



4-1-2003

The Mediator: Justice and Mercy as a Type For Bringing Unity Out of Conflict

Robert L. Gleave

Roger H. Belisle

Follow this and additional works at: <https://scholarsarchive.byu.edu/irp>

Recommended Citation

Gleave, Robert L. and Belisle, Roger H. (2003) "The Mediator: Justice and Mercy as a Type For Bringing Unity Out of Conflict," *Issues in Religion and Psychotherapy*: Vol. 28 : No. 1 , Article 11.

Available at: <https://scholarsarchive.byu.edu/irp/vol28/iss1/11>

This Article or Essay is brought to you for free and open access by the All Journals at BYU ScholarsArchive. It has been accepted for inclusion in *Issues in Religion and Psychotherapy* by an authorized editor of BYU ScholarsArchive. For more information, please contact scholarsarchive@byu.edu, ellen_amatangelo@byu.edu.

PRESENTED AT THE AMCAP FALL CONVENTION ~ OCTOBER 4, 2002

The Mediator: Justice and Mercy as a Type For Bringing Unity Out of Conflict

ROBERT L. GLEAVE, PH.D.

Brigham Young University

and

ROGER H. BELISLE, M.A.

Brigham Young University

In our work of psychotherapy, much of what we encounter has to do with positions that are in conflict. Since conflict is such a ubiquitous life experience many of us have acquired some ways to deal with conflict. Particularly, those who have developed a personal relationship with the Savior have been able to apply many of our ideas in ways that have become second nature. As one practices the principles presented here, the ability to deal with conflict can become fairly quick and intuitive. Let us remember however that our clients are not always as experienced or as connected to the divine as would be in their best interest. Therefore, we hope a discussion about some of the more specific elements involved in conflict would be instructive and useful.

The conflicts which we address happen between people. While there are conflicts that exist between ideologies, between forces of nature, etc. – and while it might be true that the ideas presented in this paper would be effective with those kinds of conflict – we will focus our discussions on those conflicts which happen between people.

When human beings encounter conflict there seems to be a natural drive for a speedy resolution. Sometimes

that search for a quick resolution leads to premature closure. We propose that a close examination of conflict, one that avoids premature closure, one that is unafraid of what will be found, and one that is bold in its exami-

Robert L. Gleave, PhD, a graduate of Brigham Young University and a Licensed Psychologist, holds joint appointments in the Brigham Young University Counseling & Career Center and the Dept. of Counseling Psychology. He is listed in the National Registry of Certified Group Psychotherapists and conducts a private practice in Provo, Utah. He was the 1993 recipient of the American Psychological Association Karl F. Heiser Presidential Award, and is past president of the Utah Psychological Association and the Utah Personnel & Guidance Association. Previously he served as the AMCAP Journal Associate Editor, and as a bishop in the LDS Church. Address for correspondence: 1500 WSC, Brigham Young University, Provo UT 84602 <Robert_Gleave@byu.edu>

Roger Belisle, M.A., is a PhD Candidate in the Counseling Psychology doctoral program at Brigham Young University. He is also a Research Assistant in the Dept. of Counseling & Special Education and an extern in the Counseling & Career Center at Brigham Young University. He currently lives in Orem with his wife Charlene and their three children – Ethan, Blake, and their newborn daughter Emma. Address for correspondence: <rhb7@email.byu.edu>

nation of realities and implications, will yield specifics with which the atonement can help. Too often out of fear of conflict or out of an attempt to bring premature resolution to conflict, examination of important issues is short-circuited and full understanding is not available. In such circumstances there may be occasions when the power of the atonement is difficult to access or perhaps can only be applied in a partial way.

We will use an example from religion – namely, the opposition of justice and mercy – to present a way that positions which are in conflict, including those that appear opposite and mutually exclusive, can relate. We will present a method of resolution between these positions that we believe preserves the initial and foundational character of each side and yet finds a way to work together to create a unity which is more complete than either alone. We hope to show that it is possible for seemingly opposed positions to join hands in a joint venture, each enhancing rather than diminishing the other.

JUSTICE

Let us begin with justice. Justice is demanded when the interest of one individual is damaged or harmed in some way. A call for justice presupposes that the losses incurred by an individual matter, and that there is some quality inherent in an individual that calls for and requires a response. If it is possible to discount the hurt and loss to any degree or by any means whatsoever and thereby dismiss the individual, then justice as a concept is significantly weakened. Were it possible to find any basis or reason of any kind that would decrease the claim for recovery by a wronged individual, that were imposed by any kind of external force, the balance would begin to favor dismissing the individual in favor of whatever external pressures might be called to bear. Justice could then easily be overridden by simply dismissing the individual calling for justice. Most of us are unwilling to adopt such a position to any significant degree, because allowing any individual to be discounted and dismissed in this way opens the door for us ourselves to be dismissed and discounted in a similar way. There is an inherent general sense that the needs of the individual matter sufficiently as to ground a demand for justice firmly in our theologies and world views. However, let us press the issue a little further. The very

nature of individuals is directly at issue here:

- Are we created by and therefore “property” of God, and as such available to be “done unto” at his discretion? If so, then our claim on justice is at his discretion, not ours. Thus God would have the power to overrule and to selectively discount any given individual, perhaps in the service of some larger creative or conservation effort.
- Or, are we the result of random forces of the universe? If so, any claim for justice could be overridden by ongoing or future cosmic forces as we are swept along helplessly in the stream of evolution.
- Are we self-existent and co-eternal with God, having identity and agency in ourselves? If so, claims on justice can be self-defined and individually asserted.

Any position other than each individual having self-existence and being co-eternal with God leaves the concept of justice severely undermined. Any other position requires that justice and any claim thereto be footnoted with caveats and exceptions such as “as long as God is willing,” “unless evolution takes some turn or another,” etc.

Justice, then, has the most solid grounding when based upon the existence of a fundamental individual self which has claim in itself on recovery from any insult or damage incurred. And the claim must be immutable. There must be no argument that can set aside the demand for justice. The individual who has been wronged must have the leeway to set the definitions of what constitutes a loss and also what constitutes a recovery. To impose a definition on either from some external source is to severely undermine the autonomy of the individual and to reduce one’s claim on justice, leaving the individual manipulated by whatever greater force establishes those definitions.

Thus for justice to have a maximally strong position, it must be based upon the definition of an individual who has existence, value and importance in him/herself, who can set her/his own definitions – in this case, with particular regard to harm and recovery. There must, then, be sufficient value placed upon the individual that it is legitimate for that individual to claim recovery regardless of the cost. The definition of loss and the definition of recovery must not be based upon cost to another – or the individual is diminished, and the issue of cost then becomes the defining force of

the individual and the limit-setting force regarding justice: self-determination is significantly undermined; indeed, the very existence of the self as a self-defining autonomous agent is undermined.

MERCY

Let us now examine mercy. Mercy is a quality which is called into being by the interests inherent in relationships. While the existence of a *self* as discussed above is to be highly valued, it is clear that a self, an individual, is irrelevant without the context of a relationship: it is difficult to comprehend what value there would be in having only one such individual self in existence; there would be no opportunity for creativity, fecundity, etc. Such an isolated entity would be unable to make much of itself. Relationship, then, becomes highly significant to individuals. When one is able to produce more of something than one consumes, the excess can be contributed to a relationship. If there are others producing other things in quantities more than they can consume and if they then are willing to contribute that to the relationship, there is an additive effect and everyone in the relationship is enhanced significantly. Since an individual by his own effort is unable to produce all items that contribute to satisfaction; indeed, some enjoyments cannot be generated in any way other than in a relationship. An isolated individual is, then, at a severe disadvantage. In fact, not only would an isolated individual miss out on many advantages, it is unlikely that one could survive at all as a single entity.

Since individuals are irrelevant and largely impotent without relationships, relationships can be seen as having a significant, foundational, immutable and primary call upon the interests of the individual. Indeed, one's survival and continued existence depend upon it. Mercy therefore begins to call upon the individual to abandon claims on justice, agency, and self-existence in favor of maintaining relationships and survival. Being diminished and discounted, and having needs and feelings ignored, seem to be prices worth paying to insure continued existence. The interests of another in a relationship are therefore extremely compelling. The interest of the other in a relationship might even be seen as the highest priority survival interest for individuals. It can (and has been) said that attention to the needs of others is the best (and perhaps the only) way to happiness, and

is thus in one's best interest (Cuthbert, 1990; D&C 4:4; McConkie, 1980).

Mercy would ask that when there is a loss, the demand for recovery upon the other in a relationship should be reduced, so as to not annihilate or seriously damage the other in the relationship. The request for mercy is a request that justice be tempered, that the amount of recovery to the individual be diminished in some way so as to lessen the loss to the other – and to the relationship as a whole.

Note that the individual who is "other" in our discussion thus far is also a self-existent individual who has a foundational claim on justice to recover perceived and self-defined losses and hurts. He/she is also able to set her/his own demands for recovery. It is from this stance that the request for mercy is ultimately generated: this request for a decrease in the recompense offered as recovery to the first individual is a justice-demand of its own from the second individual (i.e., asserting that the original demand was excessive). The requests and demands generated by each side seem mutually exclusive: how can full justice be claimed if it requires the annihilation of the other upon whom one depends for the advantages of relationship? How can relationships have any value when they exist only at the cost of discounting and diminishing the individuals in the relationships?

COMPETITION

When these interests between justice and mercy are seen as individual entities, competition surfaces easily. The competition that is generated by the justice-born self-definitions of losses and recovery vs. the discounting counter demands of mercy, gives rise to a significant sense of futility. World events such as the conflict in Ireland or the Middle East exemplify this: situations in the Middle East illustrate the runaway process of each side self-defining its losses and demanding high levels of recovery (higher levels of recovery than the other side feels are appropriate), along with a willingness to dismiss the legitimacy of mercy's counterclaims from the other side. Additionally, the difference between the high cost demanded and the cost which seems reasonable is taken as a further loss to the side of whom the high cost is demanded; that loss must then be recompensed so a demand is made for recovery, which is again perceived as

another loss, followed by yet another demand for recovery, and on and on – thus the conflict escalates. Each side is also quick to make its own mercy-demands, whining about how their pain requires a discounting and setting aside of the justice claim of the other. This process cannot be stopped or mitigated by any dominating or externally defined force without discounting one or both of the parties: Justice must have its due; Mercy is also called for.

We are all touched by real-life stories of families torn apart, marriages dissolved, and friendships lost. As each side in these competitive conflicts fights for its own interests, defines its own losses, demands its own sense of recovery and claims mercy at the expense of the other – conflict escalates, damage multiplies, options diminish, and hopes of resolution fade. Indeed, mutual annihilation seems a probable outcome.

THE MEDIATOR

There is however an alternative, which is presented in the religious redemption of the tension between justice and mercy (Alma 42:13, 15; Cullimore, 1974). Religion shows us a model which can bring resolution to this escalating conflict; through the process of *mediation* (Alma 23:5-7). Hope is found in the concept of, and the person of, the divine mediator (2 Thessalonians 2:16). In the Christian tradition, this mediator is Jesus Christ (1 Timothy 2:5).

Without imposing any definition from an external source about the severity of the loss, Jesus responds to all with divine compassion. The individual who demands justice while feeling the loss, by accepting the understanding presence of this compassionate and loving interested third party, is able to discharge some of the loss through this third-party connection with the relationship. By being connected in this significant way, a part of the loss that was related to being rejected and being isolated can be significantly mitigated.

Also, the presence of a divine force larger than the immediate context can stretch the world view and vision of the offended person beyond the moment, introducing space and time as variables contributing to recovery. When the influence of immediacy is removed from the demand for recovery, intensity can decrease. The forgiving stance of a divine mediator toward the individual also evokes memories of her/his own given insults and

another's demands for recompense being tempered by mercy. Thus a heightened response of compassion and benevolence can flow. Confidence in the mediator's capacity to provide recovery out of some ample divine store further reduces the demand for recovery from the offender in the interaction.

With hope of a complete recovery in hand, the offended can again become open to the advantages of relationship. The futility of competition can become apparent; thus room can again be made for a return of positive intentions toward the other. The generation of a cooperative attitude on the part of the offended toward the offender is a significant further benefit of such mediation.

When each side of the conflict receives the benefit of the individual presence of such a mediator, cooperation between opposing parties truly becomes a possibility. A spirit of cooperation between opposing parties offers increased hope of resolution, and the possibility of reconciliation begins to seem probable.

COOPERATION

With firm hope of being valued and a clear expectation of finding satisfaction through mediated dialogue (i.e., relationship), each individual can willingly give away specific outcomes or methods (even those mutually exclusive ones which were held so tenaciously), and instead creatively pursue a unified objective of pleasing the other as a means of satisfying self. Indeed, an individual may be able to genuinely assert that he/she desires the well-being of another above his/her own, knowing that his/her own well-being depends on such a stance. The unity created through this cooperation virtually assures an agreeable outcome.

However, the specifics of the conflict and potential resolution are not automatically resolved. As the conflicts in Ireland and the Middle East demonstrate, the presence of a cooperative attitude would improve much, yet it does not solve the underlying specific issues. Once a spirit of cooperation has been agreed upon between the parties, a more specific dialogue can begin.

Again, remember that any imposed solution such as "compromise" diminishes both the involved parties. Each issue presented by each side of the conflict must have a satisfying response. A cooperative attitude, however, can generate an option for each side to make

offerings without fear of unfair advantage being taken. A cooperative stance is only possible when each party has both its own and the other's interests as high priorities: there must be as much concern for taking too much as there is for taking enough, and vice versa. Each side must have an equal priority. Mediated cooperation works best when each party commits to continuing to work until all issues and all interests are satisfactorily resolved for all parties. When all parties feel assured that all interests are mutually valued, the need to fight/compete with intensity in order to persuade or ensure the achievement of a particular issue can be abandoned. A cooperative exchange may in fact spend some negotiation time on disputing who has the privilege of first attending to the concerns of the other. Note, then, that a process of *compromise* is certainly not optimal, since compromise is the diminishing of one position in deference to the other.

The resolution towards which such cooperative dialogue is aimed is more closely described in consensual decision-making literature – each side willing to alter the specific expression of its needs and being willing to take varied forms of recompense. Cooperative attitudes engender expectation that positive intention can persist over time and space. Patience can allow for some recovery/resolution to occur at a future time or in an ongoing way; indeed, recovery/repair efforts that are larger in scope can be included as possibilities. As the creative brainstorming process continues, options can be generated together that neither could have generated independently. As this joint generation of options continues, eventually each side will be satisfied that all losses have been understood and recovered, and that those things that have been demanded of each side have been those things which are comfortable to give and do not feel excessive.

The presence, then, of a mediator can be seen as a mechanism by which mutually exclusive opposing interests can find common ground and work together to generate a mutually advantageous cooperative working relationship between individuals.

SUMMARY

Given this discussion – what, then, are the take-home messages?

- We need not be afraid to explore each side of a conflict in its depth and breadth, with all of its

implications and potential for mutually exclusive positions. In fact, such an exploration may lead to the highest probability of an eventual solution.

- Avoid premature closure of conflict; conflict avoidance is the cause of significant mischief.
- One cannot dismiss a person or diminish his/her personal expressions without doing violence to him/her.
- One gets further towards the eventual resolution of a conflict by first exploring and clarifying the individual's desire for justice.
- It is important to allow each individual to generate his/her own sense of motivation and advantage in order to provide the energy to drive attempts at reconciliation: avoid externally imposed solutions.
- Accessing the divine mediator and the relationship he offers provides the most helpful mechanism to respond to the individual's desires for recovery.
- Use the divine mediator to generate trust, hope and possibility – and to reduce fear and defensiveness. Encourage people to reject inward, competitive, immediate-focused choices which are passive, dependent and have a victim flavor – such as “I have to get mine.” Encourage people to embrace cooperative, outward, long-term focused choices which are active, independent and have a survivor theme – such as “how can we work together.”
- Use healthy amounts of dialogue to engage creativity, to fuel consensual decision making, and to pursue mutual benefit in the service of resolving specific issues.

POSSIBILITIES

Some may be willing to embrace the possibility of such a cooperative stance between individuals and yet see little possibility that such a process could have application beyond dyadic or small group interactions. Certainly the complexity of the task increases to some degree. However, all interactions, whether discussed in terms of nations, political parties, philosophies, etc., are fundamentally interactions between people. It is people who represent groups, ideologies, etc. – and people who eventually bring language to express competitiveness or cooperation around any given point. It is people who have strong feelings about a particular way of doing things. It is people whose stories call us to action and give cause to hold and debate strong opinions.

Note that it is the *individual example* that carries disconfirmatory power, and the specific loss or gain of a given relationship that spurs further action. It is unfortunately true that issues can seem to take a life of their own and develop beyond the specific instance, and that movements grow in complexity and abstraction. Although this expanded form is very useful and an essential arena for discussion, learning, and interaction, yet discourse is frequently called back to its roots: the personal experiences of individuals in relationships.

Why, then, do we not assume that people can rise to the challenge of increased complexity? If people have learned to deal as nations, philosophical groups, etc. in competitive ways, why can they not learn to do so in cooperative ways? Once one has learned the advantage of using a cooperative style in personal interactions, why is it not possible to use similar skills in other perhaps more complex arenas? Arguments such as "it's never been done before" or "I don't see how it could work" really don't seem very compelling.

REFERENCES

- Carr, A. & Zanetti, L. (1999). Meta-theorizing the dialectic of self and other. *American Behavioral Scientist*, 43(2), 324-345.
- Cullimore, J. (1974, May). Justice and Mercy. *Ensign*, 29-30.
- Cuthbert, D. A. (1990, May). The spirituality of service. *Ensign*, 12-13.
- Jackson, A. (2002a). *In search of a non-lethal philosophy for counseling psychology*. Unpublished manuscript, Dept. of Counseling Psychology, Brigham Young University.
- Jackson, A. (2002b). *Relationships: Philosophical and spiritual foundations for counseling*. Unpublished manuscript, Dept. of Counseling Psychology, Brigham Young University.
- McConkie, B. (1980). *The Mortal Messiah: From Bethlehem to Calvary*. Salt Lake City: Deseret Book Co.
- Packer, B. (1977, November). The balm of Gilead. *Ensign*, 59-60.
- Packer, B. (1987, November). Balm of Gilead. *Ensign*, 16-19.
- Rauch, J. (1993). *Kindly inquisitors*. Chicago: University of Chicago Press.
- Sinha, D. & Tripathi, R. (1994). Individualism in a collectivist culture: A case of coexistence of opposites. In Uichol, K., Triandis, H., KâğitÇibaşı, Ç., Choi, Sang-chin & Yoon, G. (eds.), *Individualism and collectivism: Theory, methods, and applications*, 123-136. London: Sage Pub.
- The Book of Mormon* (1981). Salt Lake City: The Church of Jesus Christ of Latter-day Saints.
- The Holy Bible (King James Version)* (1981). Salt Lake City: The Church of Jesus Christ of Latter-day Saints.
- Yanchar, S. & Slife, B. (2000). Putting it all together: Toward a hermeneutic unity of psychology. *The Journal of Mind and Behavior*, 21(3), 315-326.