



Guiding People through Conflict

An Introduction to Christian Conciliation

By Ken Sande | www.rw360.org

eBook



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This eBook is based on Ken Sande's book, *The Peacemaker: A Biblical Guide to Resolving Personal Conflict* (Baker Books, 3rd Ed. 2004).

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This publication provides general information on biblical conflict resolution, also known as "Christian conciliation." It is not intended to provide legal or other professional advice. In situations involving complex legal issues, emotional trauma, power imbalances or abuse (physical, emotional, sexual, child, elder, spiritual, etc.), the services of a competent professional person should be sought.

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For free advice on how to guide others through a conciliation process, go to www.rw360.org/conciliation-hotline

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Meet the Author

Ken Sande is the founder of Peacemaker Ministries (originally known as the Institute for Christian Conciliation) and Relational Wisdom 360. Trained as an engineer, lawyer and mediator, Ken has conciliated hundreds of family, business, church and legal conflicts, some of which had grown into multi-million dollar lawsuits.

As president of RW360, he now focuses on teaching people how to “get upstream of conflict” by developing skills that strengthen relationships and reduce conflict in the family, church and workplace.

Ken teaches internationally and is the author of numerous books, articles and training resources, including *The Peacemaker*, which has sold over 500,000 copies in seventeen languages.

He is a Certified Relational Wisdom Instructor™, Certified Relational Conciliator™ and Emotional Intelligence Certified Instructor (through TalentSmart).

Ken has served as a church elder and as an Editorial Adviser for Christianity Today. He and his wife, Corlette, have two married children and several grandchildren, and love to hike and ski in the mountains near their home in Billings, Montana.



Getting Upstream of Conflict

Just as preventing a fire is more efficient than putting one out (and then spending days repairing all the damage), *preventing conflict* is far more efficient than *resolving conflict*.

To assist you in putting this wisdom principle into practice, RW360 has developed three resources you can use to help the people in your church or ministry improve their relational skills, get upstream of conflict and develop a more compelling witness for Christ.

RW360 Smartphone App

All of the key principles contained in this booklet are summarized in the [*RW360 Smartphone App*](#), which offers hundreds of articles, videos and FAQs on relational wisdom, peacemaking and Christian conciliation. The app contains both a faith-based (Christian) and a values-based (secular) version, making it easy to share these principles, as well as the gospel itself, with unchurched friends.



Interactive Online Training

[*Discovering Relational Wisdom 3.0*](#) is an interactive online course designed to enhance the relational skills of your leadership team, staff and members. It is available for individual or group study, provides both a theological and neurological basis for relational wisdom and peacemaking, and includes dozens of practical ways that your people can practice these skills in all areas of their lives.

Live Training

RW360's [*Live Discovering Relational Wisdom 3.0 Seminar*](#) is designed to launch your entire congregation or ministry team on a life-long journey of learning and practicing the relational and peacemaking principles God has given to us in Scripture. Each seminar student receives a full scholarship to the online course so he or she can continue to weave these concepts into daily life.



Real Conflicts, Real Solutions

“Guide our feet into the path of peace” (Luke 1:79b)

The five short stories in this booklet describe actual conflicts that were so serious that they threatened to divide churches or result in lawsuits between fellow Christians. These conflicts involved ordinary matters of daily life: problems with an employer, a disagreement over how to educate children, a fight over a parent’s estate, the refusal to pay for work done by a fellow church member, and doctrinal differences regarding Sunday school materials.

Even though these situations involved simple issues, they quickly grew into grinding conflicts that the parties could not resolve on their own. But in each case God used a pastor or spiritually mature Christian to guide the parties through a biblical peacemaking process that restored peace and unity in the church. As you will see in these stories, this process may involve three types of activity.

Most conflicts can be resolved by giving one person individual *conflict coaching* on how to go to the other person and work out their differences in private. Such guidance is often all that is needed to resolve a dispute.

If individual coaching does not restore peace, the parties may pursue *mediation* by asking one or more respected Christians to meet with them and facilitate a voluntary agreement. The mediators ask questions and give advice, but it is still up to the parties to decide on a final solution.

Finally, if the parties cannot agree an agreement, they may use *arbitration*. They explain their views before one or more church-appointed arbitrators, who are given the authority to render a final and binding decision on the matter.

This three-step process for resolving conflict is clearly set forth in Scripture and has been used for centuries to preserve the peace and testimony of the church (see Matt. 18:15-20; 1 Cor. 6:18).

In recent years, these three activities have been organized into a process referred to as “Christian conciliation.” I have trained hundreds of conciliators who have used this process to resolve personal, family, business, and congregational disputes, some of which had turned into multi-million dollar lawsuits.

Many of these conflicts were resolved by leaders and lay people in local churches. Five of these conflicts are described in this booklet, along with the key principles that were used to restore peace in each situation.

**Biblical
peacemaking
can involve
conflict
coaching,
mediation or
arbitration.**

Through this brief study you can learn the basic principles needed to serve as a conflict coach, mediator or arbitrator. As you will see, you do not need to be a professional conciliator to effectively fulfill any of these roles. In the vast majority of disputes between Christians, God is pleased to work through ordinary leaders and lay people in his church who have learned these skills and trusted God to back them up with his Spirit.

It is my prayer that the time you spend with this material will help you to serve God and your church more effectively by leading people confidently through the rough waters of conflict in a biblically faithful manner.

– Ken Sande

1 Barnabas

Portrait of a Peacemaker¹

One of the most profound and rare eulogies in all the Bible is ascribed to Barnabas: “He was a good man, full of the Holy Spirit and faith” (Acts 11:24). That passage continues, “And a great number of people were brought to the Lord ...,” no doubt in part because of Barnabas’ encouragement and peacemaking skills.

Romans 5:1 teaches that when a man has been justified by faith, he will have peace with God through the Lord Jesus Christ. Therefore, the primary goal of the Christian peacemaker is to point people who are in conflict to the Savior. This was undoubtedly the key to Barnabas’ success in resolving a variety of conflicts, including tensions: (1) between an individual and a group (Acts 9:20-31); (2) between two “races” of people (Acts 11:19-26); (3) between two churches, Jerusalem and Antioch (Acts 15:1-35); and (4) between two individuals, Paul and John Mark (Acts 13:13, 15:36-40; 2 Tim. 4:11).

Any man used by God to resolve conflicts between groups, nations, churches and individuals is obviously a man whose character is worth emulating. F. F. Bruce says of this unique and good man who was full of the Holy Spirit and faith,

“According to Luke, it was Barnabas whose good offices (character) brought Paul and the leaders of Jerusalem together. Although Paul says nothing of this, it is antecedently probable that someone acted as mediator, and all that we know of Barnabas suggests that he was the very man to act in this way.”

Interestingly, rather than providing detailed methods or techniques for mediating disputes, Scripture focuses primarily on describing the character qualities of people, like Barnabas, who are used by God to bring others together. Although techniques of mediation are important, the best technique will fail if the mediator lacks the qualities exemplified in Barnabas’ character.

Barnabas was a man of *encouragement* (Acts 4:36). His real name was Joseph the Levite, yet as the result of his attitudes and actions, the disciples surnamed him Barnabas, which means “Son of Encouragement.” Wherever Barnabas is mentioned in the Bible, there is always the activity of encouragement (Acts 11:23; 14:22; 15:31). The term encouragement is derived from the Greek *parakaleo*. That word comes from the same root that Jesus used to describe the Holy Spirit when he said, “I will ask the Father, and He will give you another Counselor . . .” (John 14:16).

¹ The chapter is based on a Bible study originally presented by my dear friend and former Board member, Jim Soft.

Barnabas was a man who *rejoiced*. Acts 11:23 and 15:3 reveal that he brought great joy to all the brethren. Proverbs 17:22 reminds us that “a cheerful heart is good medicine (therapeutic and restorative) but a crushed spirit dries up the bones.” Like Barnabas, a peacemaker must have good presence and be a person with whom it is a joy to be associated.

Barnabas was *full of the Holy Spirit* (Acts 11:24). The most important prerequisite of the successful peacemaker is to be full of the Holy Spirit because the Spirit makes a peaceful character (Gal. 4:22; cf. 6:1). Romans 8:6 emphasizes this fact when it says, “The mind controlled by the Spirit is life and peace....” Because Barnabas was a man full of the Holy Spirit, his peacemaking impact was a natural consequence of God at work in his life.

Barnabas was a man of *courage* (Acts 9:26-27). When the disciples were skeptical of the Apostle Paul’s conversion (Acts 9:26-27), it was Barnabas who took a calculated risk. He had the courage to bring the disciples together with Paul, the former terrorist of the Christian faith. Similar courage is later described in Acts 14:19,23, which tells about Barnabas and Paul returning to Lystra even though they had previously been stoned for their teaching. Ronald Kraybill, in his book *Repairing the Breach*, observes, “One lesson I have learned from involvement in conflict is that if those who are called to peacemaking wait for security or safety in their role, they never begin.”

Barnabas was a man of *perseverance* (Acts 13:50; 14:21-24). Perseverance does not mean stubborn stupidity. It means persistence in the task undertaken. After being pressured to leave Lystra because of the rioting crowd, Paul and Barnabas waited for a reasonable length of time and then returned to complete the task of “strengthening the disciples and encouraging them to remain true to the faith” (Acts 14:22). Necessary follow-up is part and parcel of the great reconciliation process of bringing men to God.

Barnabas was a man of *observation* (Acts 11:25-26). The development of a predominantly Gentile church in Antioch provided a potential base for missionary activity among the Gentiles. But the presence of Gentiles in the church in Antioch jeopardized its relationship with the Jewish Christians in Jerusalem. To remedy that situation, Barnabas enlisted the help of Paul, a blue-blooded Jewish-Christian, to teach the converts in Antioch and to reconcile religious misunderstandings between the two churches. Clearly, Barnabas had an investigative mind and knew what (or whom) the occasion called for. A peacemaker needs to be an astute observer so that he may prescribe the right antidote for the illness.

Barnabas was *accepting* (Acts 11:22-23). Unlike many Jewish Christians, he did not shun the Gentile Christians, but rather rejoiced that God reached out to include them in his covenant. As the apostle Paul later wrote, “Accept one another, then, just as Christ accepted you, in order to bring praise to God” (Rom. 15:7). A peacemaker must always

be willing to accept people as they are, but then lovingly encourage and exhort them to move on to more godly attitudes and behavior.

Barnabas was a man with a *sense of timing* (Acts 9:30-31, 11:25-26). Not only did he discern that Paul was going to be used by God in a mighty way, but he also discerned when Paul would best be used in that way. In Acts 9:30-31 the brethren sent Paul home to Tarsus to prevent chaos and rioting in Jerusalem as a result of his zealous debating. After Paul had experienced ten to twelve years of tent-making in Tarsus and de-programming in the desert, Barnabas sought him out and brought him to Antioch for the beginning of the most dynamic ministry in the history of the Christian Church.

Barnabas also *recognized when John Mark was not ready for the mission field* (see Acts 13:13). Unlike Paul, however, he did not consider John Mark to be a permanent liability but rather a late-bloomer. It is fortunate that Barnabas recognized the timing needed for John's maturation since John Mark later helped Peter write his epistles! John Mark also became useful to Paul in Paul's twilight years (2 Tim. 4:11).

Barnabas also was *willing to confront others* (Acts 15:2, 36-37). The true peacemaker is willing to confront his enemies as well as his friends. Barnabas confronted Paul about John Mark in Acts 15:36-37 and was temporarily wounded by separation from the man who was his best friend. Later, however, perhaps thanks to Barnabas, Paul and John Mark were reconciled (see 2 Tim 4:11).

Barnabas and Paul confronted nonbelievers with the gospel, Judaizers with the truth (Acts 15:2), and fellow Christians with proper biblical interpretations (Acts 15:2-11; Gal. 2:7). The courage to confront exposes the peacemaker to misunderstanding and rejection, but it provides God with a channel through which He can work to bring about repentance and reconciliation.

Barnabas was *discerning* (Acts 11:22). It was Barnabas who was selected by the Jerusalem church to evaluate the validity of the Christian movement in Antioch. The Jerusalem elders who sent Barnabas to Antioch were confident of his discernment and peacemaking skills. A man of discernment looks at motives as well as facts.

Barnabas was *submissive and accountable* to others (Acts 4:36-37). He was a man of status (a Roman citizen) and means (a property owner), yet he was willing to share his personal wealth by denying himself and giving to a higher cause. Obviously, Barnabas felt accountable to God. Barnabas was not only submissive to God but also submissive to God's people! Acts 14:26-27 reveals that Paul and Barnabas were accountable to their home church at Antioch. The mediation process must not be one of authority void of accountability. We must subject ourselves one to another (Eph. 5:21).

Barnabas was *trustworthy* (Acts 11:27-30). The Gentile Christians at Antioch raised funds to provide relief for the famine-stricken Jewish Christians in Jerusalem. Barnabas may have initiated that collection to remove any lingering skepticism in Jerusalem about the validity of the faith of the Gentile Christians in Antioch.

Barnabas was *humble* (Acts 14:8-14). A mediator or peacemaker must always recognize his role as one of God's servants. When Paul and Barnabas were acclaimed as gods and worshiped after healing the lame man (Acts 14:8-9), they quickly corrected that error and pointed men to the true Miracle-Worker, Jesus Christ (Acts 14:14-18). Regardless of the success of his peacemaking mission, the mediator must always recognize that he is "an instrument for noble purposes, made holy, useful to the Master..." (2 Tim. 2:21).

Barnabas was a man of *faith* (Acts 11:24). Those who please God and who are used by Him must have faith (Heb. 11). Only by faith in God's promises can we be assured that He will be in the midst of the peacemaking process. By faith the "barrier, the dividing wall of hostility" (Eph. 2:8-16) will be destroyed. Like Barnabas, the peacemaker must be motivated by faith in God's promises.

Barnabas *recognized his capacities and limitations* (Acts 13:7). The incident of confrontation with the demon-inspired magician, Elymas, in Acts 13:7 introduced a shift in church leadership. Up to that time, Barnabas had been recognized as the leader of the church in Antioch and Cyprus. Beginning with the incident in Acts 13:7, Paul became the prominent figure. Barnabas recognized that the principle "He must become greater; I must become less" (John 3:30) was based on the human capacities, roles, callings and limitations that God has given each one of us for a particular season.

Barnabas was *anointed by God* (Acts 13:2-4). God called and anointed Barnabas and Paul for missionary work, the ultimate peacemaking and reconciliation activity. God enables His servants to do His work. We need to pray for and watch for individuals whom God has gifted with peacemaking abilities and skills. Although every Christian is responsible for peacemaking activities in his or her own sphere of influence, certain individuals are gifted with special abilities for exhortation (Romans 12:8). God has called His body to the peacemaking process, and it stands to reason that He will support His call by raising up anointed peacemakers.

In addition to those qualities specifically demonstrated by Barnabas in the Book of Acts, a peacemaker must develop several other vital characteristics that are essential for Christian service.

First, a peacemaker must *desire to serve* (1 Tim. 3:1). He will not be effective if he enters into this work reluctantly or half-heartedly. This is not to say that he should enjoy meddling in others' problems, nor does it mean that a peacemaker will never prefer not to become involved. But when the need is clearly before him, out of love for Christ, he will respond to it wholeheartedly (John 12:24-26).

A peacemaker must be a *person of prayer*. Philippians 4:6-7 speaks of the "peace of God which transcends all understanding...." That peace is a result of a healthy prayer life. Moreover, it is through prayer that we discern God's will and align ourselves with it.

A peacemaker must also *love the Word* (Eph. 6:15). His feet are shod “with the readiness that comes from the gospel of peace” (Eph. 6:15). The statement “The Spirit of God uses the Word of God in the man of God” reveals God’s way of protecting His Word from becoming misused. Effective peacemakers must be diligent students of His Word.

A peacemaker must be a person who “*thinks right*.” The “God of peace” is with the man who thinks on “whatever is true, whatever is noble, whatever is right, whatever is pure, whatever is lovely, whatever is admirable, etc.” (Phil. 4:8). This does not mean that the peacemaker is naive or gullible, but rather that he sees the whole picture. Remember, the counterfeit is more easily recognized when one is thoroughly familiar with the genuine.

A peacemaker must be *willing to work with the skills God provides* (Phil. 4:9). God can use a complete novice to help others settle conflicts, so we should not wait until we are experts before we offer ourselves to him as peacemakers. At the same time, God delights to see his people cultivate their understanding, gifts, and talents through “constant use” (Heb. 5:14) so that we can become increasingly effective in serving him.

Peacemakers must be willing to be *vulnerable* (Psalm 22). The greatest peacemaker of all, Jesus Christ, made Himself vulnerable not only to death, but also to the most cruel, dehumanizing, hideous, and insane method of execution man has ever devised. Psalm 22:6-18 vividly describes the price that Jesus paid for man’s reconciliation to God. Although we will never be called to such an extreme sacrifice, we are called to be imitators of Christ. To do this we must appropriate the submissive and vulnerable attitude Jesus exemplified (Phil. 2:3-7).

Finally, a peacemaker must be *wise*, that is, able to respond to life God’s way. When Paul learned of the conflicts within the church at Corinth, he lamented, “Is it possible that there is nobody among you wise enough to judge a dispute between believers?” (1 Cor. 6:5). James likewise notes the crucial link between wisdom, peacemaking and the other character qualities mentioned above:

“But the wisdom that comes from heaven is first of all pure; then peace-loving, considerate, submissive, full of mercy and good fruit, impartial and sincere.

Peacemakers who sow in peace raise a harvest of righteousness” (James 3:17-18).

Any honest person will quickly realize that he does not possess all of these qualities in a fully developed form. But that should not discourage us from serving the Lord as peacemakers, for God promises to equip us for the tasks he sets before us. First Thessalonians 5:23-24 says,

“Now may God Himself, the God of peace, sanctify you through and through. May your whole spirit, soul and body be kept blameless at the coming of our Lord Jesus Christ. The One who calls you is faithful and He will do it” (emphasis added).

2 Staying on Top of the Slippery Slope

Three Responses to Conflict

Vic was trembling with anger as he drove home. (All names in these stories have been changed.) “That stupid fool,” he said to himself. If he thinks he can fire me like that, he’s got a big surprise coming!”

Vic’s job had been going downhill for six months. When he had accepted the offer to work for Bob, he thought he had found the perfect job. Within a few weeks, however, he discovered that he was working in the middle of a battlefield.

Bob ran the company with an iron hand and pushed everyone to increase the “bottom line.” He never noticed when people did well, but he was quick to call attention to their failures.

At first, Vic had tried to stay out of the conflict, but after two months he too was chafing under Bob’s treatment. He soon lost enthusiasm for his work and no longer invested extra creativity or energy in his designs. He often left work early, and he found it all too easy to enter into gossip sessions about Bob.

Vic’s disrespect for Bob was exposed that morning when he showed his co-workers a cartoon about an incompetent manager. Just as Vic was mocking Bob’s management style, Bob walked into the room. He grabbed the cartoon out of Vic’s hand and read it. Then he exploded, “You have fifteen minutes to empty out your desk and get off my property.”

“Someone has to stop this guy from abusing people!”

Vic was so stunned that he quickly packed his things and left the office. But now he was angry. With each passing mile, he planned how he would make Bob pay for his wrong.

When he told his wife Karen what had happened, she too was furious. They agreed to file a wrongful discharge lawsuit, and Vic called a friend from church to get a referral to an attorney. When his friend Al heard what had happened, he offered to come over to talk with Vic and Karen in person.

When Al arrived, Vic gave him a detailed description of all the things Bob had done wrong. “I can imagine how you feel,” Al responded, “but do you really think a lawsuit is the best way to handle this?”

“How else can I force him to correct what he’s done?” replied Vic. “Someone has to stop this guy from abusing people.”

“That may be so,” answered Al, “but if helping him to change is really your goal, a lawsuit should be your last resort. I’ve been to court, and believe me, going through a trial rarely motivates people to change. Whether they win or lose, they usually walk away more convinced than ever that they were in the right.”

“So what do I do?” said Vic. “Just walk away with my tail between my legs?”

“No, it sounds like this is too serious to walk away from. However, I think there’s a better way to handle it than dragging Bob into court. Why don’t you get your Bible and read Matthew 18:15 for us.”

Vic found the passage, but did not like what it said: “If your brother sins against you, go and show him his fault just between the two of you. If he listens to you, you have won your brother over.”

“But that’s if the other guy is a Christian,” Vic said. “There’s no way Bob could be a Christian, the way he’s treating me!”

“You can’t know that unless you ask him,” replied Al. “And even if Bob doesn’t profess to be a Christian, trying to talk with him personally and privately would probably be wise. It may make him less defensive and more willing to settle this problem before it gets out of hand. That’s just simple wisdom, whether he’s a Christian or not.”

At this point Karen spoke up. “Vic, Al might be right. I was just as angry as you when I heard what Bob did. But if we react in anger, we’re no different than he is. I think we need to slow down and pray about this.”

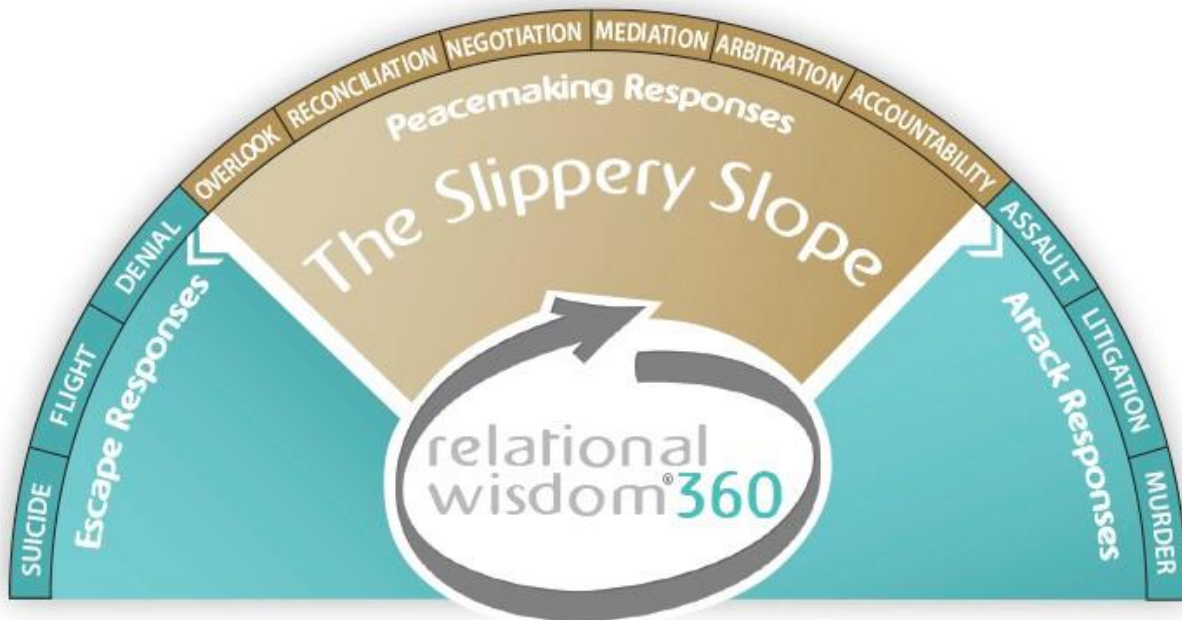
“Okay, okay!” responded Vic. “I won’t hire an attorney yet. But you still have a lot of work to do to convince me that I should go and talk to him by myself.”

“That’s fair, enough,” said Al. “If you’ll get out a pencil and paper, I’ll give you a few other passages you can read to get ideas on how to deal with this”

OVERVIEW

In order to help people deal with conflict constructively, you need to help them avoid impulsive reactions and instead respond to conflict in a biblically faithful manner. One way to do this is to discuss several ways they might deal with a conflict, and then help them to see which approach is most likely to honor God and produce a constructive solution.

The “Slippery Slope” diagram (see next page) was designed to assist you in this task. This diagram shows the three types of responses to conflict. The *peace-faking* responses only postpone a solution to conflict, and the *peace-breaking* responses usually damage relationships and make matters worse. Therefore, you should generally guide people away from these responses and encourage them to pursue peace by using one of the *peacemaking* responses to conflict.



STEP BY STEP

The six peacemaking responses are directed at finding a just and mutually agreeable solution to a conflict.

Escape (Peace-Faking) Responses

The three responses found on the left side of the slippery slope are commonly used by people who are more interested in avoiding or getting away from a conflict than resolving it.

Denial—One way to escape from a conflict is to pretend that no problem exists. Another way is to refuse to do what should be done to resolve a conflict properly. These responses bring only temporary relief and usually allow matters to grow worse (see 1 Sam. 2:22-25).

Flight—Another way to escape from a conflict is to run away. This may take the form of ending a friendship, quitting a job, filing for divorce or leaving a church. Flight may be legitimate in extreme situations (see 1 Sam. 19:9-10), but in most cases it only postpones a proper solution to the problem (see Gen. 16:6-8).

Suicide—When people lose all hope of resolving a conflict, they may seek to escape the situation (or make a desperate cry for help) by attempting to take their own lives. Suicide is never a right way to deal with conflict (see Matt. 27:1-5).

ATTACK (PEACE-BREAKING) RESPONSES

The three responses found on the right side of the slippery slope are often used by people who are more interested in winning a conflict than in preserving a relationship.

Assault—Some people try to overcome an opponent by using various forms of force or intimidation, such as verbal attacks (including gossip and slander), physical violence, or efforts to damage a person financially or professionally (see Acts 6:8-15). Such conduct usually escalates conflict.

Litigation—Some conflicts may legitimately be taken before a civil judge for a decision (see Rom. 13:1-5). However, lawsuits usually damage relationships and often fail to achieve complete justice. Therefore, Christians are commanded to make every effort to settle matters out of court whenever possible (see Matt. 5:25-26; 1 Cor. 6:1-8).

Murder—Some people may be so desperate to win a dispute that they will try to kill those who oppose them (see Acts 7:54-58). Even if we do not attack someone physically, we are guilty of murder in God’s eyes when we harbor anger or contempt in our hearts toward others (see Matt. 5:21-22; 1 John 3:15).

PEACEMAKING RESPONSES

The six responses found on the top portion of the slippery slope are directed at finding a just and mutually agreeable solution to a conflict. These responses may be divided into two categories: *personal peacemaking* responses and *assisted* responses.

Personal peacemaking responses are carried out in private between the parties themselves. Although it is appropriate for one or both parties to seek advice on how to implement these responses, they should normally try to resolve their differences one-on-one before asking others to intervene in the dispute.

Overlooking an offense—“A man’s wisdom gives him patience; it is to his glory to overlook an offense” (Prov. 19:11). Many disputes can be resolved properly by quietly overlooking an offense and simply forgiving the person who has wronged you (see Prov. 12:16; 17:14; 1 Pet. 4:8).

Reconciliation—“If your brother has something against you ... go and be reconciled” (Matt. 5:23-24). “If your brother sins against you, go and show him his fault, just between the two of you” (Matt. 18:15). “Brothers, if someone is caught in a sin, you who are spiritual should restore him gently” (Gal. 6:1a). As these passages indicate, *personal* wrongs that are too serious to overlook should be resolved through confession or loving confrontation, which opens the way for forgiveness and reconciliation (see Prov. 28:13; Gal. 6:1-3).

Negotiation—“Each of you should look not only to your own interests, but also to the interests of others” (Phil. 2:3-4). *Substantive* issues related to money, property and

The six responses found on the top portion of the slippery slope are directed at finding a just and mutually agreeable solution to a conflict.

other rights should be resolved by negotiating solutions that meet the interests of all those involved (see Dan. 1:1-16; Matt. 7:12).

If the parties cannot resolve a dispute through personal peacemaking, they should pursue one of the *assisted* responses. This will require that they seek help from other people in their church or community.

Mediation – “If he will not listen [to you], take one or two others along” (Matt. 18:16). When people are unable to resolve a dispute in private, Jesus says they should ask one or more other people to meet with them to help them communicate more effectively and explore possible solutions. In this process, mediators give advice, but they have no power to impose solutions.

Arbitration – “If you have disputes about such matters, appoint as judges even men of little account in the church” (1 Cor. 6:1-8). When the parties cannot come to a voluntary agreement on a substantive issue, they may appoint arbitrators to listen to their arguments and render a binding decision.

Accountability – “If he refuses to listen to [others], tell it to the church” (Matt. 18:17-20). If a person who professes to be a Christian refuses to be reconciled and do what is just, his or her church leaders should formally intervene to promote justice, repentance, forgiveness and restoration.

KEEP PEOPLE ON TOP OF CONFLICT

As you can see, the escape and attack responses to conflict usually damage relationships and delay just solutions to their differences. Therefore, you should encourage people to make every effort to deal with conflict in private by using one of the first three conciliation responses (overlooking, reconciliation or negotiation).

If repeated efforts at personal peacemaking do not resolve a matter, then you may need to help the person implement one of the other conciliation responses (mediation, arbitration or accountability).

In almost every situation, people will benefit greatly if you help them to stay on top of the slippery slope by using one of the responses to conflict that are commended in Scripture. In the following chapters, we will look at several of the key principles that you can use as you provide this important guidance.

DIGGING DEEPER

For more information on the different responses to conflict, see [Chapter 1 in *The Peacemaker: A Biblical Guide to Resolving Personal Conflict*](#), by Ken Sande (Baker Books, 3rd. ed. 2004).

3 Coaching from the Sidelines

Principles of Conflict Coaching

Although Vic wrote down the Scripture references Al wanted him to study, he wasn't in the mood to look at them that night. Instead he kept thinking about how he wanted to get back at Bob for firing him.

After a long and sleepless night, Vic dragged himself out of bed to face his first day without a job. By mid-morning, he was so restless that he decided to look at the scriptures Al had suggested.

First he read Matthew 7:3, where Jesus said, "Why do you look at the speck of sawdust in your brother's eye and pay no attention to the plank in your own eye?"

Oh great! He thought. Now Al wants me to say this was all my fault. He just doesn't understand what Bob did.

But then Vic read several passages dealing with employment relationships. As the Holy Spirit opened his heart, Vic began to see that he had failed to show Bob the respect and loyalty that should characterize a Christian worker. When he later read the passages to Karen, she too began to see that her husband was not as blameless as they had initially thought.

Vic called Al for further advice, and when they met again that afternoon, Al showed him a process called the "Seven A's of Confession." They also discussed how Vic could help Bob see how he had contributed to the problem. Vic spent three hours praying, planning and writing out what he would say to Bob. When Karen and Al read what he had written, they were amazed at how much God had changed his attitude toward Bob.

"You're the first person who ever cared enough to talk to me like this."

Asking God for courage and humility, Vic called Bob to ask if he could meet with him. Bob was inclined to say no, but Vic's words and tone of voice were so respectful that he agreed to meet with him.

When they met in Bob's office, Vic amazed Bob by confessing his wrongs in detail and acknowledging that he deserved to lose his job. When he closed by asking for forgiveness, Bob was so stunned that all he could do was mumble, "Uh, sure."

Vic went on to say, "I appreciate that. I'd be happy to stop now. But if you are open to it, I'd could share a few observations on how you may be contributing to the tensions with your staff. It might help avoid similar problems with other employees in the future."

Vic's offer was so sincere that Bob felt compelled to hear him out. Even though Vic spoke respectfully, he soon noticed that Bob's eyes were filling with tears.

Vic paused. "I'm sorry," he said. "I guess I should stop."

"No, you don't understand," Bob replied. "You haven't hurt me. It's just that as you were talking I realized that you're the first person who ever cared enough to talk to me like this."

With that encouragement, Vic gently wrapped up his comments. Although Bob did not agree with all of his observations, he was so grateful for Vic's concern that he was able to receive his advice without taking offense.

"You know," Bob said, "This wasn't all your fault. I shouldn't have lost my temper and fired you the way I did. If you'd like to come back to work, I'd be happy to have you."

"Thanks," Vic said, "That means a lot to me. But Karen and I have been praying about this, and we've decided this was God's way of confirming our feeling that we need to move back to our home town where we can be closer to her parents. They're getting older, and we're their only family. But I sure appreciate your offer."

"Well," Bob replied, "I really will be sorry to see you go, especially after what you've done here today."

Realizing that he had a special window of opportunity, Vic asked if he could pray for the two of them. Bob's eyes showed his surprise, but he said yes. Vic thanked God for his forgiveness and for helping them to have such a good talk. He also asked the Lord to minister to Bob and help him to see what changes to make in his business.

As Vic walked to his car, he was so caught up in praising God that he almost collided with a former co-worker. "My goodness," she exclaimed, "You look awfully happy for someone who just lost his job."

"I am!" he replied. Seeing her puzzled look, he sensed that God was opening another door. "This may sound strange," he went on, "but let me tell you what I've learned about myself in the last couple of days"

OVERVIEW

When someone asks for your help in resolving a conflict, you can often do a great deal of good without getting directly involved with both sides. Instead, you can simply offer counsel on how that one individual might be able to go back to the other person and resolve their differences in private.

In doing so, you are helping the individual to obey Jesus' instructions in Matthew 5:23-24, 18:15, and Galatians 6:1, "If you ... remember that your brother has something against you ..., go and be reconciled," and "If your brother sins against you, go and show him his fault, just between the two of you, " and "Brothers, if someone is caught in a sin, you who are spiritual should restore him gently."

This process of offering individual counsel is sometimes referred to as “conflict coaching,” because the peacemaker is offering encouragement and advice from the sidelines instead of getting directly involved with both parties in the dispute.

An effective coach promotes personal responsibility as he or she guides individuals through the basic steps of peacemaking. These steps may be summarized as the “Four G’s:” **G**lorify God, **G**et the log out of your own eye, **G**ently restore, and **G**o and be reconciled. (The following discussion is condensed from *The Peacemaker*, by Ken Sande (Baker Books, 3d. ed. 2004).

STEP BY STEP

SHOW HOW CONFLICT IS AN OPPORTUNITY

A person’s attitude powerfully affects the way he or she responds to conflict. Therefore, it is important to help people see that conflict is not necessarily bad or destructive. Even when conflict is caused by sin and causes a great deal of stress, God can use it for good (see Rom. 8:28-29). In particular, as the Apostle Paul wrote in 1 Corinthians 10:31-11:1, conflict actually provides three significant opportunities. By God’s grace, we can use conflict to:

- *Glorify God* (by trusting, obeying, and imitating him)
- *Serve other people* (by helping to bear their burdens or by lovingly correcting them), and
- *Grow to be like Christ* (by confessing sin and changing attitudes that promote conflict).

Since most people are preoccupied with avoiding or winning a conflict, these three opportunities are totally overlooked in most situations, even by Christians. Therefore, a coach should continually encourage people to realign their goals and behavior to maximize these opportunities. (For more guidance on seeing conflict as an opportunity, see chapters 1-3 of *The Peacemaker*.)

LISTEN CAREFULLY AND DIG FOR INFORMATION

The greatest drawback to conflict coaching is that you are getting only one side of the story. Therefore, you should pay special attention to Proverbs 18:13 and 17: “He who answers before listening – that is his folly and his shame” and “The first to present his case seems right, till another comes forward to question him.”

Instead of jumping to conclusions and offering hasty advice, help people to fully explain their situation. Ask careful questions to fill in the gaps in their story and learn how they may have contributed to the conflict through their own attitudes, words or actions. Only after you have understood as much of the situation as possible should you

begin to suggest ways that people can pursue peace, and even then you should resist drawing any final conclusions about people with whom you have not talked.

Throughout this data-gathering process, be careful not to encourage sinful gossip or slander. If someone starts to talk about details that are not needed to understand the problem and plan a solution, move them on to more appropriate matters. If they speak about others in a judgmental or condemning way, or speculate on the motives of other people, gently admonish them and help them to speak in a way that honors God (see Prov. 12:18; 2 Tim. 2:16; Eph. 4:29).

PROMOTE PERSONAL RESPONSIBILITY

A good coach doesn't run the plays for the players. Your job is to provide wise counsel and develop sound plans, but then you need to stand back and let the person you are advising put the plan into action.

This role distinction is especially important in peacemaking, because people in conflict are often looking for someone to solve their problems for them. If you give in to that desire, you will usually end up with superficial, temporary solutions, and you will deprive others of the learning and maturing that God has in store for them.

Therefore, while you should certainly do what is necessary to help people deal with matters that are truly beyond their abilities, you should be careful not to take over their responsibilities.

A good coach doesn't run the plays for the players.

One way to help people take ownership for the solution of their problems is to give them specific homework assignments. You can do this by assigning select chapters from *The Peacemaker* and having them answer the corresponding questions in *The Peacemaker Workbook*.

You can also ask people to read and apply relevant portions of Scripture. For example, an unforgiving person could study and meditate on Matthew 18:20-35 and Ephesians 4:30-32; a harsh employer could do the same with Matthew 7:12, Ephesians 6:9 and Colossians 4:1; and a disrespectful employee could read and apply Ephesians 6:5-8, Colossians 3:22-25, 1 Timothy 6:1 and Titus 2:9-10.

By encouraging people to study and apply God's Word for themselves, you will increase the likelihood of their finding convincing solutions to a conflict. More importantly, you will help them to develop insights and skills that will enable them to deal with future conflicts with less outside help from others.

PROVIDE HOPE AND ENCOURAGEMENT

By the time people turn to someone else for help with a conflict, many of them are already feeling discouraged about resolving the situation, either because of their opponent's stubborn behavior or because of all the mistakes they themselves have made. You must deliberately counteract this pessimism. Like a coach whose team is

trailing at halftime, your job is to rekindle hope and motivate them to play even harder. In biblical terms, you need to “warn those who are idle, encourage the timid, help the weak, [and] be patient with everyone” (1 Thess. 5:14-15).

When I lost hope of redeeming a particular situation, a friend gave me an enormous amount of hope with one simple observation. All he said was, “For a Christian, it’s never too late to start doing what’s right.” His statement helped me to recall that I serve a redeeming God who has forgiven all of my sins. He delights in turning ashes into beauty and is always willing to help his children change their ways. That realization motivated me to keep working at the situation, being confident that even if my opponent did not change, by God’s grace I could.

GLORIFY GOD

There are four basic principles that a coach should encourage people to follow when responding to conflict; we call these the “4 G’s.” The first principle is to glorify God, that is, to show him honor and bring him praise (see 1 Cor. 10:31).

People can glorify God in the midst of conflict by trusting him, obeying him and imitating him (see Prov. 3:4-6; John 14:15; Eph. 5:1). A coach can encourage this attitude by helping people to keep their focus on the Lord and rejoice in all that he has done for them (see Col. 3:1-4; Phil. 4:4). As people fix their hearts and minds on Christ and remember that he alone meets all their needs, they will find it easier to resist the influence of sinful desires (greed, vengeance, control, etc.) and respond to God’s love in faith and obedience.

One of the best ways to help people keep God as their focus is to encourage them to keep asking themselves this question: “How can I please and honor the Lord in this situation?” (For more guidance on glorifying God through conflict, see chapters 1-3 of *The Peacemaker*.)

GET THE LOG OUT OF YOUR EYE

The second key principle of peacemaking is based on Matthew 7:5, which is especially relevant to conflict resolution: “You hypocrite, first take the plank out of your own eye, and then you will see clearly to remove the speck from your brother’s eye.”

There are generally two kinds of “logs” people need to look for when dealing with conflict. First, they need to ask whether they have had a critical, negative or overly sensitive attitude that has led to unnecessary conflict. One of the best ways to remove this log is to spend some time meditating on Philippians 4:2-9, which describes the attitude Christians should have even when they are involved in a conflict.

The second kind of log people must deal with is actual sinful words and actions. Because people are often blind to their own sins, they may need a coach who will help them take an objective look at themselves and face up to their failings.

Even when people recognize that they have done something wrong, they may not know how to confess their wrong. As a result, they often give only superficial confessions, which generally fail to promote genuine forgiveness and reconciliation. A coach can help to overcome this problem by teaching the “Seven A’s of Confession” to people who are ready to confess their wrongs.

- Address everyone involved (Prov. 28:13; 1 John 1:8-9)
- Avoid if, but, and maybe (don’t make excuses; Luke 15:11-24)
- Admit specifically (both attitudes and actions)
- Acknowledge the hurt (express godly sorrow for the way you affected someone)
- Accept the consequences (Luke 19:1-9)
- Alter your behavior (commit to changing harmful habits; Eph. 4:22-32)
- Ask for forgiveness

The most important aspect of helping people get the log out of their eye is to encourage them to go beyond the confession of wrong behavior and face up to the root cause of that behavior. The Bible tells us that conflict comes from the desires that battle in our hearts (James 4:1-3; Matt. 15:18-19). Some of these desires are obviously sinful, such as wanting to conceal the truth, bend others to our will or have revenge. In many situations, however, conflict is fueled by good desires that we have elevated to sinful demands, such as a craving to be understood, loved, respected or vindicated.

The Bible tells us that conflict comes from the desires that battle in our hearts

Any time we become excessively preoccupied with something, even a good thing, and seek to find happiness, security or fulfillment in it rather than in God, we are guilty of idolatry. Idolatry inevitably leads to conflict with God (“You shall have no other gods before me”). It also causes conflict with other people. As James writes, when we want something but don’t get it, we kill and covet, quarrel and fight (James 4:1-4).

There are three basic steps you can take to help others overcome the idolatry that fuels conflict. First, you should help people to see that they are guilty of wrong worship, that is, they are focusing their love, attention and energy on something other than God. Second, you should urge them to specifically identify and renounce each of the desires contributing to the conflict. Third, you should encourage people to pursue right worship, that is, to fix their hearts and minds on God and to seek joy, fulfillment and satisfaction in him alone. (See Chapter 5 of *The Peacemaker*.)

As God guides and empowers these efforts, people can find freedom from the idols that fuel conflict and be motivated to make choices that will please and honor Christ. This change in heart will usually speed a resolution to a present problem, and at the same time improve people’s ability to avoid similar conflicts in the future. (For more guidance on confession and idols of the heart, see chapters 5-6 of *The Peacemaker*.)

GENTLY RESTORE

The third key principle of peacemaking involves an effort to help others understand how they may have contributed to a conflict. Before we rush off to confront someone, however, we need to remember that it is appropriate to overlook minor offenses (see Prov. 19:11). As a general rule, an offense should be overlooked if we can answer “no” to all the following questions:

- Is the offense seriously dishonoring God?
- Has it permanently damaged a relationship?
- Is it seriously hurting other people? and
- Is it seriously hurting the offender himself?

If you answer “yes” to any of these questions, an offense is too serious to overlook, in which case God commands us to go to the offender and talk privately and lovingly about the situation (see Matt. 18:15; Gal. 6:1). If you are coaching a person who needs to confront someone else, it is wise to encourage that person to:

- Pray for humility and wisdom
- Plan his or her words carefully (for instance, think of how he or she would want to be confronted)
- Anticipate likely reactions and plan appropriate responses (rehearsals can be very helpful)
- Choose the right time and place (talk in person whenever possible)
- Assume the best about the other person until facts prove otherwise (Prov. 11:27)
- Listen carefully (Prov. 18:13)
- Speak only to build others up (Eph. 4:29)
- Ask for feedback from the other person
- Recognize his or her limits (only God can change people; see Rom. 12:18; 2 Tim. 2:24-26)

If an initial conversation does not resolve a conflict, do not give up. Review what was said and done, and look for ways to make a better approach during a follow-up conversation. Then try again with even stronger prayer support.

If repeated, thoughtful attempts at a private discussion are not fruitful, and if the matter is still too serious to overlook, you should help the person decide whether it is appropriate to pursue mediation, arbitration, church discipline, or, if none of those options is available, litigation (Matt. 18:16-20; 1 Cor. 6:1-8). (For more guidance on whether to overlook or confront and offense, see chapter 4 of *The Peacemaker*.)

If an initial conversation does not resolve a conflict, do not give up

GO AND BE RECONCILED

The fourth key principle of peacemaking involves the pursuit of genuine forgiveness and reconciliation. Even though Christians have experienced the greatest forgiveness in the world, we often fail to show that forgiveness to others. To cover up our disobedience we often use the shallow statement, “I forgive her – I just don’t want to have anything to do with her again.” One of the best ways to confront this ungodly attitude is to ask, “How would you feel if God said to you, ‘I forgive you; I just don’t want to have anything to do with you again?’”

Praise God that he never says this! Instead, he forgives us totally and opens the way for genuine reconciliation. He calls us to forgive others in exactly the same way: “Bear with each other and forgive whatever grievances you may have against one another. Forgive as the Lord forgave you” (Col. 3:12-14; see also 1 Cor. 13:5; Psalm 103:12; Isa. 43:25). One way to help others imitate God’s forgiveness is to teach them to make four specific promises when they forgive someone:

- I will not dwell on this incident.
- I will not bring up this incident again and use it against you.
- I will not talk to others about this incident.
- I will not let this incident stand between us or hinder our personal relationship.

Most importantly, remind people that forgiveness is a spiritual process that no one can fully accomplish on his own. Therefore, as we seek to forgive others, we must continually ask God for grace to enable us to imitate his wonderful forgiveness toward us. (For more guidance on forgiveness, see chapters 10 of *The Peacemaker*.)

NEGOTIATE IN A BIBLICAL MANNER

Even when people manage to resolve personal offenses through confession and forgiveness, they may still have to deal with substantive issues, which may involve money, property, or the exercise of rights. These issues should neither be swept under the carpet nor automatically passed to a higher authority. Instead, Christians should become skilled in the negotiation principles set forth in Scripture.

As a general rule, we should try to negotiate substantive issues in a cooperative manner instead of a competitive manner. In other words, instead of aggressively pursuing our own interests and letting others look out for themselves, we should deliberately look for solutions that are beneficial to everyone involved.

As the Apostle Paul put it, “Do nothing out of selfish ambition or vain conceit, but in humility consider others better than yourselves. Each of you should look not only to your own interests, but also to the interests of others” (Phil. 2:3-4; see also Matt. 22:39; 1 Cor. 13:5; Matt. 7:12).

A biblical approach to negotiation may be summarized in five basic steps, which we refer to as the PAUSE Principle:

- Prepare (pray, get the facts, seek godly counsel, develop options)
- Affirm relationships (show genuine concern and respect for others)
- Understand interests (identify others' concerns, desires, needs, limitations or fears)
- Search for creative solutions (prayerful brainstorming)
- Evaluate options objectively and reasonably (evaluate, don't argue)

Since many people have never learned how to negotiate this way, they often need specific advice and practice on how to carry out each of these steps. This is an area where good coaching can really pay off, because when people learn how to apply the PAUSE principle in one dispute, they have gained a skill that applies to all areas of life. (For more guidance on negotiation, see chapters 11 of *The Peacemaker*.)

BE PREPARED FOR UNREASONABLE PEOPLE

It is wise to prepare people for the possibility that their opponents may harden their hearts and refuse to be reconciled. There are two ways a coach can address this issue.

First, you should remind people that God does not measure success in terms of results but in terms of faithful obedience. He knows that we cannot force other people to act in a certain way. Therefore, he will not hold us responsible for their actions or for the ultimate outcome of a conflict.

All God expects of us is to obey his revealed will as faithfully as possible (see Rom. 12:18). If we do that, no matter how the conflict turns out, we can walk away with a clear conscience before God, knowing that God's appraisal is, "Well done, good and faithful servant."

Second, a coach should encourage people not to give up on finding a biblical solution. If a dispute is not quickly and easily resolved, a person may be tempted to say, "Well, I tried all the biblical principles you suggested, and they just didn't work. It looks like I'll have to handle this another way (meaning 'the world's way')."

A Christian should never close the Bible. When we try to resolve a conflict but do not see the desired results, we should seek God even more earnestly through prayer, the study of his Word, and the counsel of the church. As we do so, it is essential that we keep our focus on Christ and all that he has already done for us (see Col. 3:1-4). It is also helpful to follow five principles for overcoming evil, which are described in Romans 12:14-21:

- Control your tongue ("Bless those who curse you"; see also Eph. 4:29)
- Seek godly advisors (identify with others and do not become isolated)
- Keep doing what is right (see also 1 Pet. 2:12, 15; 3:15b-16)
- Recognize your limits (instead of retaliating, stay within proper biblical channels)
- Use the ultimate weapon: deliberate, focused love (see also John 3:16; Luke 6:27-31)

At the very least, these steps will protect us from being consumed by the acid of our own bitterness and resentment if others continue to oppose us. And in some cases, God may eventually use such actions to bring another person to repentance (see 1 Sam. 24:1-22).

Even if other people persist in doing wrong, we can continue to trust that God is in control and will deal with them in his time (see Psalms 10 and 37). This kind of patience in the face of suffering is commended by God (see 1 Pet. 2:19) and ultimately results in our good and his glory. (For more guidance on dealing with unreasonable people, see chapters 12 of *The Peacemaker*.)

DIGGING DEEPER

Most of the principles in this chapter are covered in great detail in [*The Peacemaker: A Biblical Guide to Resolving Personal Conflict*](#), by Ken Sande (Baker Books, 3rd. ed. 2004). You can also [download a free *Personal Application Workbook*](#) that will help individuals apply these peacemaking principles to their lives.

The key principles for personal peacemaking are summarized in the *Peacemaker's Pledge* (see next page), which you may encourage parties to prayerfully study as they are working to resolve a conflict.

CONCILIATION HOTLINE

For free advice on how to guide others through a conciliation process, go to www.rw360.org/conciliation-hotline

The Peacemaker's Pledge

A Commitment to Biblical Conflict Resolution

As people reconciled to God by the death and resurrection of Jesus Christ, we believe that we are called to respond to conflict in a way that is remarkably different from the way the world deals with conflict (Matt. 5:9, Luke 6:27-36; Gal. 5:19-26). We also believe that conflict provides opportunities to glorify God, serve other people, and grow to be like Christ (Rom. 8:28-29; 1 Cor. 10:31-11:1; James 1:2-4). Therefore, in response to God's love and in reliance on his grace, we commit ourselves to responding to conflict according to the following principles.

GLORIFY GOD Instead of focusing on our own desires or dwelling on what others may do, we will rejoice in the Lord and bring him praise by depending on his forgiveness, wisdom, power, and love, as we seek to faithfully obey his commands and maintain a loving, merciful, and forgiving attitude (Ps. 37:1-6; Mark 11:25; John 14:15; Rom. 12:17-21; 1 Cor. 10:31; Phil. 4:2-9; Col. 3:1-4; James 3:17-18; 4:1-3; 1 Peter 2:12).

GET THE LOG OUT OF YOUR EYE Instead of blaming others for a conflict or resisting correction, we will trust in God's mercy and take responsibility for our own contribution to conflicts — confessing our sins to those we have wronged, asking God to help us change any attitudes and habits that lead to conflict, and seeking to repair any harm we have caused (Prov. 28:13; Matt. 7:3-5; Luke 19:8; Col. 3:5-14; 1 John 1:8-9).

GENTLY RESTORE Instead of pretending that conflict doesn't exist or talking about others behind their backs, we will overlook minor offenses or we will talk personally and graciously with those whose offenses seem too serious to overlook, seeking to restore them rather than condemn them. When a conflict with a Christian brother or sister cannot be resolved in private, we will ask others in the body of Christ to help us settle the matter in a biblical manner (Prov. 19:11; Matt. 18:15-20; 1 Cor. 6:1-8; Gal. 6:1-2; Eph. 4:29; 2 Tim. 2:24-26; James 5:9).

GO AND BE RECONCILED Instead of accepting premature compromise or allowing relationships to wither, we will actively pursue genuine peace and reconciliation — forgiving others as God, for Christ's sake, has forgiven us, and seeking just and mutually beneficial solutions to our differences (Matt. 5:23-24; 6:12; 7:12; Eph. 4:1-3, 32; Phil. 2:3-4).

By God's grace, we will apply these principles as a matter of stewardship, realizing that conflict is an opportunity, not an accident. We will remember that success in God's eyes is not a matter of specific results, but of faithful, dependent obedience. And we will pray that our service as peacemakers will bring praise to our Lord and lead others to know His infinite love (Matt. 25:14-21; John 13:34-35; Rom. 12:18; 1 Peter 2:19; 4:19).

4 Bringing People Together

Principles of Mediation

"I hate to add another item to our elders' meeting, but I don't think we can ignore the 'Christian education' issue anymore," said Tony.

"Oh boy, what's happened now?" asked Robert.

"Kathy told me that Connie and Tracy were at it again at the Moms' Prayer Meeting," Tony replied. "Connie mentioned an article that says home-schooled kids aren't properly socialized. Tracy reacted with a comment about the 'moral jungle' of the public schools. And then Tina jumped in with the benefits of Christian schools. I guess it went downhill from there."

"You know," said Steve, "I think we have avoided this thing too long. We need to do something before this issue divides the entire church."

The other elders agreed, and after thirty minutes of discussion they agreed on a plan. Two weeks later Tony gave the other elders a draft position paper on Christian education. Since most of the elders held strong views on the issue, it took two intense meetings for them to arrive at wording on which they could all agree.

"We need to do something before this issue divides the entire church."

The paper set forth biblical principles relevant to education and described the merits and limitations of various educational models. It concluded with instructions on how parents could apply the Apostle Paul's timeless counsel to the bickering Christians in Rome: "Accept one another, then, just as Christ accepted you, in order to bring praise to God" (Rom. 15:7).

The elders mailed copies of the paper to all the families in the church and asked for their feedback before a final position paper was adopted. In the weeks that followed, they arranged three meetings so that they could meet separately with the parents who advocated particular educational models.

As the elders expected, many parents had objections to the paper. But by carefully applying the PAUSE principle of negotiation, the elders eventually won the support of all of the parents. More importantly, through focused teaching and counseling they were able to help most of the parents see how they had sinfully judged and criticized one another.

A fourth meeting was arranged for everyone so that the elders could mediate the personal issues that had come between the parents. Thanks to the elders' teaching and the Holy Spirit's work beforehand, most of the parents came to the meeting prepared to

focus on their own wrongs. After setting forth the goals and guidelines for the meeting, the elders asked if anyone would like say something.

Tracy stood first. “Everyone knows I open my mouth too quickly, and I’m sure I’ve done more than anyone else to create this problem. I was wrong to judge others’ motives, and I’m especially sorry for what I said about Connie in front of the other moms a few weeks ago. Will you please forgive me, Connie?”

Connie’s eyes filled with tears. “Of course I do. If I hadn’t brought up that article, we never would have started arguing in the first place. I need your forgiveness, too, Tracy.”

The two women embraced. Then other parents joined in the discussion, confessing their critical attitudes and asking one another for forgiveness. After resolving the personal offenses that had come between them, the parents wanted to explore ways that they could promote understanding and support one another in the challenging task of educating their children.

As a result, the church was soon blessed with a new parents’ support group and a monthly report night at which any child could make a presentation before a group and receive helpful encouragement and feedback.

A few weeks later, the elders saw evidence that a miracle had taken place. One of the parents approached the pastor and said that he thought the church was not doing enough to support the home-schooling families.

“Wait a minute,” the pastor said. “Your kids are in public school. Why are you worrying about the home-schooling families?”

“Well,” the man answered, “a lot of our families are educating their children at home. As I learn more about what they are doing, I’ve realized that some of them are stretched pretty tight financially. I think the church might be able to help out a little more by providing some additional resources for those families.”

When the pastor recounted this conversation to the elders, they shook their heads in amazement. “Wow!” said Steve. “If only all of the complaints we received came from people who were concerned that we aren’t looking out enough for *someone else*!”

“Yeah,” said Tony. “It would almost make you feel like we were already in heaven.”

OVERVIEW

Jesus knew that we would not always be able to resolve our differences in private. Therefore he said, “But if [your brother] will not listen, take one or two others along, so that ‘every matter may be established by the testimony of two or three witnesses’” (Matt. 18:16).

The role that these “one or two others” are fulfilling is sometimes referred to as “mediation.” Unlike a coach, who works with only one party in a dispute, a mediator works with both sides to help them move toward a voluntary agreement. The parties are still responsible for deciding on a final agreement.

Mediation can be as simple as sitting down for a cup of coffee with two friends or as complicated as arranging an all-day meeting with several parties and a panel of mediators. In either case, a mediator should be prepared to play a number of roles, including prayer supporter, teacher, referee, encourager, and exhorter.

A biblical mediator should depend entirely on Christ, respect the role of the church, and help people to deal with the root causes of their conflict. He must also behave in such a way as to win and hold the trust of those who are involved in the conflict, and provide them with a fair and orderly process that gives every opportunity for personal reconciliation and a just resolution.

STEP BY STEP

KNOW WHEN TO STEP IN

As taught in the previous chapters, before you agree to get involved in a conflict, you should make sure that one or both of the parties has made a sincere and diligent effort to resolve the dispute personally and privately (see Matt. 18:15). If repeated efforts have not succeeded and it is clear that further private attempts will be fruitless or even cause things to get worse (and if the matter is too serious to overlook), it is probably time for a mediator to step in.

BE PREPARED TO PLAY SEVERAL ROLES

When God gives you an opportunity to serve him as a mediator, you may need to play several different roles before the conflict is resolved. These include:

- **Intercessor** - Peacemaking can be draining spiritual work that encounters difficult obstacles (e.g., pride, worldly values, and Satan's schemes). A mediator's most important job is to intercede in prayer for those who are striving to restore peace.
- **Convener** - In some situations, people are so enmeshed in their conflict and have so little trust in one another that they can't even agree on when and how they will try to resolve their differences. In these situations, the mediator may need to take the initiative to bring the parties together in a safe and constructive environment.
- **Facilitator of communication and understanding** - Jesus' instruction in Matthew 18:16 shows that one of the primary roles of a mediator is to help the parties listen to God and one another so they can understand the truth about themselves and their situation. Objective and thorough data gathering and evaluation (including careful questions, active listening, and timely observations) are essential elements of this role.

- **Model** - Example is always the most effective way to teach and encourage others (1 Cor. 11:1; Phil. 4:9). Therefore, a mediator should strive earnestly to model the same attitudes and actions he or she wishes to see in the parties, such as courtesy, honesty, humility, active listening, confession of weaknesses and wrongs, tolerance, loving confrontation and forgiveness.
- **Referee and protector** - Some conflicts involve significant imbalances of power because the parties have different levels of spiritual maturity, sophistication, resources, experience or confidence. At times, the mere presence of a mediator will help to neutralize these imbalances, but at other times, a mediator may need to take overt measures to insure that a dominant party does not force a weaker party to concede issues and sidestep necessary confrontation.
- **Trust builder** - By the time a conflict becomes known to others, the parties are often alienated and suspicious of each other's actions. A critical step in the conciliation process is to help each party begin to trust and respect the other party. People can learn to disagree with one another without judging the other person as being wrong or inferior.
- **Resource expander** - Parties in a conflict often are more concerned about defeating each other than they are about finding resources to solve their problem. A mediator is often able to eliminate conflict by locating appropriate resources, including expert advice, professional counseling or financial assistance.
- **Generator of alternatives** - People in conflict gravitate toward a "fixed-pie" perspective ("if you gain, I must lose"), which limits their ability to think of alternative solutions that provide for mutual gain. An objective mediator breaks through this perspective and fosters the development of creative solutions.
- **Reality tester** - Settlements are often inhibited because parties develop unrealistic confidence in their positions. A mediator can help parties to examine their assumptions objectively, which helps to dispel unrealistic hopes and promote needed commitments.
- **Teacher and counselor** - Matthew 18:16 implies that a mediator needs to be prepared to give godly instruction and counsel, especially when the parties themselves cannot discern the proper solution to their disagreement (see 2 Tim. 2:24-26; Rom. 15:14).
- **Encourager and coach** - Even when people know what they should do, they often have a difficult time doing what is right. A mediator helps to dispel ungodly fears and reluctance, affirms wise choices and encourages people to persevere in doing what is right, even if the world says that doing so is foolish (see 1 Cor. 15:58; Heb. 10:24-25).

- **Confronter and exhorter** - Conflict sometimes involves sinful attitudes and behavior that the parties are unable or unwilling to recognize and confess. A mediator must sometimes use loving confrontation, admonishment and exhortation to help such people come to grips with the truth, put off sinful ways, and make needed changes (see 2 Tim. 4:2). Since a mediator can exercise significant influence over people and their decisions, this role should be carried out with great caution and care!
- **Proclaimer of forgiveness** - As people repent of their sin, the mediator should remind them of the forgiveness they have received through Christ and guide them through the process of imitating God by forgiving each other as he has forgiven them (Eph. 4:32; Col. 3:12-14).
- **Closer** - Some parties will continue to debate and discuss indefinitely, either because they love to fight or because they are afraid to commit to a settlement. A wise mediator knows when a matter has been adequately examined and will help the parties to see that it is in their best interest to reach a final solution.
- **Witness** - When a party refuses to resolve a dispute properly, a mediator may need to inform the leaders of his or her church so that they can intervene as Jesus instructs in Matthew 18:16-17. (Limitations on confidentiality should be clearly explained at the beginning of the conciliation process.)

BE DISTINCTIVELY BIBLICAL

All too often Christians simply imitate the world's approach to resolving conflict. When we do, we deprive ourselves of the heart-searching, life-changing, God-honoring process that is revealed to us in the Bible. One of the best ways to avoid superficial solutions to conflict is to hold fast to four basic convictions that distinguish a truly biblical approach to resolving conflict.

- **The Centrality of Christ** - We believe that genuine peace between people may be found only through Jesus Christ. Therefore, we encourage people in conflict to believe the gospel and trust in Christ, and to faithfully rely on the promises and obey the commands that he has given to us in Scripture (see John 14:27; 2 Cor. 5:18-19; Col. 3:15-16; 2 Tim. 3:16).
- **The Responsibility of the Church** - We believe that peacemaking is an essential ministry of the local church, not a task reserved for professional mediators or lawyers. Therefore, we encourage Christians to take unresolved conflicts to their church families, which are called by God to restore peace by promoting biblical justice and reconciliation (see Matt. 18:17; 1 Cor. 6:4; Eph. 3:10; Heb. 13:17).
- **The Necessity of Personal Counseling** - We believe that destructive conflict comes from desires that battle within people's hearts. Therefore, we do not merely try to resolve surface issues. We also counsel parties to find their

fulfillment in Christ, renounce sinful desires and actions that have contributed to conflict, and seek genuine reconciliation with others (see James 4:1-3; Gal. 2:20; Prov. 28:13; Rom. 15:14).

- **The Comprehensiveness of God’s Word** - We believe that God’s Word is totally authoritative and completely sufficient for all aspects of life, and that his peacemaking commands and promises apply to every conflict a Christian can encounter. Therefore, we work across the entire spectrum of conflict, helping people to resolve everything from school-yard quarrels to family disputes, business conflicts, congregational divisions, and multimillion dollar lawsuits (see 2 Tim. 3:16-17)

EARN A PASSPORT

In order to effectively mediate a conflict, it is essential that you earn the confidence and trust of the parties. This trust is sometimes referred to as “passport,” because it is the key to being able to move into the personal areas of others’ lives. Earning a passport depends on your behaving in such a way that the people you wish to serve will answer “yes” to three basic questions about you:

- Can I trust you?
- Do you truly care about me?
- Can you really help me?

Getting affirmative answers to these questions depends heavily on your respecting others’ confidences (within agreed limitations), using your influence fairly, showing genuine love and concern, and demonstrating consistent integrity, godly wisdom and good judgment as you guide people through the mediation process.

This does not mean that you have to be perfect. Honest mistakes can actually help to build confidence if you admit them humbly and state clearly how you will handle things differently in the future. (This also sets a good example for the parties to follow.)

Nor does gaining a passport require that you continually skirt unpleasant issues or say only what people want to hear. If you confront people in a loving and respectful way, they will usually have greater confidence in the mediation process. When they see that you are willing and able to confront their inappropriate attitudes and behavior, they are more likely to trust that you will also do the same with their opponents.

As you gain increased passport with the parties, they will find it easier to discuss personal matters with you. This will give you the freedom you need to provide them with the encouragement, advice, and even exhortation that is often needed to resolve conflict.

PROVIDE THE “THREE P’S” OF SATISFACTION

As you mediate a dispute, you should strive to provide the parties with three types of satisfaction.

- **Process satisfaction** results from providing the parties with a fair, orderly, and even-handed process that gives everyone involved a reasonable opportunity to present the information they believe is relevant to the dispute (see 1 Cor. 14:40).
- **Personal satisfaction** results from consistently treating the parties with respect, courtesy and equality (see Matt. 7:12; James 2:1-4).
- **Product satisfaction** results from leading the parties to a final solution that is perceived as being just and equitable, both substantively and personally (see Prov. 28:5).

It is important to note that in the long run most parties place as much value on process and personal satisfaction as they do on product satisfaction. This is true despite the fact that they usually devote most of their energy to achieving a particular outcome.

The fact that parties value process and personal satisfaction is good news, because a mediator usually has much more control over these things than the final outcome of a dispute. By carefully providing the parties with a fair process and treating them with genuine respect, you can usually find a durable agreement and a high degree of satisfaction, even when the final solution is not entirely to everyone’s liking.

USE THE GOSPEL

The vast majority of disputes that arise in the church can be resolved through a fairly simple mediation process, which we refer to as “GOSPEL,” an acrostic that stands for:

- **Greeting and ground rules** - Make introductions and agree on how you will work together.
- **Opening statements** - Ask each party to briefly explain what he or she would like to accomplish.
- **Story telling** - Help the parties to clearly communicate all relevant information.
- **Problem identification and clarification** - Clearly define central issues and interests.
- **Explore solutions** - Brainstorm options; evaluate them reasonably and objectively.
- **Lead to agreement** - Encourage and document a final agreement.

In the next chapter you will find a detailed, step-by-step checklist that will guide you through these six important phases of mediation.

FREQUENTLY ASKED QUESTIONS

The following questions and answers are provided to assist you in understanding key aspects of biblical mediation and arbitration.

Shouldn't mediation be left to professionals? No! God has called and equipped all his people, and especially the leaders of his church, to be peacemakers and reconcilers (see Rom. 15:14; 1 Cor. 6:4-5; 2 Cor. 5:18-19). Most conflicts between Christians can be resolved personally or with the assistance of spiritually mature people in the church. Of course, a person should carefully consider whether a particular conflict situation is beyond his or her abilities. If so, it is appropriate to seek assistance from a more experienced mediator, still making every effort to deal with the matter in the context of the local church. As a general rule, assistance should be sought from someone outside the church only when the church has truly exhausted its internal resources.

What types of disputes can be resolved through biblical mediation? Biblical mediation has been used to resolve a wide variety of disputes, including contract, employment, family, personal injury, church, landlord/tenant, real estate, creditor/debtor and professional conflicts. The monetary claims in these cases have ranged from nothing to several million dollars.

Is mediation appropriate even after a lawsuit has been filed? Yes. If the other party is willing, the two of you may agree to postpone further legal proceedings while you attempt to resolve your differences through mediation. If mediation is successful, you may file a stipulation with the court to close the case.

Can mediation result in a legally binding agreement or decision? Yes, if you and the other party want this. Agreements reached through private negotiations or mediation may be documented in legal contracts or stipulations. Arbitration decisions are legally binding (if agreed in advance) and can be enforced as a judgment of a civil court.

What are the major differences between mediation and arbitration? During mediation, the parties retain control over the final outcome, and the mediators act only as facilitators. When a case goes to arbitration and the parties sign an arbitration agreement, they are legally obligated to abide by the arbitrators' decision.

Another difference is that arbitration deals primarily with substantive issues; that is, it establishes facts and determines rights and responsibilities. In contrast, mediation deals both with substantive issues and with personal and relational issues.

Is biblical mediation available to non-Christians? Yes. People who were not professing Christians have submitted disputes to biblical mediation and have been pleased with the results.

Why does God want Christians to avoid taking their differences to court? One reason is that a purely legal approach to resolving a dispute often heightens animosities

and permanently damages relationships. In contrast, Christian conciliation encourages forgiveness and promotes reconciliation, which can preserve valuable relationships.

Furthermore, a court process usually fails to deal with the real causes of conflict, such as pride, selfishness, fear, vengeance, greed, bitterness or unforgiveness. In fact, the adversarial process, which encourages people to focus on what they have done right and what others have done wrong, often leaves the parties with a distorted view of reality and actually ingrains the very attitudes and behaviors that caused the conflict in the first place. In contrast, Christian conciliation helps people identify root problems and make changes in their lives so that they will experience less conflict and healthier relationships in the future (see Matt. 7:3-5).

For a Christian, a primary reason for resolving disputes in a conciliatory way is to prevent a public quarrel that would give others an opportunity to criticize and mock Christianity (1 Cor. 6:1-8). Resolving conflict biblically also allows us to show through our actions that we genuinely believe in Jesus Christ and trust in his teachings (see John 13:34; 14:15; 17:20-23; Eph. 4:1-3). Peace and unity are so important to Jesus that He commands us to seek reconciliation with an offended person even ahead of public worship:

Therefore, if you are offering your gift at the altar and there remember that your brother has something against you, leave your gift there in front of the altar. First go and be reconciled to your brother; then come and offer your gift. Settle matters quickly with your adversary who is taking you to court. Do it while you are still with him on the way (Matt. 5:23-25).

This command is not conditioned on how serious the other person's complaint might be or whether it is even justified. Even in difficult circumstances, God wants his people to make every effort to resolve their personal differences outside of the courtroom.

What are the benefits of biblical mediation? Christian conciliation promotes biblical values, preserves relationships, encourages beneficial change, avoids negative publicity, provides a positive witness and is relatively inexpensive. In addition, when compared to litigation, Christian conciliation is less constrained by rigid procedures, thus often allowing more creative remedies and faster results.

Another benefit is that Christian conciliators have more flexibility than civil judges do when it comes to hearing testimony or reviewing evidence. For instance, if a dispute involves defects in the construction of a building or the repair of an automobile, a conciliator may personally inspect the building or drive the car. Because of this flexibility, parties often feel that the facts and issues in the case are given a more personal review than would occur in a court of law.

Christian conciliation is especially beneficial for people who sincerely want to do what is right and are open to learning where they may have been wrong. Conciliators can help them to identify improper attitudes or unwise practices, to understand more fully the effects of their decisions and policies, and to make improvements in their lives and businesses that will help them to avoid unnecessary conflict in the future. As one party wrote after conciliation:

The most valuable thing we received from Christian conciliation was sound advice seasoned with godly wisdom. I really believe that the right answer was attained. The answers you gave were not what I came to hear, but I knew they were right. You could not have been more helpful. Our only regret was that we waited much too long to come to you.

What are the disadvantages of Christian conciliation? Christian conciliators do not have the same authority as civil judges. Therefore, they cannot compel parties to submit a dispute to conciliation or to cooperate with the process once it begins. Once there is an agreement to use arbitration, however, a civil judge has the authority to compel a reluctant party to complete the process.

Conciliation can also be less predictable than litigation, because each case has different conciliators and the process is less constrained by procedures, statutes and case precedents. Therefore, results achieved through conciliation may differ substantially from the outcome of litigation or secular mediation or arbitration. For example, the biblical command to keep one's word may obligate a person to honor a contract that might otherwise be rescinded on technical legal grounds.

Finally, there are only limited grounds for appealing arbitrated decisions. Therefore, parties will have little opportunity to have a decision reviewed by a higher authority. At the same time, this means they will usually be spared from the expenses and delays inherent in prolonged appeals.

May attorneys be involved in the conciliation process? Most disputes do not require the involvement of an attorney. If there are significant material or legal issues involved, however, it is prudent for the parties (and sometimes the conciliators) to have the advice and assistance of attorneys during the conciliation process.

What if the other party refuses to consent to conciliation? It is not unusual for people to have questions and apprehensions about using Christian conciliation, which for many people is novel way to resolve conflict. In fact, sometimes the most challenging part of the entire conciliation process is simply getting both sides to come "to the table." Therefore, do not be discouraged if the other party initially refuses to consent to conciliation. There are ways to persuade the other person to reconsider and give conciliation a chance.

What if a church does not have the expertise to deal with a particular dispute? A church may seek advice and assistance from Relational Wisdom 360.

DIGGING DEEPER

In the next chapter you will find a detailed step-by-step checklist that will guide you through the six steps of mediation. For further information, visit www.rw360.org/ccs.

CONCILIATION HOTLINE

For free advice on how to guide others through a conciliation process, go to www.rw360.org/conciliation-hotline

5 Leading People to Agreement

The Nuts and Bolts of Mediation

There ought to be a rule, thought Pastor Munson, against church members doing business with one another. Something always goes wrong, and then the pastor gets pulled into the mess.

Bill Hinton was sitting in Pastor Munson's office, fuming over the fact that Stan Jones was refusing to finish paying him for building a new garage.

"That cheapskate is holding back \$3,000 to cover a bunch of imaginary repairs he thinks I need to make. I can't pay my subcontractors, and they're screaming for their money. If he doesn't pay by tomorrow, I'm going to hire an attorney and make him wish he never dreamed of having a garage in the first place."

Bill calmed down after Pastor Munson promised to look into the matter. When he later called Stan, he heard a very different story.

"Imaginary repairs!" Stan exclaimed. "The overhead door has such big cracks in it that I can see daylight through them! I'm not paying for that kind of work."

Pastor Munson listened to Bill's story and then assured him that he would do what he could to solve the problem. *Help me, Lord, he prayed as he hung up the phone. I'd like to stay out of this, but I know I've got to help them. Please show me what to do.*

"I'd like to stay out of this, but I know I've got to help them."

After a moment's reflection, he decided to call one of his deacons, who was a respected building contractor and leader in the church.

"Tom, I need some help. Two of our men are involved in a dispute over a building project. I'd like to put together a mediation team as quickly as possible."

"You must be talking about Bill and Stan," said Tom. "I've already heard the rumors. What can I do?" After hearing more details, he said, "I suggest asking Nancy Wilson and Ron Tripp to work with us. Their business experience and spiritual maturity would add a lot of wisdom and credibility to the effort."

"Good!" responded Pastor Munson. "You contact them, and I'll tell Bill and Stan what we're planning."

It took some coaxing, but the following Saturday the two men met with Tom, Nancy and Ron. Tom guided them through two hours of initial story telling. To diffuse their arguing and get firsthand information, he suggested that the group drive over to see the garage for themselves. In less than an hour, they learned enough to start leading the two men toward a solution.

When they returned to the church, the mediators met privately with Bill first. Gently but firmly they helped him to face up to the fact that the garage did have several major defects.

“You’re right,” he finally conceded, “I know there are a few things I need to finish. I would have done it right away if Stan hadn’t gotten so self-righteous about the whole thing.”

Shifting their focus to Stan, the mediators talked privately with him about his contribution to the problem. Since they were dealing with his heart rather than with visible construction defects, it was not easy to get him to see how he had blown a simple problem into a consuming dispute. Finally, they urged him to read Matthew 7:12, James 4:11-12, and Ephesians 4:29, and to ask God to show him whether he had properly lived out these passages toward Bill.

A second meeting was scheduled, but it never happened. The day before they were supposed to meet again, Bill called Tom to cancel the meeting. At first Tom thought that Bill was backing out of the conciliation process, but he could not have been more wrong.

“No, you don’t understand,” Bill said. “Yesterday I realized that it was up to Stan and me to solve this. So I called him and asked if we could meet for a cup of coffee. When we got together I admitted that I had failed to complete the garage properly. He interrupted and said he was wrong for being such a perfectionist. After that, it didn’t take long to work things out. I agreed to put in a new garage door and fix the other things within two weeks. I said I’d wait until then for final payment, but Stan gave me a \$3,000 check. I just paid the subs, and I think they were pretty surprised when I told them how we worked out our differences.”

“What a great testimony!” Tom exclaimed.

“We sure didn’t do it on our own,” responded Bill. “Stan and I needed to hear what you said to us last week. We’re both pretty stubborn, and the Lord used you to get us back on the right track.”

Tom laughed. “It was a privilege to work with you, Bill, and I’m glad to hear about your meeting. I’ll pass the news on to Ron and Nancy, and I’ll let Pastor Munson know what’s happened.”

“I think I’ll call him too,” said Bill. “I want to thank him for arranging for you folks to meet with us.”

Thank you, God! thought Tom as he said goodbye and dialed the church’s number. *You gave us a wise pastor to guide us through these problems.*

And then, as the pastor answered the phone, Tom said, “Pastor Munson, I’ve got some good news for you”

OVERVIEW

Mediation generally involves three distinct phases. During the *pre-mediation* phase you should prepare people for mediation by gaining the support of key advisors, assigning appropriate homework, recruiting and preparing the mediators, and securing and setting up a suitable meeting place.

During the *mediation* phase you can follow the five-step GOSPEL agenda: Greetings and ground rules, Opening statements, Story-telling, Problem clarification, Exploring solutions, and Leading to agreement.

During the *post-mediation* phase you should follow up with the parties to encourage them regarding the efforts they made to resolve the dispute and to make sure that they are following through on rebuilding their relationship and keeping their commitments.

STEP BY STEP

PRE-MEDIATION: BRING PEOPLE TO THE TABLE READY TO WORK

Some of the most important work of mediation is done *before* the parties come to the table. This pre-mediation work includes the following steps:

- Contact the parties and their advisors (pastors, attorneys, or counselors) to explain the conciliation process and encourage everyone to participate. One way to encourage this commitment is to provide each of the parties with a copy of the *Peacemaker Principles* brochure and Relational Wisdom 360's *Guidelines for Christian Conciliation*.
- Seriously consider involving the parties' spouses in the conciliation process, especially if they have developed strong feelings about the situation. If they do not experience reconciliation themselves, they may undermine any solutions you reach.
- If you are dealing with highly confidential matters, major assets, or significant legal issues, have the parties sign a mediation agreement to document the agreed process and explain the limitations on confidentiality.
- Nominate trusted people to serve as mediators. Start by looking for respected leaders or members in the parties' churches; if special expertise is needed, look around in your wider Christian community.
- Prepare the mediators, preferably by having them read this booklet and *The Peacemaker: A Biblical Guide to Resolving Personal Conflict*, and meet with them to develop a plan and identify possible problem areas.
- Prepare the parties by providing needed coaching and assigning homework that will help them to focus on their own responsibilities for the conflict (by using the Seven A's of Confession from chapter 2) and to gather any information that is needed to resolve substantive issues.

- Locate a suitable place to meet, which should be viewed by both sides as being neutral.
- Schedule a convenient meeting time (allowing about twice as much time as you think you will need) and a pre-agreed follow-up session in case one is needed.
- If you are dealing with an especially difficult dispute, arrange for outside prayer support during the meeting. In most cases, it is best not to reveal the parties' names or specific facts about the conflict when asking for prayer.
- Prior to the meeting, send the mediators a copy of the *Conciliator's Prayer* to pray and meditate on (see Appendix 1) and the *Conciliator's Checklist* (see Appendix 2) to review.
- Plan with the mediators to arrive well in advance of the meeting to pray, to set out water and coffee, and to set up the room so that everyone will feel comfortable and relaxed. Arrange the chairs so that the mediators will be the same distance from the parties, and the parties will be able to look naturally at each other as they talk. If there is any tension between the parties, make sure that they do not have to sit together in a waiting room with no one else present.
- When everything is prepared, pray again, thanking God in advance for what he is about to do.

MEDIATION: USE THE GOSPEL

As mentioned in the previous chapter, an easy way to remember the six basic steps of mediation is to think of the word "GOSPEL," which stands for:

- Greetings and ground rules
- Opening statements
- Story-telling
- Problem clarification
- Exploring solutions
- Leading to agreement

As you proceed through these basic steps, keep in mind that your purpose is not to follow a formula, but to minister to the parties by pointing them to Christ and encouraging sincere repentance, confession, forgiveness, negotiation and reconciliation. If the parties get stuck at any step in the GOSPEL process, you may need to return to a previous step and complete it more thoroughly.

GREETINGS AND GROUND RULES

The greeting phase sets the tone for the entire meeting. During this time, the lead mediator should accomplish several things. Do not drag this greeting out, however, because the parties are usually eager to start telling their stories.

-
- Welcome all who are present and commend them for their willingness to work together.
 - Invite each person to introduce himself and briefly explain his reason for being there.
 - Explain your purpose in meeting together, which is to resolve the dispute in a way that honors God, promotes justice and genuine reconciliation, and benefits all those involved.
 - Describe the various steps in the conciliation process, reminding people that they should focus primarily on their own responsibility for the conflict.
 - Agree on a tentative schedule for the meeting, check on time constraints, and set an appropriate quitting time.
 - Explain the use of individual caucuses (as explained below under Exploring Solutions).
 - Clarify the roles of the mediators, the parties and other advisors, reminding the parties that the mediators are only facilitators and that the parties themselves have the responsibility to make final decisions.
 - Explain the ground rules for conduct, which include the following:
 - We will all communicate respectfully.
 - We will all speak the truth in love.
 - Parties will not interrupt one another.
 - We will not discuss this matter with people who do not have a necessary interest in it.
 - Anyone may request a break or a caucus, but there will be no disruptive departures.
 - Ask if the parties want to add any ground rules, and then get their express commitment to the stated rules.
 - Ensure that if a party is representing an organization (business, church, etc.), they have appropriate authority to do so and may make commitments on behalf of that organization.
 - Remind the parties that they are responsible for filing legal documents, if necessary.
 - Open with a brief devotional. This should always include prayer and Scripture (e.g., Phil. 2:1-4 or Col. 3:1-4) and may include a hymn.
- The greeting phase sets the tone for the entire meeting**

OPENING STATEMENTS

The next step in the mediation process gives the parties an opportunity to explain what they believe needs to be accomplished in order to resolve their differences. You may begin this phase by saying, “We would like each of you to make a brief opening

statement. Please take two or three minutes to explain your hopes and expectations for today. Remember that you will be able to go into more detail later.”

Note carefully what each person focuses on in his or her opening statement. In addition to learning their general attitudes and feelings, you may be able to discern whether the parties are focused on their own responsibilities or the other person’s, and whether they are focused more on substantive issues or personal issues. This information can help you to decide how to guide the next phase of the conciliation process.

Following the parties’ opening statements, summarize the issues or problems, restating them in the most positive terms possible. Spotlight any points of agreement, and explain that more may be identified as the meeting progresses.

STORY TELLING

Now you will begin to gather detailed information. You can transition to this phase by saying, “We are now moving into the story-telling phase. Our goal is to gather and clarify information so that everyone can better understand what has happened and what can be done to resolve this matter.”

In many cases, as the mediators facilitate this phase, the parties will often hear each other’s full story for the first time. Hopefully, each will begin to understand the other person’s perspective more accurately. The mediators can facilitate this process by drawing out and clarifying facts and feelings that are especially important for both sides to understand.

If one of the parties is the primary “complainant” or initiator of the mediation, he should usually go first. Reassure the other party that he will be allowed to tell his side of the story in just a few minutes. As you proceed through the storytelling phase, these guidelines will be helpful:

- Tell the parties that they will both be given plenty of time to tell their sides of the story.
- Explain the difference between perceptions and reality, saying, “At this point we are trying to understand your perceptions, not to prove the facts.”
- In a volatile situation, parties should initially address the conciliators.
- Remind the parties of their agreement not to interrupt each other, but to make notes instead.
- When the first party finishes, thank him or her for speaking. Then ask the second party to respond with any different perspectives on events and issues already covered, adding additional information.
- For long, involved stories, cover the story in phases, alternating between the two parties to give them both the feeling that they have been able to describe certain events first.

- When appropriate, allow a witness or advisor to add information on a particular event.

A mediator can do several things during story telling to improve communication and understanding:

- Keep the parties talking – the more information you have, the better.
- Summarize and clarify what has been said, eliminating disparaging references. (“As I understand it then, your major disappointment with Anne was not that she canceled the show, but that she failed to call you as soon as the decision was made.”)
- Encourage and commend efforts to confess wrongs and seek forgiveness. This is an essential aspect of Christian conciliation. To avoid superficial apologies, guide people through the Seven A’s of confession (see chapter 2).
- When someone offers a sincere confession, the other person should be encouraged to grant forgiveness. Initially you may urge people to specifically repeat the four promises of forgiveness (see chapter 2. To avoid cutting off needed discussion on the matter in relation to other issues, you may need to say, “I appreciate how you have taken responsibility for that. As we continue our story-telling, I want to allow Sally and you a little more time to discuss that issue, and then I hope it will be laid to rest through her forgiveness.”
- Help the parties realize that they may have been mistaken or wrong in their earlier perceptions or beliefs about one another. In particular, help them to see where the other person may have been “sincerely wrong” (honestly believed or did something that eventually proved to be incorrect). This is a key step in most conflicts, because people are usually more willing to deal graciously with someone who they see was mistaken rather than deliberately and maliciously wrong.
- To encourage careful listening, ask each party to paraphrase what the other has said.
- Ask each party to identify possible interests underlying the other party’s position.
- During the initial phase, it is often best to use “open questions (“Nancy, why don’t you start by telling us when and how you started your consulting business?”). Later you can move to “closed” questions (“Did you think that Alex agreed to your request not to seek business from your clients?”).
- Diffuse barbed comments. For example, you can acknowledge anger but channel it in a constructive direction by saying, “I can see you are still upset about what happened; hopefully this meeting will make it possible to resolve this problem

Encourage and commend efforts to confess wrongs and seek forgiveness.

and work through those feelings.” Or if one party expresses frustration (verbally or with body language), you can say, “Phil, I realize that you see things differently, and I want to hear your view as well in a few minutes.” If the parties get involved in a yelling match, you may need to raise your voice and firmly say, “Please direct your attention to me!”

- When parties speak in broad generalities, ask for specific examples. For example, if one party says, “He’s totally irresponsible,” you can ask, “Will you give us some specific examples of where you believe he has failed to fulfill his responsibilities?”
- Use clarifying and reflecting (paraphrasing) questions to improve understanding.
 - “Could you be more specific about what you actually said to Robert?”
 - “Who actually gave the papers to her?”
 - “So what really troubled you was that she didn’t return any of your calls?”
- Be sure to pay regular attention to the person who is not speaking (a glance or smile lets them know that you’re concerned about how they are feeling); watch everyone’s body language for signs of serious agitation.
- Be aware of what you are communicating through your body language.
- Take notes on items you think should be addressed either in the mediation or in caucusing.
- Call a caucus when necessary to redirect a party’s focus or provide needed encouragement to continue (see section on caucusing below).
- Take breaks if necessary to relieve tension and allow people time to think.

PROBLEM CLARIFICATION

After story-telling you need to pull your initial data together and begin to focus the parties’ attention more clearly on the key issues that need to be resolved in order to move toward reconciliation. You can indicate the transition to this phase by saying, “Now that we have heard both of your stories, let’s see if we can clarify what are the most important issues we need to resolve today.” To facilitate this effort:

- Begin by summarizing and clarifying any confessions or concessions that have been made, and indicate what issues may already be resolved. Express appreciation to the parties and gratitude to God for the progress.
- Ask each party, in turn, to identify an issue that needs to be resolved. Use a flip chart or chalk board to record their answers and develop an issues agenda.
- Distinguish between material issues and personal issues. Personal issues are those things going on inside of or between persons, including our attitudes, feelings, motives, words, and how we treat others. Material issues are the

substantive matters that must be resolved to settle a disagreement, such as the payment of money, return of property, or rendering of services.

- Note that some issues are sub-issues of larger issues – identify them as such.
- After both sides have listed all the issues they can think of, prioritize the list by asking them to indicate, in turn, which issues are most important to them.

Once you have the issues clarified and organized, the next step is to break them down even further by identifying and distinguishing related issues, positions, and interests.

- An issue is an identifiable and concrete matter that can usually be stated in the form of a question (e.g., “Does Stan need to pay Bob any more money for the work on his garage?”).
- A position is a desired outcome or definable perspective on an issue (e.g., “Yes, he owes me another \$3,000.”).
- An interest is what really motivates people and gives rise to their positions; it may be a concern, desire, need, limitation or something they value (e.g., “I need the money to pay my bills,” or “I want to provide a positive Christian witness to others”). Interests are what really fuel conflicts. Unless you accurately identify and satisfy the parties’ interests, you will not reach an acceptable solution.

Interests are what really fuel conflicts.

After clarifying the parties’ primary interests, lead them through an exercise that will help them to build on common interests and approach differing interests in the spirit of Philippians 2:3-4. Before talking as a group, the mediators may meet privately with each other or with the individual parties to draft a preliminary list of interests.

You can facilitate this process by saying, “Focusing on this issue, write down as many of the other party’s interests as you can. Note which interests are the same as yours as well as those that are different from yours. Then go back over your list, and think of creative ways that you can help meet the interests of the other party.” The information you gain through this exercise will set the stage for the next phase of the conciliation process.

EXPLORING SOLUTIONS

Now you can start to search for specific solutions to the issues. You can introduce this stage of the process by saying, “Let’s review what we have done so far. You have shared your perspectives on the conflict, which has allowed us to clarify some misunderstandings and resolve a few personal matters. We then identified the key issues and your major interests. You have already started to develop ideas for meeting some of those interests (give examples). Are you ready to begin working on a solution to this problem?”

Your goal at this point is two-fold. First and foremost, you need to help the parties pursue personal reconciliation by confessing their sins and forgiving one another. Second, you need to help them resolve material issues by accepting responsibility for the consequences of their actions and by thinking creatively in order to generate options, evaluate them objectively, and select solutions that meet everyone's legitimate interests.

In many situations, it is helpful to work through a dispute by alternating your attention between personal and material issues. Making progress on personal issues often facilitates progress on material issues, and vice versa. Therefore, you can often keep moving ahead by resolving a personal issue, then a material issue, then a personal issue, and so on. Ideally, it's best to complete the resolution of all major personal issues first, which will allow parties to deal with remaining substantive issues with minimal outside assistance.

Remember that you do not negotiate *sin* issues. You must bring God's law and grace to bear on the sinful attitudes and actions that lie at the heart of destructive conflict. This requires the careful application of biblical principles of repentance, confession, confrontation, forgiveness, and restitution (in some cases, you can negotiate terms of restitution). To facilitate this process, a mediator should continually pray for the parties and graciously help them to apply the principles described in chapter 2, especially the Seven A's of confession and the Four Promises of Forgiveness. Honestly facing sin is what distinguishes Christian mediation from its secular counterparts and produces a peace that transcends human understanding.

You should negotiate *material* issues. As we explained in chapter 2, biblical negotiation should be done in a cooperative manner (remember the "PAUSE Principle"). After identifying and clarifying the parties' interests, you can help the parties to search for solutions by facilitating a brainstorming process. You should start the process by praying for wisdom, insight and creativity. You can then explain the four rules for brainstorming:

- No judging (separate inventing from evaluating)
- Strive for quantity, not quality (invent all possible options; stay general at first, with no precise figures or demands; explore options without seeking a commitment)
- Be wild (dare to be creative!)
- Hitch-hiking is encouraged (mix and combine options creatively; one idea may trigger another; dovetail interests, seeking to satisfy several interests simultaneously)

Once you have developed a list of possible solutions, you need to help the parties evaluate those options objectively and reasonably. "Objective" means that an evaluation

is based on facts or outside standards or opinions rather than personal feelings or prejudice.

The best place to seek this information is from Scripture itself. Depending upon the nature of the dispute, you may also be able to gather helpful data from verifiable or measurable facts (e.g., tests or written documents), opinions of trusted advisors, neutral experts, regulations or statutes, the “going rate,” the industry standard or some form of precedent.

A “reasonable” evaluation is one that is made in accord with sound judgment, as compared to being irrational or groundless. A mediator can encourage reasonable evaluations by: separating the discussion of material and personal issues; encouraging parties to be specific; using honest, clarifying questions rather than rhetorical or argumentative statements; making sure that all of the issues are on the table (no hidden agendas); looking for admissions, hidden offers, or conditional offers; and by noting small positive steps and agreements, which can build good will and momentum toward agreement.

The cardinal rule of mediation is, “If you bog down on substance, negotiate on process.” In other words, if you hit a roadblock on reaching an agreement on a particular issue, switch your focus and try to get the parties to agree on the process they will use to resolve that issue. (For example, if they cannot agree on the value of a damaged piece of property, ask if they will agree to have a qualified appraiser set the value of the item.)

“If you bog down on substance, negotiate on process.”

USE PRIVATE CAUCUSES

When you run into roadblocks during mediation, one of the most effective things you can do is to call a caucus, which is a private meeting between the mediator and just one party. A caucus is largely a “coaching” activity, and you can use it to teach, evangelize, clarify information, offer encouragement, confront inappropriate behavior, explore concerns that a party seems unwilling to discuss in front of the other party, explore possible solutions or help a party to plan a confession or prepare for a confrontation. Caucuses may occur throughout the conciliation process but usually come up during later phases.

Caucuses are especially useful for “reality testing,” which is sometimes needed to move stubborn parties ahead. This usually involves asking questions to help a party face up to the limitations of imagined alternative solutions and to think through the consequences of not reaching an agreement.

There is no fixed format for a caucus, but it is generally wise to follow these principles and procedures:

- Announce a caucus in a casual manner, so as not to imply that some major problem just developed. You can do this by saying, “We’ve been talking for quite awhile. I’d like to take a few minutes to talk privately with each side (or with the other mediators).”
- Before you leave the room, explain the limits on confidentiality: “The general substance of what is shared in caucus, but not every detail, will eventually be discussed in the joint meeting.”
- Keep caucuses as short as possible.
- Keep them balanced; if you talk privately with one party, do the same with the other, even if only to ask a few questions and offer some encouragement.
- If possible, go to another room rather than asking the other party to leave the meeting room, which might trigger a feeling of being excluded.
- While you caucus with one party, give an assignment to the other party (e.g., “Please pray for us while we are gone,” or “Please think about what we have covered this morning, and identify the three most constructive things we have accomplished so far.”)
- During the caucus, focus the discussion on the party who is present, not on the absent party.
- Start by asking for input from the party: “How do you feel about what has happened so far?”
- Note any positive aspects of what has transpired and repeat them as often as possible.
- Ask the party to clarify issues, positions and interests.
- Encourage needed confession through gentle questioning and admonishment. If necessary, open the Bible and help a person to examine his conduct in the light of God’s standards (see 1 Thess. 5:14, 2 Tim. 3:16). As a last resort, you may offer your own honest opinion on the propriety of someone’s conduct (see Gal. 2:11-14).
- Use “if-then” statements (“If Bill would ..., then would you consider ...?”)
- Try to get a sense of how flexible a person is (“Would you be willing to just think about ...?”).
- Coach the party for the next step – in some cases, role-play his next move.
- Pray together.

LEADING TO AGREEMENT

The final step of the mediation process is to help the parties commit to reconciliation and arrive at an agreement that settles their differences. You can begin the final phase by saying, “We have discussed several options and begun to identify your preferred solutions. Are you ready to move toward a final agreement?”

If the parties say yes, begin this phase by praising God for the progress they have made toward personal reconciliation. Refer to the confessions the parties have made, and ask each person if he or she is willing to grant the other complete forgiveness, as summarized in the Four Promises of Forgiveness. Then ask if there are any other personal offenses that have not been confessed and discussed. Once these personal matters are fully settled, thank God again for all that he has done to bring about repentance and reconciliation.

You can then shift your focus to the material issues. To evaluate whether the parties are truly ready to reach a particular agreement, it is often helpful to ask each of them, “Why do you support this agreement?” If either party lacks concrete reasons to support the agreement, you may need to spend some more time exploring solutions or helping him to see why a particular solution is truly in his best interests.

A final agreement may take a variety of forms depending on the type of dispute. In some cases, it may be a simple verbal understanding. More often, it will be a summary letter or settlement agreement written by the conciliators and signed by parties, or a formal contract or stipulation drafted by a party’s attorney. A final agreement should usually contain the following information:

- What issues were resolved.
- What biblical principles guided the parties to reach their agreement.
- What actions will be taken, by whom, and by what date. (If partial agreements were reached, document them and agree on a process for addressing the unresolved issues.)
- When and how the results of the agreement will be evaluated.

In order to be effective and durable, an agreement should be accurate, realistic, simple (no “legalese”), just and equitable, and clear (avoiding vague words such as “soon” or “frequent”). It should address immediate issues and underlying causes, and anticipate future events and problems. It should also include a clause committing the parties to resolve future related issues through Christian conciliation. The agreement should be balanced (giving equal attention to each side’s advantages and responsibilities) and positive (stating what people will do rather than what they will not do). Finally, it should be entered into freely and signed by both the parties and the mediators.

If the parties cannot reach a voluntary agreement, one of three things can happen. The mediators can offer informal suggestions or an advisory (non-binding) opinion to encourage a settlement. You can temporarily adjourn the meeting to give the parties time to cool off, consult with others, gather additional information and pray. Or, with the parties’ consent you can move to binding arbitration (see the next chapter).

If you need to adjourn without an agreement, try to end the meeting on a positive note, drawing attention to the progress that has been made. Formalize any agreements

that have been reached. And when possible, end with prayer and Scripture reading to help everyone focus on Christ, his redemptive work for us, and our response to his love.

CLOSING

Always attempt to close a meeting on a positive and honest note. Commend the parties for any progress or agreements they have made, and, when necessary, gently admonish them regarding areas that they have not yet dealt with effectively. You should also review what will happen next, whether that means gathering information, implementing an agreement, or attending another meeting.

In some cases, it is also helpful to prepare the parties to report their reconciliation and agreement to other significant persons, such as spouses, attorneys and other advisors. Remind the parties that their supporters and advisors have not had the same opportunity to process the resolution as they have, and coach them to help others understand the process and the reasons for their agreements. You may even need to role play with the parties, anticipating the objections that might be raised by those they talk to.

You may ask the parties if they want to make a brief closing statement. Finally, you should close with prayer, praising God for the progress that has been made and asking for guidance, wisdom, and strength for the parties as they fulfill their new obligations.

POST-MEDIATION: REMEMBER TO FOLLOW-UP

There are several ways that you may need to follow up on the mediation process. This may even include arranging for some kind of celebration, such as a shared meal, a communion service, public testimonies or the exchange of gifts. Such actions demonstrate gratitude to God and serve to cement agreements, strengthen relationships and provide a positive witness to others.

It is usually helpful to ask for an evaluation of the mediation. This can provide helpful feedback and also increase the parties' process and personal satisfaction by showing that you value their opinions.

In most situations it is also wise to conduct a formal check-up with the parties several days or weeks after the last meeting. This is preferably done through a personal call or visit, but it may involve sending a note or letter. Such attention and encouragement is especially important for parties who made major concessions during mediation, or are disappointed with the outcome and may be vulnerable to "buyer's remorse."

During the follow-up you should also ask whether all of the agreements have been fulfilled. If not, you may need to take further action to fine-tune the agreements and get the parties back on track.

Finally, in cases where one of the parties refuses to follow through on a commitment, you may need to pursue some kind of enforcement. This could involve a visit by one or more of the mediators, an appeal to the person's pastor or other influential advisors, church discipline or appropriate legal action (consistent with the limitations of 1 Corinthians 6:1-8; see Appendix D in *The Peacemaker*).

MEDIATOR'S CHECKLIST

To assist you in following the steps described in this chapter, we have developed a two-page "Mediator's Checklist" (see Appendix 2). We suggest that you keep this list in front of you during mediation so that you can move through the process in a thorough and confident manner.

COMMON PROBLEMS IN MEDIATION

If you want to be effective as a mediator, ask God to help you avoid the following common mistakes.

Spiritual

- Relying on human abilities rather than on God to change people's hearts.
- Neglecting to apply all of God's peacemaking principles (confession, confrontation, forgiveness, etc.).
- Allowing the parties to depend on the conciliators rather than on Jesus.
- Working on a case while you have unconfessed sin in your own life.

Procedural

- Failing to give the parties complete information regarding the conciliation process.
- Failing to contact and work as closely as possible with pastors, attorneys, and other advisors.
- Failing to get agreement on or enforce the ground rules (e.g., not interrupting each other).
- Failing to define issues in biblical terms (a sin is not merely an "error in judgment").
- Failing to distinguish negotiation positions from underlying interests.
- Failing to identify and deal with all of the issues (especially the awkward one that is usually left until the end).
- Failing to keep a case moving (a common and serious problem with busy people).
- Allowing the parties to dictate the pace of the case.

- Failing to schedule meetings that are convenient and long enough.
- Failing to take needed breaks, or letting sessions last too long
- Failing to recognize when it is time to take a crucial step.
- Neglecting the use of private caucusing to confront hard-hearted parties and overcome deadlocks.
- Failing to involve pastors for private counseling or disciplinary steps.
- Failing to stay with a case after a tentative agreement has been reached and attorneys are drafting documents.

Technique

- Talking too much.
- Jumping to conclusions.
- Taking one party's side (actually or apparently).
- Wrongly judging, condemning, or condoning.
- Acting suspicious or condescending.
- Failing to confront and exhort.
- Failing to require specific confession and forgiveness.
- Encouraging compromise ("splitting the difference") merely to get a settlement.
- Failing to respect confidentiality limitations.
- Pushing the parties too hard.
- Failing to be sufficiently directive at the appropriate time.

DIGGING DEEPER

For more extensive information on and training in Christian mediation, contact Relational Wisdom 360.

CONCILIATION HOTLINE

For free advice on how to guide others through a conciliation process, go to www.rw360.org/conciliation-hotline

6 Applying the Wisdom of Solomon

Principles of Arbitration

Mom told me years ago that she wanted me to have her piano!” exclaimed Maria. “If you really cared about her wishes, you’d respect what she wanted.”

“Well, that’s pretty convenient,” said her sister Cindy. “You seem to have all sorts of special instructions that aren’t mentioned in her will.”

“Look, Cindy, all I’m asking for is the piano, the stock, and a few personal items. You can have her half of the flower shop and all of her other personal things.”

“Ha! Mom and I have struggled for five years to make the shop turn a profit. It’s not worth nearly as much as her stock. You’ll get everything of value and leave me holding an empty bag—as usual.”

“That’s ridiculous. Her share of the flower business is worth twice as much as the stock, and you could easily sell her cut glass collection for at least \$5,000.”

“You don’t have a sentimental bone in your body, do you? Those things are all keepsakes that should remind us of Mom. I would never sell them.”

“Hold it, hold it!” exclaimed their uncle Will, who had dropped by to pick up a few pictures. “I’m sick and tired of hearing you two fight over Linda’s belongings. All these years you’ve been telling me how great your faith is, but all I see is the same selfishness and greed I have to deal with every day at the police station. Why don’t you just take a saw and cut the piano in half?” he yelled as he stormed out the door.

“Why don’t you just take a saw and cut the piano in half?”

Maria and Cindy stood in stunned silence for several seconds. Then Cindy burst into tears and ran out the door to her car.

As Maria stood all alone in her mother’s vacant kitchen, she was overwhelmed with guilt and confusion. *What should I do, Lord?* she thought. *I’ve made a mess of this. Mom really did want me to have the piano so Tammy could play it when she gets older. But should I just give it up so that Cindy gets her way? And what about Uncle Will? Years of witnessing to him just went down the drain. What should I do?*

Suddenly a thought came to her mind. *Wait a minute! Pastor James once said something about Christians taking their disputes to the church for help. I wonder if that would work in this situation.*

“Wow!” said Pastor James when she talked to him later that afternoon. “I’ve never gotten involved in a legal dispute before. I wouldn’t know where to begin, especially since your sister goes to another church.”

“But can’t you at least try?” pleaded Maria. “There’s got to be a way to resolve this so it honors Mom’s wishes and is a better witness to my Uncle Will.”

“I suppose I could call her pastor,” he said. “We have some theological differences, but maybe he would be willing to help work something out.”

To Pastor James’ surprise, Pastor Benson was open to working together to resolve the dispute. “But what about the legal issues?” he asked. “I don’t know anything about probate law, and if Cindy and Maria can’t come to an agreement, someone is going to have to decide who gets what.”

“I know someone who might help us,” said Pastor James. “When I was serving on the board at Triple Ridge Christian School, I met a Christian attorney who does probate work. Everyone thinks highly of Jean, and she seemed to have a lot of wisdom. Maybe she would be willing to work with us on this.”

“Sounds like it’s worth a try. Go ahead and call her. In the meantime, I’ll have a talk with Cindy and see if I can get her to sit down with us.”

As it turned out, it was easier to get Jean to serve as a conciliator than it was to convince Cindy that the church had a right to intervene in the dispute. But after spending an hour with Pastor Benson studying Matthew 18:15-20 and 1 Corinthians 6:1-8, she finally agreed to give mediation a chance.

Three days later, the two sisters were sitting in Jean’s conference room with their pastors. The process was a little tense at first, but as everyone relaxed they began to make progress. On a couple of occasions, each pastor had to meet privately with one of the sisters to confront sinful attitudes and inappropriate communication. Jean helped greatly by explaining basic probate laws and describing the financial and emotional costs the women would suffer if they took the matter to court.

Most importantly, the Holy Spirit worked through the pastors’ discussion of James 4:1-12 and Luke 12:14-21 to help the two women see that their real problem was the sinful desires that were battling within their hearts. When Maria and Cindy finally saw their cravings for what they were, they were able to confess their wrongs and forgive one another for all the harsh things they had said during the preceding months.

Even though they were now personally reconciled and agreed on how to divide their mother’s personal belongings (Cindy wanted Maria to have the piano), they still could not agree on what value to place on the flower shop.

“I just don’t want to fight anymore,” said Cindy. “I think we’re too close to this thing to be objective. Couldn’t the three of you come up with a value for the shop? I’d be happy to go along with whatever you say.”

“That’s a good idea,” agreed Maria. “You’re obviously trying to be fair, so I’d trust whatever you decide.”

The three conciliators looked at each other and then nodded their heads. After praying together, the sisters left to find their uncle.

It only took a few minutes for the conciliators to plan how to complete their work. “I really don’t think it will be all that hard,” said Jean. “I worked my way through law school as a commercial real estate agent. Once we get a look at the shop’s income statements, I can compare it to some other small businesses that have sold in town during the past year. We should be able to come up with a reasonable value within two weeks.”

“Then all we need to do is give Maria an equivalent amount of the stock, and split the balance of the stock between them,” added Pastor Benson. “That’s a lot easier than watching them tear each other apart in a court battle.”

“Yes, God is so good,” said Pastor James as he put on his coat. Then he smiled at Pastor Benson. “Now, if I can just get you straightened out on your escatology we’d have everything in order!”

“Ha! You’re the one who needs instruction,” laughed Pastor Benson. “But I’ll tell you what: if you and Jean want to join me for a late dinner, I’ll let you present your case first. Then I’ll explain what the Bible really says, and we’ll let our esteemed attorney act as judge.”

“No way!” responded Jean as they walked toward their cars. “I’ll just sit back and see how you guys apply all the peacemaking principles you taught to Cindy and Maria today.”

“Touché!” said Pastor James as the two men laughed. As he looked at his fellow pastor, a radical thought came to mind. *I’ve always thought you were weak in your theology, but after today I can see that you really know the Lord. Maybe there’s something I can learn from you after all.*

He would probably have laughed again if he had known that Pastor Benson was thinking exactly the same thing about him.

OVERVIEW

The vast majority of disputes between Christians can be resolved through conflict coaching (working with only one party) or mediation, especially if the church gets involved at an early stage. But occasionally people simply will not be able to reach an agreement on substantive issues. When this happens, God calls the church to take jurisdiction over the conflict and provide a decision that will settle the matter once and for all.

This process of providing a binding decision is sometimes referred to as arbitration. During this process the parties explain their positions to one or more trusted persons from their church or churches who are given the authority to render a final decision on the matter.

The arbitration process is similar to mediation, but it is sometimes more formal and does not always allow for negotiations with the parties. Depending on the parties’

agreement, the arbitrators' final decision may be binding only within the church, or it may be legally enforceable in a civil court.

A detailed discussion of arbitration is beyond the scope of this booklet, but the following principles will be sufficient for many of the disputes that Christians might bring to the church for resolution. If you need resources that provide more detailed guidance, please feel free to contact Relational Wisdom 360.

STEP BY STEP

BIBLICAL BASIS

The Apostle Paul taught that the church has jurisdiction to decide disputes between Christians, even if those disputes involve legal matters.

If any of you has a dispute with another, dare he take it before the ungodly for judgment instead of before the saints? Do you not know that the saints will judge the world? And if you are to judge the world, are you not competent to judge trivial cases? Do you not know that we will judge angels? How much more the things of this life! Therefore, if you have disputes about such matters, appoint as judges even men of little account in the church! I say this to shame you. Is it possible that there is nobody among you wise enough to judge a dispute between believers? But instead, one brother goes to law against another – and this in front of unbelievers! The very fact that you have lawsuits among you means you have been completely defeated already. Why not rather be wronged? Why not rather be cheated? Instead, you yourselves cheat and do wrong, and you do this to your brothers (1 Cor. 6:1-8).

Rendering a final and binding decision in a dispute is a serious responsibility, but this should in no way deter a church from carrying out its God-given responsibility to keep its people out of court by providing members with a forum for deciding difficult matters.

When the Israelites came to King Solomon with their disputes, the Holy Spirit empowered him to make judgments so just that all the world talked about them (see 2 Kings 3:28; 10:6-9). God has poured the same Spirit into his church today (Acts 2:1-4), which gives us access to the same discernment and wisdom that guided Solomon. If the church would believe this promise and obey God's call to resolve disputes between believers, we could demonstrate true justice to the world and bring much praise to our Lord Jesus Christ.

DIFFERENT FROM MEDIATION

The primary difference between mediation and arbitration is the fact that in arbitration the parties have given up the power to decide on their own solution and have agreed to be bound by whatever decision the arbitrators reach. The parties' submission may be a matter of personal commitment, or, if they sign an appropriate document, it may take the form of a legal obligation.

Because of the binding nature of arbitration, the process is normally more formal than mediation. In some situations, the parties will want to support their arguments with additional evidence, documents, witnesses and even the assistance of an attorney, which is entirely biblical.

ENTERING INTO AN ARBITRATION AGREEMENT

When parties are simply making a personal commitment to abide by an arbitrator's decision (as Maria and Cindy did), it is usually not necessary to have them sign a written agreement. However, if the parties wish to make a more formal commitment and receive a legally binding decision, you should have them sign a written arbitration agreement. Once that agreement is signed, it is legally enforceable in all states and requires that the parties complete the entire arbitration process and abide by the arbitrator's decision.

Before signing an arbitration agreement, it is essential that the parties understand the legal significance of the commitment they are making. At the very least they should be given written information (like Relational Wisdom 360's *Guidelines for Christian Conciliation*) to explain the implications of binding arbitration. If significant interests are at stake, it is also wise to recommend that they talk to an attorney before they sign an agreement.

LEGAL CONSIDERATIONS

State and federal laws strongly support arbitration. In addition to making arbitration legally binding (when there is a signed agreement), these laws provide a high level of legal immunity for people who serve as arbitrators, even if they make mistakes. Therefore, if arbitrators do not knowingly violate the trust the parties place in them, they are not likely to encounter legal liability problems.

Arbitrators are not likely to encounter legal liability problems.

Civil laws also make it very difficult for a party to overturn an arbitration decision that was reached in good faith (i.e., without deliberate bias or misconduct on the part of the arbitrators). Therefore, the parties will usually be required to accept whatever decision the arbitrators reach (which means the arbitrators need to exercise great care in making their judgment).

THE ARBITRATION PROCESS

Arbitration may be conducted by a single person or by a team of people. If significant material interests or complex legal issues are involved, it is usually wise to have the parties agree to follow specific rules, such as Relational Wisdom 360's *Rules of Procedure for Christian Conciliation*, which deal with various procedural questions that may arise during the arbitration process.

In some cases, the parties will first attempt to solve a dispute through mediation, following all of the steps described in the preceding chapters. If they cannot reach a voluntary agreement, they may agree to move on to binding arbitration. In some cases, the parties may ask the mediators to become arbitrators. In other situations, they may ask for a new panel of people to step in as arbitrators.

If a dispute is taken directly to arbitration, without first attempting mediation, the process is still similar to mediation in many respects, especially in the early phases. Arbitrators can safely follow the initial steps in the format described in Chapter 4; these are Greetings and Ground Rules, Opening Statements, Story-telling, and Problem Clarification.

However, pure arbitration does not include an interactive negotiation and problem-solving process. The arbitrators work closely with the parties to acquire a clear understanding of the facts of the case, but it is up to the arbitrators to decide on an appropriate solution. Therefore, arbitrators do not caucus (meet with the parties privately), brainstorm, or evaluate solutions with the parties.

Instead, once the arbitrators have a clear picture of the case, they generally retire to another room or adjourn the meeting. Together they pray, search Scripture, and discuss their thoughts about the situation. During this process, which may take several days to complete, the arbitrators may negotiate, brainstorm, and evaluate possible solutions with one another in order to reach a final decision.

THE FINAL DECISION

An arbitration decision should generally be in written form, either in an informal letter or a more thorough opinion paper. At the very least, it should specify what issues have been addressed and what actions should be taken by whom and by what date. It can be helpful to the parties if you provide the reasoning for your decision, especially the biblical principles that guided your thinking. On the other hand, the more detail you provide, the more likely it is that one party will find an error or something else with which to disagree. Therefore, it is essential that everything you write is concise, accurate, reasonable and defensible.

After the arbitrators sign the decision, they should deliver it to the parties, sometimes by mail but preferably in person in whatever way they believe is wise. At

that time, they can answer any questions the parties may have and encourage and instruct them on how they should carry out their responsibilities.

ENFORCEMENT

If one of the parties refuses to abide by an arbitration decision, it is generally appropriate to contact the leaders of his church and ask them to compel him to keep his word, through church discipline if necessary (see Matt. 18:17-20).

If that does not resolve the matter, and if the parties previously agreed to legally binding arbitration, the other party may file the decision with a civil court, which has the authority to enforce the decision as though it was rendered by a civil judge.

DIGGING DEEPER

For more information on biblical arbitration, read Relational Wisdom 360's [*Handbook for Christian Conciliation*](#).

CONCILIATION HOTLINE

For free advice on how to guide others through a conciliation process, go to www.rw360.org/conciliation-hotline

7 Relational Wisdom

Getting Upstream of Conflict

I don't believe it," exclaimed Rachel. "Are you seriously suggesting that we use a Sunday school curriculum from another denomination?"

"Yes, we are," replied Austin. "Our present material is too old-fashioned to keep the kids' interest. If we don't start using something different we're going to lose our entire junior high class. Lori and I have looked all over, and this new curriculum is the best around."

"But it's from another denomination!" objected Tina. "I can't believe you would be so disloyal."

"It's not just loyalty," added Robert. "How can we be sure it's doctrinally sound?"

"Well," said Rachel, "with the views those people hold on the End Times, we already know that it can't be doctrinally sound!"

"Good grief!" exclaimed Lori. "This material doesn't even mention the 'End Times,' and neither does our present material. You folks just can't stand the thought of change, and you think our church has a corner on the truth. I can't believe the arrogance around here!"

"I can't believe the arrogance around here!"

"Arrogance!" responded Tina. "You're the ones who have set yourselves up as the final experts on Sunday school material. Who are you to judge us?"

Lori's eyes widened. "If you all cared a little less about 'doctrinal purity' and a little more about the kids we're trying to reach, you'd at least be willing to look at this material."

"Hold it, hold it!" Rachel injected. "This isn't getting us anywhere. I think we'd better table this matter and ask Pastor John to decide what material we should use."

"Well, of course he'll side with you, Rachel," said Austin. "It's nice to have your brother as the pastor. And if he does tell us to use the old curriculum, Lori and I will hand in our resignations. We're sick and tired of teaching boring material."

"He will not automatically side with me!" Rachel objected. "We disagree on many things. But as the pastor he's the one who should decide something like this. Now let's move on with planning the youth retreat before it gets too late."

When Rachel described the argument to John the next day, he groaned. *Oh great! he thought. Now I get to step into another crossfire and make everybody mad.*

But then he had an idea. He had recently read about a biblical negotiation process called the "PAUSE Principle." Instead of deciding the matter for the committee, he could teach them how to negotiate their own agreement in a constructive manner.

Not only will it keep me out of the middle, he thought, but they will learn a skill to help them handle future disagreements without having to drag me or the elders into it all the time.

Pulling out his *Peacemaking Principles* brochure, he said, “Sis, let me show you how I want you to handle this”

A week later, Rachel came into John’s office beaming. “You’re not going to believe this! Last night I taught everyone the ‘PAUSE Principle,’ and it worked! When we got together, I led in prayer. Then I asked forgiveness for judging Lori’s motives last week. She was so surprised that at first she didn’t know what to say. But then she apologized, too, and before long everyone was reconciled.

That made all of us more willing to talk reasonably about the Sunday school material and listen to one another’s concerns. I got out a flip chart to write down all the things we thought were important about finding the best curriculum for the class, and we actually had fun searching for various solutions. Once all of the options were on the table, we agreed on a process for evaluating them in an objective manner. We’re going to allow thirty days to get some more information, and then we’ll be able to make a final recommendation to the elders on which curriculum to use.”

“Hey, that’s great!” said John. “You’re a real peacemaker, Sis!”

“You know, John, God’s principles really work!” she said. “With this new process I think we’ll be able to handle a lot of issues more easily. I hope you won’t mind if we don’t need you to decide things for us all the time.”

“Not at all, Rachel. Not at all!”

OVERVIEW

As the stories in this booklet show, a church or ministry can experience substantial benefits if its people have solid relational skills and know how to respond to conflict in a biblically faithful manner. These benefits can include the following:

- The witness of the church is preserved.
- Erring believers are restored to fellowship and usefulness.
- Families are strengthened and protected from divorce.
- Members and staff enjoy better relationships and more productive activities.
- The likelihood of fatal divisions in a church or ministry is reduced.
- There is less exposure to lawsuits.
- Respect and appreciation for leadership grows.
- Members and staff are less inclined to leave.
- Ministry resources (time, energy and money) are protected from waste.
- New people are attracted and growth is stimulated.
- God is glorified as people witness his power and love in concrete ways.

One of the best ways to secure these benefits is for church leaders to make a deliberate effort to equip their people with biblical relational skills *before conflict arises*.

STEP BY STEP

To paraphrase an old saying, “An ounce of relational training is worth many pounds of conflict resolution.” In other words, it’s better to teach relational skills before a conflict arises than it is to spend many long hours of conflict coaching and mediation.

There are several steps church and ministry leaders can help their people to “get upstream of conflict.” For example:

1. *Develop an ongoing in-house peacemaking capability* by using RW360 resources to train a **Peace Sower Team™** that includes **RW presenters, coaches and conciliators** who equip and assist your members to live out the gospel by applying the principles of relational wisdom and biblical peacemaking in their daily lives ([details here](#)).
2. Encourage members to download the [RW360 Smartphone App](#) so they are building RW skills day by day and can easily access peacemaking principles when they need to resolve a conflict.
3. Keep free copies of RW360’s *Relational Wisdom* and *Peacemaking Principles pamphlets* (available in [RW360 bookstore](#)) in your lobby so members can pick up a copy when they need guidance on to improve a relational skill or deal with a conflict at home, in church or at work.
4. Adopt *The Peacemaker’s Pledge* (see page 27; also included in the Peacemaking Principles pamphlet) as a commitment to how your church or ministry will respond to conflict. Some churches and ministries have a special service or event where members affirm their personal commitment to these principles.
5. Encourage members to subscribe to [RW360’s blog](#) so they can receive weekly reminders of how to apply relational wisdom and biblical peacemaking in their families, friendships and places of work. You can also mention select blog posts (organized into over fifty topical areas) in your newsletter or social media, or use posts for staff devotionals.



6. Download, copy and share any of RW360's [Free Downloads](#) to promote the development of relational skills in your church or ministry, such as empathy and approachability, which help to strengthen relationships and reduce conflict.
7. **Train your leadership team, staff and members** using RW360's interactive online course, [Discovering Relational Wisdom 3.0](#) or one of our [DVD/Streaming Group Study Sets](#). You can create multiple special groups, and each group moderator can insert discussion questions and case studies that make the concepts relevant to issues your church or ministry has faced in the past or may soon face in the future.
8. **Host a [live Discovering Relational Wisdom 3.0 Webinar or Seminar](#)** for your church or ministry so your entire congregation or staff will be working with the same relational and peacemaking principles in their day-to-day lives.
9. Encourage small groups in your church or ministry to do a **group book study** using *The Peacemaker: A Biblical Guide to Resolving Personal Conflict* (a [free downloadable study guide](#) is available).
10. **Teach your children and teens how to resolve conflict biblically** by using RW360's [Young Peacemaker](#) and [The Peacemaker: Student Edition](#) materials for Sunday school and youth groups.
11. If you need advice on how to guide others through a conciliation process, go to the Conciliation Hotline (see below). To **engage the services of an experienced conflict coach, mediator or arbitrator**, contact one of the conciliation organizations or individual conciliators recommended at www.rw360.org/conciliators.



For further information on how you can use RW360's resources, online training and live seminars to build up your church or ministry's relational and peacemaking skills, contact Jeff Sande, our Director of Training, at Jeff@rw360.org, 406-652-9494.

CONCILIATION HOTLINE

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A Peacemaker’s Prayer

Oh Lord God, today I am called to be a peacemaker, but I am unfit for the task.

By nature I am a peace-faker and a peace-breaker, so I myself need help.

Others ask me to understand and guide them, but my ears are dull, my eyes are dim, and I lack the wisdom they need.

But you, Lord, have all they need, so I come to you for supply.

Make me fit for your purposes, so I might serve them and honor you.

Cleanse me from my own sin, so I will not add to their problems; take the logs from my eyes, so I can remove the specks from theirs.

Fill me with your Spirit, so they may benefit from your fruit: love, joy, peace, patience, kindness, goodness, faithfulness, gentleness, and self-control.

Give me wisdom from above, so I might be pure and peace-loving, considerate and submissive, full of mercy and good fruit, impartial and sincere.

Open your Word to my eyes and to my heart, so I will have a steady lamp to light our path.

Strip me of my own agenda and desires, so I might look only to others' good and be absolutely worthy of their trust.

Help me to model everything I teach, so others can see the way.

Give me humility to admit my weaknesses and confess my wrongs, so others might do the same.

Draw me again and again into prayer, where you can strengthen and correct me.

Make me submissive -- help me to show that I myself am under authority.

Help me to treat others as I want to be treated, so they may see the essence of your Law.

Make me creative, versatile, and adaptable, so I can adjust to the surprises ahead.

Help me to accept others as you have accepted me, and thus bring praise to your name.

Give me faith and perseverance, so I will not doubt your provision or abandon your principles, even when others fight against them.

Grant me the gift of encouragement, to give others hope and to help them believe that our labor is not in vain.

Help me to model your forgiveness, so relationships are healed and your Gospel is revealed.

Grant me discernment, so that I may read the deep waters of others' hearts, sort fiction from fact, and know when it's time to act.

Give me boldness and courage, tempered with kindness, to confront others in love, so they might see their errors and find their way back to you.

Help me to prepare thoroughly and not presume upon your grace.

Make me just and fair, so that even if people disagree with my counsel they will believe that I treated them well.

In short, Father, please give me the Spirit of Christ so that I might walk in his steps and guide your people into the path of your peace.

Mediator’s Checklist

BASIC MEDIATION PRINCIPLES

- ☐ Earn passport by showing that you can be trusted, you really care, and you can help
- ☐ Provide the “Three P’s” of satisfaction:
 - Process satisfaction (a fair and orderly process)
 - Personal satisfaction (treat people respectfully)
 - Product satisfaction (seek just solutions)
- ☐ Mediation Agenda (“GOSPEL”)
 - Greeting and ground rules
 - Opening statements
 - Story telling
 - Problem identification and clarification
 - Explore solutions
 - Lead to agreement

PRE-MEDIATION

- ☐ Coach from Scripture on heart issues
- ☐ Pray with parties
- ☐ Determine who will be involved (encourage church involvement)
- ☐ Parties read The Peacemaker and complete The Peacemaker Workbook
- ☐ Review ICC Guidelines for Christian Conciliation
- ☐ Have parties complete all required forms
- ☐ Prepare personally through prayer, study, and reflection

MEDIATION TOOLS

- ☐ Bible and Scripture reference guide
- ☐ Note pads, pens
- ☐ ICC Guidelines for Christian Conciliation
- ☐ The Peacemaker
- ☐ Slippery Slope cards and Peacemaker brochures
- ☐ Signed agreements (copies for parties)
- ☐ Client information forms (copy for each conciliator)
- ☐ All necessary forms (issue statement, approval of arbitration panel, etc.)

ROOM SET-UP

- ☐ General environment is private, clean, uncluttered, comfortable temperature, well-lit
- ☐ Overall disability access
- ☐ Table (preferably round) and comfortable chairs (enough chairs for all people)
- ☐ Extra room for caucusing
- ☐ Coffee, water, mugs, glasses
- ☐ Snacks (fruit, rolls, cookies, mints)
- ☐ Flip chart and markers
- ☐ Kleenex
- ☐ Note pads and pens
- ☐ Accessible restroom and telephone

GREETINGS AND GROUND RULES

- ☐ Welcome and introductions
 - Purpose is to fulfill the “three opportunities”
 - Describe mediation agenda (“GOSPEL”)
 - Agree on schedule
 - Explain the use of caucuses
 - Clarify roles of mediators and advisors
- ☐ Explain ground rules:
 - We will communicate respectfully (no name-calling)
 - Honesty: we will speak the truth in love
 - No interruptions (except conciliators may ask clarifying questions)
 - Anyone may request a break or a caucus (but no disruptive departures)
 - No assuming motives
- ☐ Ask if parties would like to add any ground rules
- ☐ Ask for (and gain) commitment to follow ground rules
- ☐ Congratulate parties on their second agreement (agreed to conciliate and agreed to ground rules)
- ☐ Other items to mention
 - Conciliators are not acting as legal advisors (even if one or more is an attorney)
 - Parties will focus on their own responsibilities
 - Mediation is considered settlement negotiations and may not be used for discovery purposes
 - Confidentiality: we will not discuss this matter with outsiders unless they have a legitimate need to know (i.e. church leader)
 - Parties will make final decision
 - Parties will file legal documents

-
- ☐ Brief devotional (Scripture and prayer)

OPENING STATEMENTS

“We would like each of you to make a brief opening statement. Please take two or three minutes to explain your hopes and expectations for today. Remember that you will be able to go into more detail later.”

STORY TELLING

- ☐ “We are now moving into the story-telling phase. Our goal is to gather and clarify information so that everyone can better understand what has happened and what can be done to resolve this matter.”
- ☐ Remind parties of commitment to ground rules
- ☐ Explain difference between perceptions and reality
- ☐ Alternate speakers (so each party has an opportunity to be heard)
- ☐ Summarize, clarify, and take careful notes
- ☐ Encourage and commend confession (the 7 A’s)
- ☐ Ask parties to paraphrase what the other has said
- ☐ Ask parties to identify each other’s possible interests
- ☐ “Open” questions at first, “closed” questions later
- ☐ Diffuse barbed comments
- ☐ Ask for specific examples
- ☐ Use clarifying and reflecting (paraphrasing) questions
- ☐ Pay attention also to the person who is not speaking
- ☐ Watch your own body language
- ☐ Take breaks when necessary

PROBLEM IDENTIFICATION AND CLARIFICATION

- ☐ “Now that we have heard both your stories, let’s see if we can clarify what issues we need to resolve today.”
- ☐ Summarize confessions and concessions
- ☐ Ask each party to identify an issue that needs to be resolved (alternate between parties)
- ☐ Use flip chart to record and issues agenda
 - Distinguish between material and personal issues
 - Note that some issues are sub-issues of larger issues
 - Help the parties to prioritize issues
- ☐ Distinguish issues, positions, and interests
 - Issue: an identifiable and concrete question

-
- Position: a desired outcome
 - Interest: what really motivates people

EXPLORING SOLUTIONS

- ☐ “Let’s review what we have done so far. You have shared your perspectives on the conflict, which has allowed us to clarify some misunderstandings and resolve a few personal matters. We then identified the key issues and your major interests. You have already started to develop ideas for meeting some of those interests (give examples). Are you ready to begin working on a solution to this problem?”
 - Focus first on personal issues and alternate with material issues as necessary for progress Deal with sin issues through repentance, confession, confrontation, forgiveness, and restitution
 - Negotiate material issues (the “PAUSE Principle”)
- ☐ Four rules of brainstorming:
 - No judging
 - Strive for quantity not quality
 - Be wild and creative
 - Hitch-hiking is encouraged
- ☐ Evaluate options objectively and reasonably
 - Use Scripture, facts, experts, or precedent
 - Separate discussion of material and personal issues
 - Encourage parties to be specific
 - Use clarifying questions
 - Make sure that all issues are on the table
 - Look for admissions, hidden/conditional offers
 - Note small positive steps and agreements
- ☐ If you bog down on substance, negotiate on process
- ☐ Use private caucuses
 - “We’ve been talking for quite awhile. I’d like to take a few minutes to talk privately with each side.”
 - Explain limits on confidentiality
 - If possible, take party out of meeting room
 - Give an assignment to the other party
 - Keep caucuses as short as possible
 - Keep them balanced (talk to both sides)
 - Focus the discussion on the party who is present (ask “How do you feel about what has happened so far?”)
 - Draw attention to positive accomplishments

- Ask party to clarify issues, positions, and interests
- Encourage needed confession
- Ask “what-if” and “if-then” questions
- Coach the party for the next step
- Pray together

LEADING TO AGREEMENT

- ☐ “We have discussed several options and begun to identify your preferred solutions. Are you ready to move toward a final agreement?”
- ☐ Summarize confessions and ask parties to forgive (the Four Promises): look for any unresolved offenses
- ☐ Ask “Why do you support this agreement?”
- ☐ The settlement agreement should address issues and underlying causes, anticipate future events and problems, and include a conciliation clause; should be balanced and positive; should be signed by parties but not mediators

CLOSING

- ☐ Close on a positive and honest note
- ☐ Praise God for his work
- ☐ Commend parties for progress and agreements
- ☐ Gently admonish where further progress is needed
- ☐ Review what will happen next
- ☐ Prepare parties to explain results to others
- ☐ Invite parties to make brief closing statement
- ☐ Close with time of prayer