



Best Practices for Mediating Religious Conflicts

Slow down, focus on the past, and probe to understand the core conflict

By Sukhsimranjit Singh

All across the globe, people are passionate about religion — both their own beliefs and those of others. Religion informs people's core values, codifies their morals, and inspires their actions. We have seen this throughout history, but we can also see it today, in people's day-to-day lives, in how they see themselves, what they care about, and how they treat others.

I know this to be true because for the past 11 years, I have mediated inter- and intra-faith conflicts involving religious institutions. Religious conflict requires me to think creatively, respectfully, and judiciously to work with disputes that revolve around people's most sensitive beliefs.

Religion is generally considered to be part of cultural decision-making. As a specialist in cross-cultural dispute resolution, I hope that the insights below, gained from my experience mediating religious conflicts, are useful in helping you navigate similar disputes.


Past versus future orientation

When I started mediating, like most practitioners, I learned about the practice and importance of persuading parties to understand their past — and then urging them to use this understanding to move on and look toward their future. In church conflicts, however, I have learned to take a different approach: I spend much more time than usual on the parties' historic orientations.

In church conflicts, the central dispute often revolves around the clash of a shared worldview (for a robust discussion of the concept of worldviews, see the article in this issue by Jeff Seul). In religion, people learn to form patterns of behavior. With such patterns come expectations of what is right and what is wrong, which tends to raise differences above commonalities. Language is always important in discussing and resolving disputes, and this is even more true when religious beliefs are involved. When personal values are up for discussion, what someone says can take on great meaning and help bring people together — or drive them further apart. The more contact the parties have, the more focused they can become on their differences.

I recently mediated a dispute between two congregations in a large religious community. When they agreed to work with me, each group declared that its "religious orientation" was right and the other

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congregation's was wrong. All attempts at conversation and resolution had failed.

I started the mediation in a joint session with more than a dozen representatives from each side. After the two-hour joint session, I learned what so many mediators discover in working with many people who disagree on any topic: in this multi-party environment, the participants all expected to be heard, but none was willing to listen.

I spent days in caucus with the representatives from each congregation, listening to their stories, which (as so often happens) were intertwined with facts and emotional innuendo. During these caucus sessions, I began to understand the interests at play: each group was rejecting the other's religious worldview, and each was feeling deep disrespect and distrust due to the other's past comments and actions. What made this case especially complicated was the fact that several group members from both sides had suffered harm. In order for this mediation to succeed, I needed to convince everyone involved, not just the majority of the representatives, to listen to the other side.

In another dispute, I might have asked the parties to review their stories in an opening session and then immediately tried to help them move on in a private caucus. But in this case, as in so many involving religion, I knew that before I could help, I needed to understand more about the parties and their faiths.

To get to the core distrust, during each caucus I asked specifically about events that each side framed as the turning point in their relationship. One group talked at length about a specific day, six years in the past, and then the members of the other group, separately, described their own version of the same incident. While they focused on facts, I perceived crucial differences in value systems. They didn't understand that the center of their conflict was how differently each group interpreted the larger community's religious code of conduct. One group believed in strict adherence of the faith code, while the other inclined toward a more moderate application. Taking time and extending the information-gathering phase of mediation allowed me to get a clear view of what each group cared about and valued, and after providing feedback to both sides, it also allowed each side

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to understand more deeply the other's motivating core beliefs and values.

In other words, in working on cases involving religion and faith, even when I wish to fast-forward the mediation conversation to the future, I find that respecting history, specifically the pasts of parties' specific religious institutions and communities, has deepened my own understanding of the conflict, helped me create more trust and connection with parties, and been critical to motivating everyone to find a shared solution.

Religious identity

For many people of faith, religion goes beyond a simple belief process or practice and extends to personal identity. "I am a Christian (or a Muslim or a Jew or a Sikh or a Buddhist or an atheist)," we say, by way of explaining ourselves to others. Because cultural identities are intertwined with our worldviews, divorcing our cultural identity from decision-making is not an easy process. Cultures, like religion, provide insights into how members of a particular group will behave — guidelines as to how a person should act in the world, what makes for a good life, how to interact with others, and which aspects of situations require more attention and processing capacity.¹

With this in mind, faith-based conflict resolution makes sense for many religious adherents, but for some, it might not be a comfortable choice because it represents something that goes against the essence of following the religious tenets of peace and peace-making. In other words, just accepting the fact that a conflict exists may mean acceptance of the fact that the congregation has failed in maintaining order and in assisting others to maintain order.² This internal inconsistency might challenge the basic cultural identity of the group and as a result, make the conflict more difficult to solve.

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In a second case I worked on recently, the people on one side of the dispute were arguing among themselves because the dispute went against their fundamental tenets. “We should not pursue litigation in this matter since fighting in court, especially over our religious matter, can and will bring tension within our community and will defame our community,” people on this side of the case told me. “Our congregation and our faith believe in resolving all conflict amicably and keeping the brotherhood alive. Yet a few of our members claim that we are losing by not litigating.”

To me, in caucus, they essentially said. “How can this be?”

I knew that before these people could begin to address the dispute with the other side, they would have to reach some sort of agreement among themselves. Hoping to get to the heart of such a basic disconnect, I tried to separate their religious identity from the conflict resolution process and reminded them that mediating or litigating was a choice they needed to discuss thoroughly themselves before proceeding. This kind of basic tension, I assured them, comes up in all kinds of disputes, including purely commercial cases.

In this case and others like it, I have learned that addressing the value-based, religious positions that parties adopt during their conversations is key to helping them confront the core dispute that brought them to the table. When it comes to religion, I believe that the essence of mediation practice is helping people understand and possibly shift their positions, and I find that this often involves challenging parties' strict views from multiple standpoints. When I approach people with respect and understanding,

I find that these challenges can help parties move toward resolution.

Working with the “true” facts and the use of caucus

At the core of every conflict is a story — in most cases, multiple stories. In any mediation, listening to the other person's (or other party's) story requires both a mental shift and a change of attitude. But at the center of any religion is a statement on truth, so a successful mediation involving religious principles or institutions requires a dramatic shift in people's version of truth as well as a storyline that allows everyone to move toward a more amicable path. However, when the conflict itself involves religious values or religious practices, the issues may be a constant reminder of faithfulness toward the personal truth.

In one of my cases, the parties came to me with different stories about the use of wood in the main door at a church. As in the earlier case, each side had its own story — and its own reply to the other's. In the joint session, accusations quickly became personal. I knew I needed much more information before I could be helpful, so I suggested private caucuses, which proved a wise decision because those private meetings provided a huge amount of important information. The caucuses slowed my process for several days, but the delay was worth it.

In all kinds of cases, parties may be hesitant to share private information with a mediator, but often this very kind of information allows parties to save face and provide honor. This is especially true in religious conflicts, where, as noted before, the core conflict involves both personal and group identity.³ With effective use of caucus, religious parties can enjoy the safe space they need to share their personal stories surrounding faith and conflict. As Professor Lela P. Love of Cardozo School of Law and I have written, “Ignoring religious precepts may involve peril: peril to our soul and, perhaps, to our pocketbook.”⁴

Addressing emotion and generosity

In my research, I have been particularly interested in the concept of generosity — where it comes from, how it manifests itself, and what it means. While studying the concept, I learned that every major religion, in its own way, promotes spirituality-based

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approaches to mediation and conflict resolution. I also found deep connections across such faiths: for example, the practice of generosity.⁵ As Karen Armstrong, a former nun who has written widely about religion and society, explains, “All faiths insist that compassion is the test of true spirituality,” which then brings us all into relation with the “transcendence” we call God, Brahman, Nirvana, Dao, or another name. Each faith, she notes, has its own version of the Golden Rule: “Always treat others as you would wish to be treated yourself.”⁶

A compassion-based mediation process provides the parties clear process wins, a kind of Golden Rule benefit, over the traditional process of litigation. One other big advantage is that the parties may enjoy being part of the mediation. Being involved with both faith-based interventions and secular interventions, Jacob Bercovitch and Ayse Kadayifci-Orellana, scholars and authors who specialize in international relations and conflict resolution,⁷ set out the following advantages of mediation for faith-based disputants:

“a) Explicit emphasis on spirituality and/or religious identity; b) use of religious texts; c) use of religious values and vocabulary; d) utilization of religious or spiritual rituals during the process and; e) involvement of faith-based actors as third parties.”



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One of the key benefits to belonging to a faith-based community is being able to understand the values and religious texts of that community. Utilizing that shared text as a source of guidance and direction throughout the mediation garners legitimacy between parties and promotes buy-in from both sides.

Flexibility, respect, and presence

Religions are complex, and within each religion, people have different levels of adherence, and these individual differences make practices and beliefs even more subjective. With such wide diversity of values and belief systems, one thing is for sure — no two mediations will be identical. You are bound to find differences, and they may be large or small.

Religious mediation has taught me humility — to approach each and every mediation situation with caution and respect. It has also taught me to not judge a party’s belief system or a group’s value system.

While I hope my observations will help your practice, I know that the timeless principles of respect and presence will help you most in understanding and resolving religious conflicts. ■

Endnotes

1 Daphna Oyserman et al., *Rethinking Individualism and Collectivism: Evaluation of Theoretical Assumptions and Meta-Analysis*, 128 PSYCHOL. BULL. 3, 3–72 (2002).

2 Several faiths emphasize the tenets of generosity, especially when it is connected to the principles of negotiation and mediation. For a discussion on how such principles are seen in several faiths, see Lela P. Love & Sukhsimranjit Singh, *Following the Golden Rule and Finding Gold: Generosity and Success in Negotiation*, in EDUCATING NEGOTIATORS FOR A CONNECTED WORLD: Volume 4 in the Rethinking Teaching Series (2012).

3 Sukhsimranjit Singh, *Building Circles of Trust*, in STORIES MEDIATORS TELL: WORLD EDITION (2016).

4 Sukhsimranjit Singh & Lela P. Love, *Following the Golden Rule and Finding Gold: Generosity and Success in Negotiation*, 4, *supra* note 2.

5 *Id.*

6 KAREN ARMSTRONG, *TWELVE STEPS TO A COMPASSIONATE LIFE*, 3–4 (2010).

7 Jacob Bercovitch & Ayse Kadayifci-Orellana, *Religion and Mediation: The Role of Faith-Based Actors in International Conflict Resolution*, 14 INT’L NEGOTIATION, 175, 185 (2009).