



UNIVERSITÀ
CATTOLICA
del Sacro Cuore

Global ethics and Restorative justice

PROF. PAOLO GOMARASCA; PROF. CLAUDIA MAZZUCATO

Course aims and intended learning outcomes

The course is divided in two separate modules. The two teaching modules are highly connected within the same interdisciplinary approach.

MODULE I: *Global Ethics* (Professor Paolo Gomasca)

Course aims

The first part aims to analyse current affairs within the framework of the major ethical positions developed in the literature and to provide students with a basic understanding of the application of ethical theories to contemporary global issues (with a special focus on human rights and global poverty).

Intended learning outcomes

Knowledge and understanding:

Upon completion of the module, students will be able to:

- understand and discuss literature about the ethical dimensions of global affairs;
- recognise, describe and critically analyse the major ethical dilemmas and controversies in contemporary politics and international relations;
- Applying knowledge and understanding:
- develop and demonstrate specific competences for formulating and defending arguments and for solving problems related to human rights issues.

MODULE II: *Restorative Justice* (Professor Claudia Mazzucato)

Course aims

This module is intended to provide students with an exploration of restorative justice, through the study of its theory and practice in national and international contexts. Theoretical analysis will take into account the philosophical and juridical perspectives, comparing restorative justice and responsive regulation systems with 'typical' regulatory and justice systems based on coercion, enforcement and punishment. Lectures will acquaint students with the methodologies and practices of restorative justice. The course will explore the key issues restorative justice tries to address: conflict and violence, on the one hand, aspiration for peace and justice, on the other.

Intended learning outcomes

Knowledge and understanding; Applying knowledge and Understanding:

Upon completion of the module, students will be able to:

- 1) recognize and understand different ways to respond to conflicts in either interpersonal, national or international settings (adjudication, negotiated settlements, restorative responses)
- 2) describe and critically analyse restorative justice, its principles and values, its goals and aims, its processes and fields of application

Making judgements:

- 1) discuss the role of enforcement and coercion in conflict resolution and in justice systems
- 2) discuss the role of compliance and participation in conflict resolution and in restorative justice systems

Communication:

- 3) master the basic specialized terminology in restorative justice.



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Course content

MODULE I: Global Ethics

First part. Overview and key concepts

1. What is global ethics?
2. Moral theory for global ethics (utilitarianism, kantianism, virtue ethics)
3. Political theory for global ethics (cosmopolitanism VS. political realism)
4. Rights theory for global ethics (global human rights VS. critiques of the rights framework)

Second part. Case study

5. Global poverty and the nature and justification of our ethical duties to respond to it.

MODULE II: Restorative justice

1. A philosophical and juridical overview (The problem of the “Other”. Friend-enemy. Conflicts, violence, war. Violence, law, justice. Truth, memory, forgetting, forgiveness. Peace and justice).
2. Conflict resolution models (Judicial and adversarial models. Negotiation and settlement. Restorative models. Multicultural dimensions of conflict resolution practices).
3. Restorative justice (Basic principles. Main types of programmes. Fields of application. Challenges, pitfalls and potentials). Restorative justice and responsive regulation.
4. Dealing with the past. Transitional justice and responses to gross violations of human rights. Restorative justice and world peacemaking.

Reading list

Module I – Global Ethics

Students will be required to prepare the following textbooks:

H. Widdows, *Global Ethics. An introduction*. Routledge, London 2014 (only chapters 1-5, 7).

A. Clapham, *Human Rights. A very short introduction*, Oxford University Press, Oxford 2015 (second edition).

Module II – Restorative justice

Students will be required to prepare the following textbooks:

United Nations Office on Drugs and Crime, *Handbook on Restorative Justice programmes*, United Nations, New York 2006 (available online in open access).

J. Braithwaite, *Restorative Justice and Responsive Regulation*, Oxford University Press, Oxford-New York 2002.

Other teaching materials and suggested reading lists will be available on Blackboard.

Teaching method

Traditional lectures. Active participation is strongly encouraged: students are expected to participate constructively with comments and questions. Power point presentations will be posted on Blackboard. Regular attendance is strongly advised, due to the wide range and variety of topics the course addresses.



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Assessment method and criteria

The final exam consists in a single written test, comprising two distinct parts (50% of the final grade each), each concerning one of the modules. The final grade will result from an average of the two different marks. Detailed information about the written test and the types of questions will be posted on Blackboard at the beginning of the course.

The test aims at ascertaining the achievement of the intended learning outcomes (see above). Therefore, students will be tested on:

- their full understanding of the topics presented in the two modules;
- their proficiency in the critical comprehension of the key concepts;
- their mastery of the specialized terminology;
- their ability to establish interdisciplinary connections.

Students will have to demonstrate their thorough and critical study of all the requested readings. Mere knowledge of the topics without a critical understanding of the key issues or a partial and sectoral knowledge of the topics will not be considered sufficient to pass the exam.

Notes and prerequisites

Given the introductory level of the course, no prerequisites or prework are necessary.

Place and time of consultation hours:

Prof. Paolo Gomarasca

Office hours: Mon. 11,30-13,30 (Department of Philosophy, 3rd floor, Gregorianum building).

Prof. Claudia Mazzucato

Office hours: Fri. upon appointment (Department of Legal Sciences, 4th floor, Gregorianum building, room 414).