



**Conflict & Security Theme
Full Application Form 2008/2009**

Registration form

Please indicate to which programme line the project applies (only one programme line allowed).

- 1. Ethnic conflict in local communities and societies O
- 2. Conflict around work and organizations O
- 3. Framing conflict in culture, politics, and science O
- 4. Conflict-escalation, justice and intervention O
- 5. Conflict and religion X

1a. Details of principle applicant

principal applicant / contact

name, title(s): Male
 prof.dr.mr. W. van der Burg
 university: Erasmus University
 Rotterdam, School of Law,
 section Jurisprudence
 correspondence address:
 Faculteit Rechtsgeleerdheid,
 Postbus 1738
 postal code: 3000 DR town: Rotterdam
 telephone: 010-4082912 fax: e-mail:
vanderburg@frg.eur.nl
 research school:
 Rechten van de Mens

co-applicant(s) (optional)

name, titles, university, department, research school:
 dr. E.M. Galenkamp Female
 University: Erasmus University Rotterdam, School of Law, section Jurisprudence
 Tel: 010-4082649; email: Galenkamp@frg.eur.nl
 Research school: Rechten van de mens

(Have you informed your superior and does your institute/university accept the conditions for support by NWO?)

yesXXX	no
--------	----

Relevant authority
 Name: prof.dr. M.J. Kroeze
 Position: dean of Erasmus School of Law

1b. Title of research proposal (NL and UK)

NL: Herijking van politieke filosofie en recht: recht doen aan dynamiek en hybride identificaties

UK: Reconstructing Political Philosophy and Legal Doctrine: Doing Justice to Dynamics and Hybrid Identifications.

1c. Abstract



**Conflict & Security Theme
Full Application Form 2008/2009**

Obligatory!, max. 100 words

The presence of Islamic minorities in the Netherlands gives rise to such intractable controversies as quarrels over headscarves in public space or the refusal to shake hands. The dominant doctrines in political philosophy and law (e.g., doctrines of human rights, neutrality and separation of church and state) cannot adequately conceptualize those conflicts, partly because they are static and focus on distinct groups. This project aims to reconstruct those doctrines so that they can deal more adequately with the conflicts around religion in the public sphere, especially with the dynamics of conflicts and hybrid identification processes.

(95 words)

1d. Application to other bodies

Has the same idea been submitted elsewhere?

no	yes + amount requested:
XX	

1e. Past performance on PhDs

(as dissertation supervisor ("promotor or co-promotor"))

Main applicant	
Name of PhD student	year of PhD ceremony
G. Drosterij (1 st supervisor)	2008
L.J.J. Wijkhuijs (2 nd)	2007
J. Stamhuis (2 nd)	2006
A.J. Wolthuis (2 nd)	2006
C.M. Bekker (1 st)	2004
M. van Dijck (1 st)	2003
H.S. Taekema (1 st)	2000
H.H.A. van den Brink (2 nd)	1997
(currently co-supervising 5 Ph.D. candidates; so far, no Ph.D. projects have been terminated without a dissertation)	
Co-applicant	
J.M. ten Voorde (1 st)	2007

1f. Intended starting date

August 2009

Research proposal

2. Description of the proposed research

Word Count: 4309

The **maximum** length is 4500 words (2a-2e); please see the brochure.

(footnotes included, references excluded; use word count to specify number of words)

2a. Research topic

1. Research Topic

The presence of Islamic minorities in the Netherlands gives rise to such intractable controversies as quarrels over headscarves in public space or the refusal to shake hands. These new conflicts are different from familiar conflicts with orthodox Protestant minorities in the Netherlands. According to Roy, recent conflicts do not result from some unchanging nature of Islam. Rather, they are connected with dynamic processes of modernisation, integration and identification (Roy 2004, 2007; cf. Walzer 2004; Scheffer 2007). Moreover, as a result of hybridization of identities, the conflicting minorities cannot be distinguished as easily as the old 'pillars'. Hybridization offers perspectives for transforming multicultural conflicts in processes of mutual adaptation ('poldermoslims') and also for using the creative potential of diversity (cf. Putnam 2007; WRR 2007; Sen 2002; Beck 2006). Therefore it is an important challenge for politics and for law to

support (and regulate) the dynamic processes associated with hybridization. The dominant doctrines in political philosophy and law (e.g., doctrines of human rights, neutrality and the separation of church and state), however, cannot adequately conceptualize those new conflicts.

In *political philosophy*, most liberal theories focus on distinct minority groups, hereby disregarding the dynamics within and between those groups. As a consequence, they tend to reify and even reinforce antagonisms between groups. Moreover, most liberal theories are idealtheoretical, abstract and universalist with a strong emphasis on consensus (Rawls 1971, 1996, Ackerman 1980, Habermas 1980). Consequently, pluralism is primarily regarded as a problem that can be solved, hereby overlooking the tragic dimensions of multicultural issues (Van den Brink 2000). According to Walzer, such abstract approaches cannot do justice to the variety in social practices dealing with diversity and conflict (Walzer 1997). Liberal multiculturalism offers more room for contextualism, but the older literature also focuses on distinct groups (Kymlicka 1989 and 1995). Recent multiculturalist literature (e.g., Phillips 2000) tries to do justice to hybrid and blurred identities, but still is relatively blind to the dynamic side of conflicts.

The intuition behind the political philosophical project is that an infusion of Walzerian complexity could lead to a tempered ideal theory. Such an infusion would lead to a theory that addresses the complexity of the world and proceeds from a number of ideal-typical models of multi-cultural and multi-religious societies — much like the typology that Walzer developed in his theory of toleration — to see how these different multi-cultural, multi-religious constellations can be squared with the ideals of liberal democracy (Walzer, 1997). This exercise should not be understood as the reconstitution of a new and more robust static liberal theory at a lower level of generality taking into account more complicating particulars. Rather, replacing a singular ideal with a range of possible constructions of the ideal in different ideal-typical circumstances would both allow for an analysis of greater complexity, and provide the conceptual tools to describe and understand dynamics and change. It would allow an analysis, for instance, that can describe how a consociational (“verzuilde”) democracy like the Netherlands can evolve towards a more unified nation state and what the implications of that change should be.

In *law*, its inability to do justice to dynamics and pluralism is both a matter of the substantive theory underlying positive law and a general methodological problem associated with the specific character of law. Law’s orientation on precedent, on the one right answer and on the authoritative settlement of conflicts leaves little room for upholding diversity and openness for change (Van der Burg 2001). Due to its rather strict legal framework, for example, Dutch equal treatment law is inflexible and cannot do justice to some of the pressing problems of the multireligious society (according to two members of the Equal Treatment Committee, Goldschmidt & Hendriks 2003). Moreover, the strong rights orientation in horizontal relations may lead to reinforcement of conflicts rather than to accommodation (Glendon 1991; Evans 1997; Sullivan 2005; Galenkamp 2008).

In various publications, the main applicant has argued that the more static elements in law, morality and political theory may be found at the level of rules and principles, whereas the impetus for change may be found at the more abstract level of ideals and at the concrete level of experiences, intuitions and problematic cases (Van der Burg 1997 and 2001). The conclusion of his NWO-PIONIER-programme *The Importance of Ideals in Law, Morality and Politics* was that ideals are key elements in pluralism, in controversy and debate, and in enabling development (Van der Burg and Taekema 2004). In legal, moral and political doctrine, the dialectical interaction between, on the one hand, a continuous reconstruction of interpretations of ideals and, on the other hand, concrete experiences, intuitions and cases enables a continuous development. Ideals have a surplus of meaning and may therefore be open to multiple interpretations. Debates on new problematic cases (e.g., policewomen with headscarves) and interpretations of ideals (e.g., of state neutrality as *laïcité*) may be responsible for changes in legal, moral and political doctrines. In morality and political theory, controversy may continue, as consensus will usually not be reached – and moreover, is often not desirable because it may lead to premature closure of the debates and thus prevent further development in morality and politics. In law, even though authoritative settlement by courts and legislatures is one of the valuable functions of law, it may have negative consequences if it leads to a premature closure which is perceived as insufficiently justified. This may both damage law’s legitimacy, and in the long term make law unable to keep up with developments in society.

In order to address the methodological problem of how law can become both more dynamic and open to sustain pluralism, conflict and debate, we may combine two strategies. (Van der Burg 2001) The first is a stronger focus on law as an interpretative and argumentative practice, in which legal doctrine or authoritative settlements are always deemed provisional and differences in opinion

are essential to keep the process going. To do so, we need to strengthen in legal doctrine itself the process-oriented elements, such as the ECHR's doctrine of 'dynamic or evolutive interpretation'. The second is a stronger focus on the open and dynamic elements in legal doctrine such as the ECHR's doctrine of the 'margin of appreciation', and on the interaction between ideals and concrete experiences, cases and intuitions.

2b. Approach & methods

This leads to the central research question:

How can liberal political philosophy and legal doctrine be reconstructed so that they can deal more adequately with the conflicts of our multireligious society, especially with the dynamics of conflicts and hybrid identifications?

This question will be analysed both at the substantive level of legal and political doctrine as applied to concrete controversies, and at the methodological level of how those doctrines can be reconstructed to be more open to diversity and dynamics in general. The primary focus will be on the way law and politics can promote rather than thwart the positive dynamics of hybridization of identities. This fits in with the NWO-programme's themes of dynamics and of the positive aspects of diversity and conflicts. The distinction between different levels of conflict will be a heuristic angle, especially in the legal subprojects where we will distinguish, e.g., policy controversies at the levels of the European Court of Human Rights, of domestic law and of local regulations with regard to government employees wearing head scarves.

Although legal doctrine cannot be strictly separated from political philosophy (Dworkin 1986) – hence, their combination in this project – we may distinguish between subprojects in political philosophy and in law.

Political philosophy

The central question for the research on political philosophy will be:

How can liberal legal theory be made more hospitable to, and reflective of, the dynamics and hybridity of multi-cultural and multi-religious societies?

The postdoc research will be concerned with elaborating the consequences for contemporary-ideal liberal political theory of dynamic developments in the basic make-up of society and the hybrid identifications of its fluid constituent minorities. Michael Walzer's work provides an excellent point of departure for such a theoretical analysis. Both issues – dynamics and hybrid identifications – are central concerns in his work. Compared with neo-Kantianideal liberal theory, Walzer's approach is much more sensitive to the complexities of the world, to the different types of liberal democracies – multinational states, nation-states, consociational democracies, and immigrant societies – with their own logics; to the different histories of immigrant groups and religious minorities and their different stages of adjustment to their host nation; to the changing historical context and developing social circumstances; and to the different "spheres of justice" within individual states with their own regulative principles (Walzer 1983, 1997).

This rich body of work will be employed to look at the Dutch experience and to serve both as a counterpoint to, and as a complement of contemporaryideal liberal theory. There are several interesting dynamics in the Netherlands that can be analyzed fruitfully from a Walzerian perspective: The formal make-up of the Dutch political system still bears the imprint of its consociational ("verzuilde") past, but the sharp religious divisions it once mediated have long since disappeared. Public discourse meanwhile has moved towards notions typically associated with the nation-state and the dominant division animating public debate is between mainstream Dutch society and the Muslim minority. This Muslim minority is complex and changing. It contains members from many different ethnic backgrounds and ranges from the traditional to the latitudinarian. Radicalization in Western Europe is typically among alienated second-generation youngsters who are born-again, not among traditional believers (Roy, 2004). In short, both the public reason underlying the Dutch political system and the make-up of Dutch society are in a state of flux and, as yet, the implications of these developments for liberal theory can only be surmised.

The research will move from the particular to the general. It will begin with a study of the Dutch experience and the way Walzer's theoretical work can be employed to throw light on the way religious diversity and conflict has been mediated in the Netherlands in the post-War period – from the avoidance of conflict with the procedures of consociationalism, to the acceptance of conflict and the embrace of a unified national identity in recent years. This will provide a theoretical framework to understand changes in the Dutch legal and political landscape that may inform the other subprojects and it will clear the ground for a thorough and critical analysis of recent developments. This will also be the basis for more general suggestions on how ideal liberal theory can be opened



Conflict & Security Theme Full Application Form 2008/2009

up to the dynamics of social circumstances and reconciled with change.

As this is an extremely demanding project, both in disciplinary range and in depth of analysis, this must be executed by a postdoc. An excellent candidate is available, Wouter de Been (studies in American studies, political science and legal theory; promotion *cum laude* 2005; dissertation published by Stanford University Press in 2008.)

Law

There will be four legal sub projects, two by Ph.D. candidates and two by the applicants. The latter will do this as part of their ordinary research; as they have already done much research on those themes, they will be able to finish their research with this specific methodological angle in three years.

Five legal ideals or principles with regard to religion in the public sphere often conflict: the separation of church and state, state neutrality, freedom of religion, freedom of speech, and equality. The two Ph.D. projects and Galenkamp will study the three ideals that have been explicitly formulated as rights in constitutions and treaties; Van der Burg will study the two remaining ideals.

Two Ph.D. projects will focus on 1. equality (and anti-discrimination law) and 2. freedom of speech. They will analyse how these ideals conflict with the other four ideals. Decisions by courts, the Equal Treatment Commission or the state on those conflicts are often highly controversial; there is always one party in the conflict which is deeply disappointed because they do not feel their legitimate claim taken seriously. Examples are decisions whether or not to prosecute Geert Wilders for his anti-Islam statements, on head scarves or on anti-gay statements by Protestant ministers and politicians. These decisions seem to have a winner-take-all character which may contribute to feelings of exclusion among those who lose. Moreover, they often seem to make premature closures on issues which have not yet fully settled in the public debate. We should therefore search for new forms of legally structuring those conflicts so that this excluding effect is minimal and premature closure of debates and thus of the dynamics in conflicts is avoided. The aim is to reconstruct legal doctrine on those ideals so that it can offer more adequate conceptualizations and solutions to a number of controversies on religion in the public sphere. Therefore, they have a parallel research question:

How can legal doctrine with regard to equality and anti-discrimination law, and with regard to freedom of speech, respectively, be reconstructed so that it can deal more adequately with the conflicts of our multireligious society, especially with the dynamics of conflicts and hybrid identifications?

Galenkamp's project will study whether a different understanding of the status of constitutional rights in horizontal relations can help us to reframe intractable controversies. Her focus in this study will be on freedom of religion. She has recently argued (Galenkamp, 2008) that up to now in the Dutch legal doctrine on constitutional rights (e.g. Burkens, 2006) - especially with regard to the freedom of religion and the freedom of speech - these rights are commonly conceptualized in quite absolutist terms. Due to the increased so-called horizontal operation of fundamental rights, it may lead to a lot of rights collisions (i.e. conflicts between rights). In her project it will be investigated whether these rights collisions might be remedied by a socialization of constitutional rights within our multireligious society, following the example of the 18th and 19th century developments in the private law doctrine on ownership. Her research question is:

How can legal doctrine with regard to constitutional rights (and especially the freedom of religion) in horizontal relations be reconstructed so that it can deal more adequately with the conflicts of our multireligious society, especially with the dynamics of conflicts and hybrid identifications?

Van der Burg's project has a largely similar focus on the two remaining ideals. Neutrality is very closely associated with the ideal of the separation of church and state (in some views the latter is even an implication of the former); therefore it is useful to study them both, even if the primary focus will be on state neutrality. How can the law deal with conflicting interpretations of state neutrality in such a way that it allows a dynamic and contextual (multi-level) interpretation? As neutrality is an ideal which has both a legal and a political dimension, he will combine legal and political philosophy in this project. He has recently introduced a new, more pluralistic understanding of neutrality (Van der Burg 2007), which has been adopted both in academic analysis (e.g. WRR 2007) and in policy documents (e.g. by the gemeente Amsterdam in 'Notitie Scheiding Kerk en Staat', 3 July 2008). In the context of this project, he will analyse in how far this



Conflict & Security Theme Full Application Form 2008/2009

pluralistic understanding of the neutrality ideal may help to uphold diversity (esp. diversity associated with hybrid identifications) in such a way that it enables a positive dynamics of the conflict between the different religious and cultural perspectives. His research question is therefore:

How can legal and political doctrine with regard to state neutrality and the separation of state and church be reconstructed so that it can deal more adequately with the conflicts of our multireligious society, especially with the dynamics of conflicts and hybrid identifications?

Programmatic/methodological subproject

In the last year of the project, the postdoc and the applicants will draw more general (partly methodological, partly substantive) conclusions about the way law and political philosophy can be reconstructed in order to be more open to dynamics, to upholding diversity and to enduring and regulating conflict. (The replacement subsidies are meant for this purpose.)

2b. Approach and methods

Political subproject

The methodology employed in the political theory project takes its inspiration from Walzer's approach to political philosophy. Walzer takes the perspective of the situated observer engaging with the political tradition he is part of, instead of that of the detached analyst. Walzer builds on aspects implicit in that tradition in order to criticize its flaws and make contributions to its further development. (This view of the theorist as part of an evolving tradition is one of the reasons why dynamics and change present less of a problem for Walzer's theory.) The theoretical analysis of the Dutch political experience will be an application of this approach — consonant with the hermeneutic method in legal research — making use of the typology of different liberal democratic societies that Walzer developed in Walzer 1997 (cf. De Been 2008).

The findings of this research will then be confronted with ideal liberal theory. This raises difficult methodological issues as this is a very different approach to political theory and one that naturally gravitates towards formulating the one right answer. Yet, the differences between the two approaches are not insurmountable and should not be exaggerated. In ideal liberal theory the resulting principles of the thought experiment are usually related back to existing practices and adjusted if necessary. (cf. Rawls's idea of a reflective equilibrium) It is at the spot of these theoretical feedback loops that real world conditions can be confronted with ideal theory and the theory can be opened up to social dynamics and hybrid identities.

Legal subprojects

The four legal subprojects have a common hermeneutical methodology aimed at a critical reconstruction of Dutch legal doctrine. They will use familiar methods of legal hermeneutic research such as literature study, analysis of case law and comparative law and combine this with philosophical analysis. The starting points are legal materials on the specific topic of the subproject: case law, statutes, treaties, legal literature. These must be collected and interpreted in order to construct positive legal doctrine. Not only strictly legal materials should be used, but also sources such as contributions to political and public debates; they are relevant for a good contextual understanding of positive law and especially for possible controversies surrounding it. As this project has a specific focus on pluralism and dynamics, special attention will be paid to possible inconsistencies and tensions between those materials and to changes in legal doctrine; they should be identified and upheld as potential sources for pluralism and evolution rather than washed away in the name of coherence. This positive law doctrine should then be submitted to different steps of critical reflection.

First, they must be confronted with difficult cases – cases that seem to challenge accepted legal doctrine, either as containing major gaps and inconsistencies or as inadequate to do justice to the intricacies of a specific case and to the strongly held views of (migrant and non-migrant) minorities in society. Examples are issues such as policewomen with headscarves and insulting anti-Islamic or anti-gay statements. There are various reasons why accepted legal doctrine may be considered inadequate. It may no longer reflect the changed views in society, lead to strongly counterintuitive conclusions on concrete cases, or may be incapable of legally structuring a problematic case so that all dimensions that are deemed relevant by the parties involved are recognized as legally relevant as well. For the purposes of this project, special attention will be paid to those hard cases that are either connected with insufficient adaptation of the law to societal



Conflict & Security Theme Full Application Form 2008/2009

changes or with insufficient recognition of the legitimacy of views of (hybrid) minorities.

Confrontation with problematic cases, and identifying possibilities to address those inadequacies, is a first step in the process of critical reconstruction of legal doctrine. Other steps will add further critical input to this process, leading to further adjustments of legal doctrines. International philosophical literature on the various topics will be used to enrich the analysis, and especially to provide a more critical distanced perspective that may lead to new interpretations of the leading ideals. Confrontation with European and international law may also provide a critical input, but will especially provide insight in legal mechanisms to guarantee diversity and promote change. Finally, comparative law may also provide a critical perspective, as comparison may show possible different interpretations of the basic ideals and doctrines in different societal contexts. In this project, a strong comparative impulse will be guaranteed by intensive cooperation with researchers from Belgium. Apart from this collective cooperation with Belgian researchers, individual researchers will also cooperate with researchers in other countries such as France, Denmark, Switzerland, Israel, Canada and the United States.

These additional steps will lead to a reconstruction of positive law doctrine on the specific topic of the subproject. This reconstruction should then again be put to the test, by confronting it with a number of cases that were deemed problematic in the first instance and analyse in how far this reconstruction addresses those cases more adequately. The specific criteria to evaluate whether a critical reconstruction is successful are, consequently, whether legal doctrine can do justice to hybrid religious and other identifications and whether legal doctrine can do justice to the dynamics in those identifications and conflicts. After this final test, we may deem the reconstructed doctrines of neutrality, etc. the provisionally best justified doctrine.

Programmatic/Methodological subproject

The final programmatic/methodological subproject will also use a hermeneutical method. By comparing the outcomes of their own projects and the provisional outcomes of the projects of the Ph.D. students, the applicants and the postdoc will draw more general provisional conclusions. These general conclusions will then be connected with two theoretical discourses. On the one hand, a connection will be made to the general discourse on conflict studies and to other projects in the NWO-theme Conflict & Security. By confronting insights in how other disciplines deal with the themes of diversity and conflict with our own provisional conclusions, we may enrich and test the latter. On the other hand, a connection will be made with the currently emerging debate among legal scholars about the methodology of law and of legal research. We may expect that the specific angle of our project may provide special insights for this debate.

This project is the focus of the research of the postdoc and the applicants in the final year. It will, of course, also be part of their research during the first years - there should be continuous interaction between the methodological reflection and the concrete analysis in the various sub projects. However, in order to guarantee that this programmatic/methodological theme of the project gets adequate attention and leads to substantive publications in their own right, we have reserved a year to do so.

2c. References

Max. 35 references.

Ackerman, Bruce, *Social Justice in the Liberal State*, New Haven & London: Yale University Press 1980.

Beck, Ulrich, *The Cosmopolitan Vision*, Cambridge: Polity Press 2006.

Burkens, M.C. (et.al), *Beginselen van de democratische rechtsstaat*, Alphen aan den Rijn: Kluwer, 2006.

De Been, Wouter, *Legal Realism Regained. Saving Realism from Critical Acclaim, ###-Palo Alto*, Stanford University Press 2008

De Been, Wouter, "Verscheidenheid en continuïteit in het werk van Michael Walzer" in: *Grenzeloze rechtvaardigheid*, Amsterdam: Boom 2008

Dworkin, Ronald, *Law's Empire*, London: Fontana 1986.

Evans, Malcolm D., *Religious Liberty and International Law in Europe*, Cambridge: Cambridge University Press, 1997.

Galenkamp, Marlies, 'Towards a Socialization of Fundamental Rights', in: Eva Brems (ed.), *Conflicts Between Fundamental Rights*, Antwerpen: Intersentia, 2008, p. 149-165.

Glendon, Mary Ann, *Rights Talk. The Impoverishment of Political Discourse*, New York: MacMillan 1991.

Goldschmidt, J.E & A.C. Hendriks, 'Gelijkheid anno 2003: Het gelijkheidsbeginsel in een

veranderende samenleving', *NJB* 2003, 1277-1284.
 Habermas, Jürgen, *Theorie des kommunikativen Handelns*, Frankfurt: Suhrkamp 1981.
 Kymlicka, Will, *Liberalism, Community and Culture*, Oxford: Clarendon 1989.
 Kymlicka, Will, *Multicultural Citizenship*, Oxford: Clarendon 1995.
 Phillips, Anne, *Multiculturalism without Culture*, Oxford: Oxford University Press 2007.
 Putnam, Robert, 'E pluribus unum. Diversity and community in the twenty-first century. The 2006 Johann Skytte Prize lecture', *Scandinavian Political Studies* 30(2007)2, 137-174.
 Rawls, John, *The Law of Peoples*, Cambridge: Harvard University Press, 1999.
 Rawls, John, *Political Liberalism*, New York: Columbia University Press, 1996.
 Rawls, John, *A Theory of Justice*, Cambridge: Harvard University Press, 1971.
 Roy, Olivier, *Secularism Confronts Islam*, New York: Columbia University Press 2007.
 Roy, Olivier, *Globalized Islam: The Search for a New Ummah*, New York: Columbia University Press 2004.
 Scheffer, Paul, *Het land van aankomst*, Amsterdam: De Bezige Bij 2007.
 Schön, Donald A. & Martin Rein (1994), *Frame Reflection. Toward the Resolution of Intractable Policy Controversies*, New York: Basic Books.
 Sen, Amartya, 'Civilizational Imprisonments' in: Tom Rockmore, Joseph Margolis & Armen T. Marsoobian (eds.), *The Philosophical Challenge of September 11*, Oxford: Blackwell 2005.
 Van den Brink, Bert, *The Tragedy of Liberalism. An Alternative Defense of a Political Tradition*, New York: SUNY Press 2000
 Sullivan, Winnifred Fallers, *The Impossibility of Religious Freedom*, Princeton and Oxford: Princeton University Press, 2005.
 Van der Burg, Wibren, 'The Importance of Ideals', *Journal of Value Inquiry*, 31(1997), 23-37.
 Van der Burg, Wibren, *Dynamisch recht. De interactie tussen recht, ethiek en samenleving* (oratie Tilburg), Den Haag: Boom Juridische uitgevers 2001.
 Van der Burg, Wibren, 'Gelijke zorg en respect voor de gelovige burger – een inclusief-vrijzinnige schets', in Paul de Hert en Karen Meerschaut (red.), *Scheiding van Kerk en Staat of Actief Pluralisme?*, Antwerpen: Intersentia 2007, p. 187-204.
 Walzer, Michael, *Arguing About War*, New Haven & London: Yale University Press 2004.
 Walzer, Michael, *On Toleration*, New Haven & Londen: Yale University Press 1997.
 Walzer, Michael, *Spheres of Justice: A Defence of Pluralism & Equality*, Oxford, UK & Cambridge, USA, Blackwell: 1983.
 Wetenschappelijke Raad voor het Regeringsbeleid, *Identificatie met Nederland*, Amsterdam: Amsterdam University Press 2007.

2d. Scientific setting

Main publications of applicant(s):

Max. 25 references

10 Core Publications First Applicant

'The Irony of a Symbolic Crusade: The Debate on Opening Up Civil Marriage to Same-Sex Couples', in: N. Zeegers, W. Witteveen and B. van Klink (eds.), *Social and Symbolic Effects of Legislation Under the Rule of Law*, Lewiston: Edwin Mellen Press 2005, 245-275.**
 (with S. Taekema (eds.), 1st editor), *The Importance of Ideals: Debating Their Relevance in Law, Morality, and Politics*, Bruxelles, etc.: Peter Lang 2004 (274 pp.)**
 'Dynamic Ethics', *Journal of Value Inquiry* 37 (2003), 12-34.**
 'The Expressive and the Communicative Functions of Law', *Law and Philosophy*, 20(2001)1, 31-59.
 'Two Models of Law and Morality', *Associations* 3(1999)1, 61-82.**
 (translated in German as: 'Zwei Modelle von Recht und Moral', in: A. Bondolfi and S. Grotefeld (Hrsg.), *Ethik und Gesetzgebung. Probleme - Lösungsversuche - Konzepte*, Stuttgart, etc.: Kohlhammer 2000, 23-41.)
 (with T. van Willigenburg (eds.), 1st editor), *Reflective Equilibrium. Essays in Honour of Robert Heeger*, Dordrecht/Boston/London: Kluwer Academic Publishers. (viii + 289 p.)
 'Beliefs, Persons and Practices: Beyond Tolerance', *Ethical Theory and Moral Practice* 1(1998)2, 227-254**
 'Bioethics and Law: A Developmental Perspective', *Bioethics* 11(1997)2, 91-114.
 (reprinted in M. Freeman (ed.), *Ethics and Medical Decision-Making*, Aldershot etc.: Dartmouth/Ashgate 2001, 45-68.)
 'The Importance of Ideals', *Journal of Value Inquiry*, 31(1997), 23-37.**
 'The Slippery Slope Argument', *Ethics* 102(1991), 42-65.

(reprinted with three replies in *The Journal of Clinical Ethics*, 3(1992)4, 256-268.)
(reprinted in abbreviated version in: E.-H.W. Kluge (ed.), *Readings in Biomedical Ethics. A Canadian focus*, Scarborough, Ont.: Prentice Hall Allyn and Bacon Ontario, 383-400.)

(** Relevant to this project)

Other publications relevant for this project

W. van der Burg

Het ideaal van de neutrale staat (oratie EUR, forthcoming 2009), BJU.

'Culturele diversiteit en de democratische rechtsstaat', in: W. van der Burg, C.J.M. Schuyt en J.H. Nieuwenhuis, *Multiculturaliteit en recht* (Preadviezen Nederlandse Juristenvereniging), Kluwer: Deventer 2008, p. 1-62.

'Gelijke zorg en respect voor de gelovige burger – een inclusief-vrijzinnige schets', in Paul de Hert en Karen Meerschaut (red.), *Scheiding van Kerk en Staat of Actief Pluralisme?*, Antwerpen: Intersentia 2007, p. 187-204.

Over hoofddoekjes, lange rokken en de seculiere samenleving. De noodzaak van een inclusieve democratie en een theologie der voorlopigheid (rede bij de opening van het academisch jaar), Kampen (Kamper oraties) 2006.

Over religie, moraal en politiek. Een vrijzinnig alternatief, Kampen: Ten Have 2005.

Dynamisch recht. De interactie tussen recht, ethiek en samenleving (oratie Tilburg), Den Haag: Boom Juridische uitgevers 2001.

(with F.W.A. Brom, 1st author), 'Eine Verteidigung der Staatlichen Neutralität', in: K.P. Rippe (Hrsg.), *Angewandte Ethik in der pluralistischen Gesellschaft*, Freiburg, CH: Freiburger Universitätsverlag 1999, 53-82.

'Equality versus Religious Freedom', *Archiv für Rechts- und Sozialphilosophie*, 78(1992), 211-218.

Het democratisch perspectief. Een verkenning van de normatieve grondslagen der democratie (dissertatie Utrecht), Arnhem: Gouda Quint 1991.

M. Galenkamp

'Towards a Socialization of Fundamental Rights', in: Eva Brems (ed.), *Conflicts Between Fundamental Rights*, Antwerpen: Intersentia, 2008, p. 149-165.

'Samenleven van verschillende godsdiensten. Een pleidooi voor een burendrechtelijke benadering', in: Paul de Hert en Karen Meerschaut (red.), *Scheiding van Kerk en Staat of Actief Pluralisme?*, Antwerpen: Intersentia 2007, p. 205-222.

'Taking Rights not that Seriously"', in: E.T. Feteris, H. Kloosterhuis, H.J. Plug en J.A. Pontier (red.), *Alles afwegende.....*(Vierde congresbundel Juridische Argumentatie), Nijmegen: Ars Aequi Libri, 2007, p.131-139.

'Religieuze overtuigingen en het discriminatieverbod. Enkele bedenkingen bij het leerstuk van interpretatieve terughoudendheid', *Trema. Tijdschrift voor de rechterlijke macht*, 2005, mei, p.251-256.

(in cooperation with R. Westrik), 'Naar een nieuw burendrecht. Grondrechten in een pluriforme samenleving', *Nederlands Juristenblad*, 9 januari 2004, afl. 2, p.67.

Individualism Versus Collectivism. The Concept of Collective Rights (dissertatie Rotterdam), Rotterdam: Rotterdamse Filosofische Studies, 1993. Heruitgave – aangevuld met postscript - door Gouda Quint, SI-EUR reeks, deel 17, 1998.

2e. Setting within Research Groups

Other relevant research, proposal part of a research programme

This project is the core of a new line of research at the Erasmus School of Law focusing on the relation between the constitutional democratic state with a rule of law, fundamental rights, and the multicultural and multireligious society. This theme was already an important theme of the Legal Philosophy group in Rotterdam, but it was made its central theme when Van der Burg joined the Rotterdam group (August 2008). In connection with this, as of September 2009 a new Master programme will start: Law in the Multicultural Society.

This research proposal combines this focus on the multicultural and multireligious society with a methodological theme: how law and politics can deal with pluralism and change. This was a central theme of the NWO-PIONIER research programme *The Importance of Ideals in Law, Morality and Politics* (1996-2001), directed by Van der Burg. He and Sanne Taekema (a core researcher in



Conflict & Security Theme Full Application Form 2008/2009

the NWO-PIONIER programme, since 2008 also in Rotterdam) combined their methodological research interests with the general methodological research in the Rotterdam group of Loth and Gaakeer. Hence, this proposal combines two main lines of the Rotterdam research in Jurisprudence.

The research will be part of the research programme on human rights at Erasmus Law School (and of the interuniversity School of Human Rights Research). Special mention should be made of dr. Kristin Henrard. She is an expert in minority protection. Currently she leads a VIDI project on the implementation of the EU Racial Equality Directive of the EU. Furthermore, she is currently establishing an interdisciplinary network on minority protection which will include the theme of religious diversity and conflicts. Her presence in the broader research group guarantees a good supervision of the constitutional, international and European law aspects of the various research projects.

As both applicants have worked on the themes of this proposal for many years, they have a good national and international academic and societal network. Intensive contacts of the applicants exist with researchers in various countries, including the United States (Van der Burg was a visiting researcher in Princeton in 2006-2007), Denmark, Switzerland, and Israel.

Special mention deserves the cooperation with Belgian research groups, especially with the Metajuridica group of the Vrije Universiteit Brussel directed by prof. De Hert and prof. Gutwirth, (who is also 0.2 assistant professor in Rotterdam). Gutwirth and De Hert (co-)supervise(d) a series of relevant research projects (funded by FWO, the Brussels Capital Region and the VUB-research fund) on Belgian, European and Malaysian law with regard to state neutrality, personal law, antidiscrimination law, the application of muslim law, and secularism. De Hert is also co-supervising a project on the separation between church and state at the University of Antwerpen. A highly relevant FWO-project *Religious expressions in the public sphere* (including two Ph.D.-students) will start in the first half of 2009. Dr. Karen Meerschaut (her Ph.D. dissertation *Diversity and law* was supervised by Gutwirth), will also be involved in this research project. A close cooperation will be fruitful for both groups in Rotterdam and in Brussels, with Gutwirth, because of his double appointment as a "natural" bridge.

3. Organisation of the programme & Timetable

Word Count: 497

max. 500 words (use word count to specify number of words)

The first applicant will manage the programme, assisted by the postdoc. He has ample experience (e.g., in his PIONIER group and as project leader in the Utrecht Centre for Bioethics and Health Law) with managing research groups and creating an inspiring environment for young researchers. Both applicants will serve as (co-)promotors for the Ph.D. projects; further supervision may be provided by dr. Henrard and Prof. De Lange (both from the section constitutional and administrative law). Regular meetings of the group during the first year discussing a selection of relevant literature will provide a common theoretical and methodological basis to ensure coherence and fruitful cooperation.

At least once every year, we will organize common workshops for the researchers from Belgium and Rotterdam, in which we will discuss work in progress. In this way, both groups can also profit from a strong interdisciplinary and comparative perspective. The organization of these workshops will be done by Prof. Gutwirth. (This will take 0.1 fte of his time, equally shared by Brussels and Rotterdam.)

An international academic conference will be organized at the end of the programme, on the programmatic/methodological project. International collaboration will consist both of presentations at international conferences and of short stays and guest lectures abroad by the researchers.

Timetable

Year 1:

Ph.D. projects: study of topic of their dissertation in Dutch positive law, resulting in provisional chapters on current legal doctrine

Applicants: study of openness for plurality and conflict, resulting in one academic paper

Postdoc: paper on the transition from a logic of consociationalism to a logic of national identity

Year 2:

Ph.D. projects: inventory and selection of problematic cases and of philosophical literature resulting in two chapters; provisional suggestions for refinement of the current legal doctrine in light of both



Conflict & Security Theme Full Application Form 2008/2009

Applicants: study of openness for change, resulting in one academic paper
Postdoc: paper on the progressive adjustment of immigrant groups and how the reasonable expectation of this progressive adjustment should inform law; paper on the politics of group identities

Year 3:

Ph.D. projects: study of topic in international and European law, and in one other country of their choice (stay for three months in that country), resulting in two chapters; further provisional suggestions for refinement of the current legal doctrine in light of both
Applicants: conclusions on adaptation of current legal doctrine in light of the need for openness both for plurality and conflict and for change.
Postdoc: paper on the implication of change and hybrid identities for ideal liberal theory; paper on the way hermeneutics can inform and enrich ideal theory

Year 4:

Ph.D. projects: introductory chapter and conclusions; final editing of their dissertation.
Applicants and postdoc: programmatic/methodological project
At the end of the year: academic conference on programmatic/methodological project

NB: not mentioned in the schedule are the following recurrent activities:

Yearly common workshop with Brussels group

Yearly public conference on concrete topical theme

Presentation of results in papers on national and international conferences

Presentation of results in public lectures, newspaper articles and other public media

4. Societal relevance

Word Count: 438

max. 500 words (use word count to specify number of words)

Relevance for the Conflict & Security theme

Theoretical reflection on how law and politics can be more open to dynamics and fundamental diversity, both methodologically and substantively, is highly innovative. Especially legal doctrine seems at first sight unable to deal with conflicts and controversies in other ways than by providing an authoritative answer that usually only satisfies one of the parties. In public controversies, this digitalization inherent in law may often reinforce feelings of exclusion and thus increase the intensity of the conflict rather than decrease it. Moreover, its reliance on strict categories may often reinforce and reify group identities and thus frustrate the process of hybridization which is important in successful integration. Identifying the elements and methods in law that may do more justice to diversity and hybrid identifications, and especially to the positive dynamics of hybridization and conflicts, is therefore a major contribution to a different approach.

General societal relevance

The societal relevance of this project is obvious. Among the most heated controversies in our society are those associated with religious differences. A deeper understanding of those controversies and of the answers to those controversies derived from the relevant ideals in political theory and law may, in itself, already be a major contribution to how society can deal with those conflicts. Research on state neutrality and policewomen with head scarves, freedom of speech and anti-gay or anti-Muslim statements, or non-discrimination law and public servants with conscientious objections against same-sex marriage, has therefore as such already a high societal relevance.

Specific societal and scientific relevance

It is the specific combination of the Conflict & Security theme, the domain of conflicts with regard to religion, and the focus on hybridization of identities, however, which provides a special added value to this research project. The idea of the Conflict & Security programme that conflicts can also have positive value leads to the assumption that they should not necessarily be authoritatively solved by law and politics; sometimes it may be better to sustain the controversy (even though it should be contained and regulated in some ways as well) and provide space for further evolution. One important aspect of this further evolution is the phenomenon of hybridization of identities in multicultural/multireligious conflicts. Doing justice to processes of hybridization may not only lead to new perspectives on intractable and heated controversies, but it may also provide new insights



Conflict & Security Theme Full Application Form 2008/2009

in the functions of law and politics in dealing with conflicts as they are not understood as providing decisions on a specific time solving the problem once and for all, but as contributions to an ongoing process of evolution, at some moments perhaps even intensifying conflicts, sometimes enabling a gradual accommodation.

5. Output and communication plan

Word Count: 894

max. 1000 words (use word count to specify number of words)

A wide spectrum of academic output is envisioned: two dissertations, papers in international and national academic journals and presentations at international conferences. Not only the senior applicants and the postdoc, but also the Ph.D. students will publish the more theoretical part of their research in international peer reviewed journals. Moreover, the research group will organize at least one international academic conference.

A major part of the research studies Dutch law and Dutch political practice; therefore, a number of the articles dealing with those themes will (also) be published in Dutch journals. Most Dutch law journals such as the *Nederlands Juristenblad* have a mixed audience of academic scholars, practicing lawyers, and government officials. As a result, publication in those journals is already a contribution to the dissemination of the results to a broader audience of stakeholders.

For further dissemination of the results we will use various strategies. As both the various problematic cases studied and the general ideals are currently highly topical in public debates, it will not be difficult to get the attention of a broader audience; it will rather be a problem to prioritize in the possibilities of dissemination. For the same reason, it is difficult to predict in detail which types of policy-oriented output will be produced, as this will partly depend on the issues that are hotly contested in public debates in future years.

A first method is that we will organize three or four yearly conferences partly directed at a broader public. The topic of those conferences should be a topic (such as police women with head scarves) that is actually contested in public debate at the time of the organization; therefore, the theme or precise timing can not be mentioned in advance. We will try to organize these conferences in cooperation with other partners, such as KASEUR (the federation of eleven multicultural student organisations at EUR), the Pierre Bayle Foundation in Rotterdam, and professional or other organizations interested in the multicultural and multireligious society. We will also try to organize (in cooperation with those organizations and the master programme Law in the multicultural society) a series of lectures by internationally renowned scholars. We will investigate possibilities of also presenting our work to policy makers and legal specialists at an international and European level, in cooperation with the Brussels group (which has experience with various European projects) and with the network on Minority Rights Protection, currently being developed by dr. Henrard.

A second method is that we will present our results and contribute to the public debate on the themes of our research by publications in the general media like newspapers, by giving public presentations for civil society organizations such as multicultural organizations, religious organizations such as churches, and government organizations. The first applicant has always been very active in those types of activities and thus has ample experience with such forms of popularizing and translating academic research for general audiences. As he has done before (*In Over religie, moraal en politiek*), a number of those lectures and popular publications may be reworked into a book partly directed at popular audiences

The research project will be executed in close interaction with the new master program on Law in the multicultural society. Students will be stimulated to focus in their master's thesis on the themes of the program and may perhaps participate as student assistants in the research projects. Reversely the various courses taught by the applicants will also be enriched by this research program, and the researchers may find opportunities to present their provisional insights to the students. The postdoc and the Ph.D. students will also be invited to participate in courses of this program in ways that, while not taking too much of their time, will provide them with helpful feedback for their research.

Both applicants have in the past been involved in intensive exchange with outside stakeholders. Consequently, they already have a good network of stakeholders they can consult for this project.



**Conflict & Security Theme
Full Application Form 2008/2009**

As part of both the development of our general line of research in the Rotterdam group and the development of this full proposal, we have held interviews with stakeholders such as the president of the Equal Treatment Committee. We have also held an interview with the ##board## of the federation of multicultural student organisations at EUR, KASEUR. Moreover, we have organized a workshop with the student assistants participating in the special Student Assistant Program of the Erasmus School of Law for students with a migrant background (SAP-ESL Equal).

In order to guarantee further feed back, we will continue the cooperation with KASEUR and with SAP-ESL Equal. We will also create an informal advisory group ('klankbordgroep') of stakeholders to get adequate feed back on the general progress of the programme and on specific results. It may also be useful to organize expert workshops with field experts to get adequate feed back on specific issues. Finally, we will make a website in which the research project is presented and its results are made accessible for the general public and for students.

To support the applicants and the postdoc with the organization of all those activities and with the website, we will appoint a student assistant (0.2 fte). The student assistant will also be involved in general support for the research project. Therefore we have included half of his salary under dissemination costs and half of the salary under general costs. The other costs for the dissemination activities are the meetings of the advisory group, the expert meetings, and especially for the four public conferences.

Requested budget

The guidelines for application are published in the call for proposals (for more information please see the call for proposals, § 3.2 What can be applied for?).

3a. Personnel costs

Applications are invited for long-term research programs that consist of at least two, NWO funded, interrelated PhD or postdoctoral research projects and possibly a replacement for the main applicant and/or co-applicant.

I. Salary costs for personnel at a Dutch institution:

		Number of years and fte	Amount in euro (incl. bench fee)
2 PhD (maximum 4 years)	yes/no	2 fte * 4 year= 8 fte	395.310
Postdoc (maximum 3 years)	yes/no	0.75 fte* 4 year = 3 fte	211.000
Replacement subsidy (maximum 2 years)	Yes/no	2 * 0.4 fte = 0.8 fte	53.600
0.2 student assistant (research + dissemination)		4 * 0.2 fte = 0.8 fte	28.800
Total personnel costs:			688.500

p.m. costs

2 Applicants, 3 year 0.2 EUR
Gutwirth, 4 year 0.1 (VUB/EUR)

p.m.
p.m.

3b. Other reimbursable costs (material costs)

The subsidy for material costs should include all of the costs necessary for carrying out the proposed program, with the exception of the personnel and costs already covered by the bench fee. For more information, please check the guidelines for applicants in the brochure.

III. Other reimbursable costs

	2009	2010	2011	2012	2013	Total
Special equipment	-	-	-	-	-	
Interviews, surveys and experiments	-	-	-	-	-	
Purchasing data files	-	-	-	-	-	
Research assistance						
Consumables						
Durables						
Travelling expenses						
Experts and undergraduate students						
Total:						

3c. Communication costs

Collaboration with stakeholders/ knowledge transfer/ networking activities: min. 5% and max. 10% of the total budget.

IV. Communication costs

<i>Budget item/line:</i>	<i>Details</i>	2009	2010	2011	2012	2013	Total
- public conferences			4000	4000	4000	4000	16.000
- 0.1 salary Student. ass	(diss.part)	1800	3600	3600	3600	1800	14.400
- meeting Adv. Group			500	500	500	500	2.000
expert meetings			500	500	500	500	2.000
public lect by intern. schols.			1000	1000	1000	1000	4.000
Total:		1800	9600	9600	9600	7800	38.400

3c. Requested financial support in total

V. Over-all budget

	2009	2010	2011	2012	2013	Total
3a. Total personnel costs						688.500
3b. Other reimbursable costs	-	-	-	-	-	
3c. Communication costs (without personnel costs. stud.ass.)	1800	9600	9600	9600	7800	38.400
Total:						726.900

Total budget:

726.900

Total financial support applied for by NWO:

600.000

Contribution EUR Erasmus School of Law

126.900

The Erasmus Law School will provide matched funding for part of the personnel costs of the student- assistant and one of the two Ph.D.s.

Reviewers

List of non-referees



**Conflict & Security Theme
Full Application Form 2008/2009**

A list of non-referees (maximum of three names) can be sent to the address below on the same day the application is submitted.

Netherlands Organisation for Scientific Research
Social Sciences
Conflict & Security theme
P.O. Box 93461
2509 AL The Hague

Have you sent a list of non-referees?

yes	no
-----	----

Signature

I hereby declare that I have completed this form truthfully:

Name principal applicant:

Place:

Date:

If applicable, signature of the Development Country (DC-) co- applicant:

I hereby declare that I have completed this form truthfully:

Name principal applicant:

Place:

Date:



Conflict & Security Theme Full Application Form 2008/2009

Explanatory notes for completing the full application form. When submitting a research proposal, you are requested to follow the guidelines below. For more information please consult the call for proposals *Conflict and Security* or look at the website www.nwo.nl/conflict.

General remarks

A research programme should consist of at least two, by NWO funded, interrelated PhD or post-doc research projects and possibly a replacement for the main applicant and/or the co-applicant.

Submitting a preliminary proposal is mandatory. Only applicants that have submitted a preliminary proposal are allowed to apply a full proposal.

The form must be completed in English, using the Verdana 9 pt font.

For some items on the form, a maximum number of words is stated. Do not exceed this number and please fill in the word count. Your application may be disqualified if you exceed the maximum number of words stated.

Letters of recommendation or any other type of reference may not be added to the application.

Please submit the application to NWO in electronic form (pdf format is required!) using the IRIS system, which can be accessed via the NWO website (www.nwo.nl/conflict). If, after reading the IRIS guide on the internet, you still have technical questions about the use of the system, you should contact the IRIS helpdesk. They can be reached by telephone on weekdays between 11.00 hrs and 16.00 hrs on +31 (0)900 - 696 4747 or by e-mail: iris@nwo.nl.

In order to be able to process the details of the application properly, the file should not be protected in any way (passwords, etc.).

The NWO office must receive the (electronic) application no later than **17 February 2009** at 12.00 am.

Registration form

1. Applicants

- Principal applicant. The principal applicant must be a senior researcher (professor or associate professor employed by a university in the Netherlands or a NWO recognised grant recipient¹) and the envisaged leader of the research program in case the proposal will be granted a subsidy. Please provide all of the details requested;
- Co-applicant (s). Applications involving Low and Middle income countries, should be supported by a senior researcher from a developing country. He or she will act as the as co-applicant and must therefore also sign the application electronically. For other applications the support of a co-applicant is optional. Please provide all of the details requested;
- Please note that only one proposal in the Conflict and Security theme is allowed for each main applicant.

¹ Among others: IHS, ISS, ITC, MSM, UNESCO-IHE. See for more information the NWO- website www.nwo.nl



Conflict & Security Theme Full Application Form 2008/2009

1b. Title of the research proposal

Please provide the title of the proposed research program in Dutch and English.

1c. Abstract

Please provide an abstract of your proposal that will be easily understood by a broad, non-scientific audience. The summary should briefly describe the issue addressed, the main objective(s) and anticipated results in no more than 100 words. If your proposal is successful, the summary will be published on the NWO website.

1d. Submission to other bodies

Please fill in whether the application has been submitted to other bodies. This has no direct consequences for the proposal, though NWO only subsidizes costs and personnel which have not been paid for by other sources.

1e. Past performance on PhDs

Please fill in the PhD-students for which the main applicant, and if applicable, co-applicant (s), has or have been active as dissertation supervisor ("promotor or co-promotor").

1f. Intended starting date

Please give the intended starting date for the research programme.

Research proposal

2. Description of the proposed research

Applications must fulfil the general objectives and definition of the Conflict and Security programme as described in the Conflict and Security Brochure (please see the website: www.nwo.nl/conflict), the General Terms and Conditions of NWO Grants, and all of the following specific conditions in order to be admitted to the competition:

Research proposals should relate to the concepts and processes referred to in the description of the theme Conflict and Security, and orient itself to the three emerging trends in conflict research and theory development: (1) a focus on other than purely destructive functions of conflict (2) a systematic attention to the dynamic and longitudinal character of conflict; and (3) cross-level influences should be taken into account. For each of these three challenges, it should be argued in the project proposal why, or why not, these are part of the research proposal. At least one of the three challenges should be a central focus in the proposal.

Research should reflect an international scientific orientation, aiming at impact beyond national boundaries. This should be expressed in a broad thematic approach that is not limited to the (Dutch) national context only, in a comparative approach, and/or in cooperation with external parties.

Please give a description of each project including a detailed problem definition, the research design and the methodology to be used. It is required that a motivation is given of how each project will be a part of, and will be embedded in, the programme.

Please take care that special attention is paid to issues that provide insight to extent in which the application responds to the criteria:

Scientific quality

– Originality / innovative character of the problem definition;



Conflict & Security Theme Full Application Form 2008/2009

- the approach, including the coherence of the research questions and the integration of disciplinary perspectives, data, methods or results;
- Feasibility, including the appropriateness and suitability of the methodology;
- Track record of the main applicant(s) in terms of scientific standing (publications, international visibility) and academic leadership (PhD supervision; international network).

Added value

- Close fit to the objectives of the Conflict and Security program;
- The relationship between the description of the program and its projects, and between the individual projects (added value of the programmatic approach);
- Organisation of the program;
- Collaboration with (inter)national partners, including disciplinary complementarities, long-term perspectives and the quality of collaborative arrangements.

Relevance

- Societal relevance;
- Potential of getting research results into policy or practice;
- Quality of the communication plans and the plans for dissemination of knowledge and results to both academic and non-academic audiences;

2. Description of the proposed research

The description of the research topic and approach should not exceed the maximum of 4500 words.

2a. Research topic

2b. Approach & methods

2c. References

The reference list should have a maximum of 35 references.

2d. Scientific setting

Please provide references of the applicants, with a maximum of 25.

2e. Setting within research groups

Please provide information on related research initiatives.

3. Organisation of the programme & Timetable

Please describe how the program, consisting of interlinked projects, will be managed and how the monitoring of the (scientific) progress against the objectives and anticipated results will be ensured. Give a brief description how the (inter)national collaboration will be organised. Please describe how the added value of the programmatic approach will be ensured. Provide a detailed work plan and time schedule of the program including project and overall program activities, e.g. approaches for achieving the objectives and milestones. With a maximum of 500 words (please use word count to specify number of words).

4. Societal relevance

Please give a description of what the program is meant to accomplish with regard to the Conflict-theme. Describe where and how the results can be applied in society, business or policy, and how the research will be embedded.

5. Output and communication plan

The output and communication plan should be directed at both academic and non-academic audiences. A communication plan directed to the incorporation, translation and, if relevant, the application of research results with stakeholders from outside traditional scientific communities, must be part of the research program and proposal. Give a description of the expected output (e.g. workshops, books, thesis, papers, presentations, etc.). In the communication plan the activities should be described that are aimed at the dissemination of the results of the obtained research results to policymakers and other potential users, e.g. symposia and workshops,



Conflict & Security Theme Full Application Form 2008/2009

presentations, policy reports, professional papers, user groups, website of the programme, etc. Please describe in what way the research outcome will be incorporated in the research and educational (MSc, PhD, post initial) programs and will contribute to strengthen the knowledge infrastructure. Specify the previous experiences with the dissemination of research insights among a broader (non-scientific) audience, the use and application of research results, and stakeholder consultation and cooperation. The budget for communication activities must account for at least 5% of the funds and may not exceed 10% of the total budget.

Funds requested

3. Requested financial support

The guidelines for application are published in the call for proposals. For more information please consult paragraph 3.2 What can be applied for?

For applications involving research which is carried out in Low and Middle-Income countries, the research team should include at least one applicant from a partner institute in the country in question and at least one PhD or postdoctoral researcher from a Developing Country (DC). PhD's or postdoctoral researchers should be specified in table II.

Specify the budget items as detailed as possible and present details on the calculations (e.g. amount per unit, number, frequency). Please note the restrictions that apply to the NWO contribution to the total program costs. Specify and substantiate the costs of PhD, Post-doc researchers and replacements (3a), the estimated material costs requested (3b.) and the required budget for communication (3c.).

Reviewers

A list of maximum three non- referees can be sent to NWO on the same day the application is submitted. Non- referees are experts of whom the applicant does expect that they will not be able to deliver a balanced evaluation. In that case the non- referees will not be used to evaluate this specific application.

Signature

The application must be electronically signed by the principal applicant and, in case of involvement of research in a developing country, by the co-applicant. Please state name of the applicant, place and date. It is **not** necessary to send a hard-copy of the application to NWO.