

CHRISTIAN MEDIATIONS

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18 “Good” Reasons NOT to Use Christian Mediations

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Christian Mediations is not for everyone. This article describes reasons not to use the Christian mediation approach as opposed to other forms of mediation.

If the Christian mediation approach is inappropriate for you, our hope is that you discover that now, while you are reading this article, rather than later, after you have become disappointed and invested valuable time and resources in a process that is not for you. So please see if any of these reasons not to use the Christian mediation approach apply to you – GOD BLESS!

The following 18 reasons why you may not want to use the Christian mediation approach are based upon my experience in mediating disputes for believers and based upon feedback from persons for whom Christian Mediations would not have been appropriate.

So ... why do people say (or think) they don't want to use Christian Mediations?

1. They do not want to use the Bible as the primary source of wisdom and authority.

We believe that God’s word is sufficient for all things pertaining to life and godliness (1 Peter 1:3). The book of Proverbs has much to say about conflict and gives sage advice on both how to avoid and resolve conflicts; for example: “A man’s wisdom gives him patience; it is to his glory to overlook an offense” (Proverbs 19:11).

When we incorporate Scripture into the mediation process, we follow the Institute for Christian Conciliation’s (“ICC”) Rules of Procedure which provide in Rule 4 that, “Conciliators shall take into consideration any state, federal or local laws that the parties bring to their attention, but the Holy Scriptures (the Bible) shall be the supreme authority governing every aspect of the conciliation process.” (ICC’s Rules of Procedure may be viewed at www.peacemaker.net.)

This is not to say that the Christian mediation process becomes a Bible study or that we ignore legal rules or established precedent. Rather, it means Scripture forms the basis for all that we do and is a natural part of the mediation process just like prayer and fellowship are natural parts of a believer’s life. In fact, Matthew Argue has over 15 years experience as a practicing trial lawyer.

Therefore, if you are looking for a process that does not incorporate the Bible into the mediation, then we recommend not using Christian Mediations.

2. They do not want to use a mediator who prays before and after every session.

Mediation is primarily about conflict resolution. Every conflict involves complex interaction of people, circumstances, emotional and material issues. Unwinding conflict requires skill, care, perseverance and wisdom.

We believe that prayer is an essential part of the Christian mediation process and allows us to access God's power and wisdom to help resolve complicated issues. Moreover, the Holy Spirit is able to discern both the "thoughts and intentions of the heart" (Hebrews 4:12) and move mountains in people's hearts that may not be moved any other way.

While we will typically begin and end every mediation session with prayer, the mediation time is not a prayer meeting. The parties are invited to participate in prayer but are not obligated to do so. Even though some people have commented about not wanting to pay for the mediator to pray, in actuality the mediator spends no more than a few minutes in prayer per mediation session. If this is not acceptable to you, then we recommend using another mediation approach to resolve your dispute.

3. Their primary motivation for using Christian Mediations is to save money.

Some people mistakenly believe that the Christian mediation approach will be less expensive than other types of mediation. While Christian mediation conducted in accordance with the ICC's Rules of Procedure can be less adversarial (for example, see below ICC's Rule 1), which may in turn result in a monetary savings, it may not necessarily hold true for every case. Therefore, if monetary savings is the sole or primary motivation for using the Christian mediation approach, we recommend another process may be better suited to your needs.

4. They want someone else to take responsibility for solving their problems. OR ...

5. They feel more comfortable having attorneys take responsibility for solving their problems.

Mediation is a process whereby the parties themselves work out their differences face-to-face. The primary role of the mediator is to help facilitate communication and negotiation between the parties for the purpose of reaching a resolution.

One of the great promises of a Christian mediation is that the parties can actually overcome their differences and grow in the process. The trade-off the parties must be willing to make is that instead of hiring others (e.g., lawyers) to solve their problems they must become personally involved in resolving their own dispute. This does not mean that lawyers are not welcome to attend the mediation, but if they do so they must adhere to the ICC's Rules of Procedure and abide by the mandate to help people resolve disputes in a conciliatory rather than an adversarial manner. (ICC's Rules of Procedure, Rule 1.)

Therefore, if parties are not willing to work together cooperatively towards a solution and/or insist upon an adversarial approach to resolving conflict, then Christian Mediations is not best suited to their needs.

6. They have no interest dealing with issues of unforgiveness and bitterness underlying conflict.

A major tenant of the Christian mediation approach is to bring healing to broken relationships. Unforgiveness and bitterness are like poison pills we take hoping to hurt the other person who has injured us. The cure for the disease of unforgiveness and bitterness is confession, repentance and forgiveness. Therefore, each mediation is conducted with the goal of identifying areas of unforgiveness and bitterness and helping the parties to acknowledge their roles in creating the conflict and forgiving each other. Not surprisingly, once the parties have confessed and forgiven each other, the conflict becomes exceptionally easy to resolve. If you are not willing to consider your part in creating or perpetuating the conflict and/or would not consider giving or receiving forgiveness, then Christian Mediations would not be a good fit for you.

7. They are too busy to work in between mediation sessions on issues like communication, respect and following the Golden Rule.

Conflict is draining. It takes a toll on people mentally, emotionally, physically, financially and spiritually. Similarly, resolving conflict takes a lot of hard work and perseverance. Much of the hard work is accomplished during the mediation session in the face-to-face meetings. However, important work is also accomplished outside the mediation session in pre-mediation conflict coaching sessions or homework that is assigned between mediation sessions. Some of the homework is learning basic listening skills or more productive ways to communicate with each other, but personal Bible study and prayer time are also important elements of a Christ-centered mediation process.

Parties that do not have the time or interest to invest in learning how to better handle and resolve their own conflicts are not good candidates for using the Christian mediation approach. It is our firm belief that God uses conflict in every believer's life and in the world to bring about change and growth in our lives. People who prefer to resist change or are unwilling to grow and change are not good candidates for using the Christian mediation approach.

8. They want the mediator to be knowledgeable in the law and require the parties to follow legal precedent.

A mediator who understands the legal issues can be helpful to the parties in reaching resolution. However, the Christian mediation approach goes far beyond standard non-Christian mediation in resolving disputes. The ICC's Rules of Procedure, Rule 1, states in part, "In addition to facilitating the resolution of substantive issues, Christian conciliation seeks to reconcile those who have been alienated by conflict and to help them to change their attitudes and behavior to avoid similar conflicts in the future." Since the Bible is the supreme authority in the Christian mediation approach (See ICC's Rules of Procedure, Rule 4) and not legal precedent, the Christian mediator's primary role is to encourage the parties to seek God's will for how to resolve their dispute. If following the law is primarily important to you, then you should choose another form of mediation.

9. They are primarily concerned about enforcing their "rights" instead of trusting God.

The Bible does not support the idea that any person is more important than another person. In fact, the Bible consistently says just the opposite. For example, Philippians 2:4 says: "Let each of you look not only to his own interests, but also to the interests of others." Jesus is our example, and even though he was equal to God, humbled himself and became obedient to the point of death (Philippians 2:8). Therefore, a person who uses the Christian mediation approach must be willing to consider the needs of the other person in addition to his or her own needs.

10. They are convinced the best way to “win” a controversy is to be adversarial rather than conciliatory towards the other person.

Christian mediation means the voluntarily submission of a dispute for biblically-based conflict counseling/coaching, mediation, arbitration, or mediation/arbitration. In conciliation, the parties are encouraged to shift their focus from bargaining from positions, each trying to change the other's perspective which rarely happens, to jointly solving a problem that is affecting the parties in different ways. The promise of conciliation is that the parties can resolve their dispute in a mutually satisfactory and supportive way.

The typical, adversarial approach to conflict resolution requires the parties to pursue a competitive or punitive approach. To prevail using this type of conflict resolution, the parties must destroy each other's position. Predictably, after a long and costly legal battle, the parties are emotionally and financially spent. Because of the economic and emotional costs, even a so-called “winner” is rarely satisfied with the result and appeal by the “loser” is common. Rarely does an adversarial approach resolve the matter to the complete satisfaction of either party or result in future relations between the parties.

For these reasons, the Christian mediation approach requires the parties to adhere to the ICC's Rules of Procedure, Rule 1, which states, “The purpose of Christian conciliation is to glorify God by helping people to resolve disputes in a conciliatory rather than adversarial manner.” If using a conciliatory approach to resolving conflict disturbs you, perhaps another type of mediation will better meet your needs.

11. They do not agree with I Corinthians, Chapter 6 which says it is better to be “wronged” than to be involved in a lawsuit against another Christian.

In I Corinthians 6, the Apostle Paul gives a strong warning against resorting to lawsuits to resolve disputes between believers. Paul says, “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.” This is one of the clearest guidelines in the Bible about how believers are to treat one another.

Choosing to use the Christian mediation approach is also a choice not to file a lawsuit. While we believe that as a Christian this is the best decision you can make which honors God and will be a blessing to you, we also understand that our approach is not for everyone and commend you for recognizing Christian Mediations may not be for you.

12. They prefer to keep their local church or pastor from knowing anything about the mediation process.

Our view of biblical dispute resolution is that the Christian mediation approach works in conjunction with the local church and pastors to bring about reconciliation in the body of Christ. It is not uncommon for us to work directly with pastors as co-mediators in resolving a dispute. We follow the ICC's Rules of Procedure, Rule 17, which provides, “Unless agreed otherwise, the Administrator and the conciliators may discuss a case with church leaders of the parties who profess to be Christians.”

We believe that our approach provides accountability to the conciliation process and recognizes that conflict has a wide-spread affect on others in the church and larger community beyond those directly involved in the conflict. Ironically, matters that are resolved in court are also open to the public absent an extraordinary order by the court to keep them confidential. If you prefer that the local church or pastor not know about what is happening in the mediation process, then the Christian mediation approach would not be a good choice for you.

**13. They doubt what the Bible has to say about resolving their conflict.
OR ...**

14. They do not believe in the Biblical approach to conflict resolution described in Matthew 18.

The Bible says that a person who doubts is like a wave of the sea tossed to and fro by the wind (James 1:6). Further, to him who knows to do good and does not do it, to him it is sin (James 4:17). As the prophet Elijah said at the top of Mount Carmel to the prophets of Baal, a person must choose to be either for God or against him (1 Kings 18:21).

Generally, Christians are not free to sue other Christians, at least not until they have exhausted the process sets forth in Matthew 18:15-20 and 1 Corinthians 6:1-8. The Bible instructs Christians to resolve their disputes within the church itself, with the assistance of other Christians if necessary. In Matthew 18, the Bible lays out a four-step process for resolving disputes. The first step is to go directly to the other person and try to resolve the dispute face-to-face. If this does not resolve the dispute, the second step is to bring a neutral, third party such as a Christian mediator to help resolve the dispute. The third step is to involve the church leaders in the dispute and submit to a binding decision by the church. If the dispute still is not resolved, then the parties may pursue other legal remedies such as filing a lawsuit. Many Christians are unaware of this teaching, or they believe that it no longer applies today.

Unless you believe both in God's word and are prepared to follow whatever God asks you to do to reconcile, then you would be better off with another type of mediation.

15. They view conflict as something to be avoided rather than an opportunity to learn and grow.

It is not uncommon for people to equate peace with the absence of conflict. Peace is not the absence of conflict. Peace is the ability to deal with conflict effectively, efficiently, and respectfully. If you want to have less destructive conflict in your life, permit conflict to happen without overreacting or avoiding it. If conflict is seen as the norm instead of something to be feared, the severity and length of conflict will lessen.

Our culture tends to abhor conflict. Our natural tendency is to avoid conflict or pretend it does not exist. One way we ignore conflict is to hire lawyers to engage in conflict for us. The Christian mediation approach takes a different view of conflict and encourages people to be fully engaged in resolving conflict in their own lives and then to be equipped to better handle conflict in the world at large. Our encouragement to you is to rethink your view of conflict and your role in resolving conflict.

16. They believe unresolved conflict only affects those directly involved in the conflict.

One of the great myths of conflict is that it only affects those directly involved in the conflict. However, the Bible teaches that the sins of the fathers are visited upon their children even down to the third and fourth generation. (Exodus 34:7.) When one is exposed to a pattern of abuse or alcoholism in a family it is easy to understand how future generations are affected by how we choose to live our lives. Another example is children of divorced families who have difficulty in their marriages and families. (See, *The Unexpected Legacy of Divorce: the 25 Year Landmark Study*, by Judith Wallerstein (Hyperion, 2000).)

Because the Christian mediation approach believes that unresolved conflict has a ripple effect on others who are not directly involved in the conflict, we address the root causes of conflict (i.e., anger, selfishness, unforgiveness, etc.) in the mediation. Although not always easy, dealing with underlying root causes of conflict brings true healing and reconciliation. We know this an ambitious approach to mediation, but we are up to the challenge and hope you are too!

17. They think going to Court is easy and customary and have not experienced the financial and emotional drain of litigation to know why the Bible recommends to “agree quickly with your adversary, while you are on the way with him ...” (Matthew 25:5)

Christian Mediations is often called to mediate cases where the participants have little or no experience with the costs, both financially and emotionally, of taking a case to court. The cost of mediation is only a small fraction of the cost of taking a case to court. But, because of the inexperience of people who have not used the court system, they sometimes are concerned about paying a Christian mediator by the hour or by the day to resolve a dispute.

Matthew Argue has over 15 years experience as a trial lawyer and understands both the financial and emotional costs of trial (a.k.a. “litigation”). Court cases typically drag on for several years with both parties paying their lawyers \$250 or more per hour. Often times the court cases do not end until the parties have no more money to spend fighting each other. The emotional drain of prolonged conflict also takes its toll. This is particularly true when the people have a family or personal relationship that has been destroyed or impaired by the conflict.

Our encouragement is to view the cost of mediation as an investment in yourself and others who are being affected by the conflict. If every experience in life is an opportunity to grow and learn, then your present conflict may be preparing you to help you and/or others deal with conflicts in the future. If you are struggling with the monetary cost of a Christian mediation approach, we respectfully suggest you consider the real costs (personal, emotional, spiritual) of allowing the conflict to continue without resolution.

18. They are not sure if the Bible is sufficient to handle all their problems in life.

It has been said that B-I-B-L-E stands for Basic Instructions Before Leaving Earth. The Bible itself affirms that it contains EVERYTHING pertaining to life and godliness. (2 Peter 1:3.) Therefore, we are comfortable using the Bible as the foundation for Christian Mediations. Obviously, if you disagree, you would be better suited to choose another form of mediation.

We hope this article has helped you to understand a bit more about the reasons you yourself may want to choose a different approach to mediation than the approach Christian Mediations uses for its mediations. If what we have said here causes you no great concern, then we hope you will give us the opportunity to serve you. But whatever type of mediation you chose: we wish you God’s blessing in resolving your dispute to the Glory of God!