability is sacrificed in favour of fast albeit possibly rough justice.

### **2.4.2 Evidence (Ch.5:4.2)**

Ethical writers often use schematic examples to focus on the ethically relevant, precisely because, as Ross argued (Ch.2:3.3.2.2 above), the real world throws up so many confusing factors. Ethical theory cannot by itself predict and evaluate the full range of factors; many have not yet come into existence in the real world (cf. nuclear weapons from the point of view of the eighteenth century). The implication of this is surely that in arguing points in applied ethics, great care needs to be taken in establishing what data are relevant and in interpreting them – in evaluating evidence. Legal systems have developed complex rules as to what evidence can and cannot be accepted in court before a citizen can be found guilty of an offence and punished. Philosophy itself investigates the validity of arguments, eg through logic, epistemology and indeed jurisprudence (Grayling, 1997; Fisher, 1988; Thomson, 2002; Grayling, 2007; Lucas, 1966). But rules of care comparable to the legal rules of evidence do not feature very strongly in the ethical literature (with the partial exception of Ross, who explicitly recognises the difficulties (Zimmerman, 2008)).

In the Model itself the significance of evidence was only stressed in a quasi-legal context – the dismissal of employees. Participants spoke as employers. They would carefully seek out, consider and test the evidence (they gave examples), give the employees a fair hearing, and offer them an opportunity to reform. This was a process specific to the employees' circumstances, reflecting the individual nature of justice (Ch.2:3.4.3.1). This was almost, but not quite, the only reference to evidence. In *Doing Harm that Good May Come* (Ch.5:3.1.6) a participant set out his expectations of politicians making a decision to go to war, where the facts were not available to the public. It followed Just War principles quite closely (Ch.2:3.4.3). In particular the politician had to be convinced in good faith of the facts and the appropriateness of the decision. However, neither the just war principles, nor the participant, elaborated on the *standards of proof* required. This seems nonetheless to be a very significant issue. US and UK political leaders gave as a reason to attack Iraq in 2003 that it had weapons

of mass destruction which it was willing to use. There were none (BBC News., 2004). The Iraq Inquiry was subsequently set up to examine this amongst many other questions (Iraq Inquiry., 2011).

## **2.5 Context**

This section considers how ethical belief systems may impact on the decision to use violence in conflicts, specifically considering the difficulties of wholly incompatible views, and how social ethical attitudes might be changed.

### **2.5.1 Frameworks**

This was a general term for belief- or rule-systems which governed conflict and violent behaviour – for example, culture, the rules of sports, an Army's Rules of Engagement, religion and law. Their role is to codify and communicate the application of ethical and/or prudential values. The Model gave a number of examples, but basically added little to several other sections here – those dealing with the articulation of narratives (cf fanaticism, Ch.2:3.4.4.2; Ch.6:2.3.4 and 2.3.5, above, 2.5.2 and 3.3 below).

They are undoubtedly important in behaviour. Culture is a major theme in anthropology and organisational management (Mullins, 2002; eg Robbins, 2003), for example. Here it was cited as a moderating influence on how people conduct conflict (eg in accepting the authority of referees in sports matches). It also had negative aspects, eg as something to be resented (cf Ch.2:3.4.4.2) in its assumption of values different from the respondent's own.

The UK Police's "Conflict Resolution Model" (equivalent to rules of engagement) guides much of their intervention discussed elsewhere in this work and associated training is very detailed. It is also responsive to wider cultural changes (Ch.5:5.1). In this way (to explain the first paragraph) it helps to build a "narrative" in which the reasons for police intervention are explained as well as the methods, and this supports motivation of individuals.

### **2.5.2 Religious Frameworks**

In the Model, there was minimal discussion of the underpinnings of religion, eg its claim to have unique authority (Berg, 1993). Nor did anyone cite religion as a justification for *their* doing harm. It was cited as a reason for being a pacifist and

a conscientious objector, ie for *not* doing harm. (This was the only case where religion was said to have special authority.) Respondents did see *others* using religion in justification of violence. It had considerable “narrative” power, which would give “peace and a sort of justice” even to those promoting war. A respondent argued that religion could only be a smokescreen for whatever the real reason for violence was. The Crusades were not mentioned, though Islamic suicide bombing was.

A respondent denounced religion in more specific terms, claiming that specific teachings were, if advocated to schoolchildren, simply cruel, because they demonised family structures in which the children had been brought up.

### **2.5.3 Clashes of “the ends of life” (contrasting or irreconcilable values)**

The title of this section comes from Berlin. “Without deep conviction there [are] no ends of life”, says Berlin, no meaning to it, only the emptiness which led John Stuart Mill to near-suicidal depression. But, inevitably, passionate commitment means that we “dislike those who hold the opposite views”, that we will “disapprove, think ill of, if need be mock or despise...we may argue, attack, reject, condemn with passion and hatred” (all quotations above from Berlin, 1969) This corresponds with how people behave in the real world – they fight, literally and metaphorically, to enact their version of the good life; hence my “expectation” as described in 2.1 above.

In the Model no-one quite went so far as to advocate violence on the basis of strongly held views (except perhaps in Ch.5:3.1.3 Revenge) but respondents expressed passionate commitment to their values. They did not however say much about how these views might be reconciled or how they might treat someone with incompatible views if both insisted on “having it their way”. A smoker (“a really nice guy but he’s quite old fashioned”) would not tolerate any objection from his family to his habit. Two respondents felt they could find nothing to say to people with views particularly different from their own – a suicide bomber, and an adult involved in child pornography. A third was horrified by the methods by which *paté de foie gras* was produced, but it is hard to imagine that she would find nothing to say. Here we have three cases where dialogue was closed down and only one where the respondent really wanted to

engage. Yet whether in non-violent conflict management, or *a fortiori* in philosophical dispute, communication between the parties is indispensable to procuring any change in the situation. For example, an employer showed how a satisfactory outcome with an employee could be negotiated though they started with incompatible aims. The lack of willingness to communicate in passionate cases perhaps explains the phrase “intractable conflict”.

### 2.5.4 Theory of Social Change

The Model did not include a coherent theory of social change, a means by which improvements in ethical behaviour could be identified and promoted. However, it addressed two possible components of this process.

One was the importance of mass – if people join together to bring about change, they can assemble resources with which to bring pressure to bear on governments.

Failure to join together with others in this way was seen as an abrogation of responsibility. The argument attacked was essentially: “I can’t achieve change on my own and so have no responsibility to act”. On the principle that “ought” implies “can” this has a specious validity. However, since joining together was far from impossible, or even difficult, that was not enough to break the causal link (#; and Ch.6:2.3.2 above). There may be other excuses for inaction but the Model felt this was not one of them.

In Ch.2:3.3.3.1 above, Rousseau was quoted as insisting that for the proper operation of the “general will” the citizens should not band together or even discuss the issues. Indeed, no doubt if they worked together they could overwhelm the interpreter of the general will. Here, at least, the Model reveals opposition to Rousseau.

Second, the Model noted that in the event of minority views not being identified quickly enough, and given a voice, “direct action”, including considerable physical and psychological violence might follow as the only means by which the minority could deal with the feeling of being excluded. The Model did not give examples but one might be action taken by so-called animal extremists (cf. BBC Ethics., 2011e). This may be supported by *narratives* (as in “fanaticism”, Ch.2:3.4.4.2). The literature is not unsympathetic to action taken outside the

legitimising process of law and democracy where there is no viable alternative, though other requirements of “just war” or analogous arguments would also have to be met if violence were involved (Fabre, 2008); see also Ch.2:3.4.3.3.

This issue was one of the reasons for using symbolic interactionism as the underlying methodology for the construction of the Model; it provides a means of explaining how ideas circulate and develop in, and may change, a society.

### **2.5.5 Social Groups’ Judgements about causes of harm and conflict**

This was a relatively minor part of the Model. It illustrated the possibility that groups in society would, as it were, gang up for good or ill, and support, or thwart, the efforts of others; and also perhaps the strong vocabulary that might be used in describing the circumstances. The Model’s context was small scale, but perhaps analogies with international politics are all too easy.

The section included a respondent’s phrase “Nice people don’t have conflicts”. This neatly encapsulated the Model’s conception of the undesirable nature of conflict.

## **3 Overall Discussion, Summary and Conclusions**

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### ***3.1 The stance of the Model***

The conflict literature sees conflict as being about the pursuit of incompatible aims – whereas the Model saw it in terms of aggressive behaviour to the understanding of which an assessment of the agent’s aims would contribute little. This has implications for ethical reasoning about harm-doing in conflict.

The Model considered empathy, human nature, obligations to others, individuals’ temperaments and a duty to avoid large scale violence, as the main bases for, or factors in, ethical guidance. Its view was essentially about observable behaviour, or in the case of temperament, what it considered to be the immediate personality-based cause of it. The Model thus (more or less) reversed the preconception that the contribution of ethics to conflict analysis would be to prioritise discussion of the aims of conflicting parties and only then to assess proportionate behaviours appropriate to pursuing them. The Model

*did* address conflicting aims, but as a discrete topic, not integral to conflict. To the extent that they impinged on conflict, it saw them almost as the excuse or occasion for people to do what it really mattered *not* to do, that is to say, act aggressively.

The Model differed from the literature in that it did not challenge the relevance of ethical discussion (cf Meta-ethics, Ch.2:3.2). On the contrary, most people spoke about their experiences in the intense, involved way envisaged by Blackburn (Blackburn, 1998; Blackburn, 2001: Ch 2: 3, and 3.3 above). Sometimes participants described actions and descriptions of people's temperaments as causes, but this never amounted to explicit rejection of moral evaluation. Determinism was mentioned approvingly in passing by one participant, but they appeared to adopt the Strawsonian position that, even if it were true, ethics would still be debated as it (ethics) was integral to how human social life was conducted (Ch.6:2.3.1 above). The Model also differed from the prediction in the literature that people who rejected killing in most contexts would make an exception of killing in war and actually approve it (Ch.2:3.4.1) – rather the reverse.

The Model was equivocal in one particular important respect. It did not seriously address the implications for moral responsibility posed by behaviour arising from involuntary or unconscious causes (Ch.6:2.3.3.3), though it dealt with some issues around this area. This might be because (from both the ethical and conflict management points of view) such behaviour might be conceptualised as beyond control and therefore as a given to be dealt with rather than as a variable to be modified.

The intention was that the Model would deal with the ethical justification of the use of violence in conflict, but, consistently with its view of the nature of conflict, and the exploratory methodology, quite a lot of what respondents said was about a context wider than the purely ethical. It saw empirical explanation of how conflicts happened as very important and much (though not all) of the content in Ch.5:3.2 tended in this direction ("sense-making"). This was appropriate in an exploratory work, because its purpose was to identify what people thought relevant, rather than to focus on a rigid preset agenda. It thus

raised a good range of questions about what other research could usefully follow.

## **3.2 The stance of the literature**

I consider the main headings of the literature review in turn.

### **3.2.1 Nature of Conflict**

To adapt the focal question for Ch 6, to what extent does the conceptualisation of conflict in the literature address the issues people face ...as identified in the Model? Is the theory feasible, practical and useful?

I argue above that there is a marked contrast between the literature and the Model in this area. Is this a case of the literature failing to get to grips with down-to-earth everyday reality?

The conflict management literature is more-or-less united and very convincing on the issue of the importance of aims (see Ch.2), and also arguably in touch with reality. For example, the work of the Harvard Negotiating project (Fisher et al., 1994; Fisher et al., 1991; Ury, 1999; Ury, 1991) and NGOs such as *Responding to Conflict* (Fisher et al., 2000), are at pains to translate theory into practical day-to-day conflict management tools.

There may be a number of contingent reasons for the “contrast”, mostly to do with consensus on aims amongst participants in the Model, or absence of power on their part to choose radically new ones, or a tendency to choose environments where aims are shared. Absent the possibility or need for discussion on aims, perhaps they recede, taken for granted, into the background. Some examples are given in Ch.6: 2.1.1 above. Further, some means of dealing with conflict are highly structured in societies, whether by law (eg competition between creditors, criminality, divorce), by voluntary agreement (arbitration, refereeing), or through generally accepted minimum standards and/or culture (family obligations to children, for example) (Ury, 1999). A wider explanation of the same phenomenon might have to do with so-called structural violence (arguably a factor in “fanaticism” (Ch.2: 3.4.4.2)), where it is argued that systemic pressures cause the harm, though few or even no individuals have that intention (cf the discussion of agency in complex systems in Ch 2). In

these cases, conflictants often have to go in the direction the “railway lines” take them; choice, and hence aims and ethics, are thus arguably less to the fore in individuals’ decision-making.

However, even in situations which may appear choice-free, what people want out of a situation can make a determining difference - as the costermonger’s orange in Ch.2: 2.2.2 suggested.

There might be other categories of reasons for the contrast. Ordinary people might see aims not as part of the concept of conflict, but as an incident of its process and demanding attention downstream, when individual-to-individual or group conflict management measures come into play. More fundamentally, people might simply not accept the Mill-Berlin argument (Ch.6:2.5.3) that passionately-held convictions necessarily lead to aggressive attitudes towards those who hold incompatible ones. Indeed this seems the other side of the coin from seeing conflict as merely aggressive behaviour. Yet that there will be value-conflicts seems an inescapable lesson of history.

In Ch: 2:2.2.3 I argued that “conflicts are the product of a great number of constituent factors”. The Model reflected little of this complexity.

My conclusion about the “contrast” is that the Model’s view represented a sort of tunnel vision, which excluded a very wide range of phenomena which ought to be included conceptually and for the purposes of conflict management. To suggest a sympathetic explanation, this may perhaps be an attempt, given our bounded rationality, to reduce the subject to manageable levels of complexity. But the literature helps fill this gap: far from being infeasible, it offers a great deal of support to people in the everyday setting in terms of managing and making sense of conflict.

### **3.2.2 Normative Ethics**

While the four broad approaches (Ch.2:3), and the applied ethical writing, did indeed all address both ends and means and not just behaviour, as I had originally expected (see Ch.6:1), they did so in different and distinctive ways, strategically and tactically. The Model used these eclectically. It had no special affinity with any of the four broad approaches. I now consider the latter, and the applied writing, in turn.

### **3.2.2.1 Consequentialism**

To again adapt the focal question for Ch 6, to what extent does consequentialism address the issues people face ...as identified in the Model? Is the theory feasible, practical and useful?

Given the conceptualisation of conflict above (specifically, in suppressing the importance of aims), consequentialism might be expected to be a salient feature of the Model. Consequentialist approaches decide what are ethically acceptable courses of action by considering their outcomes. However, they have no inherent conception of the good, and so what consequences they take into account have to be based on criteria imported from outside their system. Part of the argument in the preceding section was that for quite a wide range of reasons in quite a wide range of circumstances, "ordinary people" (Ch.1:2) appeared to take aims and values for granted. Now, if ethically relevant aims are agreed, or at least accepted, this might be thought to facilitate consequentialist thinking; people could just apply the consequentialist calculator. It might be thus seen as an eminently feasible and practical approach.

However, the Model did not do this as much as might be supposed. Sins of omission and commission were seen as equivalent where the outcomes were also equivalent. War was asserted always to have unacceptably bad outcomes, and to be likely to provoke further violence; so-called military humanitarian intervention was not endorsed. At lower levels of harm, in, say, union negotiations with management or commercial negotiation, people were readier to calculate what they could get by aggression and to accept it could be justified by the outcomes. This appeared to contradict the general view that treating people with aggression was wrong. Indeed, part of what was cited as wrong about bullying of spectators by animal rights demonstrators was that it produced the "wrong" outcomes (Ch.6:2.3.6). So there was some ambiguity in attitudes to aggression when a calculus was applied. This was as far as the Model went in terms of specific applications.

Consequentialist approaches generally undermine the idea of moral responsibility because the agent's intention does not affect how outcomes are evaluated. In discussing justice and fairness, there was no reference in the Model to consequentialist reasoning, though Mill apparently thought it possible to assimilate justice to utilitarian thinking (Ch.2:3.3.1.2.2). The Model was relatively supportive of the literature's ideas on moral responsibility (see Ch.6:3.2.2.5 below) and to that extent unsupportive of consequentialism.

In Ch 2 I concluded that consequentialism was conceptually straightforward, but, though the Model undoubtedly made some use of it, there was little evidence that people found it *systematically* attractive and useful. Perhaps counter-intuitively, consequentialism seemed to do relatively poorly when assessed for feasibility.

### **3.2.2.2 Deontology**

To what extent do deontological approaches address the issues people face ...as identified in the Model? Is the theory feasible, practical and useful?

The Model used deontological principles to explain its opposition to war, and to doing harm that good might come. Arguably the Humean duty of beneficence underlay the Model's whole view of what was wrong with conflict. The Model thus used examples of deontological reasoning in significant ways.

As methodology (*prima facie* duties do not quite fit the pattern), deontological approaches tend to make clear and unequivocal prescriptions (Ch.2:3.3.2.3.3), and this feature is surely feasible - so far as it goes. However, Singer characterises these deontological constraints as tending to resemble a "system of nasty puritanical prohibitions" (Ch.2:3). These are relatively limited in scope and can be contradictory. There was little evidence that people considered those points systematically, or at all. Both these features reduce the feasibility of some forms of deontology, by reducing their acceptability and making application difficult.

The scope of Kantian deontology is however very broad, and his humanism is influential as it were behind the scenes, but there were no direct references to his work in the Model. The problem here is rather that however inspirational his work, the application of his principles can at least appear to mean all things to

all men (Ch.2:3.2.3.2); and in its “ferocious” technicality, Kant’s own writing is not widely accessible.

The variable hierarchy of Ross’s *prima facie* duties argument is more accessible and people appeared to use the idea of rearranging the priorities of “duties” intuitively and implicitly. A slightly camouflaged example would be people’s readiness to accept actions they disapproved of carried out by the state or its servants if they were happy that a legitimate process had been followed (this might be expressed as the duty to follow one’s own conscience set against a duty also to obey the law). There was, however, little discussion of what I saw as the second key component of Ross’s approach – the difficulties in translating *prima facie* duties into “duties proper” in the messy real world (indeed, of the importance of this messiness and/or complexity in general).

Deontological approaches may be too varied to merit a single overall conclusion. However, it might be said they were quite influential in terms of prescriptions but not in terms of a methodology, or ethical reasoning. Here they present people with challenges: contradiction between prescriptions and consequent difficulties in application.

### **3.2.2.3 Contractarian Principles**

To what extent do contractarian approaches address the issues people face ...as identified in the Model? Is the theory feasible, practical and useful?

Contractarian thinking can embrace liberal (Rawls), authoritarian (Hobbes) and totalitarian (Rousseau) ways of arranging society. Despite the contrast, these approaches have a purpose in common, to consider how the gregarious human species can and should live together. However, contractarian thinking as a whole does not in itself imply any particular specific answers (as deontology or religion might), or a method for getting to them (such as consequentialism). But it *does* provide a framework, if not a coherent theory, in which to integrate individuals’ choices about the right way to live, with each others’ and with the obligations of co-operation. There is room for deontological reasoning, for example. Hume and Kant (especially in his *Formulae of the End in Itself* and of the *Community of Ends*) seem to provide an important guiding principle which sits well with contractarian approaches: treating other humans with respect.

If there is a common thread in the Model, it is precisely this, in the form given above, “how to treat people”.

Arguably legitimate authority and process are also essentially contractarian ideas, providing a structure for how to manage conflicts between individuals’ incompatible right ways to live and to facilitate co-operation (as envisaged by Adam Smith). The Model also respected these ideas (Ch.5:4; Ch.6:2.4).

So as a generality, contractarian thinking has been shown to be very feasible by being used, albeit implicitly, in the Model: it provides a very plausible view of a key feature of human nature (gregariousness); a plausible framework of basic principles (co-operation for mutual benefit) and a plausible methodology (legitimate authority and process).

#### **3.2.2.4 *Virtue ethics***

To what extent do the approaches of virtue ethics address the issues people face ...as identified in the Model? Is the theory feasible, practical and useful?

In contrast to the other three broad approaches, Virtue Ethics attempts to focus on what it is for the *individual* to make a good life – from the individual’s perspective. In doing so it makes an indispensable contribution to ethics by providing an account of the connection between the good and the right in public behaviour and the good and the right in the individual’s private behaviour and subjective sense-making about the world.

Virtue Ethics value both ends and means (Ch.2:3.3.4); good ends, and proportionate, well executed means, both learnt on the basis of experience, and jointly leading to a “flourishing” life. This appeared in the Model mainly in the form of the benefits of learning from experience (cf. Ch.5:3.1.6, finding alternatives to violence; Ch.5:3.2.1, “rigidity”; and Ch.5:3.2.5; the problems of not learning). However, these points were not conceptualised in the Model in a form which would make it easy to label them a part of a coherent doctrine called virtue ethics; on the whole they appeared just as incidents which might be characteristic of such a doctrine (such as those instances mentioned above). They were sometimes well disguised by context. An example is the attitude of the Interpreters at Auschwitz who contrasted their civilized taste in music and literature with the boorishness of the guards (Ch.5:3.2.6). This went with a

preparedness to treat the regime's victims less inhumanely – on their way, however, to the gas chambers, the use of which they (the interpreters) appeared to approve. This was a troubling case. It could be optimistic, as a Humean beneficence succeeds in just breaking the surface even in what might be called a hell; or pessimistic, as even those who saw themselves as capable of developing virtue were sucked into “the devil's work”.

Elements of a methodology of virtue ethics could be seen in the Model, but there was little evidence of its being coherently developed. To call it infeasible would be mistaken; it is rather largely ignored. Morality, in the Model, seemed more about the external behaviour demanded by consequentialism and deontology than the intensely personal responsibility implied by virtue ethics. This is an appropriate moment to turn to the issue of moral responsibility.

### **3.2.2.5 Moral Responsibility**

To what extent do the concepts of moral responsibility address the issues people face ...as identified in the Model? Is the theory feasible, practical and useful?

Normative ethics discusses moral responsibility extensively. Broadly the argument is that agents need to know what they are doing if they are to be “held responsible” and praised or blamed for their actions. Generally this plays a lesser role in consequentialism than in the other “broad approaches”, as intentions are ostracised from the discussion focused only on outcomes. Moral responsibility was not discussed conceptually in the Model, but various factors which might undermine a claim to it were raised. Each explicitly reflected the literature (Ch.6:2.3.1 and 2). They included:

1. insanity, taken for granted as defeating moral responsibility;
2. instinct, a factor in self-defence;
3. drink or other drugs, somewhat more ambiguous in their assessed impact on responsibility; and
4. temperament, apparently, and ambiguously, often seen as an unchangeable given in conflict and outside the remit of moral assessment; and
5. determinism (albeit in an ambiguous reference).

The literature thus appears to be taken up and used by ordinary people and can thus be said to be feasible and practical.

### ***3.2.2.6 Applied Ethics: Killing, Rescue Killing, Self-defence, Just War and other attitudes to war***

To what extent do the approaches of applied ethics address the issues people face ...as identified in the Model? Is the theory feasible, practical and useful?

Applied ethics attempts to answer specific questions about how we should behave in the real world. In this work, however, especially in this Chapter, I have been trying to assess whether the literature can help ordinary people in their general decision-making in conflict. From this point of view I have seen applied ethics as having a different role from normative theory. Whilst normative theory makes prescriptions, each of the broad approaches can also be seen as having a “methodology” which ordinary people could make use of in making sense of and acting on concrete situations in conflicts; they are tools. Applied ethics is however just that: the application of the broad approaches (and other theory) to concrete situations or specific real-world problems; they are examples of what can be done with the tools. Are they helpful to ordinary people? Do ordinary people come to comparable decisions about the same topics?

These are, to some extent, unreasonable questions, as the real world issues underlying the Model did not (thankfully) encompass the full range of challenges the literature does – such as actual killing in self-defence, for example. As a result the Model had no occasion to develop some points. It took for granted, without arguing the point, a right to act, physically fight and apparently (if relevant) kill in self-defence, but it did not really address subtleties such as whether that was a right or something else, and whether it was limited by time or circumstances. It did not really face up to rescue killing either. Though in general terms it supported the idea of defending the weak, it was less sure about actually doing harm to achieve this, unless it was well supported by legitimate authority and legitimate process, and perhaps not even then. This led on to the Model’s position in relation to war and major exercises of violence in general. It was unequivocal: it was against them. In this it was, apparently, pacifist, but though the term was mentioned (once only in the Model itself), it

was not developed. There is thus little ground for criticising the literature's feasibility, in the sense of being actually used: there was insufficient overlap between the scope of the Model and that of the literature to compare the two on a level playing field (cf Ch.7:2.3 Overall Validity). Arguably there is plenty in the literature to help ordinary people if they wish to deepen their thinking.

The specific issue of Just War was perhaps a different matter (Ch.2:3.4.3). Just War argumentation can be seen not only as an example of applied ethics relating specifically to war but also as a special collection of the normative theory tool box capable of being focused on harm-doing in general, at lower levels of harm as well as war and comparable violence.

Inevitably, however, this requires some reframing of the components, perhaps changing the vocabulary to remove unwanted baggage without changing the substance.

For example, the expressions "combatant" and "non-combatant" would not be appropriate descriptions of the guilty and the innocent in a criminal law setting, while the criteria for determining guilt or innocence in this context are also different – in that they are clearer and less contested than those for identifying combatant and non-combatant status (cf Ch.2:3.4.3.3.2). However, it would be right to apply criminal sanctions to the guilty but not to the innocent, which corresponds systematically with discussion of whether combatants and non-combatants can be attacked.

Again, the essence of the requirement for a "Declaration of War" is clarity about one party's intentions given their view of the actions of another party (in the war situation, especially so that the parties can right the wrong and avoid war). This clarity is equally essentially what Harvard Negotiation sees as the key first step in most disputes (Fisher et al., 1991: pp3-14). In fact, it is the requirement for a "declaration of war" in the war context that probably needs recasting, as the nature of the modern world is such that a cooling-off period between declaration of war and the initiation of hostilities is no longer realistic; events move too fast and retaliation could be instant. In any event the doctrine of pre-emptive (if not preventive) strikes probably means the relevant negotiation will be long over by the time hostilities actually begin. So it is as much a case of Just War theory

needing to be reframed for its own sake, as of its vocabulary needing to be amended to cope with other contexts.

What constitutes “justice” is open to very wide debate in any event. Many other “goods” might be considered here as well as or instead of justice – the valuable deterrent effect of salutary punishment for rioting, say, might outweigh its injustice (cf Ch.2:3.4.3.1). Proportionality, legitimate authority, and last resort arguably need little adaptation. I would argue Just War needed to have a clearer place for discussion of some of the costs of violence such as killing (cf Ch.2, especially Norman’s writing), but this can in principle be dealt with under proportionality.

Just War is thus a particularly useful, practical and feasible package of concepts.

To illustrate this Figure 3 (page 242 at end of Ch.6) takes the Just War principles set out in Ch.2 Figure 2 and suggests how they may be applied to a specific different case of harm-doing referred to in the Model (dismissal from employment). This proved to be a relatively straightforward exercise, though as expected the expressions “formal declaration of war” and “non-combatant” in particular require reframing. The former corresponds most directly perhaps to the opening of a disciplinary procedure. The latter means people other than the one against whom dismissal procedures have been “justly” started, ie other than the person whose performance is below standard. The figure refers to a case where the appropriateness of this was not apparent to the employer.

### **3.2.3 Summary of Conflict and Ethics**

All four broad approaches were to be found in applied ethical reasoning, as were free-standing concepts such as justice, humanity, responsibility and so on. This did not mean any unanimity in conclusions about harm-doing. The need for some harm-doing to preserve order in society was accepted but again there is much debate about its limits and, in law and jurisprudence, about what constitutes good evidence on which to base harm-doing – discussion noticeable by its absence in ethics. Just War principles arguably provide a helpful and nearly comprehensive framework for discussion and argument (there is little on

evidence), but debate about Just War principles, detail and application is nonetheless sharp and inexhaustible.

In general the section above shows that the literature (both or ethics and conflict) is “feasible”, but this certainly does not mean that that it contains any necessarily “right answers”. However, the world is hugely complex (see Ch.2) and it is surely useful to have available a variety of points of view, expressed in different ways with considerable subtlety, which might match the complexity of the world.

Another way is to reduce this complexity by providing a “narrative” which makes sense of it. I now turn to the power of such underpinning “narratives”.

### ***3.3 Systems and Narratives***

In “fanaticism” (Ch.2:3.4.4.2 above) I suggested that “narratives” were used to justify quite large-scale violence and harm doing. “Narrative” represents, as it were, a different paradigm of argument. Mostly, the literature I considered looked at individual situations (eg self defence in such and such a case, rescue killing in another, war to rectify wrongs). There were criteria for assessing these arguments, such as coherence and absence of internal contradiction. “Fanatical Narratives”, however, set up an entire different sphere of meaning in which this kind of literature is overwhelmed or rendered irrelevant by a detailed account of the world, into which violence is neatly fitted to be inevitable. Narratives in this sense seem to correspond to the literature I considered in ways analogous to the way systemic accounts of social action correspond to linear ones (cf Ch.2); that is to say, they address what they see as the totality of the context rather than the validity of individual arguments. If one wishes to adopt an approach to the problems of the world in which violence is not an inevitable part of settling disputes, arguably individual ethical arguments need to be built into a comprehensive narrative. And this will necessarily step outside philosophy.

Arguably examples of comparable contextual reasoning appeared in the Model under other guises, eg Context, Self-conceptualisation. They set obligations, duties and so on in a social context, and had some allegiance to an exogenous principle (fairness, how to treat people), but they lacked the loaded history, the “future history” and above all the resentment, which distinguish fanatical ethics.

### **3.4 Conclusions**

The third focal question pair was: *Do theories and processes in normative ethics which address issues involved in deciding to do harm in conflict, also address the issues people face in this area as identified in the Model? Are they (the theories) feasible, practical and useful?*

Many themes in the literature could be found in the Model, though not always prominently, often implicitly rather than explicitly, and rarely systematically. Arguably, therefore, the literature does address the issues people face in deciding to do harm in conflict, but in a wide variety of ways, not always entirely consistent. However, given people's "*heterogeneity of interests, values and beliefs*" (Ch.2:2), and variety of ways they make sense of the world, this is likely to be a strength. The literature was (not unexpectedly) wider, deeper, more varied, and more closely and comprehensively argued than the Model, the eclecticism of which was perhaps more a sign of partial awareness than of wise choice. In general then, the literature was feasible, practical and useful, but ordinary people did not always show great awareness of it. Arguably, normative ethical theory needs to be made more accessible.

## **4 Summary of Chapter**

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This chapter has analysed the Model in terms of the conflict and ethical literature and *vice versa*. This is the second main part of the exploration of how people think about and justify the use of violence in conflict - the construction of the Model being the first.

The following chapter assesses the overall research process, reflects on how it was carried out, and suggests direction for further research.

PTO for Figure 3

<b>Application of Just War Principles to Employee Dismissal</b> <b>(see Ch.6: 3.2.2.6 above)</b>		<b>Figure 3</b>
<b>Jus Ad Bellum</b>	<b>Reasons for Action</b>	
<p>1. The war must be fought for a just cause.</p> <p>2. It should be fought for that reason and not for ulterior motives; the right attitude is needed</p>	<p>In the Model Ch.5:4 two examples are given where bosses sack staff. In both cases the reasons are clear and appropriate in the sense that the “sackee” is not meeting the job performance criteria, there is explicit evidence for this, and the sacker does not have irrelevant factors in mind. The employee is to provide a specified contribution to the employer in return for salary, and as the contribution is not being provided it is arguably just (Ch.2:3.4.3.1) that the employment is terminated.</p>	
<p>3. There should be proportionality – the good to be achieved should not be outweighed by the harm which will be done. There must be a reasonable hope of success.</p>	<p>There is harm to both the sacker, whose business lacks an important component and who has to recruit someone else, and the sackee, whose life may be significantly disturbed. The long term benefit to the employer of getting a competent employee is however clear, and (subject to the points below) the employer is not responsible for the organisation of the employee’s life. In one case in particular, there is benefit to the sackee too; they are “not cut out” for the generic role they are in and can improve their prospects by re-aligning.</p>	
<p>4. The appropriate legitimate authority should make the decision.</p>	<p>In both cases (apparently) the legal and company requirements as to authority are met.</p>	

<p>5. There must be a formal declaration of war.</p> <p>6. The war should be the last resort.</p>	<p>The formal declaration of war has arguably two purposes: clarity of intention; and (given the slowness of communication at the time the doctrine was developed) the creation of a cooling-off period in which the other party could right the injustice of which it was accused. The examples do not specifically mention the equivalent – the written warning – but this is an aspect of process and was probably complied with. (Perhaps the declaration of war might be seen as the initiation of the disciplinary procedure.)</p> <p>Again, an aspect of process: in the cases in the Model, the disciplinary process has been followed so that all parties are clear about what is involved. Training to raise the performance to the required level would be a clear example of one of the measures which could or should be taken before the last resort of dismissal.</p>
<b>Jus in Bello</b>	<b>Process</b>
<p>The requirement for non-combatant immunity</p> <p>Proportionality</p>	<p>It may seem obvious that the sort of dismissal process considered here would only be applied to those whose performance was substandard (deemed the “combatant”), but, anecdotally, the unjust mis-application to staff not involved in the problems was a feature of the organisational conflict mentioned in Ch.1:1.</p> <p>The processes should be carried out reasonably – for example, training should not be treated as a punishment for non-performance, and the speed with which the steps in the process follow each other should be such that the employee can be reasonably expected to comply with them.</p>

# Chapter 7

## Contributions, Reflections and Further Research

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### 1 Introduction

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This Chapter explains the way the work contributed to the disciplines of conflict and ethics directly and methodologically.

Silverman suggests the concluding chapter of a PhD might address four audiences: the disciplinary (Section 3), the methodological (Section 2), practitioners and the general public (Silverman, 2005: pp 323-331). I include the latter two under Section 3 Disciplinary Contribution.

### 2 Methodological Contribution to the Disciplines

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The methodological contribution is to show that primary empirical data grounded in the “real world” can profit a subject, normative ethics, which does not normally use it.

This reflects Phillips and Pugh’s criteria for originality in PhD research: “carrying out empirical work which hasn’t been done before;...taking a particular technique and using it in a new area; bringing new evidence to bear on an old issue; being cross-disciplinary and using different methodologies; looking at areas that people in the discipline haven’t looked at before” (Phillips & Pugh, 2005: p 62). Silverman adds “independent critical thought” shown here by the same criteria (Silverman, 2005: p 70). The rest of Sections 2 and 3 will provide evidence for this claim and also why it “matters that this is the case” (Silverman, 2005: p 70).

#### **2.1 Use of empirical data in normative ethics**

Empirical data *per se* profits normative ethics by connecting it with the “real world”, which it needs to do to be helpful to people.

In ethical theory, empirical data is rarely integral to an argument, and where it is, it is often anecdotal rather than systematic (eg Hume, 1751/2008; Strawson,

1962), or not really data at all (eg the speculative derivation of Kant's maxims). Ethical theory frequently substitutes schematic examples for real-world ones, the very point being that they exclude the messiness of the real world (Ch.2 above).

This is often also the approach of applied philosophy in the area of violence, eg self-defence (Ch.2:3.4). It would be wrong to say applied ethics does not use empirical data at all. However, this is often secondary and derived from other disciplines. The debates between ethicists on abortion and euthanasia, for example, refer to medical research to help define or clarify issues such as when life begins or ends (Warnock, 1998; Singer, 1993b; Singer, 1993a). Secondary data has advantages, disadvantages and risks deriving from the fact that it has not been collected by the researchers for their specific purposes (Saunders et al., 2007: pp 257-272). In the cases of abortion and euthanasia secondary data is perhaps indispensable to philosophers without medical education. The same data may not be secondary where medics debate the questions – but Ch.6:2.2.1.3 shows the risk where the requirements of both disciplines are not taken into account.

“To help define and clarify issues” is, *mutatis mutandis*, what I have tried to do here, namely to start a process of identifying and clarifying situations in which ordinary people need the help of normative ethics in considering resort to harm-doing in conflict; and, through reviewing how they reason in these situations, whether ethics can actually provide that help. The difference is that I have used primary data gathered for the specific purpose; to try to include rather than exclude the messiness of the real world. The use of empirical data in normative ethical theory necessarily gives it a new dimension.

### **2.1.1 Relationship with Moral Psychology**

Some of the data collected relates to psychological issues such as temperament (Ch.6: 2.3). This suggests the work may have a relationship to Moral Psychology, which *is* an empirical subject, but which is concerned with

*...the analysis of the psychological make-up of persons as moral agents...the aim is to understand emotional states, motivations, or relationships of major importance in the lives of human beings.*  
(Care, 1995.)

What concerns this work is how, if at all, the literature of philosophical ethics addresses the conflict-related issues, and people's emotional states are relevant only as contextual data. Accordingly I did not enter the moral psychology literature.

Some philosophers and moral psychologists are developing an approach they call "experimental philosophy". This aims to "return to the traditional vision" of philosophy as involving enquiry into "human beings and how their minds worked" (Knobe & Nichols, 2008: p 3). It is not immediately obvious that this is radically different from moral psychology. It is however clear how it is different from this work. Suppose one starts from the position that

*People are more inclined to regard an agent as morally responsible when the case is described in vivid and concrete detail than they are when the case is described more abstractly. (Knobe & Nichols, 2008: p 5.)*

The writers seek to explain this in terms of intuitions about determinism – intuitions, sometimes "folk" intuitions, being an important part of the approach (Nichols & Knobe, 2008; Levy 2009). The interest of this work would be in whether the conclusions are justified conceptually.

## **2.2 Use of Grounded Theory**

That the approach here includes the empirical is thus only part of the methodological contribution. The strengths of grounded theory are argued above (Ch.3). In particular, its use means that what people say about their justifications arises out of actual situations; and it is interested in their interpretations. Some of the nuances of these can be captured and there are practices aimed at minimising researcher bias.

Grounded theory gives confidence to apply normative ethical theory knowing that it is addressing how real people see their real problems.

This section is thus arguing for the positive contribution of idiographic approaches, and also, since grounded theory is not the only such method, for a full discussion of the range of possible methodologies such as that given here (see Ch.3:6.3 Validity).

Consider the alternative. If we take the methodology of the example of experimental philosophy above, we find that there is description of a data gathering method (questionnaires) but limited discussion of or justification for it

(Nichols & Knobe, 2008: p 110). My point is not that questionnaires are wrong in principle, practice, or this case, but if one is dealing with subtle and nuanced arguments, it is surely worth asking whether a nomothetic questionnaire is the optimal approach. (Perhaps it appears so from the point of view of funding or the politics of evidence ( Ch.3: 6.3.1 above:Morse 1999).) Using a questionnaire means that participants' responses are limited to those the researchers define. To be fair this is recognised in the example. However, it is dismissed as not relevant to the experiment, because the researchers' aim is to "predict" a defined and very limited response (apparently testing a hypothesis). But that does not provide for the possibility the response might be made for "wrong" reasons or (to look more widely at the context) to bring much sensitivity to an ambiguous issue. Perhaps this is just the contrast between disciplines.

### ***2.3 Did the Model provide overall validity?***

Chs 3 and 4 and Appendices 1-4 describe how the grounded theory process was carried out. This transparency is my evidence that, from the methodological point of view, the Model did produce a valid grounded theory (Ch.3:6.3.3).

Nonetheless, some of its features were at variance with real world problems. In the Model, people were not (apparently) pacifist, but they argued against harm-doing as means of managing conflict, and they saw conflict itself in terms of bad behaviour without taking into account incompatible motives. However, this work came to be written because, in the real world, people do each other harm frequently and on a large scale. It is not merely bad behaviour, perceivable actions (Ch.5:2). Its meaning is partly the purposes it serves, to wipe races, tribes or opinions off the face of the earth (the Hutus and the Tutsis, the Nazi holocaust, Pol Pot), to defend oneself against attack (the Soviets in 1941), to ensure the absolutely right views guide the world (the Taliban), to control crime (imprisonment), and so on.

From one point of view this strengthens my belief that the Model reflected participants' view of real world problems rather than my own because the Model was contrary to my expectations in important ways.

Why, however, is there such an apparent gap between the Model and the real world?

In fact, the gap is not so great.

First, a substantive theory created through grounded theory, would, on the basis of analytic generalisation, have explanatory power *in other similar situations*.

The Model did not encompass political situations like those just mentioned.

Rather, as the Introduction explained, I lowered my sights from the distant to the local. Mostly, my respondents discussed down-to-earth, day-to-day conflicts, like family disloyalty, disorder in pubs, or failure to perform well enough at work. In similar situations, I would expect the Model to have considerable predictive power in terms of how people justified or explained their actions. To take into account larger-scale harm-doing the work would need to be extended to that context. The Model *could* be raised to the level of a formal theory, with wider application, but it would need far more varied data to be built in.

Second, the larger, political context, *did* enter into this work, albeit to a limited degree and for a specific purpose. I sought counter-case triangulation from a radically different context. Transcripts of the Nuremburg trials showed a greater readiness to undertake extreme and explicitly purposeful violence than did the oral interviewees. But even in this context, the *how to treat people* style of reasoning, and the idea of proportionality, was evidenced – providing further support for the Model.

The Model does not encompass everything; it is not isolated either.

## **2.4 Limitations and Alternative Approaches**

### **2.4.1 Contextual**

I argued above that the Model was valid on the terms given. However, it would be a mistake not to recognise that the data was collected in the circumstances it was, eg in 2008-10, in the wake of a long history of political violence, in “the West”, in a country with a system of values historically associated with Christianity, and on the basis of interviews conducted by someone with the consciously acknowledged characteristics set out in Ch. 3:7 and a normal range of unconscious ones (cf the Johari Window (Mullins, 2002: p 516)). This does not directly undermine the Model’s predictive power within the boundaries specified, but it raises the question how different it might have been had any of

those circumstances been different. There is no way of answering that question without further work, for which see below.

### **2.4.2 Specific**

I discussed the choice of interviewees in Ch.4 and concluded that even at the risk of speaking to “upper-middle-class intellectuals” it was fully acceptable. I still maintain that judgement, but on reflection wonder whether, at the micro-level, I chose too many with the same experiences as I had in relation to the political and organisational events mentioned in Ch.1.

Three participants were probably too young to have been as aware of the political event as I was, leaving nine, three quarters of the total, who might (or might not) have shared my views. But the specific political context did not feature much in the data-gathering. Even if it had I would be inclined to argue there was little I could do; avoiding people who thought as I did would have been hard.

Only four participants were directly aware of the organisational problem and only two had actually been involved in it (the others having joined the relevant organisation after it). This did not therefore seem likely to be a material influence.

Further, four were management lecturers like me. On reflection, they showed very little in common, except that they appeared to be conflict avoiders (Thomas, 1992) - which I am not (the judgements being mine).

This suggests two things I might have done better. First, finding people with differing (specific) political views might have been hard but they would have provided a counter-case. Second, there are a number of ways of characterising approaches to conflict (eg Ury, 1999) and it might have been useful to either preselect, or at least to monitor, participants in accordance with their attitudes. However, time and resources precluded it; and I am not sure that it would have made a material impact given the abstraction involved in the grounded theory process.

### **2.4.3 An alternative to Grounded theory?**

On reflection, would I have chosen a different approach?

The reasons for choosing grounded theory and symbolic interactionism (“SI”) seem at least as compelling now as they did before. Clearly there are other ways of studying the ethics of conflict, but given the start point – a desire to found a general account of justification in empirical data – it is hard to see how I could have gone about it in any other way with the available time and resources.

Grounded theory is arguably a set of disciplined data-management processes and though historically close to SI is not inextricably entwined with it. My main reason for involving SI was that it provided a background theory which explained how belief-systems like ethical reasoning passed round inside and between societies and changed with time. However, I found myself frequently referring to complex systems theory (“CST”; eg Ch 2), particularly in Stacey’s version (eg Stacey, 2007). It performs largely the same function, and by providing a framework which explains the unpredictability of the world, and readily involves factors other than symbols, emphasises features of it important for ethics. If I undertook a similar study I would investigate SI and CST further, expecting to choose the latter as background and grounded theory in the foreground.

## **2.5 Use of NVIVO 8**

I used NVIVO 8 computer software to support analysis and synthesis of the data. I find it hard to imagine handling the quantity of material without NVIVO’s logical structuring and linking procedures. I describe my use of the program in Ch.4, and Appendices 1 (where there are shots of NVIVO 8 screens), and 2 (extracts from my research diary).

Concern has been expressed that NVIVO can lead students to over-analyse and produce mechanically-constructed outputs (Johnston 2006; Bringer et al, 2004). At the micro-level I certainly fell into the “coding trap” for a while (cf Appendix 2) and became “too close” to the data – overwhelmed by it (Johnston 2006). However, I identified the problem, and, through the several stages of the

Model building process, believe I climbed out of it to produce a substantive theory creative in the Strauss and Corbin sense (see Ch.3:5.2).

I attended training courses on the technical side of using NVIVO. This was after taking part in research methods courses and NVIVO was always cast in the role of research assistant not research director. Bazeley was also very helpful in developing this role (Bazeley, 2007).

### **3 Disciplinary Contribution**

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The main disciplinary contributions are those set out in Ch.6, summarised in Ch.6:3. In short the Model argued that, in the everyday real-world contexts it relates to,

- Conflict was to be understood as behaviour which caused people harm, but that the actors' intentions were not of primary relevance in understanding it;
- Consequently, ethical reasoning should be based mainly on the ideas of common humanity, respect for people, and empathy;
- However, people dealt with particular situations eclectically, borrowing from each of the broad ethical approaches;
- People were not cynical about ethics and treated it as relevant to their lives;
- The rightness of doing harm in self-defence and to protect the weak was more-or-less taken for granted, but "doing harm that good may come", was, perhaps inconsistently, rejected on consequentialist and deontological grounds;
- There was a duty to avoid large scale violence such as war (the same point was also argued on consequentialist grounds);
- Legitimacy was an important factor in people's readiness to accept harm-doing but it could take many forms depending on local conditions (culture, for example) ;
- The quality of evidence in support of decisions to do harm was not well thought-through; and
- "Narratives", even in the relatively limited context of the Model, are potentially very powerful in ethical reasoning .

These conclusions support understanding of the underlying rationale of conflictants. If one understands why A wishes to kill, or sack, or divorce, V, and the supporting reasoning, and how some of the contextual factors which are present affect the situation, one has many potential points of contact with A. This is essential in effective discussion or negotiation (Fisher et al., 1991; Fisher et al., 1994; Fisher et al., 2000).

The “why” here is mainly limited to rational argument, but people do not act solely out of rational considerations (Ch.1). Other disciplines can provide other kinds of explanation (psychology, social psychology, sociology, politics, anthropology and so on). This focus thus clearly represents a limitation, though in the sense of boundary rather than weakness, since, as argued in Ch.1, the role of purely rational argument is highly valuable.

It would however be a mistake to interpret “rational” in this context as “without emotional and practical power”. “Reasons” influence actions, not only directly, but through belief systems such as religion and politics, and through complex systems such as societies (*via* symbols Ch.3). They produce “deep convictions” (Ch.6: 2.5.3) and passionate commitment. Only in the rigid interpretation of Kant’s Universal Law, perhaps, is this excluded from ethics.

This work thus contributes to the process by which academics, and practitioners in conflict management (including “ordinary people”), can better understand and engage with conflictants’ reasoning and negotiating positions.

This can apply to a range of fields.

Normative ethics is one area (Ch.6), in that it appears that some kinds of ethical reasoning are more “at home”, influential, in small scale contexts, and that perhaps ethicists need to think of ways in which their reasoning can be more widely accessed, understood and appreciated at this level.

Social conflict management is another (Fisher et al., 2000). Again “*How to treat people*” is likely to inform how people want to present themselves as behaving.

Organisational management is a third. Operational managers might take comfort from the apparent readiness of staff to avoid conflict; but strategic managers might be worried at the workforce’s reluctance to initiate and tolerate change and the conflict which accompanies it. At this stage of this work the

context is day-to-day rather than political (2.3 above), and so this work is less likely to have much impact on international relations and national politics – except through any “leakages” into the belief-systems mentioned above.

There were two particular limitations based on the focus of the work. On the one hand, my analysis of conflict in the literature and data-gathering largely concentrated on how people conceptualised it and on identifying particular kinds of conflict they experienced, while the operational details of how it is carried out were pushed into the background. There was no critical appraisal of the situations discussed by the participants; this would have required time and it would have been a different study. On the other, the ethical literature I looked at was limited to the “four broad approaches” (Ch.2:3) and a selection of applied literature. It touched only briefly on the Abrahamic religions and ignored (*inter alia*) meta-ethics, hedonism, existentialism, psychological and ethical egotism, natural law, feminist ethics, ethical relativism moral nihilism, and Buddhist, Indian and Chinese ethics (Singer, 1993a; Shafer-Landau, 2010; Graham, 2004). I missed out large numbers of individual writers. Clearly these omissions cost perspectives. I can only regret them.

## 4 Further Research

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### 4.1 A starting point

As might be expected, the exploratory approach raised many questions. Where might the work go next?

I have in mind Saunders et al.’s action research spiral, in which the researchers perform a series of cycles, starting with diagnosis and completing with evaluation, but each time starting on a higher level, having learnt from the first iteration (Saunders et al., 2007: p 141). (This seems exactly what research in general does.) Mostly, what follows represents the second diagnosis phase.

### 4.2 Building directly on the existing empirical work

Whilst the model does the job it was intended to, it does not fully answer a range of questions about how people reason in ethics. In particular, however strong the argument for analytic generalisation, it does not answer the question of *how prevalent* the views and reasoning it represents are amongst people in

general. We have however “occupied the frame of reference of the participant” (Ch.3: 2.3.3) and have guidance on what to ask if moving on to nomothetic methods.

For me the most intriguing questions would be how widespread (and deeply) the conceptualisation of conflict expressed in the Model is, and whether the opposition to war is as solid as it appeared. Norman thought most people made an exception of killing in war – in that they approved it (Ch.5:3.1.6; Ch.6:2.2.6). The Model did not agree. How far is this true? What is it that leads some people to “Norman’s view” and some to the Model’s? For example, it is said to be a merit of “Norman’s view” that it allows national self-defence; but then clearly if the attacking nation held the Model’s view there might be no such need. This would need more qualitative thinking before it could become a quantitative investigation. In particular, interviews and questionnaires are poor predictors of respondents’ actual behaviour.

Ethical and practical attitudes to conflict are arguably likely to be influenced by culture in a wide sense (2.4.1 above). If an aim of ethical philosophy is to identify arguments which, if not independent of such attitudes, at least do their best take them into account, it needs first to identify them (Strawson, 1962; Lukes, 2008). One way of approaching this would be to establish a data-gathering instrument such as a questionnaire and administer it to culturally different groups, comparing the results. This would hopefully include the questions in the previous paragraph.

### **4.3 Developing Ethical Themes**

Four issues interested me particularly.

#### **4.3.1 Right Attitude**

First is the theme of *right attitude*. It is identified as a fundamental principle of early writing about Just War (Ch.2:3.4.3.2 above). It lost prominence, though perhaps resurfaces in the form that the actors should not be duplicitous, or say they have one motive while actually prosecuting another (because this makes it impossible for the defender to choose action which will avoid the violence). It seems to make *jus-ad-bellum* easier (Ch.2); or violence *in bello* less painful, and terrorism harder to justify eg by respecting non-combatant status.

What does it actually mean? Does it depend on cosmopolitanism or can it be relevant in a nationalist context where not all lives are seen as of equal worth? Is it consistent with human nature? Does moral psychology have a contribution here? Is it a realistic principle, or an idealistic and unachievable state of mind, or might it perhaps correspond to factors in emotional intelligence?

### 4.3.2 The Weight of the Prohibition against Killing

The second issue is the importance of the *prohibition against killing*. Norman says that whilst he is convinced that killing without very good reasons is wrong, he finds it hard to know how to persuade someone that this is a very big point, a sort of *summum bonum* (my terms), or whether it is of much lower significance (Ch.2:3.4.1.1 above). I found his comment shocking and realised I had simply taken it for granted that it was the biggest possible point.

He suggests the emotion of grief, common to most people, might be a basis for such persuasion. This links to Hume's view of morals as based, ultimately, in the emotions, and to Strawson's (Ch.6), as based in what makes us human. What it is about human experience that gives ethical principles power, not only as a factor in particular argument, but also as a foundational support for ethics in general, could no doubt be investigated in a number of ways. The two which strike me as having most potential are phenomenology (investigating the experience of individuals, eg grief) and phenomenography (comparing the way people conceptualise phenomena). In both cases I would see the contribution as being to ethical reasoning rather than to empirical understanding of human nature and experience (though this might also result).

### 4.3.3 Fanaticism

One general approach to violence did not share the Model's, Norman's and my attitude to the prohibition against killing – what I called “fanaticism” (Ch.2:3.4.4.2 above). It would be important to compare and contrast the two extremes. Researching this would however be problematic in that there seem to be many factors involved, and many mutually incompatible versions of “fanaticism”. Philosophical ethics are apparently not a large feature of any of them, so it would be necessary to carefully define exactly what outcomes from research were wanted.

#### **4.3.4 Evidence**

I was struck by the apparent lack of consideration given in normative ethics (as opposed to jurisprudence and law) to the strength of the evidence required on which to base decisions to do significant harm (Ch.6:2.4.2). The nearest I found was work by Zimmerman, who investigates the impact of uncertainty on moral responsibility (Zimmerman, 2008). Though he addresses the question of evidence, he does not fully develop the theme. This is increasingly important given the readiness of some to extend the doctrine of pre-emptive war (where an attack is imminent) to cover preventive war (where a threat is emergent but not formed) (Shue & Rodin, 2007).

#### **4.4 Education**

In Ch 6 I concluded that the Model's "eclecticism" might be due to lack of knowledge of the issues involved, though both conflict and ethical reasoning are natural parts of everyone's everyday lives. It would seem a sensible project for academics and practitioners in both groups to think about how deeper understanding might be spread. I have no particular suggestion, but am aware of projects admirable in principle for teaching conflict management in schools.

## **5 The Original Inspiration, and a Final Conclusion**

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Did this work help me in thinking about how individuals came to act as they did in the events mentioned in Ch.1.1? The literature review provided concepts which could be used in further theoretical enquiry. Originally I expected ethical reasoning to be essentially the same in different contexts (Ch.1:1), and, broadly, the literature and Model bore this out. There were few if any instances where the structure of reasoning in assessment of harm-doing changed.

The further work proposed in 4 above, all represent next steps towards an understanding of theory particularly appropriate to the political and organisational contexts (see Ch.1). In terms of empirical data, however, grounded theory would be unlikely to help directly because of difficulties of access to the original or successor participants. Perhaps it could be replaced by secondary data provided through historians. Perhaps textual analysis of politicians' public pronouncements would be nearly as good as interviews.

Perhaps the most interesting challenge is as follows. Ross's *duties proper* (Ch.2: 3.3.2.2), when applied to most real-world contexts (Ch.1), are, to put it at its least, hard to discern with any clarity. Normative ethics needs to engage more with the messiness of the real world via empirical research.

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# Appendix 1

## Detailed Example of Analysis

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### Introduction

This appendix includes copies of NVIVO8 screens which illustrate the process of analysis described and discussed in Chapters 3, 4 and 7 and Appendices 2 and 3..

Contents are:

#### **Section 1**

Indication of the main node sources of the model.

#### **Section 2**

Detail view of transcript of Interview G (two screens).

#### **Section 3**

Print of the highest level of tree nodes.

#### **Section 4**

One tree node, "The Decision to do Harm", unexpanded.

#### **Section 5**

"The Decision to do harm", fully expanded.

**Section 1**

<b>Model Section</b>	<b>Tree node locations and/or main free nodes</b>
<b>1. What is conflict? Its nature</b>	Cognitive issues (Level 1)
<b>2.The decision to do harm</b>	The decision to do harm (Level 1)
<i>a. Formal Justifications</i>	
I. How to treat people; common humanity	The decision to do harm (Level 1) Common Humanity (Level 2)
II. Justice and fairness	The decision to do harm (Level 1) Already Used (Level 2)
III. Justification: Revenge	The decision to do harm (Level 1) Revenge (Level 2)
IV. Defence of the weak	The decision to do harm (Level 1) Defence of the weak (Level 2)
V. Doing harm to defend yourself against harm: self-defence	The decision to do harm (Level 1) Defend yourself with arms (level 2)
VI. Doing harm that good may come, or to prevent harm	The decision to do harm (Level 1) Do harm that good may come (Levels 2 and 3)
<i>b. Narrative Explanations</i>	
I. Temperament and behaviour; generally, then anger, bullying, cruelty, maturity, self-control, instinct or unconscious mechanisms	Temperament and Behaviour (level 1) Detailed headings (Level 2)
II. Behaviour and how conflicts develop	The decision to do harm (Levels 1,2)
III. Being at others' effect (being "controlled" by others)	The decision to do harm (Level 1) Response to behaviour (Level 2)
IV. Connectivity to other events – sequential or contemporaneous	The decision to do harm (Level 1) Context or connectivity (Level 2)
V. Learning and experience	Relationships between people (Level 2)
VI. Self-conceptualisation	The decision to do harm (Level 1) Identity, boundaries, territory and self-conception (level 2)
<b>3. Evidence and Process</b>	
I. Legitimising process	The decision to do harm (Level 1) Justification or not (Level 2)
II. Evidence	The decision to do harm (Level 1) Justification or not (Level 2)

<b>4.Contexts</b>	
I. Frameworks – formal and informal	Frameworks (Level 1)
II. Religious Frameworks	The decision to do harm (Level 1) Religious considerations (Level 2)
III. Clashes of the ends of life	The decision to do harm (Level 1) Clashes of the ends of life (Level 2)*
IV. Theory of change	The decision to do harm (Level 1) Theory of change (Level 2)
V. Social judgements about causes of harm and conflict	The decision to do harm (Level 1) Social judgements about causes of harm and conflict (Level 2)

\**Clashes of the Ends of Life* included the most significant (duplicated) free nodes and references from the tree node *Values, Interests, Needs*. Other material from this was subsumed into the detail of the model, not necessarily under explicit headings.

## Section 2 Interview G

This includes coding stripes corresponding to free and tree nodes. They represent the most coded thirty nodes, this being the maximum available on a single screen.

Some node names appear more than once because the stripes do not differentiate between free and tree nodes, so that where a free node has been included in (say) two tree nodes it shows up three times.

This source had 251 nodes (roughly the median) and 1015 references (third highest).

## Section 3

These are the top-level tree nodes, showing the main concepts developed.

“Leftovers” includes forty-six references which I was not able to fit into the remaining headings; a case of bad coding or (occasionally) duplication. (There were other duplications which I dealt with by ignoring them.) “Temperament pure” and “behaviour pure” represented a failed attempt to organise references and nodes into headings which dealt only with issues relating to temperament or to behaviour. In fact all references which I saw as dealing with temperament also implied something about behaviour. I left these tree nodes in as a reminder of how I had experimented and an illustration of the iterative process.

“Examples of conflict” is a collection of respondent narratives of conflicts they had taken part in. In practice this has not been used in this work as there was enough concrete description in the references under free nodes. It may be a useful source in future work.

## Section 4 “The Decision to do Harm”, unexpanded.

## Section 5 “The Decision to do harm”, fully expanded.

The tree nodes are in alphabetical order. They can be organised by number of references or by number of nodes, but there seemed no particular advantage here to using either.

The subsections “Empty” and “Already Used” have little in them (ie few references). *Empty* meant I could identify no useful material in the references. *Already Used* was my first attempt at controlling progress through the material. I replaced both with suffixes in node names - P

and C (see above) for used, E for empty. Occasionally I have attached the letter to a top tree node with no references rather than to free nodes. Occasionally also I added a more specific comment (eg "nothing new"). I left these items in to illustrate minor aspects of how the analysis process developed.

I ultimately decided to ignore free nodes with fewer than ten references unless I had a specific reason to think they would contain some useful perspective. These I did not give a letter to (P,C or E).

# Appendix 1 Screenshots Section Two Interview G (1)

The screenshot displays the NVivo software interface. At the top, the menu bar includes File, Edit, View, Go, Project, Links, Code, Format, Tools, Window, and Help. Below the menu is a toolbar with various icons for navigation and editing. The main window is divided into several panes:

- Sources:** A tree view on the left showing folders for Internals, Oral Interviews, Other, Written Accounts, Externals, Memos, Search Folders, All Sources, and All Sources Not Embedded.
- Search In:** A dropdown menu set to 'Oral Interviews' with a 'Find Now' button.
- Oral Interviews:** A list of interview transcripts, with 'G Transcript of Interview G' selected.
- Transcript of Interview G:** A text area containing the following text:
 

**Interviewee** There are two occasions where conflict has become unmanageable, where this Machiavellian approach has gone completely out of the window, because I can't manage my emotion. I think when you're Machiavellian, you're actually in control, you're managing your emotions; even if you're really, really pee'd off. You're still looking happy. You're being Machiavellian.

The two occasions when it's got out of hand, are when the emotions are driven to a point where self-control goes out of the window. So there's no element of self-control in that emotional situation. Shall I give you examples? [Do, yes. I was wondering what the difference was]. The guy that I work with – there's two joint MD's and myself and another guy, David. David used to be my boss, effectively, when I started as a 22 year old sales rep in Sheffield [MI]. Effectively, David's quite bureaucratic, an accountant. He sees the world completely differently to me. He has a different ideology, he's very rational. I'm very 'unrational', very creative. I'm the creative person, he's the rational person. He sees reality as black and white. If it's there in black and white, that's his reality. You could step over the reality. If the paper says the warehouse is tidy, that's the reality. I've got numerous examples; Investors in People and stuff, where I could cite examples of this kind of rational way of thinking, that to me it's a bit crazy, to be perfectly honest. So we're very different ideologies. But we do share a sense of humour. We'd actually go for a drink every Friday night, we've known each other a long time ... we went out for a curry last Friday... we get on in certain situations. In the workplace, we're completely at home, sort of diametrically opposed almost. Totally different personalities.

For me, there's been two occasions when I've fallen out with David in a massive way, to the point where we've been sat across a table, discussing innocuous sort of aspects of business, and it's got to a point where – 'Fucking you, fucking that', and it's finger pointing, and it's totally ... I'm 99% laid back. So laid back I'm sort of flat. Laid back a man as you would ever wish to meet. But there's one part of me that I do recognise, that if it's touched, it's out of control. It's a part that people say [MI] – I just can't control it. If somebody touches that part, it's like a storm. And it's quite
- Code List:** A list of codes on the right side of the transcript, each with a colored bar indicating its application to the text. The codes include:
  - Emotions P
  - Emotions
  - Strength of feeling - what influences it
  - Strength of feeling - what influences it See memo C
  - Strength of feeling - what influences it
  - Characters clashing
  - Characters clashing Nothin
  - Characters clashing
  - Behaviour and how conflicts develop
  - Behaviour and how conflicts develop P
  - Behaviour and how conflicts develop
  - Self knowledge
  - Self knowledge
  - Temperament
  - Temperament P
  - Example G 6 Dismissal
  - Example G 1 Out of character
  - Transcript of Interview G
  - Coding Density

Appendix 1 Screenshots Section Two Interview G (2 – next screen)

The screenshot displays the NVivo software interface. At the top, the title bar reads 'SRH Phd Conflict 30 March 2009.nvp - NVivo'. The main window is divided into several sections:

- Left Panel (Sources):** Shows a tree view of data sources including 'Oral Interviews', 'Written Accounts', 'Externals', 'Memos', 'Search Folders', and 'All Sources'.
- Top Panel (Search In):** Set to 'Oral Interviews', with 'Find Now' and 'Clear' buttons.
- Central Panel (Transcript):** Displays the text of 'G Transcript of Interview G'. The text discusses a person's reaction to a storm and their feelings about a situation. The text is color-coded with various colors corresponding to the legend.
- Right Panel (References):** Lists various coding categories with colored bars indicating their application to the text. Categories include:
  - Identity
  - Emotions P
  - Emotions
  - Strength of feeling - what influences it
  - Strength of feeling - what influences it See memo C
  - Strength of feeling - what influences it
  - Example G 3 Creativity
  - Self conceptualisation (2) P
  - Self conceptualisation [used elsewhere]
  - Self conceptualisation
  - Justice or injustice
  - Justice or injustice P
  - Justice or injustice [same as under justification or not] P
  - Justice or injustice P
  - Behaviour and how conflicts develop
  - Behaviour and how conflicts develop P
  - Behaviour and how conflicts develop
  - Self knowledge or awareness
  - Self knowledge or awareness
  - Temperament
  - Temperament P
  - Example G 6 Dismissal
  - Example G 1 Out of character
  - Transcript of Interview G
  - Coding Density
- Bottom Panel (Legend):** A legend titled 'References' showing colored bars next to their corresponding category names:
  - Characters clashing
  - Characters clashing Noth
  - Characters clashing
  - Strength of Feeling Most
  - Strength of Feeling C See
  - Strength of Feeling

### Appendix 1 Screen shots Section three: all tree nodes unexpanded

The screenshot displays the 'Tree Nodes' section of the SRH Phd Conflict 30 March 2009 .nvp - INVivo software. The interface includes a menu bar (File, Edit, View, Go, Protect, Links, Code, Tools, Window, Help), a toolbar with various icons, and a search bar. The main area shows a list of nodes with the following columns: Name, Sources, References, Created On, Modified On, and Modified By. The nodes listed are:

Name	Sources	References	Created On	Modified On	Modified By
Behaviour Pute	0	0	22/05/2009 17:12	22/05/2009 17:15	A
Cognitive issues	0	0	21/05/2009 16:05	13/04/2010 15:51	SRH
Contextual underlying issues	0	0	13/05/2009 20:40	21/05/2009 18:24	A
Examples of conflicts (respondent narratives)	1	1	06/04/2009 15:52	09/04/2010 15:15	SRH
Frameworks P	1	1	26/08/2008 18:10	15/04/2010 11:59	SRH
Leftovers	0	0	21/05/2009 16:06	21/05/2009 16:06	A
Relationships between people	0	0	13/05/2009 20:43	14/05/2009 20:50	A
Temperament and behaviour P	0	0	13/05/2009 19:08	14/04/2010 17:22	SRH
Temperament pure	0	0	22/05/2009 17:14	22/05/2009 17:14	A
The decision to do harm P	1	1	19/05/2009 18:54	13/04/2010 15:24	SRH
Values, interests, needs	0	0	21/05/2009 15:32	21/05/2009 15:32	A

The bottom of the screen shows a sidebar with navigation options: Sources, Nodes, Sets, Queries, Models, Links, Classifications, and Folders. The status bar at the bottom right indicates 'SRH | 420 Items'.

# Appendix 1 Screen shots Section four The decision to do harm unexpanded

The screenshot shows the NVivo software interface with the following components:

- Top Bar:** SRH Phd Conflict 30 March 2009 .nvp - NVivo
- Menu Bar:** File, Edit, View, Go, Protect, Links, Code, Tools, Window, Help
- Toolbar:** Standard software navigation icons.
- Left Panel (Nodes):**
  - Free Nodes
  - Tree Nodes
  - Cases
  - Relationships
  - Matrices
  - Search Folders
  - All Nodes
- Main Area (Tree Nodes):**

Look for: Search In: Tree Nodes Find Now Clear

Name	References	Sources	Created On	Created By	Modified On	Modified By
The decision to do harm P	1	1	19/05/2009 18:54	A	13/04/2010 15:24	SRH
A Empty	0	0	01/07/2009 18:18	A	01/07/2009 18:18	A
Already used	0	0	01/07/2009 18:18	A	01/07/2009 18:18	A
Behaviour and how conflicts develop P	156	24	20/05/2009	A	15/04/2010 10:10	SRH
Clashes of the ends of life - Mill P	0	0	29/05/2009	A	11/04/2010 19:19	SRH
Common humanity P	6	3	20/05/2009	A	12/04/2010 17:17	SRH
Context and connectivity P	0	0	29/05/2009	A	13/04/2010 13:13	SRH
Cruelty C	25	10	19/05/2009	A	13/04/2010 14:14	SRH
Detachment	6	3	19/05/2009	A	29/07/2009 10:10	A
Focus of this investigation and strength of feeling C for confused	14	7	19/05/2009	A	13/04/2010 14:14	SRH
Identity, boundaries, territory, self-conceptualisation P	20	6	20/05/2009	A	13/04/2010 14:14	SRH
Internal conflict	8	3	20/05/2009	A	21/05/2009 18:18	A
Justification or not P	62	18	19/05/2009	A	15/04/2010 10:10	SRH
Pacifism c	3	2	19/05/2009	A	10/04/2010 11:11	SRH
Peace-promoting institutions C	1	1	19/05/2009	A	19/05/2009 19:19	A
Perceptions of reality or otherwise (see rd 13 April 2010 and memo)	29	13	20/05/2009	A	15/04/2010 10:10	SRH
Personal relationships I'd say this is psychology	68	16	20/05/2009	A	13/04/2010 14:14	SRH
Persuasion E	11	5	19/05/2009	A	13/04/2010 15:15	SRH
Philosophy such as free will	1	1	22/05/2009	A	22/05/2009 16:16	A
Prejudice	1	1	19/05/2009	A	19/05/2009 19:19	A
Reverence for life C	1	1	20/05/2009	A	20/05/2009 17:17	A
Social judgements about causes of harm and conflict E	0	0	29/05/2009	A	13/04/2010 15:15	SRH
Speculation about what might happen	2	1	20/05/2009	A	20/05/2009 17:17	A
Stand up for rights	9	6	19/05/2009	A	15/04/2010 10:10	SRH
Structural conflict Only Union v management - elsewhere churches bound	11	7	19/05/2009	A	13/04/2010 14:14	SRH
Support, allies See research diary 13 April 2010	18	5	20/05/2009	A	13/04/2010 15:15	SRH
Technique, tactics See Rd 13 April 2010	36	15	20/05/2009	A	13/04/2010 15:15	SRH
Time available	21	7	20/05/2009	A	31/07/2009 13:13	A
Uncertainty C	14	7	20/05/2009	A	13/04/2010 15:15	SRH
Underlying needs	2	1	20/05/2009	A	20/05/2009 17:17	A
Use of violence or not see memo and rd 13 April 2010	76	19	19/05/2009	A	15/04/2010 10:10	SRH
- Bottom Panel:** Sources, Nodes, Sets, Queries, Models, Links, Classifications, Folders. SRH | 420 Items

# Appendix 1 Screen shots Section five: The decision to do harm fully expanded (1)

The screenshot displays the 'Tree Nodes' section of the software. The interface includes a search bar, a toolbar with various icons, and a main table listing nodes with their names, sources, references, and creation/modification dates. The nodes are organized into a tree structure, with the root node being 'The decision to do harm P'. Below this, several sub-nodes are listed, including 'A Empty', 'Autonomy', 'Blame', 'Cobbling together an excuse', 'Conflicts I think definitely are generated more in the subconscious tha', 'Equity - equality or inequality of contribution', 'Already used', 'Fairness or unfairness P', 'Justice or injustice P', 'Behaviour and how conflicts develop P', 'Behaviour - factors impacting P Prov 3 April', 'Behaviour - unusual E', 'Conduct of a conflict P Provisional 3 April', 'Events, behaviours, and how they connect: explanations P', 'Connectivity - contemporaneous or lateral P', 'Connectivity - sequential or vertical P', 'Coping with adversity Not full neatly E', 'Explaining why it happened P realises elsewhere perhaps', 'Intoxications Reviewed P', 'Justice or injustice (same as under justification or not) P', 'Mistakes for whatever reason A', and 'Rate in a maze - being too close A'.

Name	Sources	References	Created On	Created By	Modified On	Modified By
The decision to do harm P	1	1	19/05/2009 18:54	A	13/04/2010 15:24	SRH
A Empty	0	0		01/07/2009	01/07/2009 18:18	A
Autonomy	3	4	20/05/2009 17:19	A	07/08/2009 16:42	A
Blame	2	5	19/05/2009 19:01	A	07/08/2009 16:42	A
Cobbling together an excuse	2	2	19/05/2009 19:03	A	07/08/2009 16:42	A
Conflicts I think definitely are generated more in the subconscious tha	2	6	19/05/2009 19:03	A	07/08/2009 16:42	A
Equity - equality or inequality of contribution	2	2	20/05/2009 17:23	A	07/08/2009 16:42	A
Already used	0	0		01/07/2009	01/07/2009 18:18	A
Fairness or unfairness P	7	10	20/05/2009 17:24	A	07/08/2009 16:42	A
Justice or injustice P	21	64	19/05/2009 19:10	A	15/04/2010 10:24	SRH
Behaviour and how conflicts develop P	24	156		20/05/2009	15/04/2010 10:10	SRH
Behaviour - factors impacting P Prov 3 April	7	25	19/05/2009 19:12	A	03/04/2010 18:43	SRH
Behaviour - unusual E	2	4	20/05/2009 17:19	A	03/04/2010 18:47	SRH
Conduct of a conflict P Provisional 3 April	12	53	20/05/2009 17:21	A	15/04/2010 10:24	SRH
Events, behaviours, and how they connect: explanations P	1	1	29/05/2009 12:25	A	11/04/2010 12:35	SRH
Connectivity - contemporaneous or lateral P	15	57	21/05/2009 16:25	A	10/04/2010 15:47	SRH
Connectivity - sequential or vertical P	15	65	21/05/2009 16:25	A	15/04/2010 10:24	SRH
Coping with adversity Not full neatly E	3	9	20/05/2009 17:22	A	10/04/2010 14:27	SRH
Explaining why it happened P realises elsewhere perhaps	10	26	19/05/2009 19:07	A	15/04/2010 10:24	SRH
Intoxications Reviewed P	8	21	19/05/2009 19:09	A	10/04/2010 15:55	SRH
Justice or injustice (same as under justification or not) P	21	64	29/05/2009 12:45	A	15/04/2010 10:24	SRH
Mistakes for whatever reason A	2	2	19/05/2009 19:12	A	10/04/2010 15:56	SRH
Rate in a maze - being too close A	2	4	29/05/2009 12:55	A	10/04/2010 15:55	SRH

# Appendix 1 Screen shots Section five: The decision to do harm fully expanded (2)

The screenshot displays the 'Tree Nodes' section of the SRH Phd Conflict 30 March 2009 .nvp - INVivo software. The interface includes a search bar, a toolbar with various icons, and a main table listing nodes with their names, sources, references, and creation/modification dates.

Name	Sources	References	Created On	Created By	Modified On	Modified By
Mistakes for whatever reason A	2	2	19/05/2009 19:12	A	10/04/2010 15:56	SRH
Rate in a maze - being too close A	2	4	29/05/2009 12:55	A	10/04/2010 15:55	SRH
Size of problem A	2	2	20/05/2009 17:27	A	10/04/2010 15:56	SRH
Stress P	14	38	19/05/2009 19:14	A	10/04/2010 15:47	SRH
Violence - possible concomitants C	3	4	29/05/2009 12:52	A	07/08/2009 16:42	A
Learning and experience P	17	40	20/05/2009 17:25	A	03/04/2010 17:59	SRH
Psycho - pathology P Prov 3 April	7	17	19/05/2009 19:18	A	03/04/2010 18:46	SRH
Rats in a maze - being too close P	2	4	20/05/2009 17:26	A	03/04/2010 18:56	SRH
Response to behaviour E	1	1	29/05/2009 11:36	A	04/04/2010 12:23	SRH
Alternatives to violence in settling disputes	3	4	20/05/2009 17:19	A	07/08/2009 16:42	A
Being at their effect P	7	20	20/05/2009 17:19	A	11/04/2010 12:55	SRH
Below the radar- responding to conflict by ignoring it E	5	10	20/05/2009 17:19	A	10/04/2010 18:25	SRH
Christian non-violence - turn the other cheek, go the extra	3	8	19/05/2009 19:02	A	07/08/2009 16:42	A
Conflicting behaviour E	8	42	20/05/2009 17:22	A	10/04/2010 18:17	SRH
Dialogue - impact thereof P	7	20	20/05/2009 17:22	A	10/04/2010 18:25	SRH
Fight, flight or freeze	4	5	20/05/2009 17:24	A	07/08/2009 16:42	A
Managing aggression	2	6	19/05/2009 19:12	A	17/03/2010 10:11	SRH
Reciprocity E	8	17	19/05/2009 19:18	A	10/04/2010 18:24	SRH
Revulsion from violence	6	9	19/05/2009 19:18	A	07/08/2009 16:42	A
Two wrongs don't make a right	5	6	20/05/2009 17:29	A	15/04/2010 10:24	SRH
Violence - possible concomitants C	3	4	29/05/2009 12:51	A	07/08/2009 16:42	A
Violence begets violence E	1	2	19/05/2009 19:16	A	04/04/2010 12:23	SRH
Violence coming - verbal sign	2	3	19/05/2009 19:16	A	07/08/2009 16:42	A
You get threatened and you have to defend yourself INVivo	3	5	19/05/2009 19:16	A	07/08/2009 16:42	A
Clashes of the ends of life - MILP	0	0	29/05/2009	A	11/04/2010 19:19	SRH
Behaviour enacting interests P	2	3	20/05/2009 17:19	A	11/04/2010 19:03	SRH

### Appendix 1 Screen shots Section five: The decision to do harm fully expanded (3)

The screenshot displays the 'Tree Nodes' section of the INVivo software. The table lists various nodes related to the decision to do harm, including concepts like 'Clashes of the ends of life', 'Behaviour enacting interests', 'Conflict of ideas', 'Conflict of Interests', 'Conflict of Weltanschauung', 'Conflict of strategies', 'Frustration of Needs', 'Goals and Aims', 'Goals v methods of getting them', 'Incompatible ways of life', 'Irreconcilable differences', 'Common humanity', 'Botswana morality', 'Avoid doing harm', 'Empathy and respect for others', 'Empathy and seeing the other side's aims', 'Humanity hints at its existence, perhaps', 'Context and connectivity', and 'All's fair in love and war'. Each row provides details on the number of sources and references, and the dates and users for creation and modification.

Name	Sources	References	Created On	Created By	Modified On	Modified By
Clashes of the ends of life · Mill P	0	0	29/05/2009	A	11/04/2010 19:19	SRH
Behaviour enacting interests P	2	3	20/05/2009 17:19	A	11/04/2010 19:03	SRH
Conflict of ideas P	8	23	20/05/2009 17:21	A	11/04/2010 19:02	SRH
Conflict of Interests P	7	22	20/05/2009 17:21	A	11/04/2010 19:02	SRH
Conflict of Weltanschauung P	4	9	20/05/2009 17:22	A	11/04/2010 19:02	SRH
Conflict of strategies P	2	6	20/05/2009 17:22	A	11/04/2010 19:02	SRH
Frustration of Needs P	2	4	20/05/2009 17:24	A	11/04/2010 19:03	SRH
Goals and Aims P	10	18	20/05/2009 17:24	A	11/04/2010 19:02	SRH
Goals v methods of getting them P	9	11	20/05/2009 17:24	A	15/04/2010 10:24	SRH
Incompatible ways of life P	5	12	20/05/2009 17:24	A	11/04/2010 19:02	SRH
Irreconcilable differences P	3	10	19/05/2009 19:10	A	11/04/2010 19:02	SRH
Common humanity P	3	6	20/05/2009 17:24	A	12/04/2010 17:17	SRH
Botswana morality P	5	10	20/05/2009 17:21	A	13/04/2010 12:27	SRH
Avoid doing harm	7	16	20/05/2009 17:19	A	07/08/2009 16:42	A
Empathy and respect for others C	9	45	29/05/2009 12:10	A	07/08/2009 16:42	A
Empathy and seeing the other side's aims P	16	75	29/05/2009 12:10	A	13/04/2010 12:27	SRH
Humanity hints at its existence, perhaps C	3	7	19/05/2009 19:09	A	13/04/2010 13:38	SRH
Context and connectivity P	0	0	29/05/2009	A	13/04/2010 13:38	SRH
All's fair in love and war E	2	2	19/05/2009 19:00	A	13/04/2010 13:59	SRH

### Appendix 1 Screen shots Section five: The decision to do harm fully expanded (4)

The screenshot displays the 'Tree Nodes' section of the SRH Phd Conflict 30 March 2009 .nvp - INVivo software. The interface includes a menu bar (File, Edit, View, Go, Protect, Links, Code, Tools, Window, Help), a toolbar with various icons, and a search bar. The main area shows a table of nodes with the following columns: Name, Sources, References, Created On, Modified On, and Modified By. The table is organized into several sections, each starting with a 'Tree Nodes' header.

Name	Sources	References	Created On	Modified On	Modified By
<b>Tree Nodes</b>					
Context and connectivity P	0	0	29/05/2009 A	13/04/2010 13: SRH	SRH
<b>Tree Nodes</b>					
Name	Sources	References	Created On	Modified On	Modified By
All's fair in love and war E	2	2	19/05/2009 19:00 A	13/04/2010 13:59 SRH	SRH
Connectivity - contemporaneous or lateral P	15	58	29/05/2009 11:44 A	13/04/2010 13:59 SRH	SRH
Connectivity - sequential or vertical P	15	65	29/05/2009 11:44 A	15/04/2010 10:24 SRH	SRH
<b>Tree Nodes</b>					
Name	Sources	References	Created On	Modified On	Modified By
Cruelty C	10	25	19/05/2009 A	13/04/2010 14: SRH	SRH
<b>Tree Nodes</b>					
Name	Sources	References	Created On	Modified On	Modified By
Because they can E	3	3	19/05/2009 19:01 A	13/04/2010 14:08 SRH	SRH
Contagion of evil C	5	6	19/05/2009 19:04 A	13/04/2010 14:07 SRH	SRH
Harm for its own sake C	5	9	19/05/2009 19:08 A	13/04/2010 14:04 SRH	SRH
Human Nature C	7	8	20/05/2009 17:24 A	13/04/2010 14:04 SRH	SRH
<b>Tree Nodes</b>					
Name	Sources	References	Created On	Modified On	Modified By
Detachment	3	6	19/05/2009 A	29/07/2009 10: A	SRH
Focus of this investigation and strength of feeling C for confused	7	14	19/05/2009 A	13/04/2010 14: SRH	SRH
<b>Tree Nodes</b>					
Name	Sources	References	Created On	Modified On	Modified By
Strength of feeling - what influences it See memo C	2	9	19/05/2009 19:14 A	13/04/2010 14:18 SRH	SRH
Strength of Feeling C See memo	7	31	19/05/2009 19:18 A	13/04/2010 14:18 SRH	SRH
<b>Tree Nodes</b>					
Name	Sources	References	Created On	Modified On	Modified By
Identity, boundaries, territory, self-conceptualisation P	6	20	20/05/2009 A	13/04/2010 14: SRH	SRH
<b>Tree Nodes</b>					
Name	Sources	References	Created On	Modified On	Modified By
Boundaries	2	2	20/05/2009 17:21 A	07/08/2009 16:42 A	A
Creation of in and out groups	4	5	20/05/2009 17:23 A	07/08/2009 16:42 A	A
Self conceptualisation (2) P	15	67	29/05/2009 12:35 A	07/08/2009 16:42 A	A
<b>Tree Nodes</b>					
Name	Sources	References	Created On	Modified On	Modified By
Role in a conflict P	6	11	20/05/2009 17:27 A	07/08/2009 16:42 A	A
Self conceptualisation - but implied unaccountable superior	4	8	29/05/2009 12:35 A	07/08/2009 16:42 A	A
<b>Tree Nodes</b>					
Name	Sources	References	Created On	Modified On	Modified By
	4	40		13/04/2010 14:08 SRH	SRH

# Appendix 1 Screen shots Section five: The decision to do harm fully expanded (5)

SRH Phd Conflict 30 March 2009.myp - NVivo

File Edit View Go Project Links Code Tools Window Help

New Open Save Print Undo Redo Copy Paste Find In

Code At: [ ] In: [ ]

Look for: [ ] Search In: [ ] Find New Clear

Options [ ]

**Nodes**

- Free Nodes
- Tree Nodes
- Cases
- Relationships
- Matrices
- Search Folders
- All Nodes

**Tree Nodes**

Name	Sources	References	Created On	Created By	Modified On	Modified By
Internal conflict	3	8	20/05/2009	A	21/05/2009 18: A	A
Justification or not P	18	62	19/05/2009	A	15/04/2010 10: SRH	SRH
Do harm that good or change may come P	16	54	19/05/2009 19:04	A	15/04/2010 10:24	SRH
Appeal to a greater good P	10	17	20/05/2009 17:19	A	15/04/2010 10:24	SRH
Calculation and manipulation P	12	32	20/05/2009 17:21	A	07/08/2009 16:42	A
Detachment P	4	7	29/05/2009 12:54	A	07/08/2009 16:42	A
Manipulation P	6	8	20/05/2009 17:25	A	07/08/2009 16:42	A
Technique, tactics P	15	38	29/05/2009 12:51	A	10/04/2010 11:12	SRH
Just war P	2	2	19/05/2009 19:10	A	07/08/2009 16:42	A
Theory of change P	6	17	20/05/2009 17:29	A	15/04/2010 10:24	SRH
Utilitarian or consequentialist reasoning P	2	4	19/05/2009 19:16	A	07/08/2009 16:42	A
Violence - possible concomitants	3	4	20/05/2009 17:28	A	07/08/2009 16:42	A
Evidence and process P	1	1	05/07/2009 15:58	A	17/03/2010 09:37	SRH
Clarity of evidence E	2	2	20/05/2009 17:21	A	17/03/2010 09:49	SRH
Legitimising Process - P 31 March 2010 see memo	17	47	20/05/2009 17:25	A	15/04/2010 10:25	SRH
Acceptance of harm in legitimate	8	18	20/05/2009 17:19	A	15/04/2010 10:24	SRH
Legitimate initiation of conflict insti	5	14	20/05/2009 17:25	A	15/04/2010 10:24	SRH
Legitimate Process - a right to sid	3	5	20/05/2009 17:25	A	07/08/2009 17:27	A
Petulance or poor reasons R	2	3	19/05/2009 19:18	A	17/03/2010 09:49	SRH

SRH 420 Items



# Appendix 1 Screen shots Section five: The decision to do harm fully expanded (7)

The screenshot displays the 'Tree Nodes' section of the SRH Phd Conflict 30 March 2009 .nvp - INVivo software. The interface includes a menu bar (File, Edit, View, Go, Protect, Links, Code, Tools, Window, Help), a toolbar, and a search bar. The main area shows a list of nodes with columns for Name, Sources, References, Created On, Modified On, Created By, and Modified By. The nodes listed include 'Pacifism c', 'Peace-promoting institutions C', 'Perceptions of reality or otherwise (see rd 13 April 2010 and memo)', 'Personal relationships I'd say this is psychology', 'Persuasion E', 'Philosophy such as free will', 'Prejudice', 'Reverence for life C', 'Social judgements about causes of harm and conflict E', 'Mean spirit as cause', 'Mistakes possibly due to low intelligence', 'Nice people don't have conflicts', 'Speculation about what might happen', 'Stand up for rights', 'Structural conflict Only Union v management - elsewhere churches bou', 'Support, allies See research diary 13 April 2010', 'Technique, tactics See Rd 13 April 2010', 'Time available', 'Uncertainty C', 'Underlying needs', 'Use of violence or not see memo and rd 13 April 2010', 'Victim not human or worthy of respect Point covered in Common Humanity', 'War only an invention C', and 'Values, interests, needs'.

Name	Sources	References	Created On	Modified On	Created By	Modified By
Pacifism c	2	3	19/05/2009 A	10/04/2010 11: SRH	19/05/2009 A	10/04/2010 11: SRH
Peace-promoting institutions C	1	1	19/05/2009 A	19/05/2009 19: A	19/05/2009 A	19/05/2009 19: A
Perceptions of reality or otherwise (see rd 13 April 2010 and memo)	13	29	20/05/2009 A	15/04/2010 10: SRH	20/05/2009 A	15/04/2010 10: SRH
Personal relationships I'd say this is psychology	16	68	20/05/2009 A	13/04/2010 14: SRH	20/05/2009 A	13/04/2010 14: SRH
Persuasion E	5	11	19/05/2009 A	13/04/2010 15: SRH	19/05/2009 A	13/04/2010 15: SRH
Philosophy such as free will	1	1	22/05/2009 A	22/05/2009 16: A	22/05/2009 A	22/05/2009 16: A
Prejudice	1	1	19/05/2009 A	19/05/2009 19: A	19/05/2009 A	19/05/2009 19: A
Reverence for life C	1	1	20/05/2009 A	20/05/2009 17: A	20/05/2009 A	20/05/2009 17: A
Social judgements about causes of harm and conflict E	0	0	29/05/2009 A	13/04/2010 15: SRH	29/05/2009 A	13/04/2010 15: SRH
Mean spirit as cause	2	3	19/05/2009 19:12 A	07/08/2009 16:42 A	19/05/2009 A	07/08/2009 16:42 A
Mistakes possibly due to low intelligence	3	5	19/05/2009 19:12 A	07/08/2009 16:42 A	19/05/2009 A	07/08/2009 16:42 A
Nice people don't have conflicts	3	8	19/05/2009 19:12 A	07/08/2009 16:42 A	19/05/2009 A	07/08/2009 16:42 A
Speculation about what might happen	1	2	20/05/2009 A	20/05/2009 17: A	20/05/2009 A	20/05/2009 17: A
Stand up for rights	6	9	19/05/2009 A	15/04/2010 10: SRH	19/05/2009 A	15/04/2010 10: SRH
Structural conflict Only Union v management - elsewhere churches bou	7	11	19/05/2009 A	13/04/2010 14: SRH	19/05/2009 A	13/04/2010 14: SRH
Support, allies See research diary 13 April 2010	5	18	20/05/2009 A	13/04/2010 15: SRH	20/05/2009 A	13/04/2010 15: SRH
Technique, tactics See Rd 13 April 2010	15	36	19/05/2009 A	13/04/2010 15: SRH	19/05/2009 A	13/04/2010 15: SRH
Time available	7	21	20/05/2009 A	31/07/2009 13: A	20/05/2009 A	31/07/2009 13: A
Uncertainty C	7	14	20/05/2009 A	13/04/2010 15: SRH	20/05/2009 A	13/04/2010 15: SRH
Underlying needs	1	2	20/05/2009 A	20/05/2009 17: A	20/05/2009 A	20/05/2009 17: A
Use of violence or not see memo and rd 13 April 2010	19	76	19/05/2009 A	15/04/2010 10: SRH	19/05/2009 A	15/04/2010 10: SRH
Victim not human or worthy of respect Point covered in Common Humanity	4	7	19/05/2009 A	13/04/2010 15: SRH	19/05/2009 A	13/04/2010 15: SRH
War only an invention C	1	1	19/05/2009 A	19/05/2009 19: A	19/05/2009 A	19/05/2009 19: A
Values, interests, needs	0	0	21/05/2009 15:32 A	21/05/2009 15:32 A	21/05/2009 A	21/05/2009 15:32 A

## Appendix 2

# Extracts from Research Diary

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The following extracts illustrate the processes described in Chapter 4 and Appendix 1. They are in order but not consecutive. They were cut-and-pasted from NVIVO and have deliberately not been spellchecked, or revised in any way.

06/08/2008 15:42

This week I have checked the remaining interview transcripts (up to H) against the recordings and am reflecting on their content, direction and questions with a view to developing new questions and approaches. This is both easier and more difficult than I had expected. On the one hand it is not always clear that there is a linear connection between the question schedule, what I ask and the answers. However, on reflection the answers sometimes cover the scheduled questions very well, simply because what the interviewee has to say (what they wanted to tell me) addresses what I wanted. This is interesting in that it suggests I am probably investigating issues which are shared and not just bees in *my* bonnet. However, I do not think I am getting to grips with processes of ethical thought directly enough, and that is what I need to think through – as well as identifying new interviewees...

30/08/2008 09:50 ...

Have coded Interview D. Doing it on screen seemed to work easily enough but I wonder if it leads to

(a) overcoding - ie when I go to the node it lists almost as much as the source (my impression - not literally true); and

(b) superficial categorisation. This feeling may have arisen because I was testing the system for the first time and therefore more focused on the mechanism than the substance.

Next I will review and code paper copies of E, H and C before coding electronically. This should deal with both issues...

02/04/2009 16:58

Reviewed nodes definitions and saw some were perhaps more mine and some were clearly theirs - though the issues all came out of their words.

Started new mode from reading E - examples of what causes conflict.

Completed E and raised about 14 new categories.

This time the categories were coming very directly from what the interviewee said, and I made a point of identifying this in the node properties.

08/04/2009 11:23

Hitting the main coding very hard. Began with E (D begun some time ago) and then went into G but decided to major on H, which contrasted sharply with G in one or two ways (see memos). Slow but fascinating progress. Tendency however to code first and think second ... which sounds bad but noticed that in H, when something which didn't fit came up, I stopped dead and am still musing. Have occasionally looked at another source for fun but in each case usually because I also thought it would pick up something in what I have been looking at.

These codes are clearly arising out of the material and I am marking them as such in node properties (ie the first source). They are however arising out of what I see in the material. This seems to me to reinforce my idea that clearing your mind of theory can only mean "listening actively" - focusing on the client or text, and not letting your own judgements crowd out what you see.

14/04/2009 16:27

A little on how I am using coding. I read the source line by line and (hopefully) also paragraph by paragraph - finally also source by source. The latter is different in that it comes last in the process of a source and it is in the form of a linked memo. It's built up as a go along and reviewed (at least in some cases). The former (line by line, paragraph by paragraph) involves reading and interrogating it, rewording it in my mind, and coding at something which already exists or starting a new one. The most productive lines are those where my mind is a blank. This almost always means a new idea or a new formulation of one or a new perspective on the same

idea. (New to me at this time that is.) There are three ways of filling the blank. One is by active listening, that is to say trying to see how this fits in to or augments or carries forward or elucidates what the interviewee is saying - comparing it with the other lines or paragraphs. The second is to see if the process of running through the existing nodes provides a home or just not quite close enough a home to suggest a new node. This can suggest new ideas anyway. The third is introspection.

Realistically this is a variety of active listening. It more clearly means going through my own experience and ideas to find a connection, but, arguably, what enables me to carry an interviewee's ideas forward is my own understanding anyway. It did not seem frequent that I felt I wanted to use some new nodes on old material - in fact I am writing this because in M I just put Locus of Control in later than I wanted to and may have missed a quotation or two. But in M - I don't feel it goes back further. I must think of a way however of doing it. Looking at the sources with fewer nodes perhaps? But at the moment I think each node has more new than old.....how to check...? Go back to an old copy of the project and see how many M has added?

M was the first occasion I found myself want to add ideas I wanted to be there - like the purpose of life, appeal to the afterlife, the need for social rules - but they weren't there.

16/04/2009 11:08

Began with review of node meanings, identifying some overlaps and weaknesses, noting them in the Node Descriptions at this stage. This was mostly a familiarisation exercise - there are now 140 nodes, and the meaning of some was fading.

Surprising if not actually strange how my expectations of interviews differs from the outcome. For example, I expected C and J to be rich and M (in particular) to be barren. In quantitative terms M had more references than C and J put together; and 96 nodes compared to 50 and 67 respectively. M was also more focused on what I wanted; I just didn't spot it at the time. This isn't to say C and J weren't interesting, they were, as conversations which intrigued me and told me things about conflict; but they just didn't stretch my boundaries.

I have just found a single short Para in F which seems to fit a vast number of nodes and has already stimulated at least three new ones. This is about digging to find what's hidden. I came back to the diary to record the long standing idea that it's not

when it's easy to code that you're doing well (however satisfying it may be to feel you can see a wide variety of ramifications in the person's argument): it's the moment I feel lost or confused that there is the chance of moving forward in some way.

29/04/2009 20:13

I am suddenly thinking: am I making a mistake in coding everything? Or is it labelling? (See Strauss and Corbin.)

Well, if I don't, I don't get to see how consistent people are in using the range of concepts I have identified. That does seem useful, in that, even though this is not in any way a statistical investigation, something which is raised or present in most interviews is likely to have a different status from something which only comes up once. I should bear in mind this (the absence, or the presence in large numbers) could be just co-incidence; or my misunderstanding of the concept; or it could be just cultural if I also misread the concept and give too much significance to something...or or or.

It is also about trying to make sure I haven't missed any new concepts by checking that the existing range covers everything interviewees have said to me. The horror of this one is that I might have to go back over everything once or twice because the earlier coding isn't as extensive as the rest. And going back to E I am finding quite a lot to extend the analysis of.

13/05/2009 19:03

I am thinking round how to organise material for the model. My instinct is to start by playing around with the nodes and seeing where it goes; letting, I suppose, the material drive me - which is in the grounded theory tradition. From inspection, and clicking on references in *list view* of nodes so they arrange by number of references, it looks as though temperament, behaviour, emotions dominate - but there is a question as to how far that reflects my tendency to ask questions and (perhaps even more) to see certain things in the answers. A further problem with this is double counting or worse: I don't know and have no easy way of telling how many of these are duplicate codings (so I might have coded x behaviour concept 18 times but y non-behavioural concept 4 times).

However, at this date (and this was after the major push to code) there were about 3402 references. Of these 1016 related to behaviour as I saw the categories. 1016/3402 is marginally over a third (33.3991%). Whatever the detailed ins and outs it was clearly a significant feature of how I saw my interviewees discussing conflict and how people justified the use of harm. Need more be said?

27/06/2009 11:48

When I returned to the model last night I reread the justification for my coding (in first draft of model). Though I still agree, I am finding that I have a reason for regretting the number of references: it makes it harder to identify good quotations and the underlying argument. It's caused by assigning the references to too many nodes. It's true that one comment can indeed have many ideas in it explicitly or hidden below the surface. However, what I am finding is that I have been so generous in my interpretation that I have coded what are actually very minor issues (in addition to the major ones) from any one reference. Now, I also haven't exactly overused memos. I think in fact I am memoing as I draft the model. This is the result of doing most of the coding at once; there wasn't time to think the references through in depth at the time. This doesn't to my mind affect validity, but it does point up the advantages of coding as the sources are captured rather than all together: it allows greater depth of understanding of the source; it reduces "node-clutter".

30/07/2009 09:20

Writing has been slow. Several issues. So much cross-posting of references that there is sometimes too much to absorb before writing - though also too much to think about anyway. This may be rubbish BUT it is grounds for reminding myself the need is to complete not get perfection in each phrase.

# Appendix 3

## Ethical Approval and Practice

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### 1 Background

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In the last two decades, research communities worldwide have become sensitive to criticism of their practices from stakeholders. In response, the European Union, through its Information Society Technologies Programme, instituted a review of socio-economic research, called the Respect Project (EU., 2004). In a series of reports, the Project set out principles which it expected researchers in the European Union to abide by (it also addressed a range of other issues related to socio-economic research). Data Protection legislation (SHU internal sources), with a different but overlapping agenda, had already been developed in the EU and UK. Together, the legislation and the principles form a framework within which the UK research community expects social science research be conducted.

The standards affecting research in clinical medicine and related areas are prescriptive and strict, while those covering research not involving human or animal subjects are relatively permissive. The range of issues affecting research in the areas between these extremes, which involves human participants but which does not fall into the category of medicine, is very wide. Accordingly the framework expects researchers to exercise their own judgement responsibly in accordance with the principles the UK Data Protection legislation and the Project lay down.

### 2 Principles and implementation

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#### 2.1 General Data

In the present research, human participants were involved, but only in one-to-one interviews. Other material already in the public domain was also used.

The main requirements of the framework and SHU' s ethical policy were as follows, with comments on how they were followed in this work:

1. Participants should fully understand what they were being asked to do. They did so in the sense that I told them orally and in writing before they agreed to participate. I planned to respond appropriately if they gave any sign of not understanding the situation, but this did not arise.
2. Participation should be entirely voluntary. I could in any event bring no pressure to bear and did not try. Consent in writing (in the form of a signed copy of the formal request to participate) was obtained.
3. Research participants should be protected from harm and if exposed to any, the researcher needs to have a plan in place to mitigate it. This was very unlikely and no cases were identified. The plan was to refer the participant to the British Association for Counselling and Psychotherapy, if say, the recollection of a conflict had caused significant distress.

4. Vulnerable groups (young people, the mentally incapacitated, etc ) must be treated with special care. None were involved in the research.
5. The participants should not be identifiable in publications or discussions relating to the research without their consent – which in practice should be in writing (see above). I believe no-one would be capable of being identified in the Thesis, except that participants might themselves recognise quotations from their own contribution. Participants were not aware of the identity of other participants. The only exception to anonymity was discussions with my supervisors, if they required identification for any purpose (eg verification that the interview had taken place). Permission to do this was included in the written consent. The data is anonymised (cf SHU data protection material).
6. The Data Protection rules about how long information held for research purposes can be retained are very permissive. However, following the Project Code (which recommends that data is not kept longer than necessary) I intend to destroy tapes and other direct records of information when the degree is awarded or otherwise comes to an end. There is one *caveat*: it is possible that I might wish to use some of it for further research and would keep that material till it had finished.
7. The data should be protected by anonymisation in various ways (codes on tapes, keys held elsewhere; see 4.3 below) and in secure places (eg locked cupboards at work). All my (former) work and (present) domestic computers are password protected, and NVIVO has a separate and by repute very secure password system. Given that I do not expect much, of the data I collect to be “sensitive personal information” (see below) I consider the plans to be adequate.

## 2.2 Sensitive Personal Data

The Data Protection Act allows “sensitive personal data” or *spd* to be processed for research purposes only if consent has been given in writing. The Data Protection (Processing of Sensitive Personal Data) Order 2000 allows *spd* to be processed for research purposes (and for some less obviously worthy ones such as the journalistic or political), but it is not clear that this overrides the requirement for consent. This sort of data was not collected systematically but it may have appeared casually in interviews (see below). Anonymisation (see paras 5 and 7 above) does not by itself mean data is not sensitive personal data whilst the key to identify it remains in existence.

This is data on the following subjects with comments on relevance to the present project:

1. Racial or ethnic origin – none specifically identified or recorded.
2. Political beliefs. I have seen no discussion of the meaning of “political” in this sense. I did not deliberately record espoused affiliations, but many conflicts are political and when participants gave examples, they may arguably have given data which falls within this definition. It is not inconceivable that later on it may become a relevant issue or “category”.
3. Religious or similar beliefs. As for 2, *mutatis mutandis*.
4. Trade Union Membership. As for 2, *mutatis mutandis*.
5. The rest – sexual life, anything in connection with the commission of alleged commission of an offence. There were at least two references to assault and one to sexual orientation.

It seems safest to treat the data as SPD throughout, getting consent as described above and storing the material securely.

Ethics approval from the School Ethics Committee is in para 4.4 (see also 2.3 below). It was “(standard approval) This project does not require specific ethical approval.”

### **2.3 Risk Assessment: Health and Safety**

The risks of carrying out social research have been given less prominent attention than ethical issues, but they are significant in kind and degree. Craig, Corden and Thornton (2000) give the following list of risks to professionals such as doctors, teachers and researchers in their professional contacts:

- *risk of physical threat or abuse*
- *risk of psychological trauma or consequences, as a result of actual or threatened violence, or the nature of what is disclosed during the interaction*
- *risk of being in a compromising situation, in which there might be accusations of improper behaviour*
- *increased exposure to general risks of everyday life and social interaction: travel, infectious illness, accident.*

They cite the example of Suzy Lamplugh, who vanished completely after apparently meeting a customer alone on private premises. This was arguably because of a systemic failure on the part of her employers to address many issues – who was responsible for what, training, budgeting for training and support of workers when out of the office, consideration of the characteristics of specific clients, and so on.

I reviewed the planned research using a draft policy prepared in the Faculty of Development and Society, SHU (attached below). I implemented some routine precautions throughout the interview program, such as making sure that someone knew where I was going and how long I would be. I consider the present research exposes me to minimal risk.

### **2.4 Conclusion**

I submitted proposals covering Ethics and Risk to the Organisation and Management Ethics Committee. The Committee approved them without raising any issues. Given that very little of the data collected was “sensitive personal data” I consider the measures set out above to be fully adequate.

## 3 Procedures

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### **3.1 Invitations to participate and Letters to participants**

I approached all participants orally first and only when I felt there was a good understanding of what I was asking them to do did I send formal letters. A sample letter of invitation, explanation of ethical commitments and consent request is given in 4.1 below.

### **3.2 Consent**

The signed copies of the letters are stored separately in the researcher's home.

### **3.3 Recording, transcription, storage and anonymisation**

I used two media simultaneously. The first was a conventional tape recorder. The second was an MP3 player and recorder. The audibility of the latter was far better.

Using both simultaneously proved a wise precaution as one tape recording failed and I accidentally wiped one MP3 recording, fortunately not of the same interview.

I transcribed the first four interviews myself before employing professional transcribers to do the rest. Their first-cut work was more accurate than mine and as I checked each transcription against the original MP3 file or tape, I considered the end results reliable.

One of the transcribers was an individual employed by the University on an *ad hoc* basis. This transcriber did not work on the university employees' interviews as their voices and the context might possibly have identified them.

The other was a professional firm of transcribers specialising in legal work, with whom I had a formal written contract guaranteeing confidentiality. These professional transcribers could not in any event have identified the respondents in the way the university transcriber might have been able to do, as they were based in another part of the country and it was most unlikely that they could have known the interviewees (co-incidences aside).

In both cases the interviews were designated only by a letter A-M, written on the cassette or as a file name. The tapes and the MP3 player are held securely at the researcher's home. The list identifying the respondents exists only as a computer file behind a password. The respondents were not referred to by name in the interviews themselves, and nor did they give other information which might have identified them. There were three exceptions to this. First names were mentioned in two of the interviews transcribed by the professional firm. For the reason given the firm is unlikely to have been able to guess the identity of the speaker. In the third case one interviewee referred to a number of geographical locations he had worked in. In my view this was protected by the confidentiality agreement, the integrity of the transcriber (whom I came to respect) and the transcriber's complete inability to spell the names of the villages concerned.

Some third parties were mentioned, but never by full name. Where these names, those of interviewees or third parties, or places appeared in the transcripts, they were changed in the final printed versions stored in NVIVO.

## 4 Sample Documents

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### 4.1 Invitation to Participate as Interviewee

Stoddart Building, Faculty of Organisation and Management  
Sheffield Hallam University, Howard Street, Sheffield S1 1WB  
0114 225 2825

[s.r.hills@shu.ac.uk](mailto:s.r.hills@shu.ac.uk)

Date

Dear

#### **PhD Research in Conflict**

I am undertaking PhD research in conflict and would very much like to invite you to take part as an interviewee.

I have in mind an interview which is likely to take the form of a fairly relaxed discussion and which will not take longer than an hour and a half.

Our discussion would be about how you articulate and explain to yourself how you deal with conflict. It is an important feature of my approach that I am looking for how people *do* think about these issues, and I shall certainly not, in any sense, be making any judgements about what you say. It is also *not* the purpose of my research to gather information about actual conflicts, though it is of course possible that we may both introduce actual examples into the conversation. The attachment gives more information about the context of the research.

My university has policies covering the ethics of research including the confidentiality of data and the attachment also deals with my commitments on this.

In particular I plan to tape-record our interview. Clearly I can't do this without your consent. If you think this may be a problem for you, I would be grateful if we could discuss the issue. It is not absolutely essential that it be recorded, but it is preferable, because the research methodology I am using will require me to review what you say (and as far as possible not what I thought you said) in detail. In any event I will not identify your contribution in discussions (other than with my supervisors) or publications.

I should say that it is entirely a matter for you if you do not wish to take part and there is no sense in which you could be disadvantaged if you do not. In accordance with university policy, I would be grateful if you would be prepared to sign a copy of the attached form signifying that you understand the reason for your involvement and that you consent to my collecting and processing the data from our discussion, and return it to me perhaps at the interview). There is also a copy for your retention.

I do hope you will be able to take part and look forward to hearing from you so that we can negotiate a time and place to meet.

Yours sincerely

Mr S R Hills

Mr/Mrs etc XXXX

pto

**Attachment to letter dated X to X****Ethical Requirements in research**

Our University, Sheffield Hallam, has adopted Ethical Policies which reflect those envisaged by the European Union's Respect Project (details on request) and which are widely adopted in the UK research community. They relate particularly to the requirement that research participants (eg interviewees) understand the purpose and process of the research, and my commitments on confidentiality, the retention of data, and protecting the interests of research participants.

**Purpose and process of the research**

The aspect of conflict that the research is focusing on is how people make sense of conflicting pressures on them and of how to respond, and, in particular, how they justify doing harm to others (or being aggressive, or using violence). The way people do this is a central factor in all conflict situations, from disputes about the TV remote control to international relationships leading to war. The aim is to build an explanation of the "logic" of how people think which could support and inform both people involved in conflicts as principals, and practitioners in conflict management such as mediators, politicians, planners of various kinds, and managers. The aspect of this I am particularly focusing on is the decision to move from peaceful to violent means of handling the situation. ("Violent" here means psychological aggression or harm – dismissal from a job, divorce, fines, imprisonment, shouting, for example - as well as physical violence.) The raw data will come from a number of interviews and by considering more formal material already in the public domain, such as the speeches and writing by participants in conflict.

**Confidentiality, recording of discussion and the retention of data**

I will not identify your contribution in any work I publish or in my PhD thesis, or in any discussions I have about my work. The only exception is discussions I have with my PhD supervisors Professor Jim Bryant and Professor Ann Macaskill, both of Sheffield Hallam University. Their rôle requires them to have a clear understanding of all aspects of the work I carry out.

I will tape record our discussions. The tape will be transcribed either by me or by paid transcribers. I intend that there will be no formal identification of the speakers either

- in the conversation recorded;
- on the cassette; or
- in transcripts or commentaries.

These will be identified and referenced to a list kept separate from the tapes. Both will be held in a secure location until my degree is completed and will then be destroyed.

**Protecting the interests of Research Participants**

There seems to be little possibility of harm to participants (in the sense that there might be in medical research, for example). However, conflicts can be distressing (that is partly why I am studying them) and you may wish to consider whether there are any situations you would not want to discuss. I do not want the interview to be an unpleasant experience for either of us. In the event that it does become in some way distressing the Ethics Policy of my University requires me to have procedures in place to deal with the situation.

P1 of 2 cont overleaf.....PTO

2 of 2

*I have read the above and the letter dated xxxx covering consent to the recording of our discussion and the processing for the PhD Research purposes stated therein. I consent to the recording of the interview on the terms specified.*

[Gap]

Name

Date:

## **4.2 Follow-up to Interview**

I requested feedback from some five participants, getting responses from three.

Hi X

A few weeks ago you were kind enough to take part in my PhD research as an interviewee.

I hope you won't mind my writing to ask a couple of questions, but I would really quite like to know what you made of the experience. This is to help me carry out the process better in the future. Needless to say if you don't want to do this, or if you haven't the time, all you need do is ignore the email.

What I have in mind is that you either type in some comments in the spaces provided and reply, or you may even find it easier to ring up and tell me the answers. Or if you wanted to meet - that would be excellent too.

I'm interested in two main two aspects of the interview, as set out below.

### **Content and method**

Did you feel the questions I asked, and the way I conducted the interview, gave you the opportunity to say what you felt was important? Or (at the other extreme) did I ask questions which didn't make sense to you so you felt you couldn't say anything sensible, and did I manage to cut you off just when you wanted to say something particularly significant? Or was it in between? [Gap]

In particular did you feel that you understood enough about what I was going to ask about before we met? [Gap]

Did I explain clearly enough at the time what I was interested in and how we were going to proceed - or was it confusing? [Gap]

Was there anything else not covered by those questions that you wanted to say? [Gap]

### **Overall experience**

The other aspect is about what you thought about the experience from your purely personal point of view - was it enjoyable, unpleasant, worthwhile, a waste of time, or what? Sometimes interviewees can feel very positive about being asked to give their views, and sometimes it can be less than pleasant - or just neutral. If you could tell me which way the interview tended - and what I could do to improve it - I would be very grateful. [Gap] Steve

### 4.3 Risk Assessment Approval

#### PhD Ethical Clearance

#### RISK ASSESSMENT FOR THE RESEARCHER

1. Will the proposed data collection take place on campus?

Yes (Please answer questions 4 and 6 only)

No (Please complete all questions)

*Some will - some won't.*

2. Where will the data collection take place?

(Tick as many as apply if data collection will take place in multiple venues)

Own house/flat (possible but unlikely)

Residence of participant

School

Business/Voluntary  
Organisation

Public Venue (e.g. Youth Club; Church; etc)

Other (Please specify) Not yet fully agreed, but possible locations identified above.\_\_\_\_\_

3. How will you travel to and from the data collection venue?

On foot  By car  Public Transport

Other (Please specify) \_\_\_\_\_

Please outline how you will ensure your personal safety when travelling to and from the data collection venue:

*Normal precautions for car and public travel in and around London and Bedford*

4. How will you ensure your own personal safety whilst at the research venue?

*Given the nature of the respondents, this is not likely to be an issue, but I will ensure others know where I am and when I should be free (see below).*

5. If you are carrying out research off-campus, you must ensure that each time you go out to collect data you ensure that someone you trust knows where you are going (without breaching the confidentiality of your participants), how you are getting there (preferably including your travel route), when you expect to get back, and what to do should you not return at the specified time. Please outline here the procedure you propose using to do this:

*My intention is to keep my partner fully informed as to destination, route and times of arrival and departure, and to notify her by mobile phone when I am clear of the site.*

6. Are there any potential risks to your health and wellbeing associated with either (a) the venue where the research will take place and/or (b) the research topic itself?

- None that I am aware of  
 Yes (Please outline below)

7. Does this research project require a health and safety risk analysis for the procedures to be used? ~~Yes~~/No

If YES current status of Health and Safety Risk Assessment.

I confirm that this research will conform to the principles outlined in the Sheffield Hallam University Research Ethics policy.

I confirm that this application is accurate to the best of my knowledge.

Principal Investigator's signature	S.R.Hills
Date	

# Appendix 4

## Question Schedule

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### Draft Interview D Schedule 2 June 2008

Refers to Ch 4: 2.2.2

Research Questions	Interview questions if different
	<p>We are aiming at discussing how you make sense of some of the moves in a conflict where the temperature rises. Select and discuss examples.</p> <p>By <i>violent</i> I mean both physical and non-physical damage to other people.</p>
<b><i>How do people make sense of, and justify, their decision to use violence in conflict?</i></b>	When you get involved in such a dispute, how do you think about/articulate what you decide to do?
<b><i>What is it which decides actors to move from non-violent to violent ways of behaving in a conflict?</i></b>	<b><i>What is it which decides you to move from non-violent to violent ways of behaving in a conflict?</i></b>
<p>How do you rationalise or justify these decisions to</p> <ul style="list-style-type: none"> <li>• yourself</li> <li>• other parties</li> <li>• uninvolved parties?</li> </ul>	<p>What do you say about these decisions to yourself</p> <p>your spouse, friends, work colleagues...</p> <p>or what might you say to police, doctors, lawyers....</p>
Do you use a rational calculation of cost	How much are you adding up the pros

<p>and benefit to</p> <ul style="list-style-type: none"> <li>• themselves or</li> <li>• other parties or</li> <li>• uninvolved parties?</li> </ul>	<p>and cons of the courses of action you're taking, and how much does "the red mist" (fight, flight or freeze) take over? What sort of pros and cons might you be looking for? What do you say to other people about this - people on the same side for example?</p>
<p>If not rational, what do you see as the issues?</p>	<p>If you don't see it as about carefully choosing the right course of action from a range of alternatives, what is going on inside your head and how would you talk about it to others? What do you think about it if you lose your temper - justified, a mistake, serves them right, etc etc?</p>
<p>If so, what is the coinage? How is this</p> <ul style="list-style-type: none"> <li>• cost and</li> <li>• benefit</li> </ul> <p>identified and measured?</p>	<p>If it's rational - what is it you're adding up and taking into account? {Follow up particularly depends on reaction}</p>
<p>Does the method of measurement change when it gets to <i>violence</i>?</p>	<p>If it gets to doing a bit of harm in the sense I've used it - do you find your self thinking differently at this stage?</p> <p>Does it make it harder to talk about to other people?</p>
<b>Background</b>	<b>Questions and ideas</b>
<p><b><i>Do people see conflict as "a dynamic complex situation lived in the present, but organically growing out of the past and developing into the future" – so therefore, something to understand the origins of and the future implications of</i></b></p>	<p>How do you think about (conceptualise) conflict?</p> <p>Do you see the term 'conflict' more as a description of a process than of an event?</p> <p>Do you see conflict as short term or long</p>

<p><b><i>in the context of their ongoing needs?</i></b></p>	<p>term and what influences the judgement?</p> <p>Do you see a conflict as a stage on the journey or something complete in itself?</p> <p>If as a stage on the journey, do you think about this when in a conflict situation or might the pressure of the moment take over?</p>
<p>Do actors see conflict as primarily about relationships between concepts or people or in other terms eg their “positions” (cf Harvard negotiating, or right and wrong?)</p>	<p>What do you think is the cause of conflict?</p> <p>What is the cause of conflict? Where do conflicts in people’s lives come from?</p> <p>Do conflicts arise primarily at the level of beliefs, values, missions or preferences?</p> <p>How is the individual's sense of conflict shaped and influenced by that of wider groups?</p> <p>“Great forces”, temperament, competition for economic or other goods such as warmth and affection? <i>Does it matter?</i></p> <p>Do people see a wise agreement as one which lasts or one they win?</p> <p>Also questions more directly in the terms opposite</p>
<p>How do actors rationalise or justify their decisions to</p> <ul style="list-style-type: none"> <li>• themselves</li> <li>• other parties</li> </ul> <p>uninvolved parties?</p>	<p>How do people explain what they do in conflicts? Afterwards and at the time</p>
<p>Do they use a rational calculation of cost and benefit to</p> <ul style="list-style-type: none"> <li>• themselves or</li> <li>• other parties or</li> </ul>	<p>If not rational, what do people see as the issues? Do you think individuals undertake some sort of costs/benefits analysis before taking a position in conflict situations.</p>

uninvolved parties?	
<p>If so, what is the coinage?</p> <p>How is this</p> <ul style="list-style-type: none"> <li>• cost and</li> <li>• benefit</li> </ul> <p>identified and measured?</p>	<p>What sorts of thing matter to people in conflict?</p> <p>Is it about winning the competition for “goods”, what they can get out of the situation in that sense, or are issues of self respect and identity the main issues?</p> <p>How differently do people talk and think about the situation from how they act it at the time?</p>

# Appendix 5

## Conventions, assumptions, abbreviations

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I adopted the following presentational and language conventions and apologise to anyone they offend.

### ***Internal Referencing***

I have numbered headings (sections). In a reference to a section in another chapter, the section number is preceded by the Chapter number (eg Ch 2: 4.3.3). In a reference to a section in the same chapter, the chapter is usually omitted: (eg 4.3.3 below (or above)).

### ***First or third person***

The use of the first person follows university guidance that it is acceptable in social sciences writing (Graduate Studies 2010). This is reprinted at the end of this appendix. Locke suggests that, even within social science practice, the use of the first person can emphasise the “constructed character” of the research and the importance of the researcher’s own agency (Locke, 2001: p xi). The third might present the procedure of grounded theory as “disembodied, impersonal”. I am most comfortable with Locke’s practice; either I did the work here, or interpreted or incorporated that of others, so constructing the final version with them. Emphasising the author’s agency in the ethical sections seemed right for the same reasons and to reflect the usage in the literature. However, in Ch 5, I avoided the first person as I considered it included as little of “me” as possible (accepting that Locke would probably see that as mistaken). However, there were one or two places where I felt the Model needed explanation and I used the first person there to make it clear the comments were outside its main content. Elsewhere I used the third person to reduce stylistic solipsism.

### ***Gender-specific vocabulary***

I have tried to avoid gender-specific vocabulary where it was not necessary to the sense. I may not have eliminated all examples, through inadvertence.

Following Robson, I use the plural “they” wherever possible (Robson, 2002: p xxi). This may sometimes result in awkward phrasing or the use of “they” after a singular noun.

### **“Data”**

I have treated “data” as singular or plural as seemed appropriate to the context at the time. I have treated *none* as plural rather than singular (“none were...”) on the ground it reflects oral usage, *none* implies a number of other subjects (“none amongst...”) and there is surely nothing about zero which demands either singular or plural.

### **Abbreviations**

Throughout I have used the abbreviations WW1 and WW2 for the first and second world wars, respectively.

### **Extract from SHU Guidance notes for Research Degree Examinations, Para 4, downloaded 25 October 2010:**

#### **“WRITING A THESESES (sic) IN THE FIRST PERSON**

The University Research Degrees Sub-committee agreed that a thesis written in the first person was credible in the social sciences subject domain where first person reflexivity is a well established practice and entirely appropriate for cross-disciplinary areas (especially where new protocols are being researched). Examiners are therefore asked to consider such a thesis as acceptable in publication terms but to scrutinise and assess the thesis in accordance with the academic rigour required for the subject. The thesis would obviously need to clearly articulate the link between the discipline and the methodology.”

# Coda

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I dogmatise and am contradicted,  
and in this conflict of opinions and sentiments,  
I find delight.

Dr Johnson

If you have not fought each other,  
you do not know each other

Chinese proverb

If you knew what it was like to be another person,  
then how could you possibly do something  
which could cause pain?

Mma Ramotswe

*In the Company of Cheerful Ladies*

A McCall Smith, 2004