

Philosophy of dispute resolution and decision-making

COURSE OUTLINE

Objectives This is an advanced critical thinking course. It develops your ability to observe, investigate, evaluate, and respond to real-world problems. The course is also “applied philosophy” – the concepts and techniques of philosophy are used as a means to evaluate practical issues. The key practical question we focus on during this course is: What does it take to resolve a dispute fairly, or to make a decision wisely?

You will explore different models and processes currently being used in a variety of settings: for example, in the law and justice systems, in education, in business, and in social systems. You will see how to analyze whether a procedure really meets the objectives of the people who use it. You will be able to identify the best ways to maintain a good procedure or improve an unsatisfactory procedure. You’ll see how to apply four key areas of philosophy to help you understand the controversial issues that arise in different models of dispute resolution. By the end of the course, you will complete a project in which you use these philosophical methods to analyse a system of your choice.

Texts: Required:

Thinking About Conflict Management: A philosophical perspective on success and failure M. Kloster (draft text, unpublished, 2010)

Philosophy 305 Coursepack Supplement 2010

Assignments: (note: all assignments can be adapted to suit individual needs and goals)

Risk management: a “debriefing” paper, due Wed. Oct. 6	15%
Research Ethics quiz and proposal for interview, due Wed. Oct. 13	5% **
Write-up of interview, due Wed. Nov. 3 (approx)	20%
Assessment of dispute resolution scenario, due Wed. Nov. 24	20%**
Major paper/project (= “exam”) due in exam period	40%

** These two deadlines **must** be met. Other deadlines can be negotiated.

Grading and expectations. A+ 87% and over. A 84-86%. A- 80-83%. B+ 77-79%. B 74-76%. B- 70-73%. C+ 67-69%. C 64-66%. C- 60-64%.

Note: “C” indicates work that meets the basic expectations of the assignment. “B” indicates work that goes beyond the expectations by demonstrating originality of insight or a good understanding of how your answer relates to important current questions. “A” indicates a well-written paper with both original ideas and understanding of current issues.

Expectations: I expect you to be responsible and realistic in balancing your obligations. If you can’t hand a paper in on time, please contact me promptly - preferably in advance - and find a solution that will work for us both. If you take the responsibility to stay in touch, I will do everything I can to make the course work for you.

Office hours and contact: Office: D3091. I am also available by phone and e-mail. Phone numbers and office hours provided in class. email: Moira.Kloster@ufv.ca.

OUTLINE OF TOPICS

- Week 1** **The flavour of the course:** Using philosophy to explain and resolve controversial issues that arise in decision-making and dispute resolution.
Sept. 8
- Week 2** **UNIT 1: Individual decision-making**
Sept 15 **# 1: Risk management:** Which risks are you willing to run and why? - uncovering your own philosophy, as shown by how you manage risk.
- Week 3** **# 2: Autonomy** - when are you entitled to make your own decisions?
Sept 22 Autonomy vs. freedom of choice: seeing options and setting priorities.
- Week 4** **# 3: Rationality and objectivity:** The challenges of reasoning. Evidence -
Sept 29 what we need, and why we need it. Using reason: heuristics and rubrics.
- Week 5** **UNIT 2: Shared decision-making #1**
Oct. 6 *Ethics* in group decision-making. What's fair? Identifying ethical issues.
Preparation for institutional research ethics approval process.
First assignment: Risk management "debriefing" due
- Week 6** **Shared decision-making, #2**
Oct. 13 Choosing the right group process - controlling variables that affect our ability to reason well in a given situation
Research Ethics quiz and proposal for interview due
- Week 7** **Shared decision-making, #3**
Oct. 20 *Power* : Introduction to issues of power and authority: why we aren't all equal, even when we are.
- Week 8** *Power balancing.* Negotiating power within a group - Role play
Oct 27 ***Note: This is the last 3-hour class. For Nov-Dec, class time is reduced by 1 hr (10:00-noon.) Time is made up by individual 45-min appointments related to final project, scheduled during November-December.***
- Week 9** **UNIT 3: Dispute resolution**
Nov. 3 **1: Models of justice** and their effects on procedure. What can we expect?
Interview assignment due (can be later, by arrangement).
- Week 10** **# 2: Authority vs. power** – the mandate to make decisions vs the ability to get
Nov. 10 results: Types of process and construction of roles.
- Week 11** **#3: Deep disagreements** – the metaphysical roots of professional, cultural and
Nov. 17 philosophical differences. Explaining stalemates and unresolved conflicts:
psychological vs. philosophical interpretation.
- Week 12** **#4: Third-party involvement (mediation etc.):** Neutrality, conflict of interest,
Nov. 24 and the impact of additional parties, invited into or imposed on a process.
Dispute resolution assignment due (returned on exam date)
- Week 13** **UNIT 4: System Design for conflict management:** *Philosophical audit -*
Dec. 1 *application.* Assess an actual process and make recommendations
- Week 14** Appointments available for consultation on individual topics/projects.
Dec 8-20 ***Final project overview due at "exam". [Exam = cookie session and informal report on projects.] Date as given in exam schedule – attendance required.***

Due date of complete project as arranged with instructor.

PHILOSOPHY 305 Readings and assignments
REVISED AND UPDATED February 4, 2010

- Week 1** **The basic ideas:** Coursepack notes, pages 1-11 and 235
- Week 2** **UNIT 1: Individual decision-making**
1: *Risk management:* Coursepack notes, pages 15-19
- Week 3** # 2: *Autonomy* Coursepack notes, pages 20-23, + Reading Set 1 (pages 24-34). Assignment #1: assessment of Individual decision-making - see p. 71 and sample scenarios, pages 72-74. Try one of the samples for practice; you will be given a similar but more current example as your actual assignment.
- Week 4** # 3: *Rationality and objectivity:* Coursepack notes, pages 35-43 and Reading set 2, pages 44-69. Some additional; examples are given in class and not available as notes.
See also review of key points, p. 70
- Week 5** **UNIT 2: Shared decision-making**
#1: *Ethics* in group decision-making. Preparation for institutional research ethics approval process. Coursepack pages 75-83
Individual decision-making assignment due Feb. 10
* Start planning for Assignment #2, personal interview: see Coursepack page 129 for description of assignment
- Week 6** No class – midterm break
Research Ethics quiz and proposal for interview due Thurs Feb 17
- Week 7** **Shared decision-making, #2** Choosing the right group process - Controlling variables that affect our ability to reason well in a given situation. Coursepack pages 86- 89, pages 121-127. **In-class activity** as experience
- Week 8** #3: *Power balancing.* Coursepack pages 90-92, and pages 158-159
In class role-play as experience
Interview assignment due Fri. Mar 5 (or later by arrangement)
- Week 9** **UNIT 3: Dispute resolution**
#1: *Models of justice:* Coursepack pages 132-134, and Reading Set 4 p. 135
- Week 10** # 2: *Authority vs. power:* Coursepack 160-162 and Reading Set 5 p. 163
Prepare for Assignment #3: assessment of dispute resolution. See pages 188-198 for samples; you will be given a choice of similar current scenarios.
- Week 11** #3: *Deep disagreements* Coursepack pages 151-157, and 236-237.
In class role-play as experience
- Week 12** #4: *Third-party involvement (mediation etc.):* Coursepack pages 149, 150, 157. **Case study** for analysis
- Week 13** **UNIT 4: System Design for conflict management:** *Philosophical audit - application.* Coursepack pages 211-216 Reading Set 6 (p. 217).
Dispute resolution assignment due Thurs. Apr. 1 [Format given on pages 247-249 – this is the same format as for your final project.]
- Week 14** ***Final project due on date arranged with instructor:*** format on pages 247-249

