



Avoiding Splits—Fighting Fair in Church: Guidelines for an Effective Church Peacemaking-Mediation Process

By Dianne Mason

Minister Dianne Mason, J.D. is the president of One Accord Reconciliation Services, LLC (www.oneaccord1.com), a church relations consulting firm where she provides reconciliation services as a certified Christian Conciliator™ to church clients nationally.

I appeal to you, brothers [sisters], in the name of our Lord Jesus Christ, that all of you agree with one another so that there may be no divisions among you and that you may be perfectly united in mind and thought. My brothers [sisters], some from Chloe's household have informed me that there are quarrels among you. What I mean is this: One of you says, "I follow Paul"; another, "I follow Apollos"; another, "I follow Cephas"; still another, "I follow Christ." Is Christ divided?

—1 Corinthians 1:10-13

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

Church conflict is on the rise, inevitable, and contagious. The stress conflict causes has been deemed by some studies as the leading cause for pastors involuntarily leaving local church ministry. Alternative Dispute Resolution is thriving in the secular world, with conflict management training offered at an exclusive cost through some of the country's finest liberal arts institutions. However, although conflict management training for pastors is lacking in most seminary and Bible college curriculums, conflict resolution theory, training, and procedures are

available for the local church. The conflicts seen in African American churches are unique, entrenched in its history, and generally connected to the daily struggles and externalities of the African American community.

Years of training church leaders in conflict resolution have made me agree with the general observations of Alfred Poirier, author of The Peacemaking Pastor: A Biblical Guide to Resolving Church Conflict, that church leaders, including pastors, are hindered from peacemaking because of three assumptions. They: 1) view peacemaking as only a tool of ministry rather than a habit of being and limit it to crisis situations, 2) consider peacemaking as a corrective tool and not a constructive opportunity, and 3) fail to view peacemaking through the eyes of scripture to understand the church's reconciliation assignment.¹ The ministry of reconciliation should be a focused ministry like any other ministry in the Church, with fire extinguishers ready at all times. Crisis situations would not exist if peacemaking were part of the local church culture rather than a tool on the shelf until an alarm sounds. Moreover, if peacemaking were embraced as a ministry and administered in a loving manner, it would be perceived as an opportunity for spiritual growth even when applied as a corrective tool during conflict.

What is conflict? Simply stated, it is "a difference in opinion or purpose that frustrates someone's goals or desires."² Conflict results when our desires, expectations, fears, or wants collide with the desires, expectations, fears, or wants of others. We are told in James 4:1-3 that we fight and quarrel within the church because of the desires that battle within us for the things we want and do not ask God for or the things we ask God for and do not receive because we have wrong motives. Conflict in and of itself is not the problem. The problem is the church's improper *responses* to conflict, denying or ignoring it, which results in devastating consequences for the

church, including a lack of spiritual growth, a drain of the church's resources, diminished ministry opportunities, decreased church attendance, leadership voluntary or involuntary separations, congregation division, and sometimes church splits. Proper church conflict responses promote peace and unity, glorify God, and provide opportunities for the church to prosper in all areas.

One proper response to church conflict is the ministry of reconciliation, a peacemaking process given to the Church by God (2 Corinthians 5:19). The cornerstone process of reconciliation ministry is *mediation*, a reconciliation tool that has existed for ages. God introduced mediation through Moses to deliver the Hebrews from bondage (Exodus 3:10-25); God reminded Moses of the reconciliation/conflict management tool for his mega church through his father-in-law, Jethro (Exodus 18:1-27); and God utilized mediation as a reconciliation tool to bring peace to humanity through Jesus (1 Timothy 2:5; Hebrews 12:24). Hence, in the church, mediation as a reconciliation tool is vertical and horizontal with Jesus bridging the gap in our conflicts, making it possible for us to reconcile with each other through his love. When used by the church and when scripturally based, mediation is referred to as *church mediation or conciliation (hereinafter, church mediation)*.

Church mediation, as a biblically based, transformative dispute resolution process, involves a mutually selected, impartial third person(s) who coaches and facilitates discussions between parties in dispute to reach a God-glorifying solution to the conflict. The process is "issue focused" and narrow as compared to the broader process of biblical counseling that helps individuals identify issues underlying conflict. Simply stated, mediation is a subpart of the overall biblical counseling process utilized to expedite closure on issues in a conflict situation or issues hindering an individual's counseling progress. The process frees the pastor from having to address every conflict personally in the church; other church leaders can be equipped to mediate

disputes, and when members are equipped to resolve conflict, many issues within the church are resolved without any leadership assistance at all.

Church mediation is, or can be:

- A vehicle to share the Gospel
- A demonstration of love and concern
- A ministry outreach opportunity
- Economical compared to litigation
- Freeing
- Christ-centered
- Empowering
- Spiritually maturing
- Encouragement for Bible study and prayer

Church mediation is not and should not be:

- A weapon
- Condemnation
- An opportunity to showcase a person's fall
- Retaliation

Matthew 18:15-18 provides mediation procedures for addressing conflict in the church.

The biblical procedure is often utilized to discipline church members for serious infractions that are highly publicized and threaten the reputation of the church. However, the same Matthew 18 process, modified, is applicable to conflicts between disgruntled members who merely struggle with conflicting personalities or poor communication or who resist change. These types of conflicts exist in every church with the potential to swell to a tsunami if ignored. A formal mediation process serves as a retaining wall.

More importantly, the process of mediation is responsive to Paul's rebuke to Christians resolving their disputes in the courts (1 Corinthians 6:1-8). Without a dispute resolution process in the church, particularly mediation, how should the church assist conflicted church members? Does the church have a responsibility to establish a formal forum for conflict resolution? The answer is unequivocally YES! It is not optional. We are Christians daily, not just on Sundays or while in church. Therefore, as Christians, we must make every effort to keep the unity of the

Spirit through the bond of peace (Ephesians 4:3), to do what leads to peace and to mutual edification (Romans 14:19), and to be holy for without holiness no one will see the Lord (Hebrews 12:14). The church must lead the way for peacemaking if the conflict involves Christians, and the dispute may not even involve church ministry but members of the local church. The question then should be how should the church implement a biblically based mediation process?

The Mediation

A. The Three Goals of a Church Mediation:

- Restoration: the parties return to fellowship with one another at the mediation
- Restitution: the act of restoring to the rightful owner something that has been taken, lost, or surrendered
- Reconciliation: the full restoration of trust and relationship based on confession and forgiveness that comes with time

B. The Three Stages of Church Mediation:

- Pre-mediation: conflict coaching/biblical counseling
- Mediation: facilitated discussion, repentance, and acknowledgements/period of restoration
- Post-mediation: period of reconciliation and agreement execution³

C. The Three Qualities of a Successful Mediation to the Parties:

- Process Satisfaction: The Pre-mediation, Mediation, and Post-mediation stages were effective, impartial, and timely allowed all parties to be adequately heard and otherwise participate.
- Personal Satisfaction: The parties believe that they were treated and respected equally.
- Product Satisfaction: The parties believe the final conflict solution is just and equitable even if it is less or different than they expected or requested.

D. The mediation is successful for the church when parties' hearts are transformed and they are re-focused on Christ.

The Effective Mediation Process: Attributes and Steps

A. Attribute One: Congregation Awareness & Trained Mediators

Step 1. Preach/teach reconciliation to the congregation and train mediators to:

- Conflict Coach: apply narrowly focused biblical counseling
- Mediate/negotiate: facilitate difficult discussions and offer biblical guidance
- Administer a case: schedule meetings, develop a case file for mediation, and communicate effectively with all parties
- Practice ethical behavior as a mediator: make and carry out ethical behavior to avoid a loss of personal and process integrity.

B. Attribute Two: Efficient Case Administration

Step 2. Establish a church mediation policy, procedure, and reconciliation ministry leader (a trained church mediator) to implement and manage the process by:

- a. Publishing the existence of the reconciliation/mediation in the church's
 - Governing documents
 - Weekly bulletin from time to time
 - Newsletter
 - Website ministries

- b. Establishing administrative processes and forms for
 - Case intake
 - Assigning church mediators
 - Obtaining interview and mediation consents
 - Explaining that a professional or lay support person may be present
 - Assuring Confidentiality
 - Obtaining Position statements
 - Recording mediation Agreement(s)
 - Explaining the procedural guidelines for church mediation (Skill-set obtained in training)
 - Establishing confidential communication procedures that include the pastor

C. Attribute Three: Use Competent Trained Church Mediator(s)

Step 3. Develop a mediation team with members who can:

- Intercede in prayer on behalf of others and teach the Word
- Model Christ-like behavior: serve with love, a shepherd's heart, and humility
- Clearly explain the steps of the mediation process
- Convince parties to mediate based on biblical principles
- Conflict coach (spiritually counsel)
- Negotiate complex matters
- Listen patiently, speak gently, and speak the truth in love
- Gather facts and assist the parties in identifying their interests and positions
- Recognize the idolatry that serves as a root cause of the parties' conflict
- Submit to the Holy Spirit and manage uncomfortable silence while the Spirit speaks to the hearts
- Balance the conversation and empower the involvement of all through acknowledgement and encouragement.

D. Attribute Four: Record the Parties' Agreement

Step 4: Effective church mediators obtain written statements that acknowledge the parties' confessions and forgiveness and explains how they will settle the substantive issues.

The Mediation Agreement (individuals who do not sign an agreement are usually not truly

restored or reconciled):

- Recites the parties' words, not the mediator's words
- Contains the resolution of parties personal and substantive issues
- Is given to the parties and the pastor
- Is signed by the parties only
- Is confidential (unless the parties agree to use their experience as a witness)
- Includes every agreement the parties achieved during the mediation

E. Attribute Five: Process Accountability

Step 5: A successful mediation results in restoration and immediate fellowship. However, reconciliation, re-establishment of trust, and friendship usually take time and effort. The post-mediation process requires the mediator to support the parties with:

- Continued prayer
- Follow-up regarding outstanding promises in the Agreement
- Continued biblical counseling upon request
- Encouragement to share their experience and reconciliation as a witness of God's power, love, and mercy

F. Attribute Six: The Main Attribute: The Holy Spirit

Step 1–5: Pray before and throughout the mediation process with the parties and alone. The difference between church mediation and secular mediation is the presence and guidance of the Holy Spirit, the primary mediator and heart transformer. The focus of the mediation is the Gospel, not "rights." Substantive issues are easily resolved when hearts are refocused on glorifying God after the personal issues are resolved which are sinful in nature (to name a few: hating, lying and gossiping).

Disputes That Should Not Be Mediated by a Church

The church is biblically required to provide a reconciliation process (1 Corinthians 6:1-8).

There are, however, disputes that should not be addressed by the church, even when the church is approached by a party for help. Some of the disputes include:

- Criminal matters (unless requested by the court)
- Parties who wish to make an unlawful agreement
- Parties under a "No Contact" judicial order (restraining order)
- Individuals with the propensity for violence (avoid damages for negligence)
- Matters with a statute of limitations (employment related claims, personal injury etc.)

- Minors who are seeking assistance without parental consent or involvement
- When either party demonstrates signs of mental incompetence
- When the parties' legal representation refuses to cooperate
- When either party refuses to agree to the process, is disruptive, or objects to the use of biblical principles

Disputes That Should Be Mediated by an “Outside” Church Mediator

The church should prevent any appearance of impropriety or bias, except towards the word of God. Therefore, to insure impartiality, objectivity, competence, and fairness, an outside Christian mediator (Christian Conciliator™) should be utilized to mediate a dispute when:

- The church or a church leader is a party to the dispute
- Mediation is court-ordered
- The dispute involves the pastor
- The matter involves legal issues and legal rights
- The issues are complex and a group of complainants are involved
- A party is of another faith but is willing to submit to the biblical process
- The church lacks trained and experienced church mediators

Considerations for Selecting an Effective “Outside” Church Mediator

A church's relationship with a mediator usually begins during a crisis. When selecting a mediator, the following information should be considered:

- The mediator's spiritual background and denomination
- The mediator's accountability structure
- The mediator's training, certification, and reputation
- Pending legal or professional governing board investigations
- Criminal background check results
- Mediator's standing within his/her profession
- Whether they are an Independent, firm associate, or partner
- Mediator's knowledge of the parties
- Whether they have a legal background if litigation is pending or threatened
- Whether the mediator uses biblical principles, including Matthew 18
- The mediator's billing structure
- Whether they or an associate will serve
- References

How the Church Can Avoid Litigation through Mediation

Mediation is also a litigation avoidance tool for the church. When the mediation process is established and is a part of the church's governing documents and business transactions through mediation clauses, courts will dismiss or delay civil litigation filed against the church and defer to the church's mediation process for exhaustion as an alternative dispute resolution before it exercises jurisdiction over litigation. Mandatory Mediation Clauses should be crafted by a legal counsel to be compliant with state legal requirements.

Arbitration: An Alternative to Litigation if Mediation Fails

Arbitration is a legal technique for the resolution of disputes outside the courts where the parties to a dispute agree to be legally bound by the decision of the arbitrator (judge). The arbitrator decides the outcome of the dispute based on the evidence. It is a private non-jury trial with attorneys outside of the judicial system. Normally, the parties to a dispute agree to mediation and if necessary arbitration (MED/ARB) at the onset of the mediation process as an incentive for all of the parties to settle the matter. Arbitration may or may not be legally binding depending on the parties' MED/ARB agreement.

Affording Training and Consulting

Many churches are struggling financially in the present economy and ministry training does not seem affordable. The truth is, the training is more affordable than the cost of time-consuming litigation, which is always a greater investment than the cost of mediation and conflict management consulting and training. To economically establish a reconciliation ministry, pastors and leaders may consider onsite training at their church and: 1) working with a church conflict management consultant to customize a strategic reconciliation training plan, 2) inviting other pastors (churches) in their area to participate in the training and to partner in the financial responsibility, 3) allowing individuals not affiliated or associated with the church to attend at cost,

and 4) allowing leadership participation to be voluntary and partly paid by the participants or sponsored through donations.

Notes

1. Poirier, Alfred. The Peacemaking Pastor: A Biblical Guide to Resolving Church Conflict. Grand Rapids, MI: Baker Books, 2006, 13–14.

2. Sande, Ken. The Peacemaker: A Biblical Guide to Resolving Personal Conflict, 3rd ed. Grand Rapids: Baker Books, 2004, 29.

3. Ibid., 263–269.