

Alternative Dispute Resolution

Code: 100437
ECTS Credits: 6

Degree	Type	Year	Semester
2500257 Criminology	OT	4	0

Contact

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Use of Languages

Principal working language: catalan (cat)
Some groups entirely in English: No
Some groups entirely in Catalan: Yes
Some groups entirely in Spanish: No

Other comments on languages

The course will be held in Catalan. If there are foreign students who do not understand Catalan, the theory class and the seminar will be held in Spanish. Besides, personal work can be delivered in English.

Prerequisites

You should have finished at least 120 ECTS (European Credit Transfer and Accumulation System), which represents about 4 semesters of your university degree.

Objectives and Contextualisation

Conflicts are part of our reality and should not be seen as isolated events, but as part of daily reality. Rarely conflicts are seen as an opportunity or as inevitable enrichment of our human experience, but in fact conflicts are a fundamental tool in lifelong learning.

Social reality has promoted different methods to manage conflicts, including negotiation and mediation as active forms of regulating them. But history and also our present are full of examples in which conflicts are managed by violence. In this course you will learn about the components of conflicts, about how to communicate efficiently in conflicts and about negotiation and mediation as techniques which manage conflicts without using violence.

Main goals

- To identify conflicts, to differentiate them from other social phenomena and to recognize them as key elements in social events
- To learn to analyse a conflict, detecting correctly all the elements and applying one or more theoretical models for understanding and transforming conflicts
- To understand and apply the various alternatives for conflict resolution
- To use knowledge about conflict resolution both in prevention and in addressing crimes and criminal behaviour

Competences

- Ability to analyse and summarise.
- Applying a crime prevention program at a community level.
- Applying an intervention proposal about a person serving a sentence.
- Assessing the victim's needs in order to carry out an intervention proposal.
- Carrying out the criminological intervention on the basis of the values of pacification, social integration and prevention of further conflicts.
- Designing a crime prevention program.
- Drawing up an academic text.
- Identifying existing social resources to intervene in the conflict and criminality.
- Students must demonstrate a comprehension of the best crime prevention and intervention models for each specific problem.
- Using the evaluation techniques of criminogenic risk and needs of a person in order to decide an intervention proposal.
- Verbally transmitting ideas to an audience.
- Working autonomously.
- Working in teams and networking.

Learning Outcomes

1. Ability to analyse and summarise.
2. Acting in a professional way in the criminological field for pacifying, social integration and delinquency-prevention purposes.
3. Applying an effective evaluative model in order to detect the criminological intervention needs in prison population.
4. Appropriately applying social resources to criminality.
5. Demonstrating they know the means and scientific procedures of crime prevention.
6. Drawing up a delinquency prevention program.
7. Drawing up an academic text.
8. Effectively and individually implementing a criminological intervention.
9. Effectively developing a delinquency prevention program in the community area.
10. Intervening in the criminological field for pacifying, conciliatory and crime-prevention purposes.
11. Mastering the individual evaluation techniques of a criminal act.
12. Producing a social prevention program of delinquency.
13. Properly using the criminological prevention and intervention programs.
14. Verbally transmitting ideas to an audience.
15. Working autonomously.
16. Working in teams and networking.

Content

A. Principles for an understanding of psychosocial conflicts

LESSON 1. Main topics for the analysis of conflicts

The definitions of a conflict. Causes and origins of conflicts. The elements of a conflict (position, interest and necessity). The behaviour of the parties in a conflict. The role of the "third" in a conflict. The cycle of conflict. Rating conflict. Spontaneous strategies of conflict management. The conflict's culture.

LESSON 2: The models for the analysis of conflicts

The analysis of the sources of power. The three "p" of J.P. Lederach. The model of Fisher and Ury (Harvard). The model of Cornelius and Faire.

LESSON 3. Communication in conflicts

General principles of communication. The communication in the context of high emotionality. The "ME messages". Facilitating strategies. The "killers" of communication. The descriptive speech descriptive and non-violent communication.

B- How to manage a conflict

LESSON 4. How to manage conflicts

Contributions from the perspective of conflict management. Responses to the conflict with or without confrontation. The "win & win" approach. The intervention from the perspective of the results. Problem solving applied to conflict resolution. Alternatives to psychosocial conflicts.

LESSON 5. Conflict management techniques

Arbitration. Negotiation. Conciliation. Mediation. Reconciliation. Conflicts in the courts.

LESSON 6. Conflict management in Criminology

Objectives. Principles. Conditioners. Preventive programs for families. The prevention programs in schools. Prevention in the field of community management. Preventive programs and social communication. Prevention in the field of criminology

C. Examples of interventions

LESSON 7. Crime prevention programs

Contributions coming from conflict resolution programs to crime prevention programs

LESSON 8. Individual assessment of a victim of violence

Case study and preparation of report

LESSON 9. Violence at schools: Bullying

An intervention model

LESSON 10. An example of a conflict in Criminology: psychosocial contributions from Conflictology

Case study

Methodology

The course will combine lectures and seminars. Lectures will try to boost reflection and to invite to read texts and make comments on them. Seminars look for active learning. These sessions will combine discussions of readings, role-playings and the study and analysis of real cases.

Activities

Title	Hours	ECTS	Learning Outcomes
Type: Directed			
Evaluation	5	0.2	9, 10, 7, 12, 1, 14, 15, 16
Lectures	19.5	0.78	2, 9, 11, 10, 6, 12
Seminars	19.5	0.78	2, 4, 9, 11, 6, 12, 14, 16, 13
Type: Autonomous			
Student's external work (personal work)	106	4.24	3, 5, 11, 10, 12, 1, 15, 16, 13

Assessment

1. System of compulsory attendance to classes

a) Attendance is mandatory. Professors will register absences for each session, which can be justified or unjustified. Absences can only be justified for reasons of illness, other important inconveniences and for academic reasons previously authorized by the teaching staff.

b) If a student does not attend at least 80% of teaching, he or she cannot be evaluated.

c) Justified absences cannot be counted negatively. The professor must enable the student to recover the work done in class in the case of excused absence. This kind of justified absences must be documented. Justified absences are those resulting from situations which prevent students from attending educational activities, such as unexpected illness or similar situations. Teachers may consider also justified absences the situations in which students have to attend (and document) other training activities of the degree.

2. Requirements to pass the course

Students need to have a minimum mark of five in the activities and exercises. The weight of each activity in the final academic notes is marked in the scheme of learning outcomes.

3. Reassessment

If a student fails any of the activities, he or she will have a possibility of a new evaluation by doing a new activity at the end of the classes.

4. Consequences of fraud

A student who cheats or attempts to cheat in an exam will have 0 in the subject and will lose the right to be re-evaluated. A student who presents a practice that has indications of plagiarism or who can not justify the arguments of his or her practice will obtain 0 as grade and will receive a warning. In case of repetition, the student will receive a 0 as final grade and will lose the right of re-assessment. Given that there is no exam in this subject, the final evidence that involves the case study and that weighs 30% of the final mark will receive the same treatment as an exam.

Assessment Activities

Title	Weighting	Hours	ECTS	Learning Outcomes
Cas study: bullying at school	15%	0	0	9, 11, 10, 14, 15, 13
Case study and presentation of the results	30%	0	0	2, 4, 9, 10, 7, 1, 14, 16
Case study: evaluation of a victim and preparation of a report	10%	0	0	2, 4, 3, 11, 8, 10, 15, 13
Class attendance (according to compulsory attendance system)	0% (A percentage of attendance equal to or greater than 80% will receive a score of 0.5 points)	0	0	2, 4, 9, 11, 10, 12, 14, 13
Elaboration of a portfolio on 5 theoretical concepts explained during the course	20%	0	0	4, 5, 9, 6, 12, 1, 15, 13

Elaboration of a poster about a book and presentation in class	15%	0	0	7, 1, 14, 15
Practical exercise: identification of positions, interests and needs	10%	0	0	10, 7, 15

Bibliography

Basic bibliography (compulsory)

Students will read at least two of the books cited in the following list:

Cornelius, H. & Faire, S. (1989). *Tú ganas, yo gano. Cómo resolver conflictos creativamente y disfrutar con las soluciones*. Madrid: Gaia ediciones.

Cubells, J. (2004). Una lectura del conflicto psicosocial en el ámbito jurídico desde la perspectiva construccionista. *Persona y Sociedad*, 28(1), 191-210.

Galtung, J. (1998). *Tras la violencia, 3R: reconstrucción, reconciliación, resolución. Afrontando los efectos visibles e invisibles de la guerra y la violencia*. Gernika: Bakea.

Lederach, J.P. (2000). *El abecé de la paz y los conflictos. Educación para la paz*. Madrid: Catarata.

Martínez, B. (1999). *Mediación y resolución de conflictos*. Barcelona: Paidós.

Munduate, M. & Martínez, J. (1998). *Conflicto y negociación*. Madrid: Ediciones Pirámide.

Ury, W. (1998). *Cómo negociar con personas que adoptan posiciones inflexibles*. Barcelona: Gestión 2000.

Vinyamata, E. (2001). *Conflictología: Teoría y Práctica en Resolución de Conflictos*. Barcelona: Ariel.

Optional bibliography

Arensburg, S., Avedaño, C. & Cubells, J. (2006). *Psicología del conflicto*. Barcelona: Editorial UOC.

Avruch, K. & Black, P. (2003). *La resolución de conflictos en marcos interculturales: problemas y perspectivas*. Fairfax, USA: George Mason University, Institute for Conflict Analysis and Resolution.

Coser, L. (1961). *Las funciones del conflicto social*. México: Fondo de Cultura Económica.

Entelman, R. (2002). *Teoría de conflictos. Hacia un nuevo paradigma*. Barcelona: Gedisa.

Fairclough, N. (1992). *Discourse and social change*. Cambridge: Polity Press.

Fisas, V. (1998). *Cultura de paz y gestión de conflictos*. Barcelona: Ed. Icaria.

Folger, J & Bush, B. (1996). *La Promesa de la Mediación*. Barcelona: Granica.

Folger, J. (1997). *Nuevas direcciones en mediación: investigación y perspectivas comunicacionales*. México: Paidós.

Funes, J. (1994). *Mediació i Justícia Juvenil. Justícia i Societat*. Barcelona: Centre d'Estudis Jurídics i Formació Especialitzada.

Gergen, Kenneth. (1996). *Realidades y relaciones: Aproximaciones a la construcción social*. Barcelona: Paidós.

Giddens, A. i Turner, J. (1998). *La teoría social hoy*. Madrid: Alianza Editorial.

Martínez de Murguía, B. (1999). *Mediación y resolución de conflictos: Una guía introductoria*. México: Paidós.

Morales, F. (1999). Naturaleza y Tipos de Conflicto. En: Morales, F. & Yubero, S. (Eds). *El grupo y sus conflictos*. Cuenca: Universidad Castilla-La Mancha.

Six; J.F.(1997). *Dinámica de la mediación*. Barcelona: Paidós.

Smith, E. & Mackie, D. (1995). *Psicología Social*. New York: Editorial Médica Panamericana.

Touzard, H. (1981). *La mediación y la solución de los conflictos. Estudio Psicológico*. Barcelona: Herder.

Vinyamata, E. (1999). *Manual de prevención y resolución de conflictos. Conciliación, mediación, negociación*. Barcelona: Ariel.