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The Role of Advisers in Mediating Worldview Conflicts

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THE ROLE OF ADVISERS IN MEDIATING WORLDVIEW CONFLICTS

Abbas Aroua

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1. Introduction

Mediation as an assisted negotiation is a complex process involving the parties in conflict and a third party (the mediator/facilitator), as well as several “fourth parties” who can either be “constructive contributors” with a beneficial role, who help support and steer the process in a positive direction, promote understanding, and encourage open communication to help the parties reach a resolution, or “spoilers” with a harmful role, who obstruct, disrupt, or undermine the process, often creating conflict or preventing resolution. A good mediation process design is one that identifies from the outset all constructive contributors and harnesses their beneficial role, as well as all spoilers and neutralizes their potential harm.

This contribution addresses the role of advisers in mediation processes and presents examples of the involvement of advisers in processes conducted by Cordoba Peace Institute – Geneva (CPI) over the last two decades in relation to worldview conflicts.

2. Role of advisers in mediation processes

In their “Democratic Dialogue – A Handbook for Practitioners”¹, based on a broad range of case studies covering various contexts, Bettye Pruitt and Philip Thomas identified eight functions and twenty associated roles of the constructive contributors that are necessary for the success of a dialogue/mediation process (see Table 1). One of the constructive roles in dialogue/mediation processes appears to be the role of adviser. It could be a legal adviser, a process adviser or an expert adviser for substantive assistance.

Table 1: Functions and roles of constructive contributors to a dialogue/mediation process

Function	Roles	Function	Roles
1. Legitimization	• Convener • Observer	5. Substantive assistance	• Adviser • Expert
2. Information	• Witness • Legal adviser • Researcher • Process documenter	6. Preparation	• Trainer • Animator / motivator
3. Psychological / relationship assistance	• Conciliator • Counsellor • Spiritual guide	7. Provision of resources	• Funder
4. Process assistance	• Logistics coordinator • Facilitator • Moderator • Process adviser	8. Implementation	• Monitor • Guarantor

Source: Bettye Pruitt and Philip Thomas (2007)

Someone who is advising a conflict party during a mediation process is called by the International Mediation Institute (IMI) a “mediation advocate or adviser”.² In what follows “mediation adviser” will be used. According to IMI, among the core tasks of a professional mediation

¹ Pruitt, Bettye and Thomas, Philip. [Democratic Dialogue – A Handbook for Practitioners](#). General Secretariat of the Organization of American States, International Institute for Democracy and Electoral Assistance, United Nations Development Programme (2007).

² International Mediation Institute. [Competency Criteria for Mediation Advocates and Advisors](#).

adviser are to advise the conflict party about “the (combination of) dispute resolution process choices and the best timing for each process; initiating mediation together with the other party, identifying the mediator and the suitable mediation style and process” and to “collaborate with the mediator and the other party”.³

The use of mediation advisers has been discussed in the work of Katherine E. Stoner in the case of interpersonal conflict. The author considers that “[i]n addition to the mediator, you may want or need to work with one or more outside advisers, such as people in your circle of intimates, legal advisers, [...] or other specialists.”⁴

The Law Society of New South Wales (LSNSW) has listed the roles and responsibilities of mediation advisers in the preparation of the mediation or/and during the mediation as participants.⁵ The LSNSW considers that their roles include “explaining the process” to the conflict parties, and assisting them “to identify their needs, interests and issues” and in “thinking through options for resolution”.⁶

For Michael Redfern, if the party and the mediation adviser are adequately prepared “they will be able to provide greater assistance to the mediator in doing their job, simultaneously putting themselves in a far better position to deal with all matters required.”⁷

In the following sections, three processes conducted by CPI, involving mediation advisers of various profiles and roles, will be presented.

3. Mediating the “Danish cartoon crisis”⁸

Context: On 30 September 2005, the Danish daily *Jyllands-Posten* published offensive cartoons of the Prophet Muhammad, titled “*Muhammeds ansigt*”

³ Toolkit Company. [Toolkit for Mediation Advocates & Advisors: How to keep a mediation on track and achieve the best result for your client?](#) (2020).

⁴ Stoner, Katherine E. *Using Divorce Mediation*. (Nolo, Berkeley 1999).

⁵ Callaghan, Peter. Roles and Responsibilities of Lawyers in Mediation. *The Arbitrator & Mediator* 26(1) pp. 39-50 (2007).

⁶ Ibid.

⁷ Redfern, Michael. Capturing the magic: preparation. *Australasian Dispute Resolution Journal* 15(2), pp. 119-127 (2004).

⁸ - Aroua, Abbas. Danish “Faces of Mohammed” Cartoons Crisis: Mediating Between Two Worlds. In “[Transforming Conflicts with Religious Dimensions: Methodologies and Practical Experiences](#)”. pp. 34-35. Centre on Conflict, Development and Peacebuilding (CCDP) - Graduate Institute of International and Development Studies. Geneva (2010).

(Muhammad's Face), which prompted a mega-conflict. Demonstrations by approximately 5,000 Muslims took place in Denmark. Several newspapers reprinted the images, leading to widespread outrage in the Muslim world. Danish Prime Minister Anders Fogh Rasmussen refused to receive Muslims from Denmark, 11 ambassadors from Arab countries and the Secretary-General of the OIC, further exacerbating the situation. Demonstrations and violence ensued in several Muslim capitals (burning of flags and embassies), and a boycott of Danish goods was launched in the Arab world.

Process: On 13 February 2006, CPI facilitated an exchange between a Danish government delegation commissioned by the Ministry of Foreign Affairs and a delegation from the Muslim world commissioned by three influential pan-Islamic civil society organizations. The exchange between the two delegations was facilitated by a CPI team that included a Muslim Arab mediator and a Christian European mediator. Such a “culturally balanced mediation” was useful to create a climate of trust by both parties in the facilitation team and the process.

In addition, during the preparation of the meeting, the Danish delegation requested CPI to allow them to bring an Arab Muslim scholar as an adviser (Prof. Tariq Ramadan) to be able to better understand the discourse, grievances and arguments of the Muslim delegation and to better convey their own. The request was accepted by the facilitators who, for the sake of transparency and fairness, informed the other party. The Muslim delegation opted also for an adviser and proposed Norwegian scholar Prof. Johan Galtung. The design of the process ended up as a “culturally balanced, cross adviser mediation”, as shown in Diagram 1.

- Galtung, Johan. Conciliation Denmark/Islam: A Peace & Conflict Perspective. In “50 Years, 100 Peace & Conflict Perspectives”, pp. 234-5, Kolofon, Oslo (2008).

- Mason, Simon J A; Aroua, Abbas; Åberg, Annika. [Mediating Tensions over Islam in Denmark, Holland, and Switzerland](#). Center for Security Studies (CSS), Swiss Federal Institute of Technology, ETH Zurich (2010).

- Frazer, Owen and Ghetas, Lakhdar. [Approaches to Conflict Transformation Lessons from Algeria, Denmark, Egypt, Kenya, Morocco, Tajikistan and Yemen](#). Conflict Transformation in Practice. Cordoba Peace Institute – Geneva (2013).

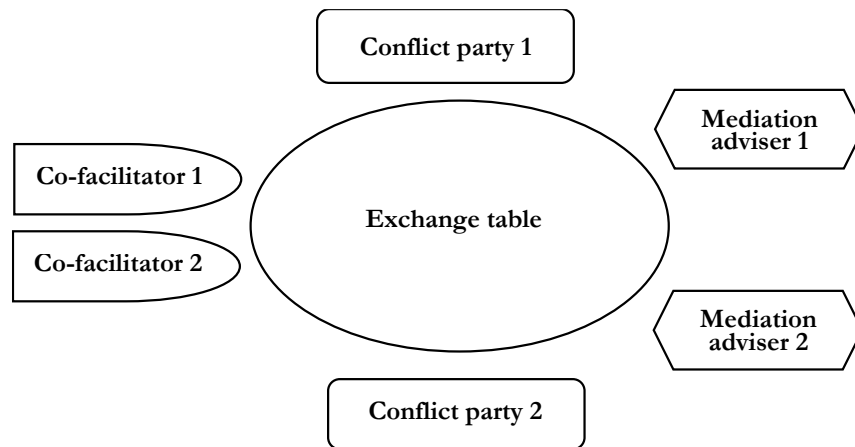


Diagram 1. Example of a culturally balanced, cross adviser mediation

Designing the mediation in this way for such a worldview conflict was useful. It helped ensure an easy, frank and friendly exchange, with each party expressing their feelings, goals and fears comfortably, reassured by the process. The co-facilitators were instrumental in building trust and the mediation advisers in helping the parties understand the other party's point of view.

The input of the mediation advisers was substantial and enabled the parties to be aware of the contradiction lying behind the conflict: the clash between two universal values whose relative importance is different in two different cultural contexts, i.e. protection of freedom of expression vs. respect of religious symbols, or protection of the right not to be insulted in one's profound belief. Ramadan explained to the Muslim delegation the importance in Western democracies of the freedom of expression and the separation of powers, as well as the fact that the government does not control the media and therefore cannot be held responsible for their editorial line. For his part, Galtung underlined the "failure to demarcate border line or zone between freedom of expression and offense, better understood as libel in domestic law, but poorly understood in international law in a globalizing world".⁹

The presence of the advisers was useful to uncover and express the grievances and the needs and interests in a common language, as well as several underlying issues such as the feeling of disrespect, aggression – particularly in Iraq where Denmark was part of the military coalition that

⁹ Galtung, Johan. Op. cit.

backed the US intervention in Iraq –, support to authoritarian regimes, and perception of double standards and unequal treatment. In fact, the discussions revealed that in April 2003 a Danish illustrator submitted a series of unsolicited cartoons offering a light-hearted take on the resurrection of Christ to the same Danish newspaper *Jyllands-Posten*. They were rejected, the Sunday editor saying: “I don't think *Jyllands-Posten*'s readers will enjoy the drawings. As a matter of fact, I think they will provoke an outcry. Therefore, I will not use them”.¹⁰

4. Accompanying the “Arab Spring”¹¹

Context: The “Arab Spring”, which began in Tunisia in late 2010 and spread to several Arab countries in the following months, raised hopes in the region for sweeping political and social changes that would move Arab societies from authoritarianism to democracy. This transition has faced several ideological, political, and economic challenges. On the ideological front, Arab societies have been and remain divided along the line of Islam and secularity, and relations between the sides have been highly polarized by the failure of their actors to come together to discuss their differences and commonalities that can be used to build a state based on the rule of law. This polarization has long been fuelled by authoritarian regimes that have benefited from the division of society along ideological lines.

Another challenge to the transition was the emergence of Islamic-based political groups from the Salafi current. In fact, the opening of the political field encouraged some twenty Salafi movements in the region, from Yemen to Morocco, which had previously been involved in preaching and humanitarian action, to engage in political action without first having the necessary skills and tools.

Process: In 2011, CPI launched a dialogue process to accompany political transformations in North Africa and West Asia. The aim was to provide a safe space for exchange between political actors with Islamic and secular references, which would help reduce ideological polarization and build trans-ideological coalitions to work for a successful transition and prevent the return of authoritarianism. The process took care to include political parties with Salafi reference in order to make them aware of the challenges of moving from the logic of preaching and humanitarian action to that of political action.

¹⁰ *The Nation*, 27 February 2006, p. 4.

¹¹ <https://cpi-geneva.org/category/activities/completed-programmes/nawat/>

Thus, a platform was set up that brought together representatives of political parties with Islamic and secular references from most Arab countries. In addition to political actors, Islamic scholars and secular academics were integrated into the platform and participated in the discussions (see Diagram 2). They played the role of mediation advisers, providing the political actors with theoretical and historical insights rooted in their respective traditions, which broadened the range of options open to the political actors and allowed them to validate in their own reference the political choices they would have to make.

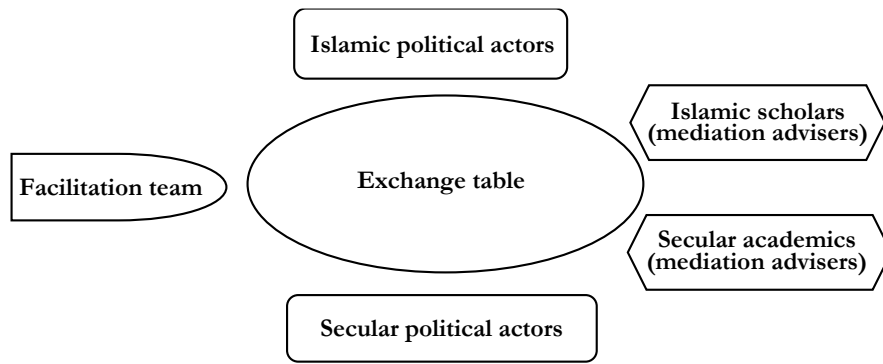


Diagram 2. A platform to support political change in North Africa and West Asia

The design of the process, and in particular the inclusion of not only Islamic and secular actors, but also representatives of the various schools of thought within each camp, allowed for a rich inter- and intra-ideological exchange. In fact, the exchange consisted of the sum of various sub exchanges at different levels: intra-Islamic, intra-Secularist, Islamist-Secularist, inter political actors, inter scholars, between political actors and scholars (see Diagram 3).

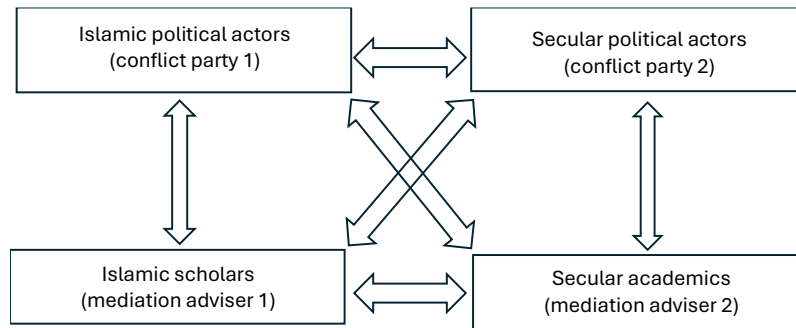


Diagram 3. Various levels of exchange in the process

The contributions of mediation advisers (scholars/academics from both sides) have been useful in providing political actors with theoretical tools and historical examples of immediate practical relevance. The introduction of concepts such as John Rawls' "overlapping consensus" and historical models such as the "Charter of Medina" conceived and implemented by the Prophet and his caliphs are examples of this.

The process resulted in the signing of a common declaration, "Towards a Common Space for Interaction and Joint Action"¹², where the signatories across the ideological spectrum "emphasized the importance of focusing on the production of a shared new political culture anchored in the values of justice, dignity, diversity, inclusion, citizenship, and nonviolence, through building cross-ideological coalitions that contribute to the success of peaceful political transition in the region." This was followed by the implementation of joint projects between Islamic and secular actors in several countries, working for the common good and strengthening mutual trust.

5. Exploring the "Fiqhi Pathways"¹³

Context: According to a research work published in 2021 by Isak Svensson and Desirée Nilsson, about 52% of armed conflicts in the world involve actors where at least one party has an Islamic reference.¹⁴ The armed groups with Islamic reference are active in many conflicts in the MENA region and Africa; some of them control territories and govern populations de facto. From a conflict transformation perspective, it is therefore useful to reach out to these groups in order to contribute to violence reduction and prevention, as well as to sustainable peacebuilding.

The potential benefits of engaging with these groups is recognised.¹⁵ However, there are both practical and methodological challenges that make this engagement less than obvious, in particular (1) the designation

¹² <https://cpi-geneva.org/towards-a-common-space-for-interaction-and-joint-action/>

¹³ Lakhdar Ghetas. [Fiqhi Pathways: The Role of Islamic Jurists in Shaping Armed Group Behavior](#). Cordoba Peace Institute – Geneva (2025).

¹⁴ Isak Svensson & Desirée Nilsson. Islamist armed conflicts: A new challenge for conflict resolution? Department of Peace and Conflict Research, Uppsala University, FBA Research-Policy Dialogue on Resolving Islamist Armed Conflicts, Stockholm (2021).

¹⁵ Dudouet, Véronique and Göldner-Ebenthal, Karin. [Challenges and Opportunities for Conflict Resolution with Salafi Jihadi Armed Groups](#). Policy Brief No. 10. The Berghof Foundation. March 2020.

of these groups as terrorist entities,¹⁶ and (2) the lack of mastery by non-expert mediators of the “language” used by these groups and the cultural and religious register in which they operate.

Process: Since 2018, CPI has initiated an exchange process based on Islamic jurisprudence, known as “Fiqhi Pathways”, that is being used in various contexts including the Sahel region and the Swahili east African coast, and which aims to indirectly engage armed groups with Islamic reference through Islamic scholars from within or close to these groups. These religious actors speak the language of the groups, have an influence on their operational decisions and are undesignated and therefore accessible. They can be instrumental in influencing the behaviour of the groups and contributing to violence reduction and prevention.

Influence through ijtihād

Armed groups in general, and those with a religious reference in particular, do not act randomly, but with a specific goal in mind. They pursue this goal in a specific way, validated by their own ideological reference. But the reference cannot be applied in a vacuum; its application is conditioned by the context. As shown in Diagram 4, the conflation of reference and context triggers a process of interpretation of how to use the reference practically to achieve the desired goal.

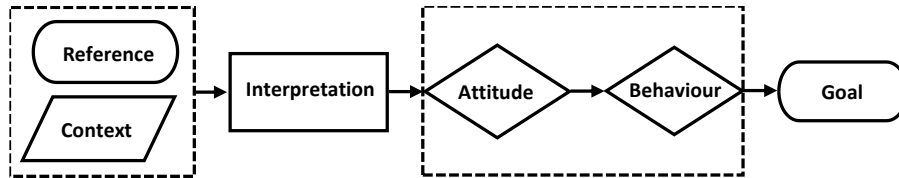


Diagram 4. From the reference to the goal: A process that rely on interpretation

The interpretation determines attitudes and consequently behaviour towards others. In the Islamic tradition, the effort of interpretation is called *ijtihād*.

In their endeavour to perform *ijtihād* in an effective way, the Islamic scholars from within or close to the armed groups need to be assisted by

¹⁶ Drevon, Jerome. Mediating with Proscribed Armed Groups: the Imperative of Innovation. in [Still Time to Talk: Adaptation and Innovation in Peace Mediation](#). Teresa Whitfield (editor). Accord Volume 30. pp. 64-67. Conciliation Resources, London (2024).

scholars from other contexts who are credible to them because of their recognized Islamic knowledge, independence, and experience in militancy.

Scholars as human security and mediation advisers

The exchanges among Islamic scholars based on Islamic jurisprudence (*fiqh*) address three issues: (1) *conduct of hostilities*, how to make the groups comply with the Islamic law of war (ILW), which is similar in many respects to international humanitarian law (IHL); (2) *governance* of populations under their control, how to make them apply the Islamic principle of good governance; and (3) *mediation*, how to prepare them to engage in a mediation process when the opportunity arises. In the discussion of the first two issues, the resource scholars act as human security advisers, focusing on the reduction of violence and the promotion of good governance, whereas for the third one they act as legal mediation advisers. Diagram 5 shows the mediation setting where religious scholars have such a role.

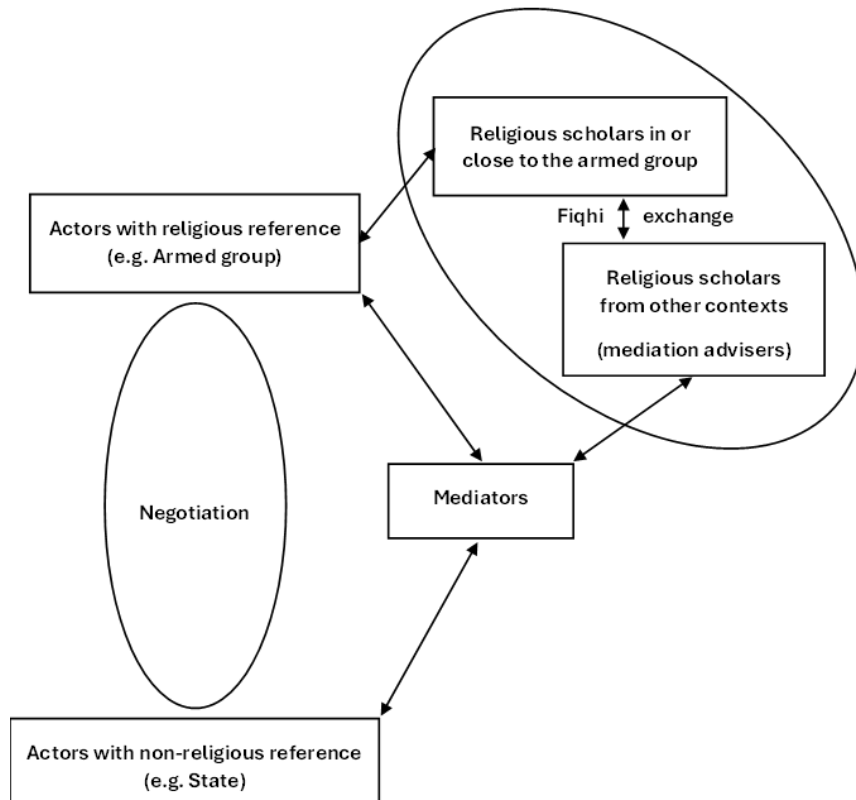


Diagram 5. Mediation setting where religious scholars act as mediation advisers

The *fiqhi* exchanges among Islamic scholars are useful for both the leadership of the armed group and the mediators. They enable the mediators, and therefore the other party, to understand the interests, needs, grievances and goals of the armed group, which are often expressed in a language and a cultural/religious register that is not accessible to those unfamiliar with it. They also enable the group to understand the other side's point of view, when expressed in their own language. These exchanges therefore allow the cultural/religious registers to be unpacked and bridged. They also enable options to be developed concerning the best way for the armed group to achieve its goal while remaining faithful to its religious reference.

Unpacking and bridging the cultural/religious registers

As the French neurologist Boris Cyrulnik put it, “all words change their meaning when the context changes. Words have life only in context”.¹⁷ This is also true of concepts. Thus, when an armed group takes position to express its interests, needs, grievances and goals it does it in its own “language”, rooted in its own context, drawing on its own cultural and religious register. It is important to recognize that the cultural/religious register serves as a “legitimization universe”, and that imposing a cultural/religious register on others is a form of cultural violence.

Table 2 shows examples of corresponding concepts associated to the secular and Islamic registers. For each pair of concepts, one is not the mere literal translation of the other; each has its own long history and has grown up in its specific cultural context. Therefore, they cannot be equated, but they certainly have commonalities that are useful to know for the bridging process.

In a mediation process involving parties with distinct cultural/religious registers, it is essential to unpack and bridge these registers,¹⁸ in order to remove each party's suspicion of the other's cultural/religious register, and to be able to fully understand the other side. This unpacking and bridging

¹⁷ Boris Cyrulnik. *Comment le bonheur demeure possible quand frappe le malheur ? Les conditions de la résilience*. Interview by Charles Pépin. *Sous le Soleil de Platon*. France Inter. 22 August 2024. Available online: <https://www.radiofrance.fr/franceinter/podcasts/sous-le-soleil-de-platon/sous-le-soleil-de-platon-du-jeudi-22-aout-2024-2731782>.

¹⁸ Abbas Aroua. Transforming Religious-Political Conflicts: Decoding-Recoding Positions and Goals. In “[Religion in Conflict Transformation](#)”. *Politorbis* 52. Editors: Simon J A Mason and Damiano A Sguaitamatti. pp. 49-51. Federal Department of Foreign Affairs. Bern (2012).

process requires the resource scholars (mediation advisers) to have deep knowledge, sound expertise and solid experience with both registers.

Table 2: Examples of corresponding concepts from two cultural registers

Secular Register	Islamic Register	Secular Register	Islamic Register
Constitution	<i>Shari'a</i> (Islamic Law)	Extremism	<i>Ghulw</i> (Excess)
Rule of Law	<i>Dawla Islamiya</i> (Islamic State)	Moderation	<i>Wasatiya</i> (Centrism)
Resistance	<i>Jihad</i> (Striving)	Human Rights	<i>Karāma</i> (Dignity)
Democracy	<i>Shura</i> (Consultation)	Humanitarian action	<i>Amal al-Khayr</i> (Charity)

Generating options for the optimal way to reach the goal

Generating options for the armed group on how best to achieve its goals, and developing arguments to justify a given choice, requires the resource scholars (mediation advisers) to have knowledge and expertise in producing Islamic legal opinions (fatwas), in accordance with the Islamic foundational texts and with the specific context (social and political reality). Mediation advisers must be of a high calibre, mastering the various disciplines of Islamic scholarship required for the task of *ijtihad* and fatwa production. As shown in Diagram 6, they must be familiar with the higher goals of Islamic law (why a legal opinion is required), the roots of Islamic jurisprudence (how to derive the legal opinion), and the defining and declaratory rulings (what specific opinion to select in principle and when and in what context to apply it).

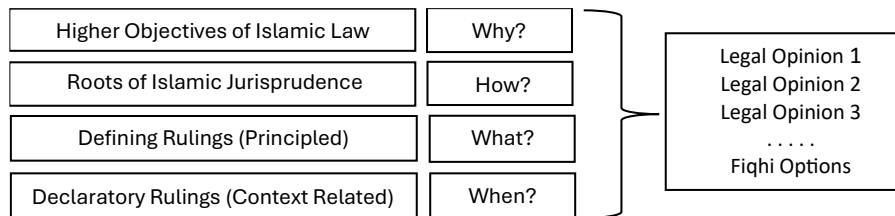


Diagram 6. The making of Islamic legal opinions (fatwas)

6. Conclusion

Mediation advisers play a vital role in ensuring the success of a mediation process, especially in the critical phase of preparation. Their involvement can vary; they may either participate directly in the negotiations with the conflicting parties or provide separate advice outside the negotiation setting. They provide guidance and support to the parties, the mediator, or both, contributing the essential knowledge and skills that might be lacking. When their expertise is legal—whether secular or religious—they are considered legal mediation advisers. Additionally, mediation advisers help conflict parties to determine whether engaging in mediation is beneficial and explain the mediation process in a way that is easy to understand. They assist parties to identify and express their needs, interests, grievances and issues in a manner that is clear to both the other party and the mediator. In cases involving worldview conflicts, they often act as “cultural interpreters”. They also play an important role in helping the conflict parties to broaden their understanding and develop various options for resolving the conflict.