Preparing leaders to prevent, manage, and resolve intercommunal conflict is the mission of the Master’s Program in Coexistence and Conflict, a component of the Alan B. Slifka Program in Intercommunal Coexistence. The program’s inaugural class, which arrived at Brandeis University in September of 2004, is comprised of 13 students from eight countries: Armenia, Ethiopia, France, Germany, India, Israel, Malawi, and the United States.

Directed by Professor Mari Fitzduff, the Master’s Program is designed for early and mid-career professionals who seek to undertake coexistence work in governments and international and non-governmental organizations, as well as those interested in working on security, diplomacy, and human rights issues. The class of 2006 is as diverse in profession as in national origin with students hailing from the fields of government, diplomacy, military, peace-building, development, education, journalism, and business.

The 16-month program includes one academic year in residence at Brandeis University, where students take core classes such as Theory and Analysis of Coexistence and Conflict; Designing Successful Coexistence Interventions; and Managing Ethnic Conflicts. In addition, students can take elective courses such as Dialogue and Mediation Skills; Global Apartheid; Coexistence, Cultural Work, and the Arts; or study a language. After completion of coursework, students undertake a three-month field project, either working with an organization that is implementing a coexistence intervention or conducting independent fieldwork in a conflict region.

Further information about the Master’s program can be found online at www.brandeis.edu/programs/slifka.

The Coexistence Initiative (TCI) Joins the Center

The Alan B. Slifka Foundation has awarded a three-year, $750,000 grant to the Center to provide a new home for The Coexistence Initiative (TCI), formerly based in New York City, NY, which seeks to catalyze global awareness of and commitment to creating a world safe for difference. Center director, Daniel Terris, is enthusiastic about the collaboration. “The Coexistence Initiative at Brandeis (TCI Brandeis) is a natural extension of the Center’s commitment to helping scholars and practitioners work together and learn from each other in order to create meaningful social change.” TCI Brandeis will host international and regional gatherings of coexistence practitioners, as well as serve as a clearinghouse of information on coexistence organizations and methods. More information will be available on the Center’s website by early 2005.

“TCI Brandeis is a natural extension of the Center’s commitment to helping scholars and practitioners work together and learn from each other in order to create meaningful social change.”

–DANIEL TERRIS
The mission of the International Center for Ethics, Justice and Public Life is to develop effective responses to conflict and injustice by offering innovative approaches to coexistence, strengthening the work of international courts, and encouraging ethical practice in civic and professional life.

**Staff**
- Daniel Terris: Director
- Leigh Swigart: Associate Director
- Marci McPhee: Assistant Director
- Melissa Holmes Blanchard: Communications Specialist
- Kara Bayer: Administrative Assistant
- Kanan Makiya: Faculty Associate

**Slifka Program in Intercommunal Coexistence**
- Cynthia Cohen: Director of Coexistence Research and International Collaborations
- Mari Fitzduff: Professor of Coexistence and Director of Master’s Program
- Ian Richmond: Program Administrator

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**Richard Goldstone Receives Honorary Degree**

Richard Goldstone, member of the Center’s board, received an honorary degree from Brandeis University at the 2004 commencement. (Left to right) Leigh Swigart, Daniel Terris, Richard Goldstone, and Mari Fitzduff celebrate Goldstone’s honorary degree.

**Staff Highlights**

Marci McPhee traveled to Derry, Northern Ireland to visit Ethics and Coexistence Student Fellow (ECSF) Patrick Raymond ‘05, and to see his work at the Nerve Center. She also visited potential internship sites in Derry and Belfast. Daniel Terris led a Brandeis University team that hosted a 10 person delegation from Al-Quds University, the Palestinian university in Jerusalem, from September 26-30, 2004. Brandeis and Al-Quds are engaged in a planning process, funded by the Ford Foundation, to develop a long-term partnership between the two institutions.

**The Center Welcomes Kara Bayer and Ian Richmond**

Kara Bayer is the administrative assistant for the Center. She holds a B.A. in English and women’s studies from Dartmouth College and has experience in university administration at Cornell University. She has also worked as an editorial assistant at two publishing houses in the Boston area. Ian Richmond is the program administrator for the Slifka Program in Intercommunal Coexistence. He holds a B.A. in history from the University of Maryland and an A.M. in Celtic languages and literatures from Harvard University. Ian has experience working on linguistics, literary analysis, cultural history, immigration history, distance learning, and language teaching.
In another session, Goldstone asked participants to examine exemptions of journalists and humanitarian workers from testifying about people and situations encountered in their work. While most of the institute sessions followed a lecture/discussion format, Concannon led participants in a role-play exercise designed to explore the possibilities and difficulties of cooperation between local and international judiciaries in post-conflict societies. Center Director Daniel Terris also led an informal evening activity that used the historical plays of Shakespeare as a lens through which to view the notion of accountability in war and crime.

BIIJ 2004 continued its examination of the ethical challenges facing the international judiciary, a focus encouraged by past institute participants and explored at length at BIIJ 2003. In a session entitled “The Judge as Moral Agent,” Smiley asked participants to ponder the very nature of judging and their responsibilities toward those whose lives they affect through their judgments. John Hedigan, Navanethem Pillay, and Fausto Pocar, Vice-President of the International Criminal Tribunal for the former Yugoslavia, then led a session that examined ethical questions that arise in the everyday operation of international courts. The 2004 institute addressed whether judges should openly express their views on matters of public debate and the ways in which international judges can preserve the appearance of impartiality of their courts. The ethics sessions ended with an examination of a draft document on the “principles of the independence of the international judiciary.” Developed by a study group of the International Law Association, in association with the Project on International Courts and Tribunals, these principles were presented by Ruth Mackenzie of University College London. Mackenzie received feedback on the draft document from the institute judges.

As in past years, the institute combined an intensive program of reflection and discussion with a congenial atmosphere in which judges forged new professional ties. The impact of BIIJ 2004 will reach far beyond the time and space in which the institute took place.

Email your name and mailing address to biij@courier.brandeis.edu to receive a copy BIIJ 2004 report.

The Brandeis Institute for International Judges 2004 was funded by the Rice Family Foundation and the David Berg Foundation.
Participants of BIIJ 2004 were privileged to have as a guest faculty member Walter Berka, professor of law at the University of Salzburg. Author of Fundamental Rights and Human Rights in Austria, Berka outlined issues that arise when human dignity is taken as a human right, as it is in the laws of the European Union.

The session began with Berka’s reference to a scene in Mozart’s opera *The Magic Flute*, appropriate not only for its evocation of Salzburg’s most famous citizen but also its encapsulation of the notion of human dignity. In the scene, a character asks the High Priest of Isis and Osiris, Sarastro, whether Tamino will be able to contend with the hard ordeals that await him. “He is a prince,” the character points out. “More than that,” Sarastro responds forcefully, “he is a human being!”

The idea that all human beings have inherent worth, regardless of their social stature or rank, underlies much of contemporary Western culture. A product of 18th century Enlightenment philosophy, the notion of human dignity remains difficult to define. In the philosophy of Immanuel Kant, it is associated with the autonomy or inviolability of the person. Others prefer to define human dignity in the negative sense, that is, indicate not what it is but instead what constitutes its violation. Berka asked participants to consider a fundamental question: “Are all environments able to protect human dignity unconditionally, or is the notion itself dependent on European culture?”

In the years following the shocking events of World War II, the notion of human dignity was frequently evoked. It consequently became an important element in the founding documents of the United Nations. The preamble to the Universal Declaration of Human Rights states, “The recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world.” The International Covenants on Economic, Social and Cultural Rights and on Civil and Political Rights echo this statement in their own preambles, adding, “These rights derive from the inherent dignity of the human person.” The constitutions of a number of nations subsequently adopted similar language.

The Charter of Fundamental Rights of the European Union, solemnized in December 2000 and incorporated into the European Constitution in June 2004, goes one step further than the UN documents in its treatment of the value of human dignity. In addition to taking human dignity as an underlying principle of human rights generally, it is enacted as a human right in and of itself (Chapter 1, Article 1). It is thus listed as a right along with related ones such as the right to life, the right to the integrity of the person, the right to the prohibition of torture or inhuman or degrading treatment or punishment, and the right to the prohibition of slavery and forced labor.

There are, however, consequences to the elevation of human dignity from principle to right. Unlike rights such as freedom of expression or personal liberty, the attributes of, and thus limits of, human dignity are difficult to specify. Whereas legal principles are left open and are not restricted to a certain range of applications, rights necessarily need some act of limitation and concretization. The diffuse nature of human dignity makes it extremely difficult, from a legal point of view, to respond to claims that it has been violated.

Berka suggested that human dignity, despite being seen as a right in the European Charter and several national constitutions, is not a right like others. It has long existed as an umbrella principle underlying other human rights, the idea being that if human rights are protected and respected, then human dignity has been provided. Human dignity...
“Are all environments able to protect human dignity unconditionally, or is the notion itself dependent on European culture?”

has retained the status of umbrella principle in the European Charter while assuming the status of right as well. The decision to amplify the position of human dignity is, Berka believes, a reaction to painful experiences of the past and the expression of a European commitment to respecting and protecting the person.

Berka posed a series of questions to participants. What does human dignity really mean? Can it serve as a universal concept in a pluralistic world although its sources are Western philosophy and ideology? What are its implications as a right in the field of international law?

All agreed that identifying what constitutes human dignity is a challenge. One possible definition is the ability for an individual to determine what feels dignified for him or herself. Yet, such self-determination might lead to situations that are quite untenable. For example, one individual’s dignity could depend upon the violation of another’s. It is also possible for the same act both to violate and provide human dignity under different circumstances. Thus, although it is widely held that the death penalty violates human dignity, assisted suicide for the dying may, in fact, restore it. Furthermore, the content of human dignity can differ depending on the context. In one society, it might consist of access to basic food and shelter. In another, one’s dignity may depend upon the possibility of openly expressing one’s homosexuality. While participants agreed that the subjective element in defining human dignity is important, they also felt that such a fluid notion is almost impossible to institutionalize in a legal sense.

The question of whether human dignity is a universal base value is also fraught with difficulties. Is every human being entitled to the same dignity? In theory, participants agreed. But how can such a theory be put into practice? Berka noted:

We know that in order to deal legally with human rights or the concept of human dignity, we have to develop certain criteria or standards for interpretation. The difficulty is that these standards depend upon value judgments, and value judgments will differ depending on culture, religious background, traditions, and philosophical convictions.

Participants noted that, even if comparable standards of human dignity could be recognized across societies and cultures, they might be difficult to uphold in a context of economic deprivation. Impoverished populations around the globe could be seen as lacking the human dignity that comes with access to proper nutrition, clean water, health care, education, and other necessities. One participant noted that, in developing countries in particular, the establishment of human dignity as a right may only come with time. In the meantime, it can probably only be indicated as a fundamental value but not a non-derogable right. Providing human dignity for all, while desirable, will thus depend upon local resources, beliefs, and practices.

Finally, what does elevating human dignity from principle to right imply for international law? Participants identified innumerable difficulties in the application of such a right in the legal sphere, given its overall fuzziness and subjectivity. Can human dignity have a collective aspect, in other words be applied to groups? Or is it a strictly individual notion? What happens if persons appearing before international courts come from countries that interpret human dignity in disparate ways, or if the persons are accorded certain rights by their domestic judiciaries and different ones by their international counterparts? Judges agreed that it is important that there be some universally accepted standards for human dignity in the legal sphere, even if such uniformity is not yet possible across different cultural or socioeconomic contexts.

The session concluded with a final thought. The difficulty of establishing human dignity as an entitlement in the judicial context should not preclude judges from appreciating the value of viewing it through a philosophical lens. Perhaps both the difficulty and significance of studying human dignity arise from its fundamentally moral nature. Unlike more easily recognized political, civil, or economic rights, the right to human dignity escapes easy definition but resonates deeply within each of us. As one participant noted, “I cannot say what human dignity is, but I know when it has not been respected.” Such insight may well be one of the ineffable qualities we share as human beings.
The International Center for Ethics, Justice and Public Life
Brandeis University

Highlights of Recent Events

October
American Election Process, International Context, a talk by Brandeis faculty exploring the ethical dilemmas in the American political process. Speakers included Doris Breay, Sustainable International Development Program, Jerry Cohen, American studies, and George Ross, sociology.

Crossings: Journeys of an Afro-Cuban Artist, a talk by contemporary Boston artist, Maria Magdalena Campos-Pons.

Co-sponsored by the Department of Fine Arts, the Latin American Studies Program, the Rose Art Museum, the Women’s Studies Program, and the Office of the Dean of Arts and Sciences.

Globalization, Trade, and Justice, a presentation on the possibility of responsible globalization by Ira Shapiro ’69 and Frank Garcia, Boston College School of Law, and moderated by Gary Jefferson, Department of Economics. Cosponsored by the International Business School and the International and Global Studies Program.

The Impact of Standards and High-stakes Testing on Students with Disabilities, a symposium featuring Lauren Katzman and Tom Hehir, Harvard Graduate School of Education, on the consequences of including students with disabilities in initiatives such as “No Child Left Behind.” Hosted by the Education Program.

An Islamic Solution to the Arab-Israeli Impasse, a talk with professor Jacob Lassner, Klutznick Professor of Jewish Civilization, Northwestern University. Sponsored by the Crown Center for Middle East Studies and the Department of Near Eastern and Judaic Studies.

September
Religion and Ethnicity in Medieval Spain, a lecture by Thomas Glick, Boston University. Hosted by the Department Near Eastern and Judaic Studies.

June
A View from Palestine: Development Under Occupation, a presentation by Mohammad Sawalha of his work, research, and everyday life in Nablus. Sawalha is a professor at An-Najah University, Nablus and director of the Palestinian House of Friendship.

April

Tastes of Memories: A Concert of Cultures, students in the course “Introduction to Intercommunal Coexistence” shared stories, food, and rituals, from their cultural traditions.

For more information on recent or upcoming events, visit the Center online at www.brandeis.edu/ethics.
Legacies of Leadership

As I write these words, Americans are fully immersed in the season of promises. I hope that by the time these words are in print, we will have entered a season of sacrifice.

Our political leaders have made the strongest possible case for the dire nature of our times: a world gripped in conflict and in fear; hardship for the poor and unemployed in the United States and around the globe; values of democracy and community under threat. As they must, they have sworn political oaths of resolve, imagination, and cleverness. They have told us that they will give us more money in our pockets, better health care, and a safer world.

Now, assuming that in 2004 Americans have chosen their president on Election Day, let’s hope that the “leader of the free world” has the courage to ask something of those who voted him into office.

Some would say that we have been in a season of sacrifice for some time now, with nearly 3000 deaths on September 11, 2001, and countless thousands of Americans, Afghans, Iraqis and other nationals dead in the wars since that date. The rampages of ethnic conflict, disease, and rampant poverty are inflicting a worldwide toll.

The burden, however, has been far from fully shared. With all the rhetoric of a world at war, you would hardly know it in American shopping malls. If the problems are as monumental as our leaders have been telling us (and there is reason to think that some of them are far worse than they have acknowledged), then it is irresponsible to expect that we can continue to live on a trajectory of carefree comfort.

Before we can create plans and policies, however, we need leadership with the courage to set a tone, not of rosy dawns or starless midnights, but of a bustling workday of shared responsibility for the future of the country and the world. So I say:

Mr. President, please ask us – all of us – to help.

If you believe that the United States plays a vital role in fighting terror, securing democracy, and confronting humanitarian disasters around the world, then have the courage to ask all of our young people to serve their country and the larger cause of global peace.

If you believe that peace and justice can be won through strong alliances with other nations, then have the courage to sacrifice some measure of American pride. Do not be afraid to make a public admission of our mistakes, or to acknowledge that in a just world, the preferences of the United States will not always prevail.

If you believe that our consumption of oil is despoiling our environment and keeping us dependent on the whims of global politics and markets, then ask us to drive less and to pay for new technologies to replace petroleum.

If you believe that every member of an affluent society should have access to decent, affordable health care, then have the courage to ask the wealthiest of us to sacrifice some choices and services so that the poorest can get basic and preventive services.

If you believe that our civil liberties are the essential foundation of American democracy, then have the courage to admit that we must learn to live with a measure of danger and risk in order to preserve the fabric of our society.

If you believe that basic values of family and community are threatened by zealots, then have the courage to ask us to sacrifice the purity of our ideals in the name of democratic compromises based on mutual respect.

I cannot pretend that a call to sacrifice would be popular. But leadership doesn’t mean telling us what we want to hear. Leadership is marshalling a collective spirit in a just cause. Most of us would prefer peace, justice, and shared prosperity, but we are unlikely to make individual sacrifices unless our leaders engage us a collective effort. You, Mr. President, must set the tone.

Without that kind of leadership, we are simply asking someone else to pay the price for our security and our comforts. The poor, the selfless, and our children’s children will suffer on our behalf.

Daniel Terris, Director

“’If the problems are as monumental as our leaders have been telling us... then it is irresponsible to expect that we can continue to live on a trajectory of carefree comfort.’”
Local Action / Global Impact: 
An Interactive Forum on February 7-11, 2005

In a world of limited resources, how do organizations decide between addressing local needs and working to transform lives on a global scale?

This multi-day event focuses on the relationship between social service and social action at a local level, and social change at a societal or global level. The forum will include performances, art exhibits, workshops, and talks. All events are free and open to the public.

Events include:
Presentation by Brandeis Alumni featuring Deb Bial, ’87, founder of the Posse Foundation. Alumni will speak about their personal choices between local and/or global career paths, as well as how they have worked to amplify local action for a broader impact.

“Radical Equations: Civil Rights and the Algebra Project,” a talk by David Dennis, president of the Southern Initiative of the Algebra Project. The Algebra Project helps low-income students successfully achieve mathematical skills to succeed in today’s technology society, as a means of empowering youth to impact the struggle for citizenship and equality.

This event is a collaboration of numerous Brandeis academic departments, administrative offices, and student groups.

Visit www.brandeis.edu/ethics for up to date information on the forum events.

The Center Has Moved
The Center is pleased to announce that it has moved to its permanent location on the third floor of the Abraham Shapiro Academic Complex. The Center shares the space with the Education Program, the Hebrew and Arabic Languages Program, the Brandeis Institute for Investigative Journalism, and the Mandel Center for Studies in Jewish Education. It is also home to the future Crown Center for Middle Eastern Studies.

Visit the Center online at www.brandeis.edu/ethics.