Passions are Interests: Emotions in Conflict Resolution

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The “Affective Turn” in Science and Philosophy

- Re-discovery and re-evaluation of emotions in Western thought
- Historical re-appraisal of the role of emotions in shaping Western history
- Renewed attention to the influence of emotions on society – political and economic
The “Usefulness” of Emotions

Communication
- involuntary
- obvious
- transparent

Motivation
- compelling
- immediate
- powerful
The Manufacture of Emotions

- “Universal” emotions?
- Psycho-cultural influences
- Labelling and forms of expression
- Power seeks emotional support
## Parallel Normative Systems

<table>
<thead>
<tr>
<th>Law</th>
<th>Morality</th>
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<tbody>
<tr>
<td>discursive</td>
<td>affective</td>
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<td>objective</td>
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<td>determining</td>
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The Emotional Construction of Moralities

- Three major “families” of morality:
  - moralities of responsibility (consequentialism)
  - moralities of duty (social expectations)
  - moralities of purity (divine order)

- Three groups of corresponding supporting emotions:
  - sympathy and shame (attending to consequences)
  - pride and contempt (shouldering or shirking duty)
  - reverence and disgust (avoiding disorder)
Morality in Participatory Justice

- Morality shapes perceptions of justice
- Law is not co-extensive with justice
- Moral justifications may be explored in alternative processes
- ADR therefore requires attention to moral positions and their emotional underpinnings
- Moral imperatives and their corresponding emotions are therefore real interests within mediation
Moral and Emotional Conundrums in Mediation

- Misperception of emotions
- Similar emotions as common interests
- Dissimilar emotions associated with differing moralities
- Cross-cultural translation of emotional expression
- Manipulation of emotions and psychological power
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Comments and questions?

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