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EDUCATIONAL AND METHODOLOGICAL COMPLEX
THE COMPONENT OF THE INSTITUTION
OF HIGHER EDUCATION
DISCIPLINE
«BASIC COURSE OF MEDIATION»
Module «APPLIED PROBLEMS OF PSYCHOLOGY OF BEHAVIOR»
(second stage of higher education (master degree))

specialty 1-23 80 03 – Psychology

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EXPLANATORY NOTE

The discipline of the component of the higher education institution of the module «Applied problems of psychology of behavior» «Basic course of mediation» is included in the system of educational subjects providing theoretical training of masters of psychological sciences.

Mediation occupies a special place among the forms of conflict resolution - holding negotiations with the participation of an intermediary (mediator). Mediation methods are based mainly on the introduction of negotiations in the course of cooperation and their orientation on a mutually beneficial result.

Mediatory activity in society previously belonged to the function of state and public structures for the reconciliation of the parties, the settlement of disputes and conflicts, and within organizations and institutions of various forms of ownership, this function was implemented by leaders and public organizations, labor collectives. Mediation in modern conditions, due to its complexity, labor intensity and the need for special competencies for its implementation, has become isolated and stood out as an independent professional activity.

The discipline «Basic course of mediation» is included in the system of educational subjects providing theoretical training of masters of psychological sciences.

The study of this discipline will allow undergraduates not only to gain knowledge about the use and conduct of mediation, but also to acquire conflict resolution skills that trainees can use for conflict-free dispute resolution.

Objectives and objectives of the training discipline

The purpose of the discipline «Basic course of mediation» is to create a holistic idea of the subject among students, as well as to update theoretical and practical knowledge in connection with increasing requirements for the level of qualifications and the need to master new ways to solve professional problems using the mediation procedure.

The main **tasks** of the discipline are:

- assimilation by undergraduate students of the multidisciplinary nature of the procedure and the results of mediation;
- expanding the possibilities of using interdisciplinary scientific, practical and applied research in the field of harmonization of social relations, resolving disputes in alternative ways.

As a result of the discipline study, the specialist must

nobility:

- the system, principles and advantages of alternative dispute resolution;
- place of mediation in the alternative dispute resolution system;
- the concept and legal basis of mediation in the Republic of Belarus;
- communication structure;
- patterns of information transmission and reception;
- efficient communication techniques;
- the concept, causes, structure and dynamics of the conflict;
- concept and types of negotiations;

- structure of the negotiation process;
- basic mediation models;
- mediation principles;
- stages and rules of mediation;
- structure of the mediation session;

to be able:

- delimit mediation from other alternative procedures;
- diagnose the conflict, identify the advantages and disadvantages of mediation in relation to a particular dispute;
- prepare for negotiations;
- contact and maintain effective communication;
- delimit the positions, interests and interpretations of the parties;
- organize and conduct a mediation procedure;

to own:

- business communication technologies;
- methods of working with the interests of the parties and conducting group dialogue.

In the process of mastering the discipline, the following educational technologies, methods and methods of forming competencies are used: combining lectures with practical exercises, conducting role-playing games, modeling controversial, conflict situations, solving cases.

Requirements to master's competencies.

Master's academic competencies requirements

Master must have:

AK-1. Ability for independent research activities (determination of relevance and problem field of research, selection of necessary methods and methods of research, collection, processing, analysis, validation of data, interpretation of psychological information, etc.), readiness to generate and use new scientific ideas.

AK-2. Methodological knowledge and research skills ensuring the solution of research, scientific-pedagogical, educational-methodological, expert-analytical, organizational-managerial, practical and innovative activities.

AK-3. Knowledge in the field of modern information technologies and the ability to use them in solving the tasks of scientific research, scientific-pedagogical, educational-methodological, expert-analytical, organizational-managerial, practical and innovative activities.

AK-4. Ability for permanent self-education.

Requirements to master's socio-personal competencies

Master shall:

SLK-6. To form and argue their own judgments and professional position.

SLK-8. It is logical, reasoned and clear to build oral and written speech, use the skills of public speech, conduct discussion and controversy.

Master's Professional Competencies Requirements

The Master must be capable of:

Teaching and methodological activities

PK-2. Identify and develop promising areas of modern psychology.

PK-3. Prepare scientific reports, reviews and publications based on the results of the studies performed.

PK-10. Develop and use modern educational and methodological support.

The introduction of AMC into the educational process will contribute to the in-depth study of the discipline, and will also allow to activate and individualize learning, improve control and self-control. The advantages of the AMC include consistency, thoroughness of presentation of lecture material.

The educational and methodological complex contains all the necessary components that allow undergraduates to form academic, socio-personal and professional competencies, and is a complete educational and methodological support for the discipline «Basic course of Mediation».

1. THEORETICAL SECTION

Lecture 1. General provisions on the mediation procedure.

PLAN:

1. Introduction to mediation.
2. Participants in mediation.
3. Groups of functions of a mediator.
4. Legal regulation of mediation.
5. Stage of the mediation session.

1. Introduction to mediation.

Mediation is a way of resolving disputes with the assistance of an independent person (mediator) on the basis of the voluntary consent of the parties to the dispute in order to achieve a mutually acceptable and viable solution.

Criteria that determine the choice of mediation as a means of conflict resolution:

- costs (money, time, energy, stress);
- satisfaction with the result and the way to achieve it;
- influence on relationships;
- sustainability of results and readiness to comply with the agreements reached.

Mediation is one of the possible settlement options if:

- the parties to the conflict need each other's help in order to resolve it;
- they attach great importance to maintaining the relationship between them;
- the conflict has an emotional connotation;
- the parties to the conflict are ready to communicate and negotiate under the supervision of a mediator;
- the parties are unable and unwilling to resolve the conflict on their own without outside help;
- the parties are ready to take into account mutual interests when resolving the conflict;

- the parties are interested in observing the agreements reached as a result.

It is not recommended to use mediation if:

- the only goal of the parties to the conflict is mutual destruction;
- the parties are unwilling or unable to negotiate:
 1. If a party needs to create a «legal precedent».
 2. Mental illness of one of the parties.
 3. If expressly prohibited by law (criminal, administrative cases).

It should also be noted that in all types of mediation there are two components: emotional and substantive (meaningful).

The essence of mediation: the parties to the conflict confer with each other and independently determine the outcome of the conflict, taking into account individual and mutual interests.

Factors determining the success of mediation initiation:

- the motives of the initiator;
- incentives for participants, as well as their advisers and advisers, supporters and supporters, if any;
- indicators of success;
- making a meaningful decision on participation in mediation by its direct participants.

The indicators of the success of mediation are:

- willingness of the parties to participate in negotiations;
- availability of space for negotiations;
- relatively low level of conflict escalation (not higher than seventh), see the ladder of conflict escalation.

The most important indicator of the success of mediation is the willingness of the parties to participate in the negotiations, which allows them to achieve:

- high probability of success (70-90%);
- high level of satisfaction;
- short terms for reaching a resolution of the conflict, when the time of communication between the parties is minimized.

The motives that predetermine the success of mediation are fully consistent with procedural, material and psychological interests, including:

- the desire to control the outcome of the conflict (autonomy);
- finding a solution quickly (safety);
- maintaining relationships;
- cost reduction.

Mediation tasks:

– providing the parties with the possibility of independent settlement of the conflict that has arisen between them through the recognition and mutual satisfaction of legitimate interests and requirements, needs, reaching an agreement on reconciliation;

– assistance to the parties in the development of mutually acceptable conditions for the settlement of the dispute.

Basic principles of mediation:

– *Voluntariness:* the mediator is chosen by both parties to the conflict, who cannot be forced to participate in mediation. They can refuse to continue it at any time. The only exceptions are those cases where a mandatory attempt at conciliation is provided for by law.

– *Conscientiousness.*

– *Equality and cooperation of the parties:* in the process of mediation, all participants are given equal rights (in expressing their positions, interests and expressing their opinions, both about the mediation procedure and about the proposed solution to the conflict). Each of the parties has equal opportunities to be heard by both its opponent and the mediator.

– *Impartiality and independence of the mediator:* the mediator should not have relations with conflicting parties that could in any way affect the outcome of the mediation procedure. If circumstances arise that cast doubt on the neutrality of the mediator, he himself is obliged to inform the parties to the conflict about this.

The impartiality of the mediator lies in the fact that he cannot impose his position on any of the parties regarding the chosen solution. In managing the negotiation process, the mediator should refrain from direct advice and avoid phrases that could be interpreted in favor of one of the parties.

– ***Confidentiality***: all parties are obliged to keep secret and not use the information received for mercenary and other extraneous purposes.

– ***The constructive nature of the negotiations***: the mediator creates and maintains an atmosphere of trust and mutual respect, striving to provide emotional and psychological comfort to the conflicting parties.

Effective mediation meets the following criteria:

- carried out on a voluntary basis;
- focused on achieving results;
- promotes constructive communication;
- based on neutrality and impartiality in a conflict situation;
- future-oriented;
- clearly structured;
- promotes the development of personal responsibility;
- provides a procedural basis for negotiations;
- provides an opportunity for all conflicting parties to participate in the process of finding a solution to the problem.

2. Participants in mediation.

The Law of the Republic of Belarus of July 12, 2013 «On Mediation» stipulates that the parties to mediation are the parties or representatives of the parties, the mediator.

The party to the mediation is an individual with full legal capacity and (or) a legal entity that has entered into an agreement on the use of mediation.

The parties have the right, by agreement between them and with the consent of the mediator, to involve any other persons to participate in the mediation, if it is necessary to resolve the conflict. The parties are responsible for the analysis of the conflict, awareness of interests – both their own and the partner, for the development and critical assessment of proposals for the settlement of the dispute, for the adoption of a particular decision.

The parties have the right:

- independently choose a mediator;
- provide in the agreement on the use of mediation additional requirements for the mediator;
- refuse to participate in mediation at any stage;
- make proposals on the procedure for conducting mediation;
- declare the need for other persons to participate in mediation;
- provide information necessary to clarify the position and achieve a settlement of the conflict;
- ask clarifying questions to the other party and the mediator;
- initiate an individual conversation with a mediator;
- make proposals to the other party aimed at resolving the conflict;

– participate in the discussion of the proposals made by the parties for their realism and satisfaction of the interests of each of the parties.

The parties are not entitled to:

– disclose information obtained during participation in mediation without the consent of the other party;

– unreasonably delaying the time of the mediation;

– to exert physical, moral or any other pressure on the other party, the mediator, other persons participating in the mediation;

– admit by their actions an incorrect attitude towards the other party, the mediator and other persons participating in the mediation.

The parties are obliged:

– comply with the requirements of the Law of the Republic of Belarus «On Mediation», the Rules and other legislative acts, as well as the terms of the agreement on the use of mediation;

– appear at the invitation of a mediator for mediation;

– comply with the mediation procedure agreed by the parties;

– comply with the principles of mediation;

– develop realistic terms of the mediation agreement;

– execute the mediation agreement concluded by the parties voluntarily and in good faith.

Mediator is an individual who meets the requirements of the Law of the Republic of Belarus «On Mediation», who participates in negotiations between the parties as a disinterested person in order to assist in resolving the conflict. A mediator is an impartial, independent person and when conducting mediation is guided by the Law of the Republic of Belarus «On Mediation», as well as other legislative acts.

The mediator manages the negotiation process, maintains its constructive nature, provides each party with the opportunity to express their opinion on the causes of the dispute and the goals that the parties intend to achieve through mediation, controls the culture of the negotiation process, reduces the level of aggressiveness of assessments given by the parties to each other's actions, not allows incorrect statements of the parties, creates a favorable environment for negotiations.

The mediator has the right:

– get acquainted with the materials of the dispute;

– study the documents submitted by the parties;

– invite the parties to submit additional documents;

– receive the necessary consultations from specialists;

– assist the parties in a consistent exchange of documents, information and messages on the issues discussed;

– conduct individual negotiations with each of the parties;

– offer the parties to work out and discuss several options for resolving the dispute (best, acceptable, undesirable).

The mediator is not entitled to:

– be a representative of one of the parties;

- to submit to the parties their proposals on the settlement of the dispute, and also, if the parties have not agreed otherwise, to act as an arbitrator in the dispute, which was or is the subject of mediation;
- give an opinion on the prospects for resolving a specific dispute in court;
- to express, on their own initiative, the parties concrete proposals for a way out of the current controversial situation;
- disclose confidential information received from them without the permission of the parties, as well as violate other principles of mediation.

The mediator is obliged:

- be impartial and independent;
- make sure of the powers of the representatives of the parties to participate in mediation and conclude a mediation agreement;
- notify the parties about the circumstances that prevent them from exercising their functions;
- upon completion of mediation, explain to the parties the consequences of concluding a mediation agreement, as well as in case of failure to reach it.

3. Groups of mediator functions

Group 1. Associated with the management of negotiations («master of the house»).

1A. At the stage of the opening speech, he tells the parties about how the negotiations will proceed, in accordance with what principles, what stages they will consist of, and what is the task of the mediator himself.

Introduces the participants to the rules of communication during mediation and asks the parties to agree to comply with them.

1B. At each stage, the mediator structures the process: invites the parties to take certain actions; summarizes the discussion; indicates the goals to be realized; carries out the transition of negotiations from one stage to another, etc., that is, «plots the route».

1B. During negotiations, the mediator controls that the process is kept within certain limits. Informs the parties that their interaction has become non-constructive or deviated from the topic. If this is repeated, then the parties are not ready for the mediation process.

Group 2. Associated with the provision of a psychological climate.

2A. «Safety Technique». The mediator observes the rules of constructive communication and makes sure that these rules are respected by all parties.

2B. The mediator establishes, maintains and deepens personal psychological contact with each negotiator.

Rules for working with emotions:

- the emotions of both the mediator and the parties should, whenever possible, be expressed in a constructive manner;
- in mediation, there is an attitude not to suppress the emotions of the parties (and the mediator), but to respond and understand the related needs.

Group 3. Ensuring substantive aspects of negotiations.

3A. The mediator helps in expanding, clarifying, transforming their ideas

about the conflict, in a better understanding of the needs and interests of both the partner and their own (mainly in the phase of presentation of the parties and discussion).

3B. The mediator assists the parties in developing or transforming their negotiation strategy. The strategy reflects the attitude towards the degree of taking into account the needs and interests (of the partner and one's own) in the search for a solution to the conflict (more often in the phases of «caucus» or discussion).

3B. The mediator assists the parties in finding options for resolving the conflict (more often at the «caucus» or discussion phases).

3G. The mediator assists the negotiators in critical assessment, clarification and refinement of the solutions found, taking into account:

- compliance with the needs and interests of the parties;
- realism, that is, the presence of real opportunities to implement the solution;
- compliance of the solution option with the norms that are significant for the parties (legal, social, psychological, etc.);
- elaboration of the decision (specific actions of the parties, dates, numbers, etc. are indicated).

3D. The mediator assists the parties in fixing both interim and final agreements.

4. Legal regulation of mediation

International legal acts

- UNCITRAL Conciliation Rules of 06/23/1980.
- UNCITRAL Model Law «On International Commercial Conciliation» dated 24.06.2002.
- Acts of the European Commission (Green Paper on Alternative Dispute Resolution in Civil and Commercial Law; European Code of Mediators).
- Directive 2008/52 EU of the European Parliament and of the Council of 21.05.2008 concerning certain aspects of mediation in civil and commercial matters.
- Recommendation No. 3 REC (99) 19 of the Committee of Ministers of the Council of Europe of 15.09.1999 to the member states of the Council of Europe, on mediation in criminal matters.
- Recommendation No. R (98) 1 of the Committee of Ministers of the Council of Europe dated 02.01.1998 to the member states of the Council of Europe on family mediation.
- Recommendation No. R (2002) 10 of the Committee of Ministers of the Council of Europe of 18.09.2002 to the member states of the Council of Europe on mediation in civil matters.

Legislation regulating the sphere of mediation in Belarus

- Law of the Republic of Belarus No. 58-Z of July 12, 2013 (as amended. The Law of the Republic of Belarus of 18.12.2019 N 277-Z) «About mediation».
- Resolution of the Council of Ministers of the Republic of Belarus dated December 28, 2013 No. 1150 «On approval of the Rules for conducting

mediation».

– Resolution of the Council of Ministers of the Republic of Belarus dated December 31, 2013 No. 1184 «On some measures to implement the Law of the Republic of Belarus» «On Mediation».

– Resolution of the Ministry of Justice of the Republic of Belarus of January 17, 2014 No. 12 «On some issues of training in the field of mediation».

– Resolution of the Ministry of Justice of the Republic of Belarus dated January 17, 2014 No. 15 «On approval of the Mediator's Ethics Rules».

– Decision of the Constitutional Court of the Republic of Belarus dated 08.07.2013 No. R-841/2013 «On the Compliance of the Constitution of the Republic of Belarus with the Law of the Republic of Belarus" On Mediation».

– Law of the Republic of Belarus of December 18, 2019 N 275-3 «On amendments to laws». Adopted by the House of Representatives on November 19, 2019 Approved by the Council of the Republic on December 3, 2019.

5. Stage of the mediation session

The stage of a mediation session is a set of procedural actions aimed at developing a mutually beneficial agreement and, thus, at resolving a dispute. Within this stage, several stages can be distinguished:

Stage 1: opening a mediation session.

The purpose of this stage is to determine the order of further work within the framework of the mediation session and to create conditions for negotiations.

At this stage, the mediator explains to the parties the goals, basic principles of mediation, the role and area of responsibility of the participants, the sequence of further work, as well as the rules of conduct and interaction of the participants in the procedure. The mediator's opening remarks help to standardize the mediation procedure, set up the parties to negotiate, and also resolve the remaining organizational issues.

Stage 2: presentation of the parties.

The purpose of the stage is to identify the content of the positions of the parties in the dispute. At this stage, the parties are given the opportunity to set out the history of the development of the dispute, present and substantiate their claims.

The tasks of the mediator are: obtaining the maximum amount of information about the dispute, clarifying and specifying the positions of the parties, identifying the level and nature of discrepancies. At this stage, the parties, with the assistance of the mediator, verbalize the dispute.

Stage 3: identifying topics for discussion.

The purpose of the stage is to highlight the key aspects (subject of further negotiations) on which it is necessary to reach an agreement. At this stage, the parties are given the opportunity to clarify the positions of each other (taking into account what was heard earlier), to discuss the problematic situation.

The tasks of the mediator are to determine the topic for negotiations, the range of issues requiring resolution and the sequence of their discussion, to facilitate dialogue and bring the parties' positions closer to each selected aspect.

If at this stage fruitful discussion and development of options for resolving

the dispute are possible, the mediator continues to negotiate. If the parties insist on the initially occupied positions and the joint dialogue becomes unproductive, the mediator proceeds to the next optional stage.

Stage 4: individual work on each side.

The purpose of the stage is to prepare the party to discuss key aspects of the dispute and to develop proposals for their settlement.

The main tasks of the mediator are to identify the interests and goals of each of the parties, to discuss problematic issues and to consider alternative options for resolving the dispute, to develop proposals and determine the order of their further discussion.

Conducting individual work with each of the parties is an optional stage, during which the mediator fills in the missing information and solves the tasks that were not possible for any reason at the previous stages. The mediator works individually with each of the parties, it is possible to hold several meetings in turn.

Stage 5: development of proposals for the settlement of the dispute.

The goal of this stage is the final settlement of the dispute. The mediator's tasks are: organizing a joint analysis of possible options for resolving a dispute on each of the problematic aspects for their compliance with the interests of the parties; development of acceptable terms of the agreement; verification of the feasibility of the implementation of the proposals put forward.

Stage 6: conclusion of an agreement.

The purpose of this stage is the parties making a final decision on the dispute and drawing up an agreement. At this stage, the mediator should make sure that the agreement reached meets the needs of the parties, is equally understood by all parties to the procedure and can be executed by both parties. The final agreement can be made orally or in writing.

Stage 7: completion of the mediation session.

The purpose of this stage is to close the mediation session and (or) complete the mediation procedure.

By analogy with the opening of the mediation session, at this stage, the mediator pronounces the final word, in which he sums up the mediation session and agrees with the parties on further actions. If the dispute between the parties is settled, the mediator specifies further actions for the implementation and the need to control the implementation of the agreement reached. If the dispute is not resolved, the mediator can discuss the possibility of a second session.

The control and analytical stage is a set of procedural actions of the mediator aimed at monitoring the implementation of the mediation agreement, as well as analyzing the work done.

Within the framework of this stage, those actions are performed that were agreed by the parties and the mediator at the final stage of the procedure. As a rule, after the end of the mediation session, the participants in the procedure agree on a face-to-face meeting or contact by phone after a certain period in order to discuss and jointly evaluate the results of the mediation.

The selection of such stages, stages and their sequential implementation in practice allow:

– firstly, to receive the necessary information to analyze the structure of the dispute (which makes it possible to form a clear idea of the nature of the discrepancies, and with this in mind, highlight and rank the key aspects of the dispute in the most optimal way);

– secondly, to identify the grounds for the dispute and the true interests of the parties, which significantly expands the space for negotiations;

– thirdly, to separate the stage of developing alternative solutions from the stage of concluding a final agreement (which stimulates the search for the most acceptable options).

Thus, mediation is a staged procedure. At the same time, the algorithmic nature and sequence of actions performed by the mediator distinguishes this method of dispute settlement from other conciliatory procedures. Each stage and stage of mediation has its own goals and objectives, the implementation of which ensures the successful completion of the procedure by concluding a mediation agreement.

Lecture 2. Technology of facilitative (classical) mediation

PLAN:

1. Basic provisions of the technology of facilitative mediation.
2. Mechanisms of facilitative mediation.
3. Stages and formula of facilitative mediation.
4. Stages of mediative conversation (H. Besemer), BADGER and ALPHA models.
5. Structure of the mediative session.

1. Basic provisions of the technology of facilitation mediation

Regulation 1. Distinction between the concepts of "legal dispute" and "conflict".

The task of a mediator is not to work with a legal dispute, but with the conflict that underlies it. The legal position is the result of the substitution of the conflict, the attempt of the parties to translate it into the framework of legal categories.

Regulation 2. The distinction between the concepts of "position" and "interest".

A **position** is a proposed solution to the conflict.

Interest is what makes you make a choice in favor of one or another option (take a position).

Interest (in mediation) – any internal engines of human behavior (needs, desires, motives, goals, fears).

The *task of the mediator* is to conduct integrative negotiations that go beyond the initial positions declared by the parties (based on the interests of the parties).

The *formula of the mediation algorithm* (A. Hertel):

"To reach agreement on seemingly inconsistent positions, you must first step back from your previous positions, determine their interests, values and needs, and form new positions for them."

Regulation 3. Future orientation of the mediation procedure

The task of the mediator is to switch the attention of the parties from analyzing the past (proving certain facts, identifying cause-and-effect relationships) to finding a way out of the current situation by developing a mutually acceptable agreement.

Regulation 4. Finding a solution by the parties themselves

The mediator does not have the right to assess the legal positions of the parties, to recommend them the right way or option to get out of the situation (from his point of view). Mediation is aimed at developing a stable solution that meets the deep interests of both parties, therefore, it must be found by the parties themselves.

2. Mechanisms of facilitation mediation

A. Mutual respect and recognition of the parties as a prerequisite for constructive conflict resolution.

A person is able to understand another person if he feels that he is recognized and understood. In a destructive dispute, communication and communication ability suffer, therefore, the information is not accurately reported and is accompanied by reproaches, because of this, communication may stop.

The mediator is involved in the process of communication between the parties, replacing the opposite participant for each of them. By his behavior, he demonstrates the necessary "respect" for the party – he actively listens, gives an opportunity to speak out, does not judge or evaluate, takes emotions, resistance, positions and interests seriously. The mediator gradually encourages the parties themselves to express this understanding to each other and clearly show it.

B. It is impossible to appeal to the rational (to the content), if a person is under the influence of emotions.

The main means of maintaining effective communication is to prevent the manifestation of destructive emotions. The mediator helps the parties express their emotions without offending others. Liberation from negative emotions helps the parties to better understand the essence of the conflict and the interests of the opposite party.

C. Non-standard original solutions that benefit everyone are found through cooperation, not competition.

Positional negotiations based on a competitive style of communication (at the level whose position will be more reasonable) are not effective in conflict situations, because the conflicting parties stop listening to each other's arguments.

D. It is impossible to start negotiations from positions.

Until the position analysis mechanism is launched, the participants in the negotiations are not closed. Condemnation is perceived as an attack on the individual, which leads to a defensive reaction. The position is associated with the personality of the negotiator and is denied by the opposite side in a conflict, as well as everything related to the personality of the opponent. Each position is accompanied by a system of supporting arguments. A critical analysis of their arguments forces a person to defend his position and himself. The further the conflict escalates, the more uncompromising positions are taken by its participants, as a result of which the negotiations come to an impasse.

F. Analysis of the past (search for the reasons for actions) can not ensure finding an option for the future.

The past (the fact of the conflict) is discussed at the initial stage only in order for the parties to speak out and psychologically free themselves from the disturbing history. The mediator does not analyze the past, but switches the parties to search for ways out of the conflict. The focus of facilitation mediation is on the present and future of the parties.

3. Stages and formula of facilitation mediation

Taking into account the role of emotions in mediation, there are 2 stages:

1. The stage of conflict rationalization – working with the emotions of the parties and restoring communication.

2. The stage of integrative negotiations – negotiations on the development of a creative option that takes into account the interests of both parties.

Negative emotions + conflicting interests of the parties = an incentive for the conflict to arise. It is important to get rid of negative emotions, as they do not allow the parties to use a business approach to resolve the conflict. Therefore, the task of the mediator:

- 1) organization of communication between the parties;
- 2) organization of negotiations.

The joint work of the parties around a common problem during rational negotiations will be able to unite the parties and restore relations between them (the principle of "from negotiations to reconciliation").

The formula of facilitation mediation: conflict
rationalization → negotiation → reconciliation

4. Stages of the mediation conversation (x.Besemer), BADGER and ALPHA models

Facilitation mediation adheres to the *principle of high procedural directivity*: managing the process and conducting negotiations according to a clear algorithm.

Stages of a mediative conversation (x.Besemer)

1. Introduction.
2. The vision of the individual parties to the conflict.
3. Clarification of the conflict (identification of hidden feelings, interests, causes).
4. Solving the problem (collecting and developing possible solutions).
5. Agreement (agreement).

Stages of mediation (model BADGER)

B-the beginning (beginning)

A collection of information (acquire information)

D-define the range of problems (define the main concerns)

G-generating ideas for solving a problem (generative alternatives)

E-evaluation of decisions made (evaluate alternatives)

R-agreement (resolution)

Mediation structure (ALPHA model)

A-specification of the task (setting the goal)

L-discussion of the state of affairs (list of topics)

P-position and interests

H-eureka (search for an exit)

A-conclusion of an agreement

5. Structure of the mediation session

1. Opening of the mediation (opening speech of the mediator).

The goal is to establish contact between the mediator and the parties and to enter into the management of the procedure by introducing procedural rules that will be used to build communication between the mediation participants and their joint work to find a way out of the conflict.

2. Presentation of the parties-study of the circumstances of the dispute and the interests of the parties.

Giving each of the parties the opportunity to talk about what, in their opinion, is a controversial situation.

During the presentation of the parties' versions of the causes and essence of the conflict, the mediator acts as an active listener for them, making sure that the parties do not interrupt each other.

3. Discussion of the parties on the development of the agenda and issues for discussion (discussion 1).

The goal is to "vent" emotions and form the agenda.

Exchange of views on what was heard and make comments.

4. Individual conversation of the mediator with each of the parties (caucus).

Caucus (optional stage of mediation) – an individual conversation of the mediator with each of the parties.

The caucus is held for various purposes, but its main purpose is to identify the interests of the parties underlying their positions.

5. Development of proposals for the settlement of the dispute (discussion 2).

Identification of the interests of the parties and organization of work on the development of proposals for a way out of the conflict.

6. Conclusion of the agreement.

Ensures that the agreement reached by the parties is recorded and verified for reality (feasibility).

7. Completion of the mediation.

It is aimed at closing the contact, receiving feedback from the parties on the results of the mediation session (satisfaction with the procedure, the agreement, and the work of the mediator is checked).

Lecture 3. Technology of transformative mediation

PLAN:

1. The essence and main ideas of the technology of transformative mediation.
2. The "conflict as a spiral" model.
3. The transformative potential of mediation.
4. The work of a transformative mediator.
5. Instructions for implementing a transformative approach to mediation.

1. The essence and main ideas of the technology of transformative mediation.

The transformative model of mediation was developed by R. Barrock Bush and D. Folger and described in their book «What Mediation Can Do. A Transformative Approach to Conflict».

The main postulate: the peculiarity of mediation is to preserve the self-determination of the parties and the humanizing power of the dialogue.

The essence of the approach: refusal to assist the parties in reaching an agreement, focusing on the transformation of conflict interaction.

The mediator's task is to assist the parties to the conflict in returning constructive relations. In a conflict, the most important thing is not that it deprives the participants of the opportunity to satisfy any rights, interests, or the achievement of goals, but in a CRISIS OF RELATIONS.

This technology is based on the relational theory – there is a fundamental human nature, the same for all people, and consisting in a dual sense of their own autonomy and social connection.

Violated needs as a result of conflict:

1. A person becomes unable to act on his own (i.e. independently manage his life).
2. A person is incapable of relationships with other people (i.e., to be connected with other people).

Key ideas of transformative mediation:

– full empowerment of the parties, the mediator's following of the parties, that is, the mediator's deliberate refusal of the goal of developing an agreement and managing the mediation process;

– facilitating the process of recognition by the parties of each other (understanding the feelings and point of view of the other is the main task of the mediator);

– in the center of attention of the mediator «here and now» (helping the parties to communicate at the moment, listening and hearing each other, clarifying inaccurate, contradictory points, allowing to create a fresh vision of the problem);

– attentive attitude to the past (analysis of past events to separate facts from interpretation);

– a positive attitude towards emotions and any forms of their manifestation;

– the success of mediation is not associated with the conclusion of a

mediation agreement, but is assessed even by those small steps that the parties tried to take towards each other.

2. The «conflict as a spiral» model.

The transformative model of mediation is based on the «conflict as a spiral» model with possible downward (with escalation) and upward (with de-escalation) dynamics.

Movement in a downward and upward spiral in a relationship occurs as a result of incessant interaction between the parties (exchange of words, gestures, actions, etc.).

Downward dynamics: exchange of barbs, threats and insults.

Upward dynamics: exchange of concessions, reciprocal steps, apologies, taking on a share of responsibility for what happened.

The mediator's task is to create conditions for the «unwinding» of the spiral upwards, not downwards (escalation of the conflict).

The escalation of the conflict, from the point of view of a transformative approach, represents for each side a vicious circle of declining self-confidence (loss of strength) and alienation from each other.

Conflict causes feelings of weakness in the participants, loss of control over the situation, embarrassment, doubt, uncertainty and indecision, powerlessness and insignificance.

Conflict fosters self-isolation and self-centeredness, no matter how usually a person is considerate of others. Each side focuses more on itself, becomes selfish, suspicious, hostile, closed, impervious to the words of the other. Each participant seems to be neglected and a victim. Consequently, the natural reaction of the participant in the conflict is anger towards the other side.

In a conflict, normal relations gradually «spiral into a negative, destructive and alienating interaction between the parties». The weaker a person feels, the more he withdraws into himself.

Conflict forces people to choose a certain unsatisfactory demeanor towards others and themselves. For this reason, *a person has a natural motivation to get out of the conflict.*

3. The transformative potential of mediation.

The transformative potential of mediation is:

– *in expanding personal capabilities:* restoring a sense of self-importance and strength, the ability to make decisions, independently solve life problems;

– *in mutual recognition:* awakening in a person awareness, understanding, sympathy for the situation of another person and his views.

The consistent increase in emphasis on personal empowerment and recognition provides a strong stimulus for the transformation of interaction in conflict from destructive to constructive.

The role of the mediator is to restore mutual recognition and respect for each other's interests, so that the parties feel empowered. To do this, he must focus on empowering the parties to identify problematic issues and to help them better

understand each other's views and positions.

According to D. Folger, the transformative approach is based *on optimistic assumptions about people* who are naturally strong, kind, aimed at interacting with the world and retain a certain part of humanity in conflict as their basic essence.

The most important resource for conflict transformation lies in the participants in the conflict themselves, their strength, decency and compassion for people. When such qualities are activated, the spiral of conflict can reverse and restore interaction even without the presence of a mediator. The upward dynamics of the conflict, having received an impetus in the form of the expansion of the personal responsibility of the parties, feeds itself.

Mediator intervention transforms conflict interactions and triggers upward counter dynamics in relationships through the energy of personal empowerment and mutual recognition. The parties to the conflict «get out of the circle of weakness, becoming calmer, more judicious, more confident, more adequate, more decisive, changing from weakness to strength. They move away from isolation, becoming more attentive, open, trusting, and try to better understand the other side, that is, in general, there is a transition from egocentrism to responsiveness».

Mediation helps the parties to see human traits in the opponent, to begin to interact with more faith in themselves and more empathy for others.

The mediator launches *an upward dynamic by empowering* the parties by empowering them with strength and responsibility, primarily in resolving procedural issues of mediation. To this end, the mediator deliberately refuses not only to interfere in the substantive part of the negotiations, but also to control the process (transformative mediation is characterized by a minimal degree of procedural directiveness of the mediator).

4. The work of the transformative mediator.

Transformative and classical mediation differ in what the mediator does and what the parties experience.

In the transformative approach, the following skills of a successful mediator turn out to be unclaimed: structuring the procedure; distancing the parties from their original positions; identification of the latent needs and interests of the parties; the ability to focus on common interests and areas of mutual agreement, diverting attention from the area of; directing participants to discuss the future without taking into account the past; the ability to prevent and limit the manifestation of negative emotions.

The transformative mediator refuses as much as possible from interference in the management of the communication of the parties. It does not set rules, does not define the problem, does not develop an agenda, does not stimulate the parties to offer options for a way out of the situation. The mediator follows the parties, giving them the opportunity to freely express their emotions and manage the course of the conflict.

Transformative practice moves away from the linear, step-by-step model of mediation, in which the mediator is encouraged to facilitate the progress of the parties through several successive stages. The procedure is a secondary result of

the constant interaction of all participants in the mediation. During a mediation session, the parties move in a spiral through several different areas of activity, which alternate in random order. Participants can overcome them several times as they themselves bring up any new topic for discussion.

The technology of transformative mediation focuses on the freedom of expression of the parties. The main challenge is to restore the client's central role, both in his participation and in his responsibility for resolving the conflict. The basic method that is used to achieve this is to let the parties tell whatever they deem necessary.

From the point of view of the transformative approach, the mechanism for resolving a conflict situation consists in its articulation by the parties. The transformative mediator proceeds from the fact that, in any case, the conflict is the communication of the parties, and sees his goal in supporting the transformation of this communication.

In this regard, the mediator's task is to restrain oneself from deep analytical thinking and focus on the interaction of the parties, on what is happening «here and now». A transformative mediator works exclusively with what people say to each other at the moment, what they decided to say to each other on the day of mediation.

At the same time, transformative mediators define their role as «presence» in the process, «tracking» (observation) of the communication of the parties in its «momentary» dynamics.

The mediator allows the parties to speak as they wish.

In transformative mediation, the widespread technique of distracting parties from the past and reorienting them to the future is not used, which in facilitative mediation is usually implemented by the mediator's phrase: «Let's think about the future, about how to get out of the situation, instead of recalling the past and complain about each other».

According to the authors of the transformative approach, «focusing on the future» as a basic principle of mediation can counteract the idea of restoring the parties' self-confidence. Discussion of the past pushes the parties towards mutual recognition.

The transformative mediator supports the parties' formulation of their positions and is in no hurry to distance them from them, since the ability and desire of a party to the conflict to formulate a position gives him a chance to more fully express his point of view and the opportunity to better understand what the conflict means for him ...

Transformative pick minimizes the use of paraphrasing techniques. In his opening remarks, he orients the parties to their natural behavior – «Speak the way you want to speak. If you want, you can change the way of expression in the future, after hearing what you said».

The main technique is echo repetition (quotation, reflection). Even if the party does not speak rationally, the mediator listens, repeats, clarifies the correctness of his understanding. Metaphorically speaking, the mediator should hold the «audiovisual mirror» in front of the side. The side should have the feeling

that it is talking to itself.

The transformative mediator calmly accepts the periods of silence that occur during the mediation session and does not feel obliged to immediately speak with the parties when silence ensues. Silence is seen as a time when people are engaged in careful consideration of their next actions and their contribution to the dispute resolution process. When the mediator speaks, the parties listen and they have very little opportunity to think.

Equally calmly, the transformative pick is about the strong emotions of the parties. The mediator must remain at the epicenter of emotions, allowing each person to express their emotions fully, without interfering or suppressing them. The fundamental need for people is to express strong emotions in harsh words.

In general, *transformative mediators define their style of behavior as a transition from using active listening techniques to «deep listening».*

The mediator's task is to monitor the communication of the parties in a new way, recognizing verbal and non-verbal signs of a possible change in the relationship of the parties. The bottom line is to provide support for the parties along the way when there are small but important shifts from weakness to strength and from isolation to understanding to help the parties make personal positive changes in communication.

Thus, the work of a transformative mediator has three aspects at the same time, to which he must pay equal attention:

– *recognition of opportunities*: active listening to the parties in order to identify signs of weakness and isolation in their speech, which are at the same time opportunities for the mediator to intervene in order to support the participants and contribute to positive changes in their relationship;

– *internal work on oneself*: suppression of the desire to direct the course of negotiations in a certain direction, urge the participants to be constructive;

– *the use of four basic, for a given technological model of mediation, communication techniques*: reflection, generalization, reconciliation, non-interference.

5. Instructions for implementing a transformative approach in mediation.

1. Opening remarks by the mediator in the form of a conversation with the participants, not a mediator's monologue.

Invite the parties to see mediation as an opportunity to talk about anything that matters to them. Ask if the parties would like to suggest some rules of their own for communication and discussion.

Please advise that the parties can plan the procedure themselves as it evolves, based on what they think will be most beneficial to them.

Clarify what the participants' expectations are regarding the confidentiality of what was said during the mediation. What other mutual obligations are they interested in before starting the mediation session?

2. Do not establish any step-by-step procedure. Invite the parties to share something to start with.

3. *Listen to stories.* Echo each side after the story.
4. Invite the parties to discuss what they have heard. *Observe the conversation*, do not interrupt, even if it is in a raised voice, do not rush to «fill» the pauses.
5. *Summarize* what you have heard for both sides (provide a general understanding of the conflict and the topics to be heard). Highlight areas of disagreement (which are seen differently by the parties).
6. *Periodically identify* (reconciliation technique) the topic under discussion and ask the parties whether they want to discuss it further.
7. Get away from the task of resolving the conflict. Make an effort to help people express and hear doubt, insecurity, anxiety, and other human experiences.
8. At every stage when a situation of choice arises in relation to issues of process or content, help the party to reason and make a decision (without imposing your own).
9. Watch for verbal and non-verbal cues that indicate likely shifts in personal empowerment and mutual recognition. Thus, the possibility of positive changes is often laid down in the comments of participants with a pronounced negative connotation (expression of their own weakness, a message about a decrease in inner confidence, insulting the other side).
10. Encourage shifts in favor of mutual recognition, encourage voluntary efforts by the parties to achieve a new understanding of the opposing party's point of view.
11. Ask the parties if each of them has something they would like to share that will help change the opponent's view of the situation. Does the party want to apologize for something, take responsibility, thank the other party for something.

Lecture 4. Narrative mediation technology

PLAN:

1. The main ideas and stages of narrative mediation.
2. The role of the mediator in the narrative technique.
3. Phases of mediation in the narrative technique.

1. The main ideas and stages of narrative mediation.

The authors of the narrative model of mediation are G. Bateson, S. Cobb and D. Rifkin. The main postulate of the model: «Mediation is a narrative». Narrative mediation contrasts itself with the classical model, arguing that the main thing in mediation is not compliance with the structure (procedure), but the *continued influence of all participants in mediation on each other*, which allows you to create an alternative perception of the problem.

The key concept of the narrative model of mediation is the narrative of a *human-constructed story*. «We constantly design and continually create ourselves (the self-production) to the manuscript of our life, of our own history that is closely intertwined and mingled with fairy tales, myths, archetypes, images, symbols, etc.».

The narrative approach to mediation is based on the following ideas:

- *man lives in the narratives*, that is, they constructed stories about his life in General, events, and relationships with other people;
- *a person assigns a certain frame* (frame, meaning) to each event under the influence of the processes of interpreting facts;
- each participant in the conflict has its own idea of the problem (*its own frame*);
- *it is difficult to move the picture from the place*, because the participants, due to various mechanisms of psychological protection, show inflexibility, persistent repetition of what was said, unwillingness to change their position;
- in the process of communication, there is an exchange of messages and natural reframing, a change in the vision of the problem, a re-structuring of information about the conflict.

At the center of narrative mediation is the diversity and confrontation of various socio-cultural narratives, the carriers of which are communities of people. Different social groups and their ways of life, following which gives people a sense of their own rightness, lead to disagreements and conflicts. Narrative mediation helps people to understand the complex social and cultural contexts in which their lives are written, and which are at the heart of the confrontation, and to discover new opportunities and ways to change relationships.

Narrative mediation works with stories that people use to bring coherence to their personal and professional lives, relationships with loved ones, and with society. Narrative mediation helps people overcome conflict-driven divisions by working with stories in which conflict is embedded, rather than by seeking «objective truth». Narrative mediation seeks to help people find what they agree on.

Narrative mediation is a critique of classical mediation, which is based on the idea that people are motivated to satisfy their own personal interests. Taking this as a given, the theory of classical mediation is based on the concept of interest, seeks to help people involved in a conflict find a basic common interest that has not been identified before, in order to encourage them to deal with the current conflict in a different way.

Narrative mediation does not share the approach of classical mediation, that what people want and what causes conflict reflects their internal needs or interests. The narrative approach is based on the idea that people construct a conflict based on the narrative (social) description of events.

From the point of view of narrativists, conflict arises when people believe that others are violating their rights, then they resort to anger, cruelty, humiliation, violence to protect what they are «entitled to». On the basis of legal claims, people later construct their feelings, thoughts, and stories. At the same time, the «sense of entitlement» is determined by social discourses of gender, race, class, disability, level of education, etc.

Metaphorical determining the difference of narrative mediation from the classic, the authors explain the method that narrative mediation moves «outside in» and not «inside out». The «outside-in» view reveals that conflict is something that happens in a sociocultural context, where different meanings compete in the social fabric of the community, while the «inside-out» approach considers conflict as generated from internal interests and needs exuded by the individual.

The technology of narrative mediation involves the communication of the parties through the following stages:

- externalization (externalizing conversation) separation of the problem from the individual, representation of the conflict as external to the participants of the mediation of the subject of research;

- mapping the impact of the conflict (problem) on a person a detailed description of the impact of the conflict on each party and its environment;

- deconstruction of the dominant conflict story (deconstructing listening) separation of facts from interpretations (narratives), the study of social attitudes that determine the perception of events by a given person;

- search for «unique episodes» that do not fit into a personal story about the conflict, building an alternative version of the interaction based on them;

- developing a common understanding of the conflict and its possible solution;

- support for new narratives;

- creation and use of various forms of documentation of the new history (written agreement, letters of the mediator to the parties, documented conversation of the mediator with the parties).

Features of the narrative approach to mediation:

- the dominant position of stories and meanings in comparison with facts;

- study of the history of conflict in the context of discourses;

- clearly separate the history of conflict from the stories of mutual respect, understanding, peace and cooperation;

- the separation of people from the conflict with the help of externalization;
- identification and development of alternative stories that accompany the conflict resolution process.

2. The role of the mediator in the narrative technique.

The narrative mediator, as well as the transformative one, refuses not only the expert directive, but also the procedural one, guided by the principle «the mediator should not direct the communication process, but follow the parties in communication».

The task of the mediator is to become a catalyst for the reframing process. It helps the parties to identify their narratives by separating the facts and interpretations, then identify a different story about the causes of the conflict and suggest new options for interaction.

The narrative mediator differs from the transformative one in that it takes a more active position in managing the communication of the parties. A narrative mediator doesn't just listen to people's narratives; the task of changing the narrative is always on the agenda of such a mediator. The narrative mediator actively uses the techniques of paraphrasing, reframing, and asking questions in order to move the communication in the right direction, to change the accents placed by the parties. Such a mediator purposefully helps each side build a new narrative that changes its perception of itself as the weak or right side.

The main method of narrative mediation is the externalization of conflict history. In particular, it has been observed that people caught up in long-term conflict tend to adhere to an internalizing, accusing description of the partner. The suffering experienced by the conflict participant fits into the story they tell as being generated by the other party, as its deliberate desire to cause pain, as an inherent negative trait of its character (for example, the opponent is described as one-dimensional, stuck, rigid, unable to develop and compromise). Externalizing conversation helps to separate the problem from the person, focuses attention on the problem as if it were an external object or a certain person who affects the participants in the conflict, but does not identify with any of them.

The technique of conflict externalization involves the use of such a technique as describing the conflict by assigning it an independent name, for example, «this conflict», «this situation», «this misunderstanding», «this grief», «this neglect», etc.

In narrative mediation, the following techniques are used to build a new context of relationships in which stories of mutual understanding and cooperation come to the fore: externalization, deconstructing questions, and recomposition.

Externalization – placing the problem outside of the person. The problem can be personalized – you can say that it has its own intentions towards the person and his life, its own skills and tricks. The conflict itself is externalized. It is seen as an independent entity with intentions, goals, and views on people's lives; conflict has its own tricks, strengths, and weaknesses.

Deconstructing questions. A person is not the author of the ideas and principles that guide him in life, they are the product of a certain cultural and

historical context and contribute to the generation and reproduction of certain power relations that benefit some social group and oppress representatives of another social group. Deconstructing questions are aimed at clarifying the context of ideas that appear to be universal and generally relevant.

The self-evident beliefs underlying the descriptions of the world that are in conflict, as well as the «sense of entitlement» to behave in a certain way that follows from these beliefs, are deconstructed. Deconstruction allows these beliefs to be questioned and even challenged.

Redefinition– work to identify exceptions to the dominant story of what it means to man (what values and principles they Express), tracking the history and development of these principles and values in life, figuring out what actions in the near future be possible if these values and principles are more likely to be present in a person's life.

Episodes of mutual respect, support, and cooperation «fall out» of the dominant conflict story and go unnoticed. These are some events that would be impossible to predict from the point of view of the conflict history (for example, a divorced husband and wife who constantly fight with each other, stop fighting and cooperate, organizing a New Year's holiday for children). The narrative mediator, working together with the parties to recompose, helps to link individual exceptions from the dominant story, or unique episodes in a meaningful sequence, in a «counter-plot» that can be contrasted with the story of the conflict. There can be many alternative stories, they are created in collaboration with the parties, and they choose what works for them. Updating of many possible stories in mediation is very useful, because the conflict does not allow people to see the possibilities.

Narrative mediation, as well as the transformative model, involves an attentive attitude to the past of the parties. As the authors of the narrative method point out, turning to the past helps to manifest the time dimension, as a result of which the vision of the parties becomes more multidimensional. The rhythm and pattern of the conflict is more clearly perceived by each of the partners when they have clarity about how the dynamics of the conflict changes and its escalation occurs. In addition, if the moment of the appearance of the conflict is called, and it is traced as it develops, then the mediator has the opportunity to ask a question about the experience that does not fit into the history of the conflict.

3. Phases of mediation in the narrative technique.

For conducting mediation in the narrative technique, the following instructions can be offered:

Phase 1. Description of the problem story

1. Ask them to tell you the story of the problem.
2. Ask the parties about the sequence of the conflict and its consequences in their lives and the lives of their loved ones:
 - «What happened when the conflict appeared in your life?»;
 - «How did the opponent behave, what did he say and do?»;
 - «How did the conflict motivate you to react to the words and actions of your opponent?»;

- «How could You call all this «vicious cycle» in collaboration?»;
 - «How the conflict has affected Your work, financial situation, future plans and dreams for the confidence of the people as a whole, on sleep and health, the ability to relax and to enjoy life?»;
 - «How the conflict makes You think, feel, and act?»;
 - «Who else has been affected by the consequences of this conflict?»;
 - «How does conflict affect the lives of the people involved?».
3. Ask about the ideas (attitudes, values) that underlie the history of the conflict:
- «What are your ideals about justice, values, criteria from which you evaluate your behavior and the behavior of your partner in the conflict?»;
 - «When did you have these attitudes, by whom were you vaccinated?».

Phase 2: Discovering an Alternate History

1. Ask questions:
 - «How long have disagreements been present in your life?»;
 - «How long has it been there?»;
 - «Was there ever a time when this problem did not exist, and then it appeared and began to interfere with your life?».
2. Find out in which direction the mediation participants want to move:
 - «Do you want everything in your life to remain as it is now, or to get better (worse)?».

Phase 3. Compacting your preferred history

1. Ask for exceptions, unique episodes, when it was different.
2. Interpret the conflict stories told earlier in a new way, so that it confirms the necessary intentions and skills:
 - «What have you already done or planned, what have you thought about, that could reduce the negative impact of the conflict on your life and the lives of your loved ones?»;
 - «Do you consider yourself a sane person? If so, how did you try to show this in your relationship with your partner?»;
 - «How did your relationship develop until the conflict appeared? What did you value about them? How does it feel to remember it now? What opportunities does this open up?»;
 - «Have there ever been cases when the conflict could capture you and spoil the communication, but it did not capture you? What did you do to prevent the conflict from becoming the main one?»;
 - «Have there been any recent cases where you and / or your partner have taken steps to show care, cooperation, and fairness? How was it, what were the consequences of it? Even if you didn't do anything like that, perhaps you thought or dreamed about it?»;
 - «What does it mean for you to hear your opponent now talk about hopes for understanding and cooperation?»;
 - «You say that you used to be able to show respect for each other. Is this a natural skill for you, or did you learn it from someone else somewhere? How?».

Phase 4. Rewriting History

Ask the parties to add their preferred story for the future:

- «What commitments do you need to make in order to improve the relationship?»;
- «What of the things you value in the relationship have been affected by the conflict?»;
- «If you could save something, what would it be?».

Lecture 5. Technology of provocative mediation

PLAN:

1. The essence of provocative mediation technology.
2. Ken Wilber's 4-quadrant theory.
3. Provocative techniques and style of the pick.

1. The essence of provocative mediation technology.

The author of this technological model of mediation is E. Watzke. The technology got its name in connection with the use of the mediator when working with the resistance provided by the parties for the transition from conflict interaction to new constructive communication models of a certain provoking style based on sarcasm, praising the conflicting determination of the parties, exaggerating the "benefits" of the conflict state, bringing the situation to the point of absurdity. The foregoing forces the parties to act in the opposite direction and abandon confrontation.

Provocative mediation technology is an extreme version of mediation, designed specifically for "chronically violent conflicts at a high level of escalation with symmetric dynamics of development." However, it can be applied to less acute conflicts, as well as to situations of "victim-offender".

Taking into account the psychological state of those who are in conflict at this stage of the development of the conflict, the author considers the use of classical mediation technology to be ineffective and even counterproductive. Using the method of active listening turns the mediator into a container, a kind of psycho-hygienic trash can for victims of conflict. The mediator listens to their complaints, indignation, lamentations, tirades of hatred, mutual accusations, hoping for reconciliation, but gets the opposite result. As a rule, the parties plunge even deeper into the conflict, since the exchange of demands, reproaches, insults and accusations cannot lead to peace.

An objective discussion without any emotion is useful and useful, but it is not possible when there is a violent conflict at a high level of escalation. The communicative model in this case is destructive regardless of what the parties are discussing. Thematization of a specific conflict history should be carried out when the parties are able to constructively consider existing differences.

For this reason, according to the author, at the stage of escalation in the context of rapidly aggravating dynamics of the conflict and active confrontation between the parties, a completely different mechanism should be used, opposite to that proposed by classical mediation. The algorithm of classical mediation consists in moving from researching and solving a problem to restoring peace as a logical result of this process. Provocative mediation uses the reverse order, from restoring peace to solving a problem. According to E. Watzke, the use of this logic of the mediation development process helps to shorten the path to reconciliation and the mediation procedure itself "for many kilometers."

If classical mediation builds its vector from the past to the future (from discussing the conflict to finding a way out of it and stabilizing relations), then

provocative mediation suggests going from the future (restoring relationships) to the past (discussing the conflict situation). As E. Watzke puts it, "the present does not depend on the past, but on the future."

For this purpose, the provocative model of mediation, in comparison with the classical one, introduces an additional stage into the structure of the mediation session, which begins the mediation procedure and has as its task the transition of the parties from the context of war to the context of peace. E. Watzke defines this stage as latent mediation - the initial course of "therapy", after which the usual phase mediation can be carried out.

The **hidden mediation stage** is divided into two phases:

1) "*the world this second*": the mediator is seeking a fundamental decision of the parties to end the confrontation and the need to build normal relations;

2) *ensuring peace*: a mediator helps to cope with traumatic experiences and the consequences of the conflict, contributes to the development of an agreement on reconciliation.

The technology of provocative mediation is based on the fact that instead of discussing the causes and texture of the conflict, the mediation session begins with a conversation using meta-communicative methods: about conflicts in general and about the need to move from war to peace. As E. Watzke points out, it is important to avoid any direct reference to the object plane, the specific development of the conflict, events and incidents, to facts and data - to everything that can be transmitted from the point of view of an observer (for this information, the author uses the term "chronicle of military operations with client side "). The topic of discussion should not be the disagreements of the parties, but a possible scheme for their resolution.

2. Ken Wilber's 4-quadrant theory.

The technology is based on the theory of 4 squares by Ken Wilber, which demonstrates how the inner (left-sided paths of development) and the outer (right-sided paths of development) the world of the individual and the collective are arranged:

- the outer square of the individual is what an outside observer is able to capture (hard facts, statistical and quantitative data about a person that can be verified at an objective level);

- the inner square of the individual includes his inner experiences (feelings, fantasies, dreams);

- the outer square of the collective includes external, material, social, institutional forms;

- the inner square of the team includes a deep collective culture, worldview, traditions.

Consequently, a mediation session in a provocative technique is structured in such a way that at the initial stage, the square that reflects the external world of the individual (specific circumstances of the conflict) is completely excluded from it, and communication is directed from the outer square of the collective (general social idea of the conflict) to the inner square of the collective (myths, metaphors,

stories about war and peace) and through it to the square of the inner world of the individual (getting rid of feelings of resentment, hatred, forgiveness).

E. Watzke believed that reconciliation is not the result of a logical process of thinking. Peace arises in the heart and mind, in feelings and thoughts. Wisdom presupposes the presence of not only intelligence, but also affective qualities: empathy, sympathy, participation, maturity in dealing with feelings (own and other people). While the intellect does not tolerate contradictions, wisdom can constructively combine any opposites.

It is important to note that E. Watzke preferred to rely to a greater extent not on the right-sided (rational), but on the left-sided way of communication (figurative thinking, feelings, emotions, "from heart to heart"). This requires a rejection of the business tone and logical construction of speech (directed to the left hemisphere of the brain). The mediator builds multi-level communication that addresses the mind and heart at the same time. Speech should be rhythmic, melodic and imaginative (so that you can feel the taste and smell of peace and the deprivation of war), contain many adjectives, voice - soft, sonorous, tempo - calm and measured with repeated short pauses. Under the influence of the mediator's speech, the party should enter a state of light trance.

The technique of provocative mediation is similar to narrative mediation, using the technique of externalizing a conflict history (separating it from the personality of the conflicting ones). The mediator invites the parties to talk about the conflict as something external to them, which affects their lives, and in relation to which they can take a certain position.

With the help of speech and body language, the mediator sets the theme of war and peace and introduces the metaphor of mediation as "the intersection of the warpath and the path of peace" (called the "bridge-metaphor" by the author).

"Here and now you are at a crossroads. You have entered the warpath and are in a conflict situation. Be that as it may, now you are faced with a choice, whether you want in the future (and it begins right now) to live and act in a similar way, or decide with my help to leave the warpath on the path of peace. This is not an easy task, but there is a certain path that leads to peace, and which you may not even be able to understand now. If you trust me, then I will try with you to find the way to peace with the help of my mind and heart. I am ready for this and offer you my help. And now I want to ask you one question - and this will be the first step - do you want to try? "

This is followed by the stage of the mediator's work with the sides evading the answer to this question, since after posing it, the sides are followed by their excuses, distracting maneuvers, rationalizations, excursions into the "chronicle of military operations." The mediator builds communication in a provocative style, with subtle humor, in connection with which E. Watzke figuratively refers to this stage as a duel between the mediator and the parties, as a result of which each of them must give a positive answer about their readiness to "step on the path of peace".

3. Provocative techniques and style of the pick.

Provocative techniques for dealing with side resistance:

- "I admire you": turning to the side, looking her straight in the eyes and smiling, the pick says the phrase: "I admire you! You need to go into politics! With such a talent to avoid answering the question posed, you will make a brilliant career there! ";

- "a break with setting a specific task for the party": the mediator lets the parties go for a break (usually a short break, up to 10 minutes, but if necessary, it can be 1-2 weeks), setting a task for them to talk to himself.

After receiving a positive answer from the parties to the question posed about their readiness for peace, the mediator checks the validity of this intention. E. Watzke calls this stage a test filter, a mediation breakpoint. The mediator expresses his admiration for each side for their well-considered decision to "get off the warpath" and calls for the first small step towards peace (the so-called "symbolic advance"). At the same time, it is explained to the parties that only the direction, and not the size of the step taken, is of primary importance.

At this stage, the philosophy of provocative mediation is opposed to classical mediation with its desire to implement the principle of "win-win". Provocative mediation is based on the "pay-to-pay" principle. According to E. Watzke, peace is a valuable blessing that cannot be obtained just like that. This is not about compromise at the business level, but about emotional payment - about recognizing basic needs, recognizing one's own wrongdoing and illegality of demands, mutual respect, willingness to forgive and apologize.

At this stage, it is useless to refer to the creative side of the parties. The mediator should stimulate the parties to take appropriate action by giving examples that exist at the level of myths, metaphors, stories describing methods of reconciliation - how people have acted before and are doing now in different cultures and subcultures when they really strive for peace. The mediator's intervention can be framed as follows: "From a logical point of view, everything is quite simple. You fought a war, and now you want to make peace. Do the opposite: in war, people injure each other, insult, humiliate, suspect, threaten, accuse, intrigue, trample on fundamental rights. Their gaze is cold, their hearts are bitter, they do not know sympathy, do not hear each other, do not ask each other about anything, they shout loudly and piercingly. However, what am I telling? You know this better than me. It's really simple. Choose from the following something that you would like to reverse here and now. How many of you want to take advantage of the privilege and take the first step? "

After appropriate actions of the parties in the direction of reconciliation, the mediator proceeds to the second phase of hidden mediation - ensuring peace, the purpose of which is to constructively discuss disagreements, heal the mental and physical wounds caused by the conflict, resolve the issue of redressing harm, and taking preventive measures for the future.

At this stage, the fourth square is thematized according to Ken Wilber's scheme, reflecting the external individual, that is, discussion of the details of the conflict is allowed. At the same time, from the point of view of the world, the

conflict left behind appears to the parties in a completely different light, in connection with which they limit themselves to general statements that there is no point in recalling individual episodes.

The mediation session ends with the development and implementation by the parties of a certain ritual (ritual of completion), which symbolizes the transformation of their relationship.

Since between parties with a common military background, misunderstanding is the law and understanding is the exception, disruptions and relapses ("returning to the warpath") can occur repeatedly during mediation. The first time, the pick can gently extinguish the flash: "Yes, that happens from time to time. The state of peace between you is still very fragile. I ask you to answer three questions. Is peace still your goal? Do you think that by continuing to communicate in this style, you will be able to get closer to your goal? How can you improve the tone of this conversation? "

During the pause that has arisen, the mediator may switch to telling stories, myths, metaphors about the behavior and experiences of people in a state of conflict.

With repeated side breaks, the pick moves to a provocative style and uses the following techniques:

- "Groundhog day": the mediator says the following before announcing the break: "Having said A, it is not necessary to say B if you admitted that A was a mistake. To admit this is a courageous, sensible and noble act. We're going to take a break now. In about 10 minutes I will call you. You will say hello to me and start over from the beginning. And you will immediately notice that our conversation will go completely differently. " After the break, the mediator behaves as if there was simply no conversation before ("starts from scratch");

- "intervention by the kobold method": the mediator ironically connects the conflicting behavior of the parties with the pranks of a kobold who has settled in their house, who feeds on quarrels and enmity between people and does everything possible to embroil them;

- "final whistle": the mediator announces the failure of the mediation, after which he demonstrates, using a multisensory language and based on a fictional scenario, all the upcoming battles and privations during the continuation of the war;

- "I admire you" (option 2) - the mediator is surprised at the endurance of the parties, the fierce, militant rejection of a peaceful life, the ability to hate, wastefulness of nerves, money, energy, etc .;

- "devil's advocate" - the mediator voices the deep desires of the side to continue the struggle and harm the opponent, and presents these desires in an exaggerated form;

- "putting the war on a pedestal": the mediator in an ironic style downplays the negative sides and destructive influence of the conflict, and does the opposite with respect to the world - exaggerates the shortcomings of the world and belittles its positive sides;

- "this is not about you": the mediator gives standard examples of the

development of similar conflicts, where the parties managed to conclude peace, emphasizing that such an outcome in this case is categorically impossible.

The goal of all provocative conversation techniques is to create confusion and embarrassment on the part of the party.

Lecture 6. Techniques of effective communication

PLAN:

1. Ability to listen and the strength of interpersonal relationships.
2. Theory of the communicative square.
3. Technology of the differentiated approach taking into account the leading sensory modality.

1. Ability to listen and the strength of interpersonal relationships.

Listening can be used to control a situation and influence its outcome. As soon as we begin to feel that we are in control of the situation, then we feel stronger. Learning to listen effectively reduces the effects of stress and tension, which can dramatically improve the atmosphere. Allowing the person to express their negative attitude can reduce this feeling of "rejection" and gain an opportunity to establish communication.

Listening levels. The process of "listening" can be divided into three levels, characterized by certain types of behavior that affect the effectiveness of perception. There are no clear boundaries between these levels. They represent the average types of human behavior that can overlap and replace each other depending on the situation. As you move from the third level to the first, the potential for understanding, relieving tension and increasing the effectiveness of communication increases.

Level 1. Listening-empathy. At this level, listeners refrain from judging the speaker, putting themselves in his place, as it were. Some of the characteristics of this level include: the feeling of being in a given place and at a given time; respect for the speaker and a sense of contact with him; concentration; focusing on the speaker's manner of communication, including body language; empathy with the feelings and thoughts of the speaker; ignoring your own thoughts and feelings - attention is directed solely to the process of "listening". Listening empathy requires the attitude "I am OK, you are OK," as well as verbal and non-verbal confirmation from the listener that he is actually listening. At the same time, the main attention is paid to the sincerity of this process, "listening with the heart", which "opens the door" to understanding, expression of care and sympathy.

Level 2. We hear the words, but we don't really listen. At this level, people remain, as it were, "on the surface" of communication, they do not understand the full depth of what has been said. They try to hear what the other person is saying, but do not try to understand his intentions. At this level, listeners try to listen with logic, focusing more on content than feelings, thus remaining emotionally detached from the act of communication. This "listening" can lead to dangerous misunderstandings, as the listener is not sufficiently focused on what is being said. If at the 3rd level it is clear that a person does not listen at all, then at the 2nd level the speaker may get the deceptive impression that they are being listened to and understood.

Level 3. "Hearing with temporary disablement". At the same time, the listener seems to be listening and not listening, realizing to himself some account

of what is happening, but basically he is focused on himself. Sometimes, at the same time, a person follows the topic of discussion "with the edge of his ear", seizing only the moment to enter into it himself. Level 3 listening is a passive process without responding to what is said. Often, the listening person loses the thread, thinking about something outsider or preparing in advance objections or advice, as well as coming up with what to say for himself. Such a listener is distinguished by a "blank" look and is more interested in the process of speaking than listening. Most of us listen at different levels at different times throughout the day, but our challenge should be to develop our ability to listen at the first level in all situations.

2. Theory of the communicative square.

Friedemann Schulz von Thun was born in 1944, and since 1975 he has worked as a professor of psychology at the University of Hamburg. Prior to that, he was an assistant to Reinhard Tausch, together with whom in 1969 he developed a comprehension program - "a criterion model of text comprehensibility." Friedemann Schultz von Thun was guided by his understanding in his own works. So, his texts are easy to read, they are specific and understandable to every person. In 1981 his book "Miteinander reden 1" ("Talking to each other 1") was published by the publishing house Rowohlt, in 1989 and in 1998 its second and third volumes were published.

Friedemann Schulz von Thun is considered to be the author of the communication model "Theory of the communicative square". Considering the model is very simple and clear, and also represents an explanation of the deep essence of the communicative processes in which the interlocutors are involved. The author believed that the advantage of this model is "that it allows you to classify many barriers and problems in communication and to define goals for training communication skills."

The four sides of the message

This model is detailed in the work "Four sides of communication". F.Schultz von Thun believed that it was inexpedient and unnecessary to look for a single, ideal style of communication. F. Schultz von Thun believes that the basis of good communication is a double correspondence:

1. Conformity as agreement with oneself.
2. Compliance as agreement with the specifics of the situation and with the reason for the emergence of communication.

He presents his communication model as a square:

- *Substantive content*: how can I most clearly communicate the state of affairs.
- *Aspect of the call*: how I communicate with people close to me.
- *Aspect of calling*: when someone says something, he also speaks about himself, therefore each message is a certain manifestation of his personality.
- *Aspect of appeal*: when a person says something, he usually wants to influence something.

People transmit more signals than they would like. The presence of these

signals influences other people's decision-making (smell, color, etc.).

F. Schultz von Thun says that every message always includes four aspects:

1. Factual information / Subject content, essence of the matter (what I inform about).

2. Self-disclosure / Self-expression, information about myself (what I make it clear about myself).

3. Attitude (what I think of you or who I hold).

4. Summoning (what I want you to do).

It should be noted that there is a sender and a recipient of information in communication; they correspond to two squares - the sender's square (the "Four mouths" model) and the message recipient's square (the "Four ears" model).

Each message is sent and received on four "frequencies" and always contains:

1. Subject content.

2. Self-expression. In every sentence that a person says to someone, he gives some information about himself. In his statements, the recipient can not only recognize the subject content, the aspect of the relationship or the aspect of the appeal. He may also ask what caused the other person to report it. In addition, the sender can arrange this side of the communication in such a way that he will create a concrete idea of himself. This aspect oscillates between self-expression and self-presentation.

3. Attitude. Here the sender expresses his attitude towards the recipient. In understanding the aspect of relationships, the perception of non-verbal behavior plays an important role. On the one hand, in this aspect, the sender demonstrates how he defines the relationship between himself and the recipient, and, on the other hand, he reveals his idea of the recipient.

So, the aspect of the relationship consists of two components: firstly, "I" - the message of the recipient ("This is how I represent you") and, secondly, "You" - "We" - the message ("This is how I represent our relationship").

4. Summoning. With each phrase, the sender wants to somehow attract the recipient or influence him. This is the aspect of the call in the message. The call can be expressed, explicit or subconscious (then it is called implicit, unexpressed). When the sender wants to manipulate the recipient, he uses other aspects of communication for his appeal. He employs them in such a way that they support his call. In this case, the call itself will be rather implicit, so that the recipient may have the impression that his actions are being controlled.

An example from the book by F. Schultz von Thun: "Two people are sitting in a car in front of a traffic light. The passenger sitting next to the driver says, "Hey, it's green over there."

Subject matter: "Green traffic light".

Self-expression: "I'm in a hurry."

Call: "Step on the gas".

Attitude: "You need my help."

In the future, it depends on the driver which side of the message he will pay attention to. Perhaps he will feel that he is being taken care of, hears the attitude

and shouts: "Are you leading or I?" Or he will understand the self-expression in this message and say: "We're almost there." While the subject matter appeals to the mind, the attitude is perceived by the heart. There are not only four sides of the message, but also the "four ears" with which we perceive the message.

Four ears model

The message can be perceived from four positions corresponding to its sides. F. Schultz von Thun called this the "four-ear recipient model," which has one "ear" to receive each side of the message. Which "ear" I hear best, sometimes depends on myself, sometimes on the situation. Yet each of us has our own perception habits.

"Ear" -content (factual information)

What does the message say, what are the facts?

The task of the sender at this level is to make his wording clear and understandable. The recipient at the level of the ear-content can also react according to the above three criteria.

With this "ear" I perceive the subject content of the message. Of course, with the help of a very large "ear" - subject content, I can catch the tone of interpersonal communication (for example, in partnerships) or make interpersonal communication more objective.

"Ear" - self-expression (information about yourself)

How does the speaker assess himself, what does he say about himself?

Each message contains something about the speaker's personality - feelings, values, properties and needs. It can be either open ("I-message") or hidden. Sending a message through his "beak" information about himself, openly or hidden, consciously or unconsciously, reveals something about himself. The receiver perceives it with the appropriate "ear" like this: what kind of person is this? What's his mood? What happened to him? etc.

Sometimes a contradiction arises between the "ear"-attitude and the "ear" - self-expression: "He says this because it concerns me, or to a greater extent it concerns himself."

"Ear" -relationship (attitude)

How do they see me, what role do they assign to me?

The sender of the message allows you to recognize how he relates to the recipient, who he is for him, for whom he takes him. These relationships can be conveyed through facial expressions, tone of voice, gestures, and wording. The sender transmits these links openly or covertly. At the same time, the recipient feels through his corresponding "ear" that he is appreciated, respected or rejected, humiliated, etc.

"Ear" -call (call)

If a person says something, he wants to achieve something by this. He expresses his desires, calls, advice or urges / directions for action. Calls are also sent openly or covertly. The recipient, having received the message at the level of the corresponding "ear", asks the question: What should I (not) do now, what to think, what to feel? What actions am I being called upon, what feelings are they appealing to?

Messages sent and received may differ

At dinner, the husband asks his wife: "What is that green in the soup?"

The wife replies: "If you don't like it, go to a restaurant!"

The husband's message can be at the following four levels:

Objective information: "Something green is floating in the soup!"

Self-disclosure: "I don't know what it is."

Attitude: "You know what it is."

Call: "Tell me what it is!"

The wife can react to the message she receives in four different ways:

Objective information: "Something green is floating in the soup!"

Self-disclosure: "I don't know what it is."

Attitude: "You know what it is."

Call: "Tell me what it is!"

3. Technology of the differentiated approach taking into account the leading sensory modality

1. ROLE MODEL

REPRESENTATIONAL SYSTEMS – representational systems.

ORIENTATION – orientation.

LINKS – links.

EFFECT – the effect.

The task of the model is "to identify the essential elements of thinking and behavior that can be used to achieve a certain reaction or result."

Representational systems (representational systems) of a person – the five senses of a person that prevail at different stages of the thinking strategy.

Representative systems:

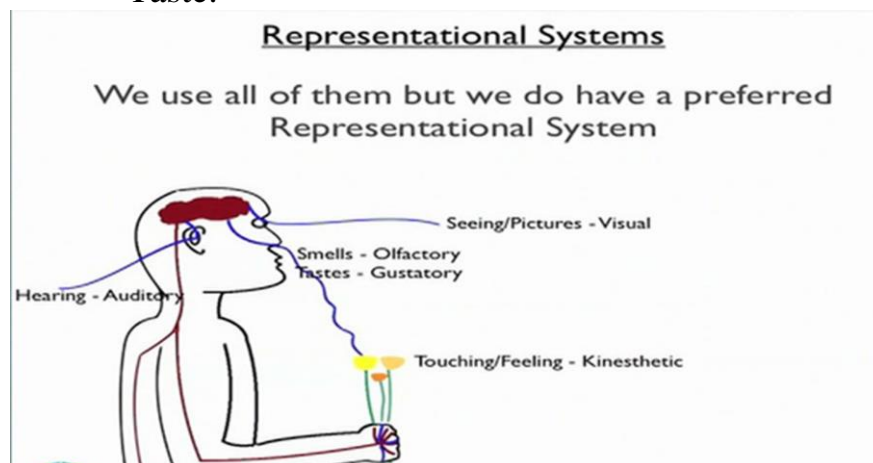
- Visual – (visual) - related to vision.

- Auditory (auditory) – related to hearing or the perception of sound vibrations by the hearing organs.

- Kinesthetic-refers (kinesthetic) to bodily sensations, and is also used collectively for all types of sensory experiences, including tactile, visceral, and emotional ones.

- Olfactory.

- Taste.



The leading representational system (representational system primacy) is one of the five senses that an individual systematically uses to process and organize their experience in the first place. This system can determine an individual's personal qualities and ability to learn.

Representative systems are designed to perceive certain basic qualities of experiences. Submodalities are the components of representative systems. For example, visual submodalities include color, shape, movement, brightness, depth, etc.; auditory-volume, pitch, tempo, etc.; kinesthetic-qualities such as pressure, temperature, location, etc.

Description of submodalities by language patterns according to R. Bandler.

Visual submodalities:

- Everything has lost its proportions.
- My work seems endless.
- "Life is so dark.
- "Everything seems so hazy.
- You've hit the nail on the head.
- She put it back in its place.
- When you put it in such a framework, then yes.

Auditory submodalities:

- "These clothes are too flashy.
- State everything clearly.
- There's a dissonance in our relationship
- -That sounds silly.
- Listen to his opinion.
- "It's in tune with my thoughts.
- "He turned a deaf ear to requests.

Kinesthetic submodalities:

- "It's disgusting."
- "It's hot."
- "He's insensitive.
- The pressure has decreased.
- It's all weighing on me.
- I can't concentrate, it's like there's chaos everywhere."
- "Yes, I feel that it suits me.

Behavioral indicators that determine which sensory system a person uses are presented in the table (according to Swassing and Barb).

Table-Behavioral indicators

Visual effects	Audio	Kinesthetic properties
organized by	talking to himself	responds to physical impact
neat and disciplined	easily distracted	is close, for the people
observant	lip-synching, pronouncing words when reading	physically oriented
calm	easy repeating heard	the abundance of movements

focused on appearance	he prefers the invoice and a letter	rich physical reactions
more circumspect	easily masters languages	early physical development
good storyteller	speaks rhythmically	learn by doing
remembers pictures	study listening	remembers walking
with difficulty remembers verbal instructions	loves music	when reading leads the finger
less distracted by noise	can imitate the tone of the voice pitch	many gestures
remembers what he saw	remember what was discussed	remembers overall impression
feels confused when reading words that I have not seen before	the most talkative, loves discussion, tells the whole sequence	concise, considerate, use active words and motion
in conversation chin up, voice high	attention to tone of voice	chin down, vote below
in reading strong, successful, quick	good reads new words	loves books focused on the story
lively, imaginative imagination	hear sounds, voices	a strong intuition, weak in parts

Table-Submodalities

Visual effects	Audio	Kinesthetic properties
BRIGHTNESS (dark - bright)	VOLUME LEVEL (loud - quiet)	INTENSITY (strong - weak)
SIZE (large - small)	TONE (thick-thin)	AREA (large - small)
COLOUR (black and white-color)	PITCH (high - low)	TEXTURE (uneven - smooth)
MOVEMENT (fast-slow-stationary)	PACE (fast - slow)	DURATION (constant-intermittent)
DISTANCE (near-far)	DISTANCE (close - remote)	TEMPERATURE (hot - cold)
FOCUSING (sharp - blurry)	RHYTHM	WEIGHT (heavy - light)

The orientation of representative systems is determined by its direction.
Types of orientation:

- to the outside world;
- on internal experiences, memories, imagination (constructed experiences).

Connections – this is one representation connected to another. Methods of communication:

- sequential: anchors or "triggers", that is, in a linear chain, one presentation

follows another (a word follows a sound);

- simultaneous (synesthesia): the intersection of sensory representations (to hear a touch).

R. Dilts under synesthesia (synesthesia) understood the process of superposition of various representative systems, so any two sensory modalities can be connected to each other:

- "visual-sensory circuits": a person deduces his feelings from what he sees;
- "auditory-sensory circuits": a person gets his sensations from what he hears.

The effect is the result of each stage of the thought process. Functions:

- create a sensory representation (INPUT);
- assessment of representation (VERIFICATION);
- change of part of the experience or behavior (ACTION).

2. BAGEL MODEL

BODY POSTURE – posture.

ACCESSING CUES – access keys.

GESTURES – gestures.

EYE MOVEMENTS – eye movements.

LANGUAGE PATTERNS – language patterns.

Eye movements-automatic, unconscious eye movements often accompany specific thought processes, indicating entry into one of the representative systems. These eye positions can also encourage entry into a particular representative system, as well as provide support from it.

To identify the leading representative system, it is necessary to know the access keys – (accessing cues) - implicitly expressed signs that can both cause action and indicate which representative system a person uses when thinking.

Table – Physiological access keys

	Visual effects	Audio	Kinesthetic properties
pose access	lean back, head up, shoulders raised or stooped, breathing shallow	the body inclined forward, head up, shoulders pulled back, hands folded	head and shoulders down, breathing deep
keys	frequent shallow breathing, squinting eyes, a high tone of voice, the accelerated pace of speech	thoracic breathing, frowns, changing the tone of voice and rate of speech	deep abdominal breathing, deep breathy voice, slow pace of speech
gestures eye	touch the eye or point them out	indicate on the ears, gesticulating in this area; touch the lips and jaw	touch the chest and stomach area; gesture below neck level

movement	visual design (up left), and recollection (up right)	hearing aid design (to the left), and remembering (to the right); the auditory digital (down right)	kinesthetic representation (down to the left)
language patterns	to see, to look, to observe, clear, bright, depict a misty, highlight, show	hear, listen, sound, sonorous, loud, express, noisy, call, tell	grab, touch, feel, hard, heavy, handle, rough, bind, move

Predicates are verbs, adverbs, and adjectives that indicate actions or qualities, i.e. words that denote a process. This type of language is usually chosen at a subconscious level and reflects the underlying mental structure that generates them. Predicates allow you to define a representative system that a person uses when processing information.

Predicates are "words that a person uses to describe various parts of their experience and that correspond to the processes and relationships present in their experience." The ability to define a representative system and use predicates creates a framework for structuring interactions with other people.

Predicates allow you to determine the representative system that a person uses when processing information:

- visual representative system (see, look, see, clear, bright, depict, vague, examine, clear, show, etc.);
- auditory representational system (hear, listen, sound, sonorous, loud, express, noisy, ring a bell, tell, etc.);
- kinesthetic representational system (grasp, touch, feel, hard, heavy, rough, connect, move, etc.).

3. Representative learning channels and styles

Representational channels are the sensory organs and types of representation that a person uses for learning or communication. For example:

1. The verbal channel of external representation: talking out loud.
2. The visual channel of representation: writing.
3. The physical channel of representation: behavioral demonstration.
4. Symbolic channel of representation: drawings, demonstration of diagrams.

The learning style assumes that each person learns in different ways, developing their sensory abilities to varying degrees. Thus, it is easier for visual learners to think and form visual images. Learners who speak easily and articulate their experiences clearly prefer the verbal channel of external representation. A separate category of students is focused on feelings and learns in the very process of action. Therefore, the method of establishing contact and ensuring mutual understanding by adapting to their channel of representation makes it possible to make the process of learning and communication as effective as possible.

It should be noted that it is possible to develop different styles of thinking with the help of greater activation of individual channels of communication and representation. Example:

1. Imaginative thinking is stimulated by the visual channel.
2. Logical or critical thinking is stimulated by the verbal channel of representation.
3. Action orientation is stimulated by the physical channels of representation.

Different representative channels can be used to optimize learning and communication in the following ways:

1. Appeal to strengths: join the channel that is most used and appreciated by the recipients of this type of information.
2. Strengthening weaknesses: Turning to a rarely used channel to stimulate new ways of thinking or perception.
3. Emphasizing the representative channel that is most optimal for a particular cognitive process or type of learning task.
4. Strengthening intersections or connections between different representative channels.

Visual learners are trained through observation or reading. It is important to provide students with a sufficient number of pictures, diagrams and printed material. Use pictures and photos to illustrate key points and ideas. When discussing ideas, present them in the form of symbols, diagrams, and diagrams. Highlight key points with color and allow students to draw and rearrange images in various ways, while replacing words with symbols and abbreviations. It is also useful to suggest that the learners transform visual images back into words.

Auditory learners learn through listening and discussion. It is important for them to explain the material in great detail, repeat the key points, and encourage them to ask a lot of questions. It is important to give the student clear definitions. If he is trying to understand visually oriented information, it is useful to convert diagrams into statements and describe or discuss the images and pictures presented. Encourage him to think aloud and repeat what he said after him, so that the student can hear the same thing, but said in a different voice. Students with an auditory learning style should be encouraged to discuss various topics with others, explain new ideas to other people, and re-formulate key points.

Kinesthetic should be included in the learning process on a physical level, trying everything on my own experience. For them, it is recommended to use a practical approach, using a trial-and-error method, in which the student can engage in research and experimentation. They learn better in practice by doing exercises and using real-life examples. To facilitate the verbal recall of kinesthetically oriented students, it is recommended to repeatedly rewrite keywords, make lists, and practice the answers. They should work through important points and ideas to "understand them in action." When teaching new behaviors, it is important to physically guide kinesthetics through key stages of activity. When planning and preparing future actions, they should use all sensory channels, imagine specific situations, and practice actions in specific situations through role-playing and

rehearsals.

When working with a group of students with different learning styles, it is important to use a multi-sensory approach. For each key idea or significant aspect of the work, you should ask yourself: "How can I demonstrate it visually?", " How can I demonstrate it so that the students feel it?", " How can I demonstrate it so that they hear it?»

Thus, the application of the technology of a differentiated approach, taking into account the leading representative system, provides participants with opportunities to improve the communicative competence necessary for productive interaction in the systems "person-person" and "person-society", which determines the determination of the optimal ratio of information perception channels, and therefore makes the interaction process more productive.

Lecture 7. Non-violent communication technology

PLAN:

1. The essence of nonviolent communication.
2. Components of nonviolent communication.
3. Communication styles.

1. The essence of nonviolent communication.

Nonviolent **communication** is a way of communication that allows us to give from the heart.

The **goal of nonviolent communication** is not to change people and their behavior in order to achieve our goals, but to build relationships based on honesty and empathy that will ultimately meet the needs of all.

Nonviolent communication invites you to be aware of how people express their thoughts and listen to others. Words from an ordinary, automatic response turn into a conscious speech based on a firm understanding of what people feel, feel and want.

Areas of application of nonviolent communication: in personal relationships, in the family, at school, in institutions and organizations, in therapy and counseling, in diplomatic and business negotiations, in any disputes and conflicts, etc.

To realize nonviolent communication, it is important to minimize our inner resistance, self-defense, and violent reactions. Replace automatic responses with conscious responses based on a solid foundation of conscious perceptions, feelings, and desires.

Components of gratitude in nonviolent communication:

1. We call action that contributed to our well-being.
2. We name the needs that have been met.
3. We are talking about the pleasant feelings that arise after the satisfaction of these needs.

The formula for expressing gratitude is: this is what you did + this is how I feel + this is which of my needs is being met.

The four components of nonviolent communication:

1. Observation - specific actions that we observe and that affect our well-being.
2. Feelings - what we feel in relation to what we see.
3. Needs - needs, values, desires, etc. that create our feelings.
4. Request - specific actions we ask for to make life better.

The essence of nonviolent communication lies in the awareness of four areas:

- What do I observe and feel, what do I need?
- What am I asking to improve my life?
- What do you observe and feel, what do you need?
- What are you asking to improve your life?

2. Components of nonviolent communication.

Observation without assessment

In order to distinguish observation from assessment, it is important to learn to see the situation as it is. It is necessary to observe what actually happens in the situation: what actions and speeches of people improve our life, and what do not. It is necessary to observe without condemnation or evaluation, that is, simply state: this is how people act, and we either like it or not. When people confuse observation with assessment, people can hear criticism in words.

Identifying feelings

It is necessary to understand what feelings we are experiencing and give them a name. We note our feelings while observing these actions: what is it - pain, fear, joy, amazement, irritation?

Needs underlying our feelings

Judgments, criticisms, diagnoses and interpretations of other people are all alienated expressions of our own needs.

If someone says, "You never understand me," he is trying to tell us that his need for understanding is not responding. If your wife says, "You worked late every day this week, you love your job more than me," she says that her need for intimacy is not satisfied.

Once people start talking about their needs and not about what other people are wrong about, the opportunity to find a way to meet everyone's needs increases significantly.

Ways of Expressing Requests

1. Using the language of affirmative action: we should articulate what we need, not what we do not need.

ERROR: Define solely what I don't want to do without figuring out what I want to do instead.

2. The request must be conscious: the more clearly we express what we want to receive in return from another person, the more likely it is that our needs will be met.

3. Request to play: the message received does not always match the one we sent.

4. Asking for honesty: After we have spoken openly and made sure we are understood, we often want to know the other person's reaction to what we said.

If we show vulnerability, then we want to know:

A. Listener response.

B. Thoughts of the listener.

B. Intentions: whether he wants to take a specific action.

5. How to ask the group: When we approach the group without knowing what kind of response we are looking for, unproductive discussions are often the result.

6. Requests or demands?

Requests can sound like demands if feelings and needs are not expressed along with them.

Asking is perceived as demanding when others believe that disobedience

will be followed by blame or punishment.

We demonstrate that we are asking, not demanding, just by how we respond to refusal to obey us.

7. Determination of the purpose of the request: the clearer our desires are for us, the higher the likelihood of their fulfillment (we want sincerity or action). Formulating requests with clear, affirmative, concrete statements describing specific actions demonstrates our real desires.

3. Communication styles.

The language of the Wolf is the language of a character who wants to find out who is right, who will be rewarded, and who will be punished. The language of the Wolf is destructive if the goal of communication is set. It is a language for constructing a hierarchy of relationships. This is the language of all kinds of taboos. When the Wolf speaks, he classifies, evaluates, as people with disturbed emotions say. The wolf usually knows what other people have to do. ("This is dangerous", "This is wrong", "You are not thinking well", "You cannot work").

Giraffe's tongue (largest heart). Doesn't evaluate or label anyone, but reacts to what is happening. The giraffe sees the prospect of communication, he is driven by kindness and strength. Speaks clearly, distinctly, directly. Openness to a partner allows you to see what is going on in the heart. Opens up to life. In this case, there can also be problems:

- There is a risk - because you open yourself up.
- It is difficult to rebuild on the Giraffe, if you are a Wolf.

The transition to the Giraffe language requires observing the change in values on the basis of which communication occurs. The Giraffe's tongue is often silent: the process in the head is more important than what comes out of the mouth. Verbal communication is secondary. We are responsible for all our actions. Other people are under no obligation to assist us for our purposes. The wolf hides responsibility, is not responsible for its actions: "Ordered", "It happened."

Only we are responsible for our actions and feelings (Giraffe). The wolf blames for his feelings: "You are responsible for what I feel", "You piss me off."

When we speak in the language of the Giraffe, we say and hear only two things: "please" and "thank you." Wolf's judgments look like an attack, but in fact it is "please." The tragedy of the Wolf's Tongue is that these people are oppressed, they say "please" in such a way that it is perceived as an attack.

There are no Wolves for the Giraffe. Wolves are Giraffes with linguistic problems.

METHODOLOGICAL RECOMMENDATIONS FOR THE ORGANIZATION AND IMPLEMENTATION OF THE MIR

Topic 1. General provisions on mediation procedure (2h).

1. Introduction to mediation.
2. Mediation participants.
3. Mediator function groups.
4. Legal regulation of mediation.
5. Stage of the mediation session.

A) Tasks that form knowledge of educational material at the level of recognition. Are the following statements correct?

№	Approvals	Response options
1	Mediation is a method of settling disputes with the assistance of an independent person (mediator) on the basis of the voluntary consent of the parties to the dispute in order to achieve a mutually acceptable and viable solution.	a) correctly; b) incorrectly.
2	The essence of mediation: the participants in the conflict meet with each other and independently determine the outcome of the conflict, taking into account individual and mutual interests.	a) correctly; b) incorrectly
3	The mediating party is a natural person with full legal capacity and (or) a legal entity that has concluded an agreement on the application of mediating.	a) correctly; b) incorrectly
4	The mediator is a natural person who meets the requirements of the Law of the Republic of Belarus «On Mediation», who participates in the negotiations of the parties as a disinterested person in order to assist them in resolving the conflict.	a) correctly; b) incorrectly

The form of execution of tasks is individual.

Control form: oral response.

B) Tasks that form competencies at the playback level.

Prepare abstract from list of recommended topics.

The form of execution of tasks is individual.

Control form: abstract.

C) Tasks that form competencies at the level of application of acquired knowledge.

Familiarize yourself with the proposed cases.

Case «On the Verge of Divorce»

Information for Leonid

You - Leonid, 34 years old, are present today at the mediation, to which your wife Kira, 28 years old, was invited. Mediation for you is the last opportunity to save your family, since Kira told you a few days ago that she would be filing for divorce in the near future.

You married a year ago. Before that, you were already married, and the first marriage, from which you have a son, Ivan, three and a half years old, was unsuccessful. After the birth of your son, you registered him in your apartment, where you lived then with your first wife and mother. The divorce took place two

and a half years ago, then your son was one year old. You still feel guilty about him and shame. Family life was unbearable, and you were willing to make any concessions, only to end it. And the ex-wife demanded a lot. She stated that she would remain to live on your living space with the child, since he was registered there, and made a commitment with you that, remaining to live in the same apartment, you would create for the son the appearance of a full family and would not talk to him about divorce, so as not to inflict mental trauma. The ex-wife has also made a commitment that you will not bring women home and even if you marry, you will not say anything about it to your son - until a child is born in a new marriage. Then you were ready for everything, especially since your sense of self-respect was then thoroughly undermined. The word given to your ex-wife then allowed you to at least partially cope with feelings of guilt and shame.

After some time, you met Kira, and a year ago you married her, rented an apartment and left your son, mother and ex-wife. Kira's marriage is the first. Even before your marriage, you told Kira about the commitment you made. Although without much joy, she accepted the indicated conditions and did not insist on anything.

However, some time after the wedding, problems began. The young son immediately felt that dad began to appear much less often, the child became anxious, capricious. The ex-wife reproached you about how bad he eats and sleeps, how he calls dad at night. You began to appear more often, but this caused the displeasure of Kira, which eventually turned into irritation and anger. You spent three weekday evenings a week with your son, took him to the pool on Sunday, accompanied him to a psychologist on Saturdays, and when they returned home, Kira met you with a hail of reproaches. She demanded that you break the word once given and introduce her to her son. She demanded that you not spend the night in your son's apartment (it was only two times) and bring him to your common house. You believe that Kira is wrong, because she has already agreed with the need to take into account the commitments you once made.

Motivation Leonid

You really don't want to get divorced. But to violate the word you give you means to subscribe to the fact that you are a scoundrel, unworthy of respect. You try to convince Kira that she just needs to wait - give birth to a child, and then you can say everything to your son, "keeping her face." You try to get a mediator on your side to help you convince Kira.

Information for Kira

You're Kira, 28. Today you are present at the mediation, where you came at the invitation of your husband Leonid, 34 years old. Your relationship is on the verge of divorce.

You married a year ago. This is your first marriage that promised to be very happy. However, the rosy hopes quickly dissipated, and the fault was Leonid's previous marriage, which you cannot think about without irritation.

Leonid was not married for long, about a year and a half, and divorced two and a half years ago. According to his stories, the marriage was very unhappy, Leonid took the initiative of divorce when his son Ivan was one year old. He was

registered in Leonid's apartment, and the ex-wife remained after the divorce to live there with Leonid's son and mother (and, in fact, with himself). It is not clear why Leonid made a promise to his first wife not to tell his son about the fact of divorce and to maintain confidence in the growing child that mom and dad are married (as if this would cause the boy serious mental trauma). In addition, he promised her not to bring women home, not to tell her son anything even if he entered into a new marriage. Leonid could tell his son about the divorce of his parents only if he had a child in a new marriage. From the very beginning, it was not clear to you why Leonid took on such strange and difficult obligations, apparently, he felt very guilty in connection with the divorce. Even before your marriage, you knew about this promise, but did not think that it would affect your relationship. And seriously mistaken.

Having married, you rented an apartment together, and Leonid left his son and ex-wife. However, soon he began to sadly tell you how bad his young son is, how often he asks his mother and grandmother, "where dad went," how capricious he has become and how bad he sleeps. Looks like his guilt was increasing. He began to stay with his son for a long time, and you, who had nothing against the boy, began to get more and more annoyed: Leonid left for his son after work three times a week, on Sunday he took him to the pool and therefore was absent most of the day; then, at the request of his ex-wife, he began to accompany the boy on Saturdays to psychological classes. You felt abandoned - Leonid rarely visited home, neither to introduce you to his son, nor to bring him to a rented apartment he could not according to his commitment. You are shaken by the idea that Leonid supports the appearance of a happy family, while you feel like no one needs or means anything. Conversations with her husband, exhortations and requests, tears did not lead to anything. The cup of your patience was crowded when recently Leonid spent the second night in the apartment where his son lives. In harsh terms, you told your husband that you were filing for divorce. The husband, as the last favor, asked you to come to the mediation to try to figure out the situation without bringing the matter to divorce.

Motivation of Kira

You love your husband and don't want to break up with him. However, you are very disappointed that he continues to create the appearance of a family in his first marriage. You are haunted by the same dream in which you see yourself as a harem wife. You are offended that Leonid's first family lives in his apartment, and you and him are forced to pay money for rented housing. You suspect that Leonid maintains his previous relationship with his ex-wife - he even remains "there" to spend the night. You tried to deal with this situation, but you could not accept it. Leonid does not know that, according to the doctors, your probability of having children is extremely low. Unable to convince your husband to change her position towards the first family, you decided to divorce. The mediation procedure for you is the last chance to convey your position to your husband (A.N. Azarnova).

The form of execution of tasks is individual.

Topic 2. Technology of facilitative (classical) mediation (4h.).

1. Basic provisions of the technology of facilitative mediation.
2. Mechanisms of facilitative mediation.
3. Stages and formula of facilitative mediation.
4. Stages of mediative conversation (H. Besemer), BADGER and ALPHA models.
5. Structure of the mediative session.

A) Tasks that form knowledge of educational material at the level of recognition. Are the following statements correct?

№	Approvals	Response options
1	The position is a proposed solution to the conflict.	a) correctly; b) incorrectly.
2	Interest is what makes you choose an option (take a position).	a) correctly; b) incorrectly.
3	Interest (in mediation) - any internal engines of human behavior (needs, desires, motives, goals, fears).	a) correctly; b) incorrectly.
4	The task of the mediator is to conduct integrative negotiations that go beyond the initially stated positions of the parties (based on the interests of the parties).	a) correctly; b) incorrectly.

The form of execution of tasks is individual.

Control form: oral response.

B) Tasks that form competencies at the playback level.

Write the formula of the mediation algorithm (A. Hertel).

The form of execution of tasks is individual.

Form of control: written.

C) Tasks that form competencies at the level of application of acquired knowledge.

Familiarize yourself with the proposed cases.

Case «Theft»

Information for Irina

You are Irina, an employee of a commercial company (secretary). You have been working in this position for three years. As a professional, you were always satisfied, and only the incident that occurred two weeks ago crossed out all the good things that connected you with this company and your immediate supervisor - Elena.

In the room where you work, there is a safe designed to store documents. And you and other employees are well aware that the safe also holds sums of money owned by the company (usually not very large). Two years ago, a theft occurred - 20 thousand rubles were stolen from the safe. The perpetrators could not be found.

This theft wasn't the last. Seven months ago, someone again stole 30 thousand rubles, two months ago - another 15. The manager sounded the alarm and tightened control over the safe. However, the perpetrators were not found again.

A month ago, your mother became seriously ill, and it took money for treatment. You borrowed from all friends and colleagues who were ready to lend you, but there was still not enough money. Urgently needed money to pay for drugs. So when you saw the open door of the safe one night, you couldn't cope with the temptation. "I will take, and the day after tomorrow I will definitely return, no one will notice," you thought, "I will take quite a bit, only to have enough for a medicine." You took seven thousand rubles from the safe. Suddenly you heard footsteps in the hallway. The incoming Elena - your leader - caught you at the crime scene. She didn't even have time to tell you anything - throwing money, you rushed to the exit.

The next day, when you came to work, you wrote a letter of resignation. However, I had to work out the required two weeks. You have already worked ten days.

During these ten days, you suffered a lot, because Elena did not consider it necessary to keep what happened a secret. Moreover, she publicly accused you of all previous thefts and demanded the return of 65 thousand rubles. But you didn't take that money!!! Three employees of your department are your neighbors in the house (where you live with your mother), one of the women has a daughter studying with your child in the third grade. What a shame!

You are ready to do everything that depends on you to restore at least the miserable remnants of your reputation. After all, your act was forced. And you didn't commit previous thefts. Therefore, once again borrowing money from friends, you invited Elena to mediate.

Motivation of Irina

You are tormented by shame for your act to such an extent that it is difficult for you to speak. If you feel condemned in the tone of the mediator, you will not be able to be in the process of mediation at all. However, it is very important for you to restore - at least partially - your reputation. In your presence, company employees hide their bags and wallets. In the elevator, you already heard a whisper behind your back: «Thief!»

Information for Elena

You are Elena, head of one of the divisions of a commercial company. Under your leadership, Irina has been working for about three years - a secretary, a responsible and executive employee, exclusively attached to her family and relatives.

In the room where Irina works with her colleagues, there is a safe where documents are stored, as well as (from case to case) not very significant sums of money owned by the company. Unfortunately, you failed to teach employees to carefully handle the safe, and it remained open all the time. As a result, two years ago, 20 thousand rubles disappeared from the safe, seven months ago - 30 thousand rubles. and two months ago - 15. No investigations led to anything. And the perpetrators were never found. Entering this room in the evening a week and a half ago, you suddenly saw Irina at an open safe with money in your hands!!! When you appeared, she jumped in place, and then threw herself around. On the floor of the safe there were bills - one in five thousand rubles and two in a thousand. You

were shocked - the least you expected from Irina. When she put a letter of resignation on your desk the next day, you realized that this was a guilty plea. You signed the statement, and now Irina is working out the required two weeks. Ten days have passed.

You did not think it necessary to keep what happened secret. Not much else she can steal while she works! You have brought the incident to the attention of other department employees. You are also sure that it was Irina who committed the three previous thefts and told her that you insist on reimbursement of the stolen a total of 65 thousand rubles.

Today you came to the mediation at the invitation of Irina.

Elena's motivation

Honestly, the fact of Irina's stealing surfaced allowed you to breathe a sigh of relief. For a long time you were almost sure that the niece of your best friend, whom you yourself added to work for the company, was committing theft. At the same time, you did not expect such from Irina at all. She always made the most favorable impression. You understand that Irina, most likely, will not return the money stolen earlier, but do not regret that they publicly raised this issue - the employees of the company, before whose eyes this story unfolds, should learn from it for the future. They even, as you noticed, treat you without due respect, considering it too «soft» leader (A.N. Azarnova).

Topic 3. Technology of transformative mediation (2h.).

1. The essence and basic ideas of the technology of transformative mediation.
2. Conflict as Spiral model.
3. Transformative mediation potential.
4. Operation of the transformative mediator.
5. Instructions for implementing a transformative approach in mediation.

A) Tasks that form knowledge of educational material at the level of recognition. Are the following statements correct?

№	Approvals	Response options
1	The main postulate: the peculiarity of mediation is the preservation of self-determination of the parties and the humanizing power of dialogue (D. Folger).	a) correctly; b) incorrectly.
2	The essence of the approach is to refuse to assist the parties in reaching an agreement, emphasizing the transformation of conflict interaction.	a) correctly; b) incorrectly.
3	The task of the mediator is to assist the parties to the conflict in returning constructive relations. The most important thing in the conflict is not that it deprives participants of the opportunity to satisfy some rights, interests or goals, but in the CRISIS OF RELATIONS.	a) correctly; b) incorrectly.
4	The escalation of the conflict, in terms of a transformative approach, represents for each side a vicious circle of declining self-confidence (loss of strength) and alienation from each other.	a) correctly; b) incorrectly.

The form of execution of tasks is individual.

Control form: oral response.

B) Tasks that form competencies at the playback level.
 Demonstrate the downward and upward dynamics of the conflict.
 The form of execution of tasks is individual.
 Form of control: written.

C) Tasks that form competencies at the level of application of acquired knowledge.

Prepare a case for mediation in transformative equipment.
 The form of execution of tasks is individual.
 Form of control: written.

Topic 4. Narrative mediation technology (4h).

1. Basic ideas and stages of narrative mediation.
2. Role of mediator in narrative technique.
3. Phases of mediation in narrative technique.

A) Tasks that form knowledge of educational material at the level of recognition. Are the following statements correct?

№	Approvals	Response options
1	The key concept of a narrative model of mediation is a narrative story designed by a person.	a) correctly; b) incorrectly.
2	Externalization (externalizing conversation) separating the problem from the individual, presenting the conflict as external to the mediators of the research subject.	a) correctly; b) incorrectly.
3	Mapping the impact of conflict on a person a detailed description of the impact of conflict on each side and its environment.	a) correctly; b) incorrectly.
4	Deconstruction of the dominant conflict history (deconstructing listening) separation of facts from interpretations (narratives), the study of social attitudes that determine the perception of events by a given person.	a) correctly; b) incorrectly.

The form of execution of tasks is individual.
 Control form: oral response.

B) Tasks that form competencies at the playback level.
 Make a list of phases of mediation in narrative technology.
 The form of execution of tasks is individual.
 Form of control: written response.

C) Tasks that form competencies at the level of application of acquired knowledge.

Prepare a case for mediation in narrative technique.
 The form of execution of tasks is individual.
 Form of control: written.

Topic 5. Provocative mediation technology (4h).

1. The essence of provocative mediation technology.
2. Ken Wilber's 4-quadrant theory.

3. Provocative techniques and style of the pick.

A) Tasks that form knowledge of educational material at the level of recognition. Are the following statements correct?

№	Approvals	Response options
1	Provocative mediation technology is an extreme version of mediation developed specifically for «chronically violent conflicts at a high level of escalation with symmetric development dynamics».	a) correctly; b) incorrectly.
2	The outer square of an individual is what an outsider is capable of covering.	a) correctly; b) incorrectly.
3	The outer square of the team includes external, material, social, institutional forms.	a) correctly; b) incorrectly.
4	«Intervention according to the kobold method»: the mediator ironically connects the conflicting behavior of the parties with the pranks of the kobold who settled in their house, who feeds on quarrels and enmity between people and does everything possible to quarrel them	a) correctly; b) incorrectly.

The form of execution of tasks is individual.

Control form: oral response.

B) Tasks that form competencies at the playback level.

Give the algorithm of provocative mediator actions.

The form of execution of tasks is individual.

Form of control: written response.

C) Tasks that form competencies at the level of application of acquired knowledge.

Prepare a case for mediation in provocative equipment.

The form of execution of tasks is individual.

Form of control: written.

Topic 6. Efficient communication techniques (4h.).

1. Ability to listen and the strength of interpersonal relationships.

2. Theory of the communicative square.

3. Technology of the differentiated approach taking into account the leading sensory modality.

A) Tasks that form knowledge of educational material at the level of recognition. Are the following statements correct?

№	Approvals	Response options
1	A representative system is «something that has already been introduced into consciousness and is indicated by certain words».	a) correctly; b) incorrectly.
2	Kinesthetic system - refers to bodily sensations, and is also used as a collective system for all types of sensory experiences, including tactile, visceral and emotional.	a) correctly; b) incorrectly.
3	The leading representative system is «a system that a person usually uses to introduce information into his consciousness, that is, such a	a) correctly; b) incorrectly.

	system by which he usually presents his world and his experience to himself».	
4	Submodality - components of representative systems.	a) correctly; b) incorrectly.

The form of execution of tasks is individual.
Control form: oral response.

B) Tasks that form competencies at the playback level.
List the four aspects of the message (Schultz von Tun model).
The form of execution of tasks is individual.
Form of control: written response.

C) Tasks that form competencies at the level of application of acquired knowledge.

Uncover various techniques of effective communication.
The form of execution of tasks is individual.
Form of control: written.

Topic 7. Non-violent communication technology (4h.).

1. The essence of nonviolent communication.
2. Components of nonviolent communication.
3. Communication styles.

A) Tasks that form knowledge of educational material at the level of recognition. Are the following statements correct?

№	Approvals	Response options
1	Nonviolent communication is a way of communication that allows us to give away from the heart.	a) correctly; b) incorrectly.
2	The formula for expressing gratitude: here is what you did + this is how I feel + this is which of my needs is satisfied.	a) correctly; b) incorrectly.
3	Moralistic judgments - put forward against people and modes of behavior that do not meet our values.	a) correctly; b) incorrectly.
4	The goal of non-violent communication is not to change people and their behavior in order to achieve our goals, but to establish relationships based on honesty and empathy that will eventually meet the needs of all.	a) correctly; b) incorrectly.

The form of execution of tasks is individual.
Control form: oral response.

B) Tasks that form competencies at the playback level.
List the components of non-violent communication.
The form of execution of tasks is individual.
Form of control: written response.

C) Tasks that form competencies at the level of application of acquired knowledge.

Exercise 1. «Observation or evaluation?»

Note in the statements below those that are an unapproved observation.

1. The day before yesterday Oleg was angry with me for no reason.
2. Last night, Lila gnawed her nails as she watched TV.
3. At the meeting, Gleb did not ask my opinion.
4. My father is a good man.
5. Elena works too hard.
6. Gennady is aggressive.
7. All this week, Anya stood first in a row every day.
8. My son often doesn't brush his teeth.
9. Vitya told me I didn't look good in yellow.
10. When I talk to my aunt, she only does what she complains.

Exercise 2. «Expression of feelings?»

Mark the numbers of the statements in which the feelings are expressed.

1. I feel like you don't like me.
2. I'm sad because you're leaving.
3. I feel scared when you say that.
4. When you don't say hello to me, I feel ignored.
5. I'm happy you can come.
6. You're disgusting.
7. I feel like you hurt me.
8. I feel like I've been misunderstood.
9. I feel good about what you did for me.

Exercise 3. «Confirm Requirements»

Note the points with those statements where the interlocutor recognizes responsibility for his feelings.

1. I'm annoyed when you leave company documents in the boardroom.
2. I'm angry when I speak to you - I want respect, and your words sound like an insult to me.
3. I'm mad at you being late.
4. I'm sorry you're not coming to dinner, I was hoping we'd spend the night together.
5. I am disappointed: you promised to do this and did not.
6. I am depressed that I was not given the desired promotion.
7. Sometimes someone's remark hurts me a lot.
8. I'm happy you got this award.
9. I'm scared when you scream.
10. I am grateful to you for giving me a ride - I had to return home before the children.

Exercise 4. «Expression of requests»

Mark the numbers of those statements in which the interlocutor clearly asks to take certain actions.

1. I want you to understand me.

2. I would like you to express your appreciation of one of my work.
3. I'd like you to be more confident.
4. I want you to quit drinking.
5. I want you to let me be yourself.
6. I would like you to be honest with me regarding last night's meeting.
7. I want you to drive at a good speed.
8. I'd like to know you better.
9. I would like you to respect my right to personal space.
10. I'd like you to make dinner more often.

The form of execution of tasks is individual.

Control form: control survey.

2. PRACTICAL SECTION

Topics and questions of practical lessons

Topic 1. Technology of facilitation (classical) mediation.

1. Basic provisions of the technology of facilitative mediation.
2. Mechanisms of facilitative mediation.
3. Stages and formula of facilitative mediation.
4. Stages of mediative conversation (H. Besemer), BADGER and ALPHA models.
5. Structure of the mediative session.

Knowledge control form: quiz.

Additional activities: an example of a mediation session in the technique of facilitative mediation.

"Sample session"

Fable: Maria and Denis are graduate students who have lived together for about a year without marriage registration. Together (for common funds) they acquired certain property (TV, sofa, dishes). Denis was offered a job in Moscow. Maria is against moving, because she will not have time to finish her dissertation and will lose her job. The mediator has already had preliminary meetings with the parties. Here and now a mediation session is being held to resolve the dispute over the division of jointly acquired property.

Mediator: Hello Maria. Hello Denis.

I don't know what your problem is, so you will have to tell about it. But first I will explain what we are going to do.

I will listen to each of you, ask questions to be sure that I understand what is at stake. If necessary, I will talk to each of you separately. When we understand what the problem is on both sides, we will try to find a way out. In any case, the decision will be yours.

The procedure is confidential. If it comes to court, I won't be able to be a witness.

I advise you to draw up the agreement that you will work out in writing. When we reach this point, we will talk more about what and how best to write.

So what do you want to talk about more - property or relationships? (Pause).

Mediator, addressing Maria: If I understood correctly, Maria, Denis does not want to end the relationship, but you think that life at a distance will hinder the relationship.

Maria: Yes it is.

Mediator: I will ask a few questions. Maria, imagine life at a distance. How long is it to Moscow? Can I go for the weekend?

Maria: No. I have a dog, friends ...

Mediator: I did not mean that you should go to Moscow. Trains run in both directions. Do you think the meetings are real?

Maria: Yes, they are.

Mediator: Is this the question that you want to work on more?

Maria: No, this is not the main question.

Mediator: Maria, tell us what worries you.

Maria: Denis is cute, new acquaintances will appear in another city, I will be jealous.

Mediator, addressing Denis: Denis, how quickly will you leave?

Denis: In two months.

Mediator: If I understand correctly, there are two problems. The first is a relationship at a distance, you see them differently. The second is what will happen in the next two months before Denis's departure. I also heard from you that there is a common property. Are we going to touch on the discussion of this issue? (Pause). My job as a mediator is to help you organize the discussion. What would you like to talk about?

Maria: I would like to talk about his attitude towards me and about his career.

Mediator, addressing Denis: Denis, have you heard what worries Maria? What suggestions do you have? How can you help Mary understand your thoughts on this matter?

Denis: I don't know.

Mediator, addressing Maria: Maria, what changes are you expecting?

Maria: I want him to listen to me. The problem is not property, but relationship. If he behaves like this now, that will be in a couple of years.

Mediator: I heard. How can I convey this to Denis? (Pause). Maria, imagine that you are the director of a film (you decide what to say to whom). What should Denis say to make you feel his attitude towards you?

Maria: I'm waiting for an apology. Plus a concrete decision on how we will divide the property. In addition, we must take a break in the relationship.

Mediator: If I understand correctly, Maria, you think that Denis acted disrespectfully towards you, expect an apology, want to discuss short-term, long-term relationships and division of property ... Where do we start?

Maria: From the division of property.

Mediator, addressing Denis: Denis, Maria feels offended in connection with the quick decision to travel to Moscow. What do you think about this?

Denis: I had to make a decision quickly. Such offers do not fall from the sky every day.

Mediator: Maria understands how important this proposal is for you. But, if I understand correctly, she is interested in how you will resolve such issues in the future. (Long pause.)

Mediator, addressing both sides: I would like to speak with each of you separately. Maria, first I'll talk to Denis. I will ask you to leave us and wait in the corridor. Then I will talk to you. (Accompanies Maria to the door).

Mediator, addressing Denis in the absence of Maria: Denis, I want to talk about how the decision to move to Moscow was made and how you informed Maria about it.

Denis: Grant was singled out unexpectedly, I agreed and directly told Maria about it.

Mediator: As I heard, Maria is not against the upcoming trip, but she is worried about how you talked to her about it. Do you think I understood Maria correctly? I see that Maria needs cooperation, joint discussion, even if this does not affect the decision to travel.

Denis: I don't think it will be easy for me. I'm used to solving everything myself.

Mediator: Denis, what of what we talked about can I use when talking with Maria?

Denis: I have nothing to hide, we did not talk with you about something secret.

The mediator, addressing Maria, after her return: Maria, we talked with Denis about how he was offered a grant, how he told you about it and how you felt about it. I want us to go back in time and you talk about this in a more comfortable manner.

Denis: Sorry, Maria, my decision was hasty.

Maria (without looking at Denis and turning to the mediator): The problem is deeper, he always behaves this way - this is character.

Mediator, addressing Maria: Maria, I think that Denis hears you and he understands you.

Maria: He can't change.

Mediator, addressing Denis: Denis, I will ask you to leave Maria and me now. I would like to speak with her in private. (Accompanies Denis to the door).

Mediator, addressing Maria in the absence of Denis: Maria, I understand your feelings. Although, of course, not fully, since we are different people. What do you want to happen?

Maria: I want to be sure that he loves me, that, despite the distance, he will be my soul mate.

Mediator: Is this the main problem that you want to discuss, or will we postpone it and resolve the issue of property? I do not want to press, but I heard different things from you. Earlier you said that the main issue is property. I want to know if you are confused? One of the principles of mediation is self-determination and informed decision-making. Do you need more time to think about what is the most important issue and decide? Do you feel comfortable to continue? (Pause). If I understand correctly, you are not talking about the long term. The question is to concentrate on a short period before departure and decide how your relationship with Denis will be built. Do I understand you correctly?

Maria: We have to take a break in the relationship and try to live apart these two months.

Mediator: As I understand it, you want to remain friends, but not live together.

Maria: Yes, you understood correctly.

Mediator: Maria, now I will ask you again to wait while I talk to Denis in private. Which of what we just talked about, I can, if necessary, voice to Denis.

Maria: Everything.

Mediator, referring to Denis in the absence of Maria: Denis, Maria is not

ready to talk about long-term relationships, but this does not mean that she does not want them. Maria feels that she is confused, believes that it takes time to figure everything out. She spoke about the short term, I would like to voice her idea to you. Maria wants to use the two months before departure as a test, allowing both of you to feel how you will live at a distance. Maria suggests, while remaining a couple, to live separately. I understand that Mary's idea may differ from how you see it. I would like to know your opinion.

Denis: I don't like the idea, but you can try

Mediator: Do you have a place to live for these two months?

Denis: I'll stay with a friend.

Mediator: Then I will now call Maria and tell her that you are ready to try to live as she suggests.

Mediator, addressing Maria after her return: Maria, we talked with Denis that we will not touch upon long-term relations now and will concentrate on how your relationship will be built before Denis leaves for Moscow. Denis agreed to stay with a friend for this time to check how your long-distance relationship will be built.

Mediator, addressing the parties: Another issue requiring consideration, which you stated at the beginning, is the division of property. I propose to postpone its discussion for a week. Let's see my schedule and decide when we can meet.

Topic 2. Transformative mediation technology.

1. The essence and basic ideas of the technology of transformative mediation.
2. Conflict as Spiral model.
3. Transformative mediation potential.
4. Operation of the transformative mediator.
5. Instructions for implementing a transformative approach in mediation.

Knowledge control form: quiz.

Additional activities: Case "Glass ceiling"

Information for Olga

You are Olga, a young and ambitious employee of the advertising and marketing department of the "Windows and doors" company. Today you came to mediation, to which you were invited by the head of the advertising and marketing department, Samir.

You have been working at Windows and Doors for over three years. From the very beginning, you were determined to advance your career. The advertising and marketing department is very large and includes 12 employees, of whom seven (including you) work in the advertising department, and five in the marketing department. You really wanted to become the head of the advertising department. As a very determined person, you expected to receive this post at the latest after two years. As soon as you got to work, you immediately showed yourself as a creative, active, purposeful employee, took on any job, sat at your work computer until late. Soon, the most complex and responsible projects began to be entrusted to you. Almost all of the commercials that have been created in your department in

the past two and a half years are yours, and you are very proud that the person who created the advertisement before quit his job, unable to compete with you. However, the leadership, while recognizing your talents, was nevertheless in no hurry to give you a leadership position. When six months ago the position of the head of the advertising department was vacated, to your amazement and indignation, it was not you who were appointed to it, but Leonid - the absurd type, with whom you have repeatedly snagged because of his nasty character and vulgar love for freebies. As soon as he took office, he began to find fault with you, settling old scores: he counted your five-minute delay as half an hour, looked for the slightest shortcomings in his work, and then simply "hacked" your commercial, which you created with such difficulty. You were sure that the head of the advertising and marketing department made a serious mistake in appointing Leonid. Apparently, this was not done by chance: Samir did not want to, as you understand, having appointed a woman to the leading post. Lately, leaving Leonid's office, you often cried out of impotent anger.

The scandal flared up two days ago in the morning, at the meeting, when, in the presence of the entire department, Samir said that advertisers began to work worse and did not fulfill tasks for commercials. Leonid began to defend himself: "Olga is pulling the department's indicators back, the videos are her work ..." You opened your mouth to put him in his place, but Samir did not let you say: "So, you will have to punish, deprive Olga of the quarterly prize - the quality of work fell, truancy ... Olga, you have three days to have a video, otherwise you will have to raise the issue of continuing our labor relations. " You could not bear such injustice. Outside of yourself, you shouted that "there are so many" boars "in this company that it stinks" and that you are ready to resign even now from this "cattleman" (you meant that only men are appointed to leadership positions).

Jumping out of the office and slamming the door, you, without asking anyone, went home. The next day you put a letter of resignation on Samir's desk. However, he was in no hurry to sign it (which surprised you a lot) and suggested that you settle the dispute at mediation. After some hesitation, you agreed.

Olga's motivation

You are extremely indignant at the vain erected on you. The fact that you are ten minutes late for work (this was twice in the last month) is inflated, but the fact that you have been plowing overtime for three years, including at night, no one remembers! Your achievements are not appreciated, and Samir follows the lead of this idiot Leonid, who sleeps and sees you fired! In the heat of the moment, you were ready to leave, but now you understand that you would not want to give Leonidas such pleasure. But you have already publicly insulted Samir - he is unlikely to forgive you for this.

Information for Samir

You are Samir, the head of the advertising and marketing department of the "Windows and doors" company. Today you are attending mediation, to which you have invited an employee of the department (more precisely, the advertising department, which functions within the department) Olga. The Advertising and Marketing Department, which you manage, is quite large and

includes 12 employees, of whom seven (including Olga) work in the advertising department, and five in the marketing department.

Olga joined the firm about three years ago and immediately showed herself to be an extremely gifted employee. The commercials that she created for the company were extremely successful and brought tangible profits to the company. You know that Olga is a creative person who stays late at work at night; in addition, she has a sickly ambition and a difficult character. For example, she is constantly in conflict with the head of her department, Leonid, who has been holding this post for the past six months, does not follow his orders, and recently, as Leonid reported to you, she began to violate labor discipline - to be late for work.

The conflict arose three days ago at a morning meeting, where all the employees of the department were present. You gave a stern reprimand to the advertising department - the commercial, which was expected a week ago, is not ready. Leonid said that this is a miscalculation in Olga's work: she never submitted the video by the required deadline. Looking at Olga, you said: "So, you will have to punish, deprive Olga of the quarterly bonus - the quality of work has fallen, absenteeism ... Olga, you have three days to have a video, otherwise you will have to raise the issue of continuing our labor relations." And then, beside herself with indignation, Olga shouted to the whole floor that "there are so many" boars "in this company that it stinks" and that she is ready to quit even now from this "cattleman". She slammed the door, jumped out of the office and, without asking anyone for permission, went home. The next day, she put her letter of resignation on your desk.

However, you were in no hurry to sign it. You suggested that Olga at least try to resolve the conflict through mediation, and she reluctantly agreed.

Samir's motivation

You do not quite understand what Olga meant: her behavior was extremely strange. In fact, she insulted you - in public. This fact cannot be ignored.

However, there is an important nuance in this situation. Olga is a really valuable employee for the company; it is unlikely that you will be able to find another such advertiser. In the near future, the firm cannot afford to take the risk of serious losses associated with the search for a new specialist. In addition, you have never noticed rudeness in Olga: her act was out of the ordinary and clearly did not arise from scratch. You decided to understand the situation and, if possible, resolve it.

Topic 3. Effective communication techniques.

1. Ability to listen and the strength of interpersonal relationships.
2. Theory of the communicative square.
3. Technology of the differentiated approach taking into account the leading sensory modality.

Knowledge control form: quiz.

Additional activities: 1. Questions to assess the learning style.

Ask the person to choose the answer that is closest to him. If one answer is

not enough, the person can indicate two or more options. On a piece of paper, note which of the client's responses are visual (B), auditory (A), or kinesthetic (K) representational systems.

1. Think of an experience in your life when you were learning something like a new board game. How was it more convenient for you to study? Via:

Q) visual cues - pictures, diagrams, written instructions?

A) listening to someone else's explanations?

K) experimentation, trial and error?

2. Suppose you cannot find your way to a hotel in a city where you are staying for a few days. You:

J) Do you drive a car trying to find a familiar landmark?

A) do you ask passers-by?

B) look at the map?

3. You must learn how to use the new program on your computer. You:

J) ask a friend to show you how to use it?

Q) are you looking at the program manual?

A) call a friend and ask questions about the program?

4. You are not sure how the word is spelled - "bivouac" or "bivouac". You:

Q) imagine the word in your mind and choose the one that looks right?

A) pronounce it to yourself?

J) write down both options and choose the one that gives the impression of being correct?

5. You bought an item that needs to be assembled from parts. The easiest way for you to figure out how to build it is:

A) listen to the tape recording the steps you should take?

J) start putting it together and doing it by trial and error?

B) watch a video or read written instructions?

6. You look after a friend's house while he is on vacation. You should quickly learn to take care of your friend's lawn and / or their pets. For this, it is more convenient for you:

Q) see how someone does it?

A) get instructions and discuss it in detail?

K) ask someone to do this with you?

7. The person gave you a very important number (for example, phone number, code or serial number) that you need to remember. To make sure you remember it, you must:

A) repeat this number to yourself or to another person?

Q) imagine his mental image?

J) write or print it multiple times?

8. You must speak to a small group of people. You can be sure you can do it when you:

A) Do you have a good sense of the main tone and words you want to communicate?

B) have diagrams and notes that you can refer to during the presentation?

J) Have you rehearsed your presentation several times?

9. Which of the following hobbies do you enjoy the most?

K) walks in the fresh air / work in the garden / dancing.

C) drawing / painting / sightseeing / photography.

A) listening to music / singing / speaking.

10. To master a new skill, you prefer:

A) listen to the description and ask questions?

B) view diagrams and see demos?

K) Do the exercises?

11. When you really want to teach something to others, you:

Q) painting a picture for them?

A) do you logically explain it to them?

K) are you going through this process with them?

Determining the learning style based on the given test

To determine a person's learning preferences, count visual (B), auditory (A), and kinesthetic (K) responses.

Topic 4. Non-violent communication technology.

1. The essence of nonviolent communication.

2. Components of nonviolent communication.

3. Communication styles.

Knowledge control form: quiz.

Additional activities: *Determining the learning style based on the given test*

To determine a person's learning preferences, count visual (B), auditory (A), and kinesthetic (K) responses.

Exercise "HOUSE"

Consider three house descriptions. Which one seems the most attractive to you?

The first house is very picturesque. There is a unique originality in its beauty. Above all, your attention will be focused on the colorful courtyard and the vast green garden. The house has many windows, so you can enjoy the view. This is clearly a good buy.

The second house is a real architectural symphony. It is located in a very quiet area, so the only thing you hear when you step out on the porch is birdsong. Its interior suggests that it has character, and you will likely find yourself asking yourself if you can really walk past this house.

The third house is not only well built, it also evokes a special feeling. There are not many places that attract you so much, touching some strings in your soul. This home is spacious enough to make you feel free to move around and comfortable enough so you don't have to wear yourself out as you tidy it up.

Which of these houses did you choose?

In fact, these are all descriptions of the same house! The only difference between the two is that they addressed different senses. If you chose your first home, you are more likely to be more visually (visually) oriented. If you've chosen a second home, you're more likely to be auditory oriented. If you prefer the third

description, you probably value the sensation more than the other senses.

Exercise "Kolibrovka"

It is necessary to unite in pairs. In turn, each of you asks questions and as a result must determine the leading representational system of the interlocutor. Then switch places.

Visual questions: What color is your house painted? What color are your mother's eyes?

Auditory questions: What kind of music do you like? Which door in your house slams the loudest? Try to hear you sing "A Christmas tree was born in the forest."

Kinesthetic questions: How did you feel in the morning? How does a dog's coat feel?

3. SECTION OF KNOWLEDGE CONTROL

Questions for credit

1. Introduction to mediation.
2. Factors and indicators of mediation success.
3. Basic principles of mediation.
4. Mediation participants.
5. Rights and duties of the mediator.
6. Rights and obligations of the parties in the mediation process.
7. Mediator function groups.
8. Legal regulation of mediation: international legal acts.
9. Legislation governing mediation in Belarus.
10. Stages of the mediation session.
11. Basic provisions of the technology of facilitative mediation.
12. «Spare communication bridge» (H. Besemer).
13. Stages of facilitative mediation.
14. Mechanisms of facilitative mediation.
15. Stages of mediative conversation (H. Besemer).
16. BADGER and ALPHA models.
17. The formula for facilitative mediation.
18. Structure of the mediative session in the facilitative model.
19. Directions of communication in the facilitative model of mediation.
20. The essence and postulate of the technology of transformative mediation.
21. The main ideas of transformative mediation.
22. Conflict as Spiral model.
23. Downward and upward dynamics of conflict.
24. Escalation of the conflict.
25. Transformative mediation potential.
26. Resources for conflict transformation.
27. The work of a transformative mediator: the differences between transformative and classical mediation.
28. Three aspects of the transformative mediator.
29. Instructions for implementing a transformative approach in mediation.
30. The main ideas of narrative mediation.
31. Stages of narrative mediation.
32. The concept of conflict in narrative mediation.
33. Differences between narrative mediation and classical mediation.
34. Role of mediator in narrative technique.
35. Techniques in narrative mediation.
36. Phases of mediation in narrative technique.
37. Essence of provocative mediation technology.
38. Provocative mediation scheme.
39. Provocative mediator style.
40. Ken Wilber's 4 squares theory.

41. Two phases of the hidden mediation phase in the provocative model.
42. Provocative techniques of the mediator.
43. Algorithm of provocative mediator actions.
44. The essence of non-violent communication.
45. Components of non-violent communication.
46. Non-violent communication: observation without assessment.
47. Non-violent communication: identification of feelings.
48. Non-violent communication: feelings against insensitivity.
49. Non-violent communication: the needs that underpin our feelings.
50. Stages of human emotional responsibility development.
51. How to express requests in non-violent communication.
52. Life-giving communication.
53. The power of empathy.
54. Full expression of anger and the use of force to protect.
55. Styles of communication in non-violent communication.
56. Communicative square theory.
57. Four parties to the communication (F. Schulz von Thun).
58. The Four Ear model.
59. Coherent and inconsistent communication: two levels of communication.
60. How to determine message consistency-inconsistency.
61. Features of the understandable statement of F. Schulz von Tun.
62. The ability to listen and the power of interpersonal relationships.
63. Three levels of «hearing».
64. Representative systems.
65. Representative channels.
66. Physiological access keys.
67. Orientation of representative systems.
68. Description of sub-moduli by language patterns by R. Bendler.
69. Behavioral indicators (by Swassing and Barb).
70. Role of representative channels to optimize learning and communication.

4. SUPPORTING SECTION

Thematic plan of the academic discipline

Section number.	Section name, topics, and classes; list of issues under study	Number of classroom sessions hours				Forms of control knowledge
		lectures	practical class	seminars class	m iw	
1	General provisions on mediation procedure. 1. Introduction to mediation. 2. Mediation participants. 3. Mediator function groups. 4. Legal regulation of mediation. 5. Stage of the mediation session.	2	-	2	2	Performance case
2	Technology of facilitative (classical) mediation. 1. Basic provisions of the technology of facilitative mediation. 2. Mechanisms of facilitative mediation. 3. Stages and formula of facilitative mediation. 4. Stages of mediative conversation (H. Besemer), BADGER and ALPHA models. 5. Structure of the mediative session.	2	2	-	4	Performance case
3	Transformative mediation technology. 1. The essence and basic ideas of the technology of transformative mediation. 2. Conflict as Spiral model. 3. Transformative mediation potential. 4. Operation of the transformative mediator. 5. Instructions for implementing a transformative approach in mediation.	2	2	-	2	Performance case
4	Narrative mediation technology. 1. The main ideas and stages of narrative mediation. 2. The role of the mediator in the narrative technique. 3. Phases of mediation in the narrative technique..	2	-	-	4	Performance case
5	Provocative mediation technology. 1. The essence of provocative mediation technology. 2. Ken Wilber's 4-quadrant theory. 3. Provocative techniques and style of the pick..	2	-	-	4	Performance case
6	Efficient communication techniques. 1. Ability to listen and the strength of interpersonal relationships. 2. Theory of the communicative square. 3. Technology of the differentiated approach taking into account the leading sensory modality.	2	2	-	4	Performance case
7	Non-violent communication technology. 1. The essence of nonviolent communication. 2. Components of nonviolent communication. 3. Communication styles.	2	2	-	4	Performance case
Total hours in the discipline		14	8	2	24	Pass in 2 sem.

THE THEMATIC PLAN OF THE DISCIPLINE

Topic 1. General provisions on mediation procedure.

Criteria that determine the choice of mediation as a means of resolving a conflict. Components of mediation. The essence of mediation. Factors determining the success of mediation initiation. Mediation success indicators. Mediation tasks. Basic principles of mediation. Criteria for effective mediation.

Mediation participants. Parties to mediation. Rights of the parties. Obligations of the parties. Mediator rights. Mediator duties.

Mediator function groups. Functions related to negotiation management. Psychological climate functions. «Safety precautions». Emotion rules. Ensuring meaningful aspects of negotiations.

Legal regulation of mediation in the Republic of Belarus. Main provisions of mediation subject to legal regulation. The system and content of the legislation of the Republic of Belarus, which defines the legal and organizational basis for the application of mediation.

Topic 2. Technology of facilitative (classical) mediation.

Basic provisions of the technology of facilitative mediation. Distinction between «legal dispute» and «conflict». Distinguishing between «position» and «interest». Focus of the mediation procedure on the future. Finding a solution by the parties themselves.

Mechanisms of facilitative mediation. Mutual respect and recognition of the parties as a prerequisite for a constructive resolution of the conflict. Prohibition of appeal to rational (content). Search for original solutions. Analysis of the past (search for causes of actions).

Stages and formula of facilitative mediation. The stage of rationalization of the conflict. Integration negotiation phase. Mediator task. The formula for facilitative mediation.

Stages of mediative conversation (H. Besemer). BADGER model. ALPHA model. The principle of high procedural directive.

Structure of the mediative session. Opening mediation (introductory word of the mediator). Presentation of the parties - study of the circumstances of the dispute and the interests of the parties. Discussion of the parties on the elaboration of the agenda and issues for discussion (discussion 1). Individual conversation of the mediator on each side (kokus). Elaboration of proposals for the settlement of the dispute (discussion 2). Conclusion of the agreement. Completing mediation.

Directions of communication in the facilitative model of mediation.

Topic 3. Transformative mediation technology.

The essence and basic ideas of the technology of transformative mediation. The main postulate of D. Folger. Mediator task. Relational theory. Needs disrupted by the conflict.

Conflict as Spiral model. The downward (escalation) dynamics of the conflict. The upward (in de-escalation) dynamics of the conflict. Mediator task.

Escalation of the conflict.

Transformative mediation potential. Personal empowerment. Mutual recognition. Operation of the transformative mediator. Triggering ascending dynamics. The state of the conflict. Opportunity recognition. Internal work on yourself.

Using communicative techniques. Reflection. Generalization. Verification. Non-interference.

Instructions for implementing a transformative approach in mediation.

Topic 4. Narrative mediation technology.

The main ideas of narrative mediation. Stages of narrative mediation.

Role of mediator in narrative technique. Basic techniques of narrative mediation. Conflict externalization technique.

Phases of mediation in narrative technique. Description of the problem history. The discovery of an alternative story. Compaction of preferred history. Rewriting history.

Topic 5. Provocative mediation technology.

Essence of provocative mediation technology. Provocative mediation scheme. Provocative mediator styles. Ken Wilber's 4 squares theory. Two phases of the hidden mediation phase in the provocative model. «This is the world for a second». Ensuring peace. Movement of communication in the provocative model of mediation at the initial stage. Multilevel mediator communication. Provocative techniques for working with resistance of the parties. Externalization of conflict history. Algorithm of provocative mediator actions. Test filter stage.

Topic 6. Efficient communication techniques.

The ability to listen and the power of interpersonal relationships. Levels of «hearing». Hearing empathy. We hear words, but we don't listen. «Hearing with temporary shutdown». Communicative square technology. Friedman Schulz von Tun's Four Ear Model: Sender Square, Recipient Square. Four «frequencies» of the message: subject content, self-expression, attitude, call. Feedback: active listening, metacommunication, body language, interference.

Technology of differentiated approach taking into account leading sensory modality. The concepts of «modality» and «leading modality». Types of modality: «visual-visual», «audio-auditory», «kinesthetic-tactile», «logical-semantic», «abstract». Verbal predicates. Physiological access keys. Access keys. Submodality. Behavioral indicators. Role of representative channels to optimize learning and communication.

Topic 7. Non-violent communication technology.

Non-violent communication technology. Parts of nonviolent communication. Three aspects of communication. Components of non-violent communication: observation, needs, feelings, request. Communication styles: «Wolf language», «Giraffe language».

RECOMMENDED ABSTRACT TOPICS

1. Alternative dispute resolution: system and principles.
2. Mediation as a conflict resolution technology.
3. History of the development of mediation as a method of alternative dispute resolution.
4. Mediation in the modern world: the main models, trends and prospects for development.
5. The scope of mediation.
6. Practice of mediation training.
7. Values, attitudes, competencies, knowledge and skills of the mediator.
8. The problem of emotional manifestations in mediation.
9. Phases, results and techniques in the mediation process.
10. Mediation in the educational environment.
11. Principles of mediation: concept, system, classification.
12. Mediation tools: their types and meaning.
13. Concept, types and stages of negotiation process.
14. General provisions on mediation procedure: preparation for mediation procedure.
15. General provisions for a mediation session.
16. General provisions on mediation procedure: termination of mediation.
17. Professional ethics and requirements for the mediator.
18. Role and functions of the mediator in the mediation procedure.
19. Characteristics of mediation.
20. Types of situations and conflicts regulated by mediation.
21. The psychological nature of conflict relations.
22. Perception and communication in mediation.
23. Mediation algorithm.
24. Agreement on the use of mediation: concept, legal nature.
25. Reforming technology.
26. The technology of genuine communication E. Bern.
27. Communicative competence of the mediator.
28. Family mediation.
29. School mediation.
30. Kokus and the rules of its conduct.

THE LIST OF SOURCES USED

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2. Alternative dispute resolution: Textbook / Ed. E.A. Borisova. – M.: Publishing House «Gorodets», 2019. – 416 p.
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