

Ethics of Dialogue, Compromise, Negotiations

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1.1 Dialogue Ethics: Two Cases

- Case 1: Confrontational dialogue

1986-1989 five confidential dialogues between Churches/development agencies incl. Bread for all and Swiss Banks UBS/CSG about Investments in South Africa under Apartheid. Zero result.

- Case 2 Co-operational dialogue

1993-1994 dialogue between Bread for all and Swiss carpet importers on social conditions/child labor in carpet production. Result: common foundation STEP to improve CSR. 50% of Swiss carpet market under STEP label.

1.2 Typology of Dialogues

Different dialogue objectives

- Explorative dialogue
- Learning dialogue
- Testimonial dialogue
- Revealing dialogue
- Dialectic dialogue
- Confrontational dialogue
- Negotiating dialogue
- Action-oriented dialogue
- Public-relations dialogue

1.3 Values for Dialogues

- Human Dignity
- Equality/justice
- Freedom
- Participation
- Sustainability
- Unity in Diversity

1.4 Dialogue and Pressure

- Dialogue as (a means of) pressure?
- Dialogue or pressure (as alternative)?
- Dialogue after pressure?
- Dialogue before pressure?

All four options are practiced. If they are ethically justified depends on the criteria for ethical dialogues. Pressure as a means of power to implement values can - under clear conditions - ethically be justified, even be needed.

1.5 Conditions for Ethically Successful Dialogues

- to reflect and respect fundamental values mentioned
- to reflect and respect human virtues such as truthfulness, transparency, respecting rules and agreements
- to allow the participants of a dialogue to define themselves
- to clarify at the beginning the objectives of the dialogue
- to clarify the perception of the problem, linked to the limitation or de-limitation of the themes to be negotiated
- to accept that confrontation can be an instrument of communication and conflict resolution and to distinguish between creative and destructive confrontation.

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- to refuse the idea (ideology) that each dialogue is positive
- to analyze the power structure of a dialogue and its participants and to expose this analysis where necessary
- to be aware of the limitations of each dialogue and reflect the combination with other instruments of conflict resolution
- to agree on an ethical information policy about the dialogue which respects the fundamental values, allows to build trust by confidentiality, allows public participation and progress by transparency.

2.1 Ethics of Compromise

Definition of Compromise:

- A compromise is a process whereby, voluntarily or under pressure, interests are balanced so as to achieve parts of clashing interests while both parties agree not to achieve their respective aims in full.
- Is a compromise ethical or not and under which conditions?

2.2 Types of compromises

- Two areas: social and ethical compromise
- Three levels: intrapersonal, interpersonal, institutional compromise
- Two qualities: false and genuine compromise
- Two intensities: democratic (legal) and amicable compromise
- Two schedules: provisional and final compromise.

2.3 Ten Compromise Guidelines

1. A compromise can be justified if it constitutes a means in the process towards ethical values and aims. It thus corresponds to possibilism, which always strives for the best possible solution. It is constantly dynamised by ethical aims.
2. A compromise must be rejected if it is seen as a definite state of value in itself. An ethically acceptable compromise is thus distinct from pragmatism, which refrains from the realisation of wide-ranging aims.
3. No compromise is ethically acceptable with regard to the recognition of and basic aspiration to fundamental values (cf. Ch. 3) and human rights. However, compromises are admissible and necessary when it comes to value judgements and to the social implementation of fundamental values.
4. As a rule, ethically acceptable compromises are provisional compromises made with the intention of replacing them with ethically better compromises at a later date.
5. As a rule, a compromise should be of advantage to the various parties involved. However, it should provide the weaker parties with more advantages than the stronger parties, in the sense of the fundamental value of commutative justice (cf. Ch. 3.2).

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6. A compromise is good if it helps settle conflicts. It should not be made when it covers up conflicts. The time of the conclusion of a compromise is at its ethical best when, in relative terms, the conflict can be carried out best.
7. Exceptionally, a compromise that works faster but is worse with regard to the attainment of the aims involved must be preferred to a better compromise if this serves to prevent the sacrifice of human or animal life.
8. Because a compromise that has been established in public enjoys a democratic basis, it is usually ethically better than a compromise that has been worked out at the exclusion of the public.
9. The rejection of a compromise can be justified if a compromise which must be regarded as ethically unacceptable (e.g. according to guidelines 3 or 6) would only serve the reinforcement of misanthropic power, such as the legitimisation of a dictatorial government through trade agreements.
10. Not all areas of conflict allow of compromise. The rejection of compromise is ethically imperative if a compromise destroys life and basic necessities, or does not lessen the danger with which they are threatened.

Ten compromise guidelines

1. Compromise	→ Possibilism/dynamic	✓
2. Compromise	→ Pragmatism/static	stop
3. Compromise	→ Recognition, fundamental values	✓
4. Compromise	→ Provisional, not definitive	✓
5. Compromise	→ Strengthen the weaker party	✓
6. Compromise	→ Settle conflicts	✓
	→ Cover up conflicts	stop
7. Compromise	→ Quick, to avoid victims	✓
8. Compromise	→ Established in public	✓
9. Compromise	→ Legitimise dictatorships	stop
10. Compromise	→ Destroy basic necessities	stop

3. Principles of Sharing Values

Principles of Sharing Values: over 20 concrete Dialogue Guidelines, elaborated by international experts, published by Globethics.net, downloadable from www.globethics.net, library.

asante sana

धन्यवाद (Danyavad)

thank you

merci

gracias

danke

grazie