



Syllabus

Legal conflictology

Higher education degree - bachelor
Field of knowledge - 29 International relations
Specialty - 293 International Law
Educational and Professional Program - International Law

Study year – 3 Semestr – 6
Number of credits: 5, Language of study: english

Head of the course:

Assoc. prof. of the Department of Theory and History of State and Law, PhD, Assoc. Prof.
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Description of the discipline

“Legal Conflictology” is a discipline that contributes to the quality training of legal professionals. Students acquire theoretical knowledge and practical skills in the methodology of researching conflicts in public life (including in legal relations). They have knowledge of the nature, essence, subject matter and structure of legal conflict, the external contours of legal conflict in time and space, objective and subjective causes of conflicts, the peculiarities of mechanisms for the development of various legal conflicts and the characteristics of the roles of their participants. general provisions of conflict prevention.

Upon completion of the Legal Conflictology course, students can reasonably characterize a legal conflict, evaluate various options for resolving a conflict situation, identify the peculiarities of resolving and regulating legal conflicts, strategies for resolving conflicts and legal means of resolving them. Students acquire the skills to: prevent, regulate and resolve typical conflicts; diagnose a conflict for its optimal resolution; identify a conflict at the latent stage of its development; determine the degree of conflictogenicity of a person; apply adequate styles of behavior for a particular conflict situation; predict the emergence of political, legal, ethno-confessional, labor and interpersonal conflicts; apply mediation, arbitration, conflict management technologies; identify constructive functions in conflict; apply the latest achievements of conflict science in practice; give a detailed and objective description of specific conflict situations.

Course structure

№	Topic	Learning outcomes	Control measures
1	Legal Conflictology as a Science and an Academic Discipline. The role and place of legal conflictology in the system of legal sciences.	To know the subject of legal conflictology; methodological principles, general scientific research approaches, special (special) methods of conflict research; evolution of conflictological ideas; variety of conflictological categories and concepts; concept, subject, object, levels and functions of legal conflictology.	Tests, surveys
2	Conflict as a social phenomenon. Features of the of legal conflict.	Know the origins, causes and driving forces of legal conflict. Analyze the peculiarities of the dynamics of legal conflict	Tests, surveys
3	Mechanisms of legal conflict.	Identify the features of the mechanism of legal conflict development. Analyze a conflict situation and offer your own vision of ways to resolve it.	Tests, surveys, practical assignment
4	Technologies warnings legal conflicts.	Know the social and legal technologies of conflict prevention. The concept of conflict prevention (prevention, prevention). Determine the purpose of preventive actions. Analyze technologies of preventive activities. Apply operational technologies (pre-crisis strategies).	Tests, surveys
5	Compromise and conflict in law.	Be able to analyze the technologies of consensus and compromise. Consensus voting as a method of making a consensus decision. Be aware of all the advantages and disadvantages of the consensus method.	Tests, surveys
6	Typology and classification of legal conflicts.	Know the criteria for classifying legal conflicts. Identify the main causes of	Tests, surveys,

		conflicts in different areas of law. Legal conflicts by the scale of distribution. Legal conflicts by the subjects of the conflict. Legal conflicts by the pattern of events. Legal conflicts by driving forces. Legal conflicts by the nature of the process. Legal conflicts depending on the nature of the relevant rule of law (authorizing, obliging or prohibiting).	essays
7	Theory and practice solution legal conflicts.	Be able to analyze a conflict situation. Have practical skills of targeted influence on the processes of conflict interaction to ensure a constructive solution to socially important issues that have been actualized in the conflict. To know the styles of negotiation in a conflict situation: hard, soft, bargaining, and collaborative negotiations.	Tests, surveys, practical assignment
8	An alternative solution of legal disputes.	Know the main approaches to alternative dispute resolution. Understand the need to find alternative ways to resolve legal disputes.	Tests, surveys, essays
9	Mediation in the professional activity of a lawyer	Know the basic principles of mediation. Identify the benefits of using mediation in resolving legal disputes. Develop basic skills in conducting mediation procedures.	Tests, surveys, practical assignment
10	International standards and foreign experience in the field of ADR	Analyze international experience in the development of restorative justice. Know the European standards for alternative dispute resolution. Identify current trends in the legal regulation of alternative dispute resolution in the system of legal protection. Modern vectors of regulation of alternative dispute resolution in the legislation of the European Union.	Tests, surveys, practical assignment

Literary sources

1. Alternative Approaches to Conflict Resolution: Theory and Practice of Application / ed, I. Senyuta, O. Bik, H. Tereshko. Lviv: PAIS, 2007. 296 c.
2. Bitsai A. Participation of a lawyer in mediation: a monograph. K. : Alerta, 2017. 260 c.

3. Bobrovnyk S.V. Compromise and conflict in law: an anthropological and communicative approach to analysis: monograph. 384 c.
4. Introduction to Alternative Dispute Resolution: a textbook / G. V. Anikina, Y. V. Bilousov, N. L. Bondarenko-Zelinska [and others]; edited by U. Hellmann, N. L. Bondarenko-Zelinska. Khmelnytskyi : Khmelnytskyi University of Management and Law, 2017. 234 c.
5. Gerasina L.M., Trebin M.P., Vodnik V.D. et al. Conflictology: a textbook. Kharkiv: Pravo, 2012. 128 c.
6. European and international standards in the field of justice, Kyiv, 2015. 708 c.
7. Ivanov V.M. Legal Conflictology: Study guide for students of higher educational institutions. K.: IAPM, 2004. 224 c.
8. Conflictology: [Textbook for students of higher educational institutions of law specialty] / L.M.Gerasina, M.I.Panov, N.P.Osipova and others; Edited by Professors L.M.Gerasina and M.I.Panov. Kharkiv: Pravo, 2002. 256 c.
9. Conflictology: Lecture notes. For preparation of masters of all forms of education / V.Ya.Galagan, .F.Orlov, O.M.Otych. K.: DETUT, 2008. 293 c.
10. Leko B., Chuyko G. Mediation: a textbook. Chernivtsi: Books-XXI, 2014. 520 c.
11. Lutsyshyn G.I.. Conflictology and negotiation theory: a textbook. Ministry of Education and Science of Ukraine, Lviv Polytechnic National University. 2015. 199 c.
12. Mediation in Ukraine: theory and practice: a monograph. Kyiv: Institute of Legislation of the Verkhovna Rada of Ukraine, 2018. 276 c.
13. Mediation in the professional activity of a lawyer: a textbook / edited by T. Bilyk, R. Havryliuk, I. Horodysky [and others]; edited by N. Krestovska, L. Romanadze. Odesa: Ecology, 2019. 456 c.
14. Nestor N. V. Introduction of Mediation in the Criminal Procedure of Ukraine: Problems of Theory and Practice: Monograph. K.: Alerta, 2018. 182 c
15. Practical application of mediation: a practical and methodological guide for teachers / compiled by V. Kanevska, K. Narovska. Kyiv, 2016. URL: http://www.fair.org.ua/content/library_doc/Curriculum_Mediation_print.pdf
16. Spektor O. M. Alternative methods of resolving civil law disputes: world experience and prospects for application in the legal system of Ukraine: monograph. Kyiv: Phoenix, 2013. 160 c.
17. Dictionary of Terms in Legal Conflictology / Edited by Panov M.I., Bytyak Y.P., Gerasina L.M. Kharkiv: Odyssey, 2006.
18. Tikhomirova E.B., Postolovsky S.R. Conflictology and negotiation theory: Textbook. Rivne: Perspektiva, 2006. 388 c.
19. Fisher R., Yuri U., Patton J. The Way to Yes. How to negotiate without giving up positions. Kyiv: Osnovy, 2016. 220 c.
20. Yakhno T.P., Kurevina I.O. Conflictology and negotiation theory. Kyiv: Center for Educational Literature, 2012. 168c.

Information sources

1. The official web portal of the Verkhovna Rada of Ukraine. URL: <http://portal.rada.gov.ua/>
2. Official online representation of the President of Ukraine. URL: <http://www.president.gov.ua/>
3. The single web portal of executive authorities of Ukraine. URL: <http://www.kmu.gov.ua/>
4. Official web portal of the judicial authorities of Ukraine. URL: <http://court.gov.ua/>

Evaluation policy

- Policy on deadlines and rescheduling: Rescheduling of modules takes place with the permission of the dean's office if there are good reasons (for example, sick leave).
- Academic Integrity Policy: Copying during tests and exams is prohibited (including using mobile devices).
- Attendance Policy: Attendance is a mandatory component of assessment. For objective reasons (for example, illness, international internship, and other reasons), training can take place online with the permission of the university administration.

Evaluation

The final grade for the course is calculated as follows:

Credit module 1	Credit module 2	Credit module 3	Total
30	40	30	100%
1. Oral questioning during the class (5 topics of 5 points each - 25 points) 2. Module test - 75 points	1. Oral questioning during the class (5 topics of 5 points each - 25 points) 2. Module test - 75 points	Preparation of the CPIT - max. 40 points. Defense of the CPIT - max. 40 points Participation in trainings - max. 20 points	

Student evaluation scale:

ECTS	Marks	Content
A	90-100	excellent
B	85-89	good
C	75-84	good
D	65-74	satisfactorily
E	60-64	enough
FX	35-59	unsatisfactory with the possibility of reassembly
F	1-34	unsatisfactory with a mandatory repeat course