OBJECTIVES and COURSE DESCRIPTION

Government’s most fundamental mandate is to contain conflict and maintain social and commercial order. In exploring how our public institutions do this and the many problems they are currently confronting in this respect, the course will examine the dispute resolution strategies, values and paradigms that inform government, the justice system, and society generally. We will look at the important shift that is occurring from adversarial to collaborative or problem-solving models of dispute resolution. This will involve a study of different theories of conflict as well as a close look at practical examples and case studies to demonstrate how certain private and public disputes are being resolved collaboratively. We will also study how government and business are now designing large scale dispute resolution systems using collaborative conflict management models.

Other matters considered will include:
- challenges being faced by modern justice systems in efforts to maintain social order, promote lasting resolution of disputes, and contain crime;
- government’s role in designing an effective and efficient justice system, and its role in that system;
- the problem of access to justice in an environment of scarce justice system resources, and
- how government is responding to the need to resolve disputes more effectively, economically and efficiently.

METHODOLOGY

The course content will be presented through lectures with class discussion. During class, students will have the opportunity to participate and critically reflect on the material. There will be practical exercises and a number of expert guest speakers from time to time.

EXPECTED EVALUATION METHODOLOGY

There will be two evaluation components:
- a written exercise involving analysis of a dispute (30% of final grade)
- a final research paper (60% of the final grade)
- a class participation mark (10%)

May 2018

1 The information in this document is provided for course registration purposes only and is subject to change. More detailed course information about course content and evaluation will be provided upon the commencement of the course. Students seeking additional information about the course prior to its commencement may contact the instructor or, if no instructor is listed, the Associate Dean (lawassoc@uvic.ca).