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BASIC WAYS OF RESOLVING DISPUTES

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Abstract

The fact that people occasionally engage in minor conflicts is a sign of high scientific competence. If there are no minor conflicts, is this a sign of the lull before a major war?

Key words

conflict, law, diagnosis, prevention, discussion, compromise, concession

INTRODUCTION

The arrival of the New Year began with an event that shocked the consciousness of humanity. At a time when the struggle for the existence of international legal norms and the adherence of people and states to them is constantly ongoing, the situation of the head of an entire state being invaded and abducted by another state leaves all research institutions speechless to describe the problem. It is noticeable that there are attempts to hide the existence of two-faced relations. Recent events are putting an end to the theoretical and practical significance of norms. It has been observed that the development of events in this way does not always proceed peacefully and can lead to serious wars.

Regarding the recent events that have taken place in the world, the President of our country, Sh.M. Mirziyoyev, also expressed his views on the aspects that we should pay attention to for the peace of our country. “It was noted that various regional conflicts are expanding, the arms race is escalating, respect for universal human values, international law and international diplomacy are weakening. – It is necessary to understand one thing. The nature of modern warfare has fundamentally changed. Now, any country that claims to win solely by relying on the number of tanks, aircraft or soldiers is deeply mistaken. Current battles are being fought on the basis of artificial intelligence, digital control, long-range high-precision strike weapons, cyber and robotic technologies, and political and economic pressure,” said the head of our state[1].

In conflictology, it has become a tradition to call the final stage of conflict dynamics conflict resolution. Resolution is the final stage of conflict development. It should be noted that many authors also use other concepts that reflect the specificity and completeness of the termination of conflict actions, for example, “extinction” (V. Boyko, A. Kovalev), “overcoming” (N. Fedenko, V. Galitsky), “suppression” (A. Kamenev), “extinction” (A. Rapoport), “self-resolution” (A. Antsupov), “extinction” (V. Dobrovich), “settlement” (A. Hill), “elimination” (R. Akoff, F. Emery) F.R. “settlement” (A. Gozman), etc. The broadest concept is the end of the conflict, which is the end of the conflict for any reason [2,4,6]. The main forms of conflict resolution: resolution, finding a solution, mitigation, elimination, transition to another conflict.

Prevention of conflict situations is considered very important. It is advisable to periodically conduct diagnostic work on the psychological attitude of individuals to the current

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situation. Scientists recommend several methods. The research methods that are among the top 10 in the world's most scientific research are MMPI, Big Five, Bassa-Dark, T. Ehlers' "Motivation Determination" test. Some scientists have also observed changes in the perception of surrounding colors in a conflict situation, therefore, the use of Luscher's color test is also recommended.

Conflict resolution is the joint activity of its participants aimed at ending the conflict and solving the problem that led to the conflict. Partial resolution of the conflict at the objective level occurs when, by appropriately changing the actual conditions of the environment, the conflict situation is changed in such a way that it is no longer in the interest of the parties to continue their conflict actions, although the desire to achieve the original goal remains with the parties. Resolving conflicts by changing the images of the parties is a particularly interesting task for a social psychologist. Such resolution of the conflict (completely or partially) implies, first of all, a restructuring of existing values, motives, relationships, as well as the adoption of new ones, and therefore includes the entire arsenal of tools developed by social psychology for these purposes. Conflict resolution involves the participation of a third party in resolving disagreements between opponents. Conflict resolution is a temporary cessation of hostilities, while the main signs of conflict - confrontation and tension - are not violated. The conflict moves from an “open” form to a hidden one. Conflict resolution is defined as an intervention that eliminates the main structural elements of the conflict. When a new, more significant contradiction arises in the relations between the parties and the object of the conflict changes, the conflict shifts to another. The outcome of the conflict is considered as the result of a struggle based on the state of the parties and their attitude to the object of the conflict.

Most of the conditions and factors for the successful resolution of conflicts are psychological in nature, since they reflect the characteristics of the behavior and interaction of the opponents: the termination of the interaction of the conflicting parties (the first and most obvious condition for the beginning of the resolution of any conflict); the search for common or similar points of contact in the goals and interests of the opponents; reducing the intensity of the negative emotions experienced towards the opponent, ceasing to perceive the opponent as an enemy, adversary; reducing the negative emotions of the other party; objectively discussing the problem, clarifying the essence of the conflict; taking into account each other's statuses (jobs); choosing the optimal conflict resolution strategy that corresponds to the given circumstances.

The success of conflict resolution depends on how the conflicting parties take into account the factors influencing this process: time; third party; timeliness; balance of power; general cultural level of opponents; unity of values; experience in resolving similar conflicts; relations between opponents. Conflict resolution is a multi-stage process that includes analyzing and assessing the situation, choosing a method of resolving the conflict, formulating a plan of action, implementing it, and evaluating the effectiveness of one's actions.

The analytical stage includes collecting and evaluating information on the following issues: the object of the conflict; the opponent; one's own position; the causes that led to the conflict and the immediate causes; the social environment; and secondary reflection.

The opponent's choice of exit strategy is of decisive importance in how the conflict will end. The exit strategy represents the main course of action of the opponent at the final stage. There are five main strategies: competition, compromise, cooperation, avoidance, and accommodation (K. Thomas). The American social psychologist M. Follett showed that conflicts should be resolved (managed) rather than suppressed [2,5,6]. Among the methods, he highlighted the victory of one side, compromise and integration. Integration was understood as

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a new solution in which the conditions of both parties are met, and neither of them suffers significant losses. This method of conflict resolution was later called "collaboration". Compromise is more likely, since steps aimed at at least one side meeting each other allow achieving an asymmetric (one side gives more) [3.C.49], (the other less) or symmetrical agreement (the parties make approximately equal concessions to each other). The importance of compromise is that it can be achieved even when the parties choose different strategies. Compromise is based on the technique of "concession for rapprochement" or, as it is also called, bargaining. An important factor affecting the effectiveness of conflict resolution is the participation of a third party in its resolution, or mediation. Mediation is a special type of activity that involves optimizing the process of finding a solution to a problem that allows the parties to the dispute to end the dispute with the participation of a third party. Formal or official mediation implies that the mediator has a normative status or the ability to influence the opponents. Informal, informal mediation is the absence of a normative status for the mediator, but the parties to the dispute recognize the informal authority of these persons in resolving such problems. Depending on the degree of control the mediator exercises over the decision, there are several roles for third parties in the dispute: arbitrator, umpire, mediator, facilitator, and observer.

There are a number of factors that affect the effectiveness of a third party in a conflict: motivation of both parties to work together, willingness to take into account the mediator's opinion[3.B.50] acceptance of the solution proposed by him, characteristics and character of the third party's activities, firmness in the actions of the third party; degree of tension of the conflict; duration of the conflict, nature of the relationship between the parties; The chosen tactics and methods of conflict resolution are determined not by the characteristics of the mediator, but by the situation. The tactics of the mediator's interaction with opponents during negotiations can be different: tactics of alternative listening; bargain, street diplomacy; pressure on one of the opponents, directive influence.

Conclusions:

Conflict resolution - the cessation of conflicts for any reason. The main forms of conflict resolution are resolution, finding a solution, mitigation, elimination and transition to another conflict. The outcome of the conflict is the result of the struggle in terms of the state of the parties and their attitude to the object of the conflict. from the point of view of the state of the parties and their attitude to the object of the conflict. The main criteria for constructive conflict resolution are the degree of resolution of the contradiction and the victory of the right opponent in it;

- The conditions for constructive conflict resolution include: ending the interaction of conflicts, seeking common goals and interests, reducing negative emotions, changing the attitude towards the opponent, reducing the opponent's negative emotions and objectively discussing the problem; Taking into account each other's statuses (job titles) and choosing the optimal conflict resolution strategy. The effectiveness of conflict resolution is influenced by factors such as time, third parties, timeliness, balance of power, culture, common values, experience (example) and relationships;

- direct conflict resolution is a process that includes analyzing and assessing the situation, choosing a method for resolving the conflict, formulating a set of immediate actions, implementing the plan and (or) correcting it, and evaluating the effectiveness of the actions.

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The main strategies for resolving conflicts are competition, cooperation, compromise, accommodation, and avoidance. Depending on the chosen strategies, conflict resolution can be achieved through signal suppression (concessions by the opponent) or negotiations (compromise or cooperation). Compromise can be achieved through open dialogue, and cooperation can be achieved through principled negotiations.[3.C.50]

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