

**City University of Hong Kong
Course Syllabus**

**offered by School of Law
with effect from Semester A 2022 / 2023**

Part I Course Overview

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|--|---|
| Course Title: | <u>International Conflict Analysis, Prevention and Resolution</u> |
| Course Code: | <u>LW6420</u> |
| Course Duration: | <u>One semester</u> |
| Credit Units: | <u>3</u> |
| Level: | <u>P6</u> |
| Medium of Instruction: | <u>English</u> |
| Medium of Assessment: | <u>English</u> |
| Prerequisites: <i>(Course Code and Title)</i> | <u>1. LW5400 Legal Concepts; OR 2. LW5622 Legal Methods, Research and Writing AND 3. LW6401 Dispute Resolution in Theory and Practice or its equivalent courses</u> |
| Precursors: <i>(Course Code and Title)</i> | <u>Nil</u> |
| Equivalent Courses: <i>(Course Code and Title)</i> | <u>Nil</u> |
| Exclusive Courses: <i>(Course Code and Title)</i> | <u>LW6419 International Conflict Analysis, Prevention and Resolution</u> |

Part II Course Details

1. Abstract

The purpose of the course is to provide knowledge creation and knowledge transfer in the areas of international conflict analysis, prevention and resolution. While the majority of world is aware of the major alternative dispute resolution processes such as negotiation, mediation, arbitration, and hybrid ADR processes, most do not have a solid foundation in the areas of conflict analysis and prevention, either domestically or internationally, despite the numerous international institutions that seem tailored to resolve international disputes. Furthermore, these areas of analysis and prevention are severely overlooked and under-utilised in the seemingly urgent need to quickly resolve disputes. In so doing, many disputes, especially on the international stage, sometimes result in only interim solutions that are neither long-lasting nor sustainable.

The aim of this course is to investigate and critically examine ways in which conflict analysis and conflict prevention, both at the domestic and especially at the international level, can foster more efficient and more effective conflict resolution that is both sustainable and results in greater international harmony. By accomplishing the course aims and objectives, students will develop a more nuanced and methodical approach to helping solve some of our global society's most pressing international and domestic conflicts by leveraging a broader knowledgebase of international conflict analysis, prevention, and resolution processes and techniques.

The structure of the course reflects the fact that accomplishing the course aims requires students to undertake the following tasks:

- Display an attitude of curiosity, creative problem-solving, and innovation towards knowledge and issues analysed in class;
- Demonstrate an ability to critically analyse and synthesise knowledge as well as apply that knowledge to solve real-life social problems at the domestic and international level by leveraging a comparative and interdisciplinary understanding of issues; and
- Accomplish the production of a significant independent research paper consistent with relevant academic writing standards, which will serve as a basis for the discovery of innovative and creative solutions to real-life situations and legal issues as well as a self-designed conflict analysis, prevention, and resolution (CAPeR) decision framework.

Students will accomplish the above tasks in a positive, discovery-enriched, interactive learning environment composed of a combination of class instruction using the Socratic method (where applicable), technology integration tools, independent study, and the assistance of individual one-on-one mentoring sessions as needed. Independent thinking and skills development is strongly encouraged as this will be a necessary element in the continued development of a discovery and innovation mindset towards conflict analysis, prevention, and resolution in a professional setting.

2. Course Intended Learning Outcomes (CILOs)

(CILOs state what the student is expected to be able to do at the end of the course according to a given standard of performance.)

| No. | CILOs | Weighting (if applicable) | Discovery-enriched curriculum related learning outcomes (please tick where appropriate) | | |
|-----|--|------------------------------|---|----|----|
| | | | A1 | A2 | A3 |
| 1. | Demonstrate an attitude of discovery and innovation by analytically and critically evaluating and explaining the theories, institutional settings, policies, and procedures used in conflict analysis, prevention, and resolution. | Nil | ✓ | ✓ | ✓ |
| 2. | Cultivate and demonstrate an ability to critically analyse and synthesise knowledge as well as apply that knowledge to solve real-life global conflicts and issues at the domestic and international level by leveraging a comparative and interdisciplinary understanding of issues in a panel/moot-style debate setting through: <ul style="list-style-type: none"> • analysing theories; • interpreting law and legal institutions that underpin the framework of conflict analysis, prevention, and resolution; • conducting independent research on a pressing domestic or international conflict • developing and debating legal and non-legal solutions and issues clearly, logically, coherently and effectively, both orally and in written submissions. | Nil | ✓ | ✓ | ✓ |
| 3. | Accomplish the production of: <ul style="list-style-type: none"> • a significant independent research paper consistent with relevant academic writing standards, which will serve as a basis for the discovery of innovative and creative solutions to real-life situations and legal issues that demonstrates application of course knowledge; and • a self-designed conflict analysis, prevention, and resolution (CAPeR) decision framework, | Nil | ✓ | ✓ | ✓ |
| | | 100% | | | |

A1: *Attitude*

Develop an attitude of discovery/innovation/creativity, as demonstrated by students possessing a strong sense of curiosity, asking questions actively, challenging assumptions or engaging in inquiry together with teachers.

A2: *Ability*

Develop the ability/skill needed to discover/innovate/create, as demonstrated by students possessing critical thinking skills to assess ideas, acquiring research skills, synthesizing knowledge across disciplines or applying academic knowledge to real-life problems.

A3: *Accomplishments*

Demonstrate accomplishment of discovery/innovation/creativity through producing /constructing creative works/new artefacts, effective solutions to real-life problems or new processes.

3. Learning and Teaching Activities (LTAs)

(LTAs designed to facilitate students' achievement of the CILOs.)

| LTA | Brief Description | CILO No. | | | Hours/week (if applicable) |
|---|--|----------|---|---|-------------------------------|
| | | 1 | 2 | 3 | |
| Interactive Seminars: | <ul style="list-style-type: none"> • Students will receive guidance on their reading and research through multimedia or other presentations. • Students will have an opportunity to participate in interactive question/answer sessions that allow them to demonstrate their understanding of their readings and course materials <p>Weekly readings related to the course syllabus:</p> <ul style="list-style-type: none"> • Students will acquire knowledge of the substantive rules of commercial law <p>Small group / interactive sessions:</p> <ul style="list-style-type: none"> • Students' understanding will be enhanced by seeing the operation of conflict analysis, prevention, and resolution principles in case studies and through group discussions • Students will have an opportunity to interact and participate in solving problem questions and cultivate an attitude of discovery and creative problem solving techniques | ✓ | | | 2 hours per week |
| Small group / mini-moot debates and written submissions : | <ul style="list-style-type: none"> • Students will analyse the theories, institutional frameworks, and law as related to the course topics • Students will apply relevant legal and non-legal analysis skills to case study situations, thereby developing issue recognition, problem analysis, conflict prevention and conflict resolution skills • Students will present arguments orally and through written submissions in a panel debate / moot-style setting where they will represent either a fictitious client/issue and act as a representative for the client/issue. | | ✓ | | 1 hour per week |
| Independent research / writing assignment: | <ul style="list-style-type: none"> • Students will learn, scrutinise, analyse, and evaluate conceptual, regulatory and policy issues related to innovative trends in conflict analysis, prevention and resolution • production of a significant independent research paper as well as a self-designed conflict analysis, prevention, and resolution (CAPeR) decision framework, consistent with relevant academic writing standards, that addresses the social and practical application of course topics to real-life problems or trends in conflict analysis, prevention and resolution | | | ✓ | 2 hours self-study |

4. Assessment Tasks/Activities (ATs)

(ATs are designed to assess how well the students achieve the CILOs.)

| Assessment Tasks/Activities | CILO No. | | | Weighting | Remarks |
|--|----------|---|---|-----------|---|
| | 1 | 2 | 3 | | |
| Continuous Assessment: <u>60</u> % | | | | | |
| Class presentation | ✓ | | | 30% | See below The use of Generative AI tools is not allowed. |
| Mid Semester Assignment | | ✓ | | 30% | See below The use of Generative AI tools is not allowed. |
| Examination: <u>40</u> % (duration: 3-hour open book examination during normal examination period) | | | | | |
| | | | | 100% | |

Remarks:

AT1 – Participation:

Participation is 30% of your final grade. Attendance is an important element of this course and allows students to participate and further develop their course CILOs. Participation includes any and all in-class activities including, but not limited to, class participation exercises, group presentations, and active question and answer opportunities in lecture and tutorial. Participation during classes, in tutorials, in small group sessions, and in large group sessions, where appropriate, enables students to actively develop the CILO skills. Participation also allows instructors and course examiners to evaluate a student's response to materials covered in the course. *Meaningful* participation is encouraged and will count towards a student's A1 assessment task in this course.

AT2 – Mid Semester Assignment:

The mid-semester assignment is 30% of your final course grade. The mid-semester coursework assignment is designed to test your understanding of the course materials and course CILOs at a particular point in time during the course. The mid-semester assignment will be discussed and distributed within Week 2 of the semester and is due by Week 10 of the semester.

Failure to submit coursework on time will result in penalties for late submission of the assessment tasks as advised by the Course Leader, consistent with the SLW policy on late submission of assessment tasks.

AT 3 – End of Semester Examination

The end of semester examination is 40% of your final course grade. The end of semester examination will occur during the normal examination period for the semester. The end of semester examination will be a **3-hour, open-book examination**. You may use any course

materials and course notes for the exam. You may not use electronic devices, electronic storage devices, or library books during the examination.

Applicable to students admitted before Semester A 2022/23 or in Semester A 2024/25 & thereafter

- (i) A student must obtain a minimum mark of 40% in both coursework and examination and an overall mark of 40% in order to pass a course.

Applicable to students admitted in Semester A 2022/23 to Summer Term 2024

- (i) A student must obtain a minimum mark of 50% in both coursework and examination and an overall mark of 50% in order to pass a course.

5. Assessment Rubrics

(Grading of student achievements is based on student performance in assessment tasks/activities with the following rubrics.)

Applicable to students admitted before Semester A 2022/23 or in Semester A 2024/25 & thereafter

| Assessment Task | Criterion | Excellent (A+, A, A-) | Good (B+, B, B-) | Fair (C+, C, C-) | Marginal (D) | Failure (F) |
|-----------------|--|--|---|---|--|---|
| 1. Coursework | Demonstration of ability to identify issues, current trends and practices. | Strong evidence of original thinking; good organization, capacity to analyse and synthesize; superior grasp of subject matter; evidence of extensive knowledge base. | Evidence of grasp of subject, some evidence of critical capacity and analytic ability; reasonable understanding of issues; evidence of familiarity with literature. | Student who is profiting from the university experience; understanding of the subject; ability to develop solutions to simple problems in the material. | Sufficient familiarity with the subject matter to enable the student to progress without repeating the course. | Little evidence of familiarity with the subject matter; weakness in critical and analytic skills; limited, or irrelevant use of literature. |
| 2. Examination | Application of knowledge learnt to specific problems and issues. | Strong evidence of original thinking; good organization, capacity to analyse and synthesize; superior grasp of subject matter; evidence of extensive knowledge base. | Evidence of grasp of subject, some evidence of critical capacity and analytic ability; reasonable understanding of issues; evidence of familiarity with literature. | Student who is profiting from the university experience; understanding of the subject; ability to develop solutions to simple problems in the material. | Sufficient familiarity with the subject matter to enable the student to progress without repeating the course. | Little evidence of familiarity with the subject matter; weakness in critical and analytic skills; limited, or irrelevant use of literature. |

Applicable to students admitted in Semester A 2022/23 to Summer Term 2024

| Assessment Task | Criterion | Excellent (A+, A, A-) | Good (B+, B) | Marginal (B-, C+, C) | Failure (F) |
|-----------------|--|-----------------------|--------------|----------------------|-------------|
| 1. Coursework | Demonstration of ability to identify issues, current trends and practices. | High | Significant | Moderate | Inadequate |
| 2. Examination | Application of knowledge learnt to specific problems and issues. | High | Significant | Moderate | Inadequate |

Part III Other Information (more details can be provided separately in the teaching plan)

1. Keyword Syllabus

international conflict analysis, international conflict prevention, international conflict resolution, conflict theory, dispute resolution, negotiation, mediation, arbitration, med-arb, restorative justice, international courts, United Nations, dispute systems design

2.1 Detailed Syllabus

The course syllabus contains, but is not limited to, the following topics.

- Historical origins and development of the field of conflict resolution
- Nature and dynamics of conflict
- Key concepts within conflict resolution
 - Win-win
 - Win-lose
 - Third-party intervention
- Costs of contemporary conflict dynamics
 - Trends, distribution and costs of contemporary conflicts
 - Conflict types
 - Theories of conflicts, escalation, stalemate
 - Conflict mapping
- Existing institutional frameworks for resolving conflicts at domestic and international levels – public law vs. private law options
- Conflict analysis theories, frameworks, methods, and tools
- Early warning, theories and approaches to conflict prevention
 - Theories of conflict prevention
 - Approaches to conflict prevention
 - Media and conflict prevention
- Conflict transformation – theories, approaches, and practice
- Conflict resolution – going beyond ADR
- Peacekeeping and conflict management
 - Definition, peacekeeping models, and peacekeeping as conflict resolution
- Peace settlements and post-conflict peace building

2. Reading List

2.1 Compulsory Readings

(Compulsory readings can include books, book chapters, or journal/magazine articles. There are also collections of e-books, e-journals available from the CityU Library.)

The required or recommended texts for the course will be discussed by the Course Leader and indicated in the Course Manual. Below are some of the texts, ordinances, and online sources which may be used during the course.

Text(s):

- Oliver Ramsbottom, Tom Woodhouse, and Hugh Miall, *Contemporary Conflict Resolution* (3rd edn, Cambridge: Polity Press, 2011)
- Dean Pruitt, Jeffrey Rubin, and Sung Hee Kim, *Social Conflict: Escalation, Stalemate, and Settlement* (3rd edn, McGraw Hill, 2003)
- I William Zartman, *Peacemaking in International Conflict: Methods and Techniques* (Revised Edition, United States Institute of Peace Press, 2007)

- Michael S Lund, *Preventing Violent Conflicts: A Strategy for Preventive Diplomacy* (United States Institute of Peace Press, 1996)

2.2 Additional Readings

(Additional references for students to learn to expand their knowledge about the subject.)

Nil

Online Resources

- Hong Kong Legal Information Institute: www.hklii.org
- Reference should also be made to websites, e.g. law reports and to obtain update knowledge and the developments of the law
 - BLIS (Bilingual Laws Information System)
 - Westlaw and Lexis-Nexis
 - Annotated Hong Kong Ordinances (LexisNexis)
 - The Law Library Electronic Databases including Index to Legal Periodicals and Index to Foreign Legal Periodicals, Latest Judgment Alert, Hong Kong Premium Service, Hansard U.K.