

## **Alternative Dispute Resolution: An Islamic Approach to Justice, Arbitration and Reconciliation**

by  
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**THIS ARTICLE IS THE CONCLUSION OF THE AUTHER'S INTEGRAL JOURNEY WHERE COOPERATIVE INQUIRY LEADING TO SOCIAL INNOVATION VIA INTEGRAL CONFLICT RESOLUTION CENTRE AND RAPID LOW-COST ALTERNATIVE DISPUTE RESOLUTION.**

**TRANSFORMATIVE EDUCATION, ICRC FOR EDUCATION AND IMPLEMENTATION OF RAPID LOW-COST ADR .**

*He who finds a new path is a pathfinder, even if the trail has to be found again by others; and he who walks far ahead of his contemporaries is a leader, even though centuries pass before he is recognised as such. - Ibn Khaldun (Hasan, 2013).*

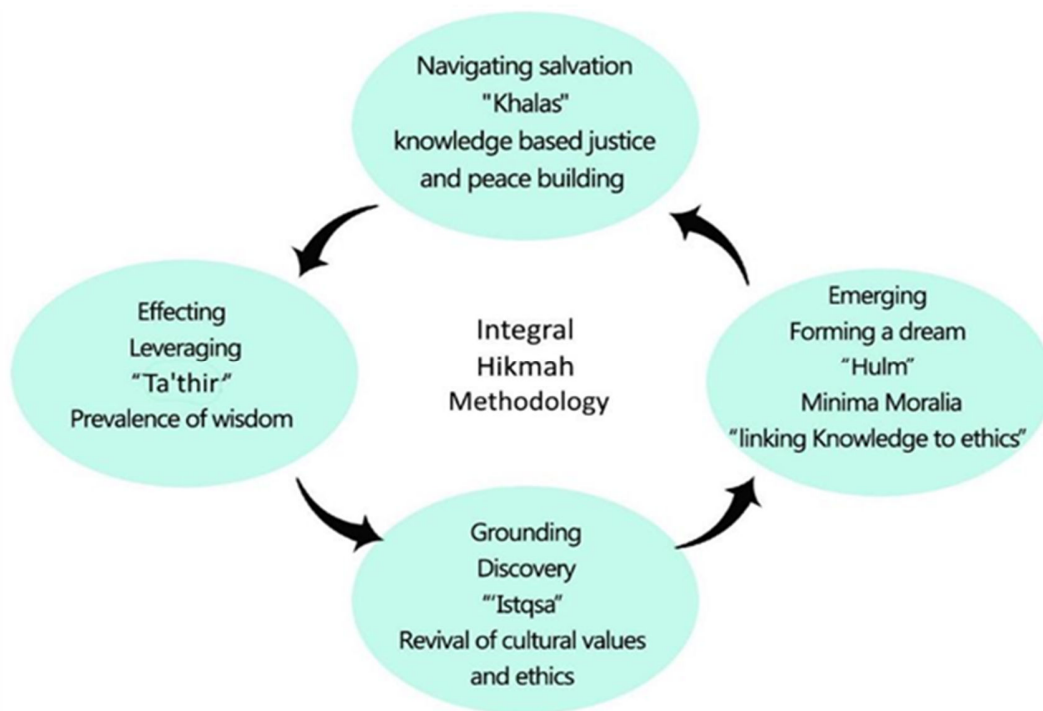
### **1. Introduction**

Coming to the end of this exciting transformation journey, I can see the person I became compared to the person I was at the beginning of it, I found out that my aim is facing conflicting Reality in order to Create a peaceful Reality. I see this journey as one that moves continuously through the transformative phases of grounding, emerging, navigating and effecting. This is a never-ending journey that is renewed with every passion and call to respond. The complex nature of this research has had a deep impact on my transformative journey; intense intellectual engagement and developed initiatives and led to new research methodologies and theories. The establishment of the Integral Conflict Resolution Centre (ICRC) is a direct result of this research embodying both theory and practice of peacebuilding in society.

This apter presents the climax of my journey on the Eastern path of renewal which has taken me through the four human modes of being as developed by Lessem and Schieffer (2010), that is, being, becoming, knowing and doing within the realm of integral conflict resolution. In GENE terms, the research transcended the phases of grounding via narrative methods, emergence through interpretive hermeneutics, navigation via critical theory and effecting through cooperative inquiry. The new approach to community-based research and education (*Tadafu* ' ) developed and adopted in this research be the Hikmah Circle and adopted by the established Integral Conflict Resolution Centre (ICRC) is constructively built on Lessem and Schieffer GENE model, *Tadafu* ' , as illustrated by the figure developed in Chapter 7 section 4 (shown below), is cycling through the following four steps:

1. Grounding: *Istqsa* through the revival of cultural values and ethics,
2. Emerging: *Hulm*, through linking Knowledge to ethics,
3. Navigating: *Khalas*, through knowledge-based justice and community peacebuilding,
4. Effecting: *Ta'thir*, where the prevailing wisdom is the transformational educator contributor.

The main actualising force by which this work has been carried forward is the 4Cs model towards full CARE Model. The goal of this innovative journey was to bring social transformation and peacebuilding through integral innovative conflict resolution process and services. The research sought to usher in new sustainable practices contributing to the crucial Islamic goal of overall human well-being (*falah*). It is indisputable that the community is transformed when institutions grow stronger and become sustainable enough to tackle societal prevailing problems. Accordingly, this concluding chapter



explores the role of Integral Conflict Resolution Centre (ICRC) as an entity for sustainable transformational contribution and a vehicle for the educational dissemination and further evolution of this research. ICRC aims to institutionalise innovation driven research on alternative dispute resolution in order to create new knowledge and education that build resilience in individuals, institutions and society in the long run that leads to sustainable development of conflict resolution services for prevalence of justice and peacebuilding transformation.

### Figure 1: The Integral Hikmah Methodology: ‘Tadafu’.

This ends by summarising the research to innovation journey from call to contribution. It also discusses the research limitations encountered and possible research areas for the future. Next I briefly explain the integral worlds theory.

## 2. What is the Integral Worlds Theory?

The Integral worlds was developed by Ronnie Lessem and Alexander Schieffer. The integral worlds is the overall meta term for their work subsuming all applications. Applications are integral economics (applying integral worlds to economics), integral enterprise (applying integral worlds to integral enterprise) and integral research (applying integral worlds to research), among others. The integral world was developed as a transformative research and development theory and practice where there are four distinct research paths for social science research. This theory provided me with the necessary vocabularies, concepts and tools through which I was able to understand and interpret my past and current experiences and observations. Lessem and Schieffer (2010) presented integral research as:

- a. The Southern Relational Path (being), metaphorically differentiated by the “world” of nature and community.
- b. The Eastern Path of Renewal (becoming), metaphorically differentiated by the “world” of culture and spirituality.
- c. The Northern Path of Reason (knowing), metaphorically differentiated by the “world” of science, technology and systems.
- d. The Western Path of Realisation (doing), metaphorically differentiated by the “world” of enterprise and economics.

Lessem and Schieffer (2010; 2014) further propose that one reason for the major imbalances in today’s world is that enterprises and institutions are primarily wired to the North and West emphasising processes of operational efficiency, enterprising and profit making. Unfortunately, the Southern “world” of nature and community and the Eastern “world” of culture and spirituality are neglected. For the world to be rebalanced and for firms to derive maximum social and economic benefits, the holistic integral approaches that purposefully include all four integral worlds should be employed.

Therefore, through my research theme of alternative dispute resolution (ADR), I am called to incorporate community, culture and spirituality in conflict resolution in an integral, holistic fashion. This incorporation resulted in the creation of new ADR approach and the creation of the ICRC as an institution to carry and sustain the contribution and education of the developed procedures and

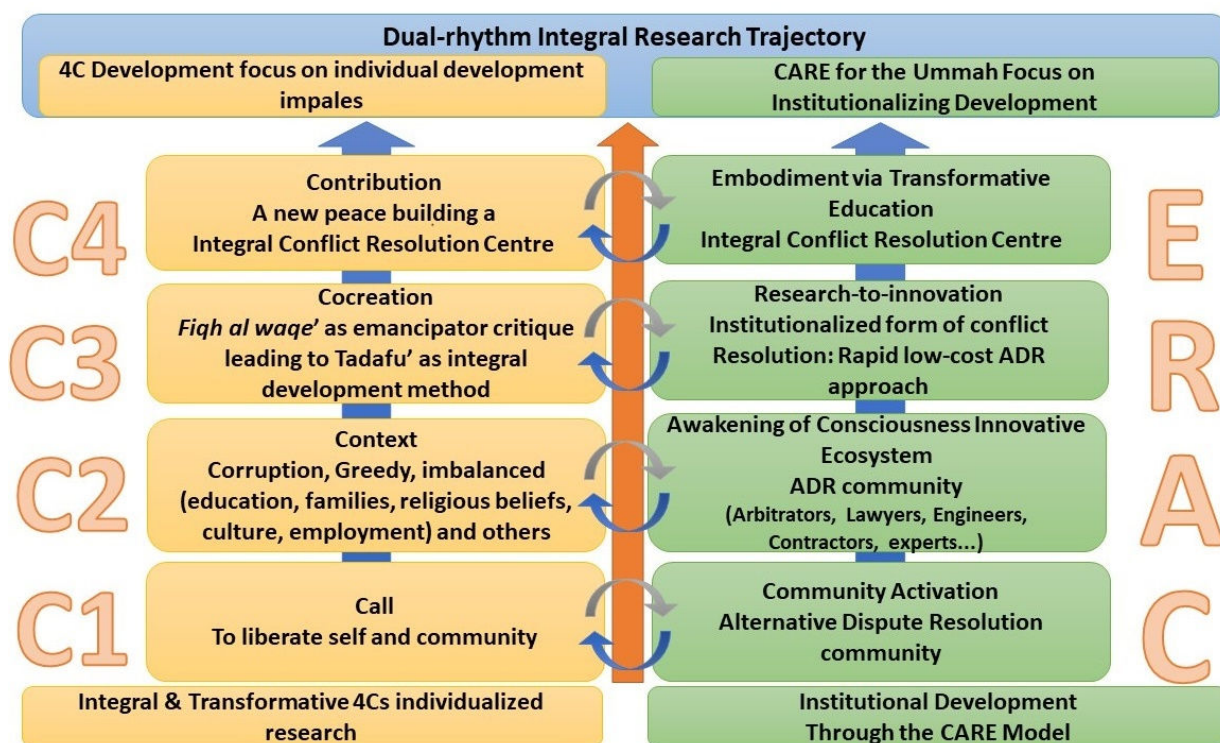
knowledge. The *Tadafu'* methodology was developed through this research as a community-based research and education.

The next section describes the research trajectory through the 4Cs, starting by the *call* of both community and the researcher, followed by the *context* surrounding this research, then the *co-creation* phase to transform and liberate self and community and, finally, the *contribution* process, with emphasis on the *Tadafu'* methodology.

### 3. Integral Research for Peacebuilding: The 4Cs and CARE as a dual-rhythm research

The integral and transformative 4Cs journey towards full CARE for self and society developed by Professors Ronnie Lessem and Alexander Schieffer (2010) form a dual-rhythm research dynamism of integral research to innovation. While the 4Cs focus on the individual researcher's innovation drive in his or her context, the CARE aspect of the twin-rhythm research focuses on the institutionalisation of the researcher's integral process towards the development of a self-sustaining, dynamic and on-going community call for justice.

As illustrated in figure 10.2, the 4Cs focuses on the individual outreach and development. The CARE focuses on the community institutionalising development. The model culminates in lifelong education



by providing capacity-building and solving real-life problem solving. This research has led to real development by strengthening the relationship between research and innovation and ensuring the practical application and implementation of research results. This is insured by the creation of the entity (ICRC) that uses and disseminates the developed ADR approach and education.

## **Figure 2: A Contextualised Dual-Rhythm Integral Research Trajectory, Adopted from Lessem and Schieffer (2013)**

The next subheads highlight the development of the individual's 4Cs rhythm.

### **3.1 The development of the individual's 4Cs rhythm**

The integral and transformative 4Cs journey towards full CARE for self and society consists of four phases from *call* to *contribution* passing by *context* and *co-creation*, where one leads in and out of the other. The 4Cs rhythm is a relationship between the individual and community. It expresses the verses in the Holy Qur'an that says: "the believing men and the believing women ... are guardians of each other; they enjoin good and forbid evil ..." (Qur'an, 9:71).

Personally, I am optimistic that my effort would last forever. To sustain my findings and its impact on society, I created the ICRC to institutionalise my research behind the 4Cs and CARE rhythm connecting community with spirituality for wellbeing (*falah* فلاح) of the *Ummah*. The next subhead, based on hermeneutics analysis, provides an overview of the 4Cs focusing on my developmental impulse.

The following subheads clarify the 4Cs model in practice.

#### **3.1.1 Call: Reconnecting with inner self connecting with society**

As I live in a region full of conflicts and injustice, a region full of corruption in various spheres of life, I was able to find out the conflict between the spiritual and sides intellectual of my being, and the impact of the corrupted hostile conflicting environment. I found this through the application of narrative method and applying the methods used by Randall, Burton, Levinson, among others. This, together with my work on conflict resolution led me to find my call for justice to prevail and peacebuilding among self and the community. The drama in my context developed the passion for peace within me. Lack of justice led me to fight back through my work on arbitration and my research-to-innovation. The traditional methods were old and inefficient. So, I was called to develop a new alternative dispute resolution approach and to ensure its sustainability by aiming at eternal justice for the wellbeing (*falah* فلاح) of the *Ummah*.

At the discovery stage (*Istqsa'*), working on my *call*, I found out that my inner desire for peace and justice led me to a concrete expression of inner desire for liberating of self, others and society. This inner calling gave me the strength to better understand my history, culture and reality. I was energised by the lack of deep knowledge on alternative dispute resolution and community peacebuilding. The



societal call was in line with my inner call, as the need for peaceful and less conflicting community was urgent. This research led to the establishment of the ICRC, a centre that is designed to insure the sustainability of the developed co-created alternative dispute resolution knowledge.

### **3.1.2 Context: Uncovering imbalances in self and society**

Using hermeneutics, I critically examined and then understood the transformational, transcultural, transdisciplinary and transpersonal imbalances in my context. This led me to *catalyse* this research and develop the view to alleviate the imbalances line almost all aspects of life, including the most important aspects such as families, religious beliefs, education, stable employment and health. The most shocking finding of my study was that people were practising the opposite of what they were saying or believing.

This imbalanced loaded context directed me to understand my context in terms of reality jurisprudence (*Fiqh al waqie* **فقه الواقع**). This serves as a key element to transform myself, ADR community and society to eliminate causes of conflicts and consequently have fewer conflicts and disputes for the wellbeing (*falah* **فلاح**) of the *Ummah*.

### **3.1.3 Co-creation: Transforming reality**

Critical theory as social theory is oriented towards critiquing and changing society in contrast to traditional theory oriented only to understanding or explaining it, and this goes in line with reality jurisprudence. This enabled me to examine and interrogate my context. As Lessem and Schieffer (2015) agree that critical theory is directed at “society in its historical specificity and can increase our understanding of society by combining major social sciences such as history, sociology and economics”. Critical theory is post-modernity in its orientation and concerned with co-creation between social scientific method (critical theory itself) and social science (from history and anthropology to sociology and economics)”. In this respect, I created the Hikmah circle in order to critically study, analyse, develop, co-create and contribute the needed knowledge to solving conflict rapidly with minimum cost.

The enslavement of people in my community from the constant web of conflict urged me to bring into reality my burning desire to catalyse their emancipation. This is not only possible by offering rapid low-cost ADR but awakening the values of *Ihsan* (inner beauty), *Ikhuwatu* (solidarity), *Iman* (faith), *Ikhlas* (sincerity) and other cultural values since this innovation-driven journey must be institutionalised to be sustainable. In this research journey, I built on the existing methods for solving conflicts by preserving the existing practices and transforming them to be cost-based on local cultural values and less time consuming.

The ADR community consists of peer arbitrators, lawyers, engineers, contractors, experts and judges. They formed my ecosystem that emerged through community activation (C), where each one of my ecosystems represented a transforming power within own surrounding and environment. Al-

Hikmah Circle with the Jordan Arbitration Association JAA became the catalyst for *awakening* of consciousness

(A). The rapid low-cost approach was the outcome of this creative tension (*Tadafu'*), and the innovative interaction among the Hikmah Circle members emerged from research-to-innovation in institutionalised form (R). The ICRC is the embodiment of transformative education and enterprise (E).

In Jordan, the major source of conflict resolution science comes through watching/observing ADR's experts in action and practices. Only few expensive training courses on arbitration and conciliation are

conducted by some local entities. This CARE model of this research insured the sustainability of the transformative power through the contribution of this research results.

### 3.1.4 Contribution: Creating peace

The used methodology in the contribution phase is cooperative inquiry. This favours research "with" over research "about" people or issues, doing research "with" people and not "on" them or about them (Lessem & Schieffer, 2010: 239). Using cooperative inquiry in the Hikmah Circle, we were able to transform the old practices into the new rapid low-cost ADR approach and brought the ICRC into being. This final phase of the 4Cs deals with the development of my *call* to context and *co-creation* leading to *contribution*. The solid ground of this transformative development ensures its sustainability.

The personal development among the ADR community through their conflict resolution practices is another key feature of integral development. The dissemination of the new developed approach goes into a loop of practices where the new jury's member learns from the old ones. In addition to practicing the new approach, I am studying with my colleagues in ICRC to develop training programs for better dissemination of our approach. In the future, I would like to work on developing an ADR curriculum for the law and engineering students in local universities.

Within our commitment to sustain this transformative development, we have also taken upon ourselves to support and develop individuals and groups to reach true community peace. This can be achieved through supporting individuals and organisational transformation aiming at attaining eternal peace for the wellbeing (*falah* فلاح) of the *Ummah*.

This integral journey, working with through integral worlds as a theoretical approach, enabled me to develop the necessary knowledge for self-development and community transformation for the goodwill of the *Ummah*. As Lessem and Schieffer (2010) suggest, a four-stage process should take place starting from community activation and ending with transformative education via awakening community consciousness and innovation driven institutionalised research.

The next subheads present an overview of the institutionalising CARE functions, focusing on institutionalisation of the new approach in order to ensure its long-term sustainable rooting in society and the *Ummah* as an indirect result.

### 3.2 The CARE functions consistence with *Maqasid al Shari'ah*: Institutionalisation of integral ADR approach

The intentions/objectives of Islamic law (*Maqasid al Shari'ah* مقاصد الشريعة), starts from the lowest need of the essential needs (*al-daruriyyat* ضروريات), the complimentary needs (*al-hajjiyyat* الحاجيات), and the embellishment needs (*al-tahsiniyyat* تحسينيات) (Kamali, 1991). CARE-ing for the *Ummah*, is the embodiment of the Shari'ah law. The CARE functions that go parallel with the 4Cs put forward the necessary steps to transform the community for the purpose of the goodwill of the *Ummah*.

Allah says in the Holy Qur'an: "*the believing men and the believing women...are guardians of each other; they enjoin good and forbid evil ...*" (Qur'an, 9:71), it is about CARE-ing for the community and,

as a result, for the *Ummah*. The integral worlds theory (Lessem & Schieffer, 2010) provides a context for exploring present-day social, economic, and political imbalances, and the need for perspective on history as well. Our future comes through transforming ourselves and community by studying our past and critically analysing our present. This theory enlightened me on working with people and searching with them.

Building up of communities and organisational structures that can sustain themselves and give rise to new organisations is embodying the embellishment needs (*Tahsinat* تحسينات). The ADR community is spread all over Jordan, the major number of heard/seen conflicting cases is in Amman and Irbid districts. The Hikmah Circle's members were carefully selected to achieve not only scientific background diversity, but also transdisciplinary and geographical diversity. This is because power lies in the hands of peacemakers, intellectuals, learners, and the CARE-ing people who are working on the goodwill of society. Corruption, favouritism, nepotism, greed, fraud and cheating ought to be taken CARE of in order to create a just and peaceful society.

I believe that the second important contribution of this thesis after the establishment of ICRC is bringing to the surface the Islamic values and methodologies such as *Tadafu'*. The long wait for a saviour liberator is never ending. It is us, through our CARE-ing, who ought to set ourselves and the community free. Integral conflict solving, expressed by my CARE for self, society and the *Ummah*, is therefore part of the contribution of this PhD.

The following subheads clarify the CARE model in practice.

#### 3.2.1 Community activation: ADR community restoring justice

Our work on conflict resolution is mostly attended by an individual arbiter though in some cases there could be a jury of three arbitrators. The necessity of addressing a disputant's satisfaction to community building arises while working on community activation corresponding to the *call*. Through sharing mutual concerns with peer arbitrators, the ecosystem was crystallised and the formation of the



Hikmah Circle seen the light as we started identifying our weaknesses looking for deeper consciousness in ourselves resulting in our abilities and potentials to change our reality. The ADR community activation worked hard and built deeper consciousness of their abilities, sense of self-worth, reconnection with roots and community. The early usage of the trial ADR approach through the action-reflection-action phase was also a great demonstration of community activation. The synergy among the Hikmah members was an excellent example of the *Tadafu'* developing and building the desired ADR approach.

I then moved to the activation of the four worlds within each of us. This was through the GENE rhythm which has strong synergies, and resonance, integral conflict resolution methodology and tools. To develop the four tenets for the *Tadafu'* methodology, I adopted the GENE rhythm, introduced by Lessem and Schieffer (2014), and I used it in (ICRC) as a contribution and transforming methodology. In this research, the GENE rhythm was illustrated by the Southern Grounding (*Istqsa'*), Eastern Emergence (*Hulm*), Northern Navigation (*Khalas*) and Western Effecting (*Ta'thir*).

### **3.2.2 Awakening of consciousness: Innovation driven institutionalised research**

The consciousness awakening via the Hikmah Circle was built on the context which activated the ADR community by building on the call. In this context, I engaged in political and social participation that is epistemic in nature and scope. The awakening of consciousness prevailed the need of revisiting the Islamic traditions as sources of concepts and ideas, and conduct research with those ideas as the essence of hermeneutics.

The ADR community, that is, arbitrators, lawyers, engineers, contractors, and other relevant experts sought innovative answers, and continuous action reflection through asking questions. We were able to form a group of practice (that is the Hikmah Circle) to conscious evolution where we regarded the integral four worlds as a co-creative catalyst for our innovation driven institutionalised research. The Hikmah Circle, through continuous critique of our old classical praxis, enabled us to find and set alternatives for integral innovative ADR. The cultural values awakened by the creative interaction (*Tadafu'*) rooted us deeply in an active conflict resolving community. The ecosystem was so supportive where their commitment created strong bases and sustainable research institutionalised through the development of the rapid low-cost ADR approach.

### **3.2.3 Research: Radically research to recreate yourself**

Research-to-innovation, the third CARE function building on *co-creation*, led us to knowledge creation. This enabled us to use reality jurisprudence as a key process to investigate, generate and develop an integral innovative and transformational knowledge-base and practice to advance rapid low-cost ADR in the pursuit of justice bearing in mind that navigating salvation (*Khalas*) is achieved by continuous knowledge creation.

The embodiment of the created knowledge through transformative education was translated by the establishment of the Integral Conflict Resolution Centre (ICRC) which is hosted by the office of one of my associates. We found out that this research to innovation, through the Hikmah Circle has bridged the gap between research and innovation, knowing and doing, and between community and the university. The creative synergy within Al-Hikmah Circle resulted on setting care values and related procedures for ADR and the ICRC adopted these values. Cooperating with existing law firms that conducting arbitration resulted in introducing our ADR approach. I also observed that the community has a great value and potential because an ADR learning community is emerging through the new ADR practitioners/educators who are working together to achieve our collective purpose of a conflict free community. We therefore promoted a collaborative culture through the dissemination of our approach by continuous education as discussed next.

### **3.2.4 Education: Transform individual into collective learning**

Transformative education and enterprise are the fourth CARE function linked to the *contribution* phase of this research. The ICRC is the embodiment of transformative education and enterprise. In order to embody the ADR transformative educational methodology, I searched our cultural grounds for an acceptable and resilient system which I found in *Usrah* (*nizam al-Usrah*). The *Usrah* system was introduced by the late Hassan Albanna, the founder of the famous Muslim Brotherhood movement in 1943 (Abdul Halim, 2001). The word *Usrah* is an Arabic term meaning family. Indeed, Albanna envisioned the *Usrah* to be a family unit where an ideal Muslim is produced (Albanna, 2003:286). The word *Usrah* today is very familiar among Islamists as an Islamic education medium.

To use the *usrah* system, I employed the three pillars of the *Usrah* system which are *ta'aruf* (knowing each other), *tafaahum* (understanding each other) and *takaafu* (helping and caring for each other). The cooperation between ICRC and other law firms (as conflict resolution offices), were built on the three above mentioned pillars/stages. Through *co-creating* with existing ADR offices, and *catalysing* through giving free consultancies to ADR offices, I was able to be involved in sustainability and integral community issues where ADR continuous education proceeded. Nevertheless, ICRC co-organised a training course on ADR and that proved to be successful; working on other programs is under progress. *Tadafu'* and ICRC are together complementing each other to be fully embedded in the real life of the ADR community, thus leading to sustainable rapid low-cost ADR for peace and justice to prevail in society.

## **4. *Tadafu'*: A New Approach to Community-Based Research and Education**

This research journey was built on the GENE rhythm introduced by Lessem and Schieffer (2014) and illustrated by Southern Grounding, Eastern Emergence, Northern Navigation and Western Effecting. Reality jurisprudence (*Fiqh al waqع* *فقه الواقع*), the family system (*nizam al-usari* *نظام الأسري*), through the *Tadafu'* methodology as knowledge creating and contribution methodology enabled me to put the CARE model in practice. The main functions of *Tadafu'* are defined by Southern *Istqsa*, Eastern

*Hulm*, Northern *Khalas* and Western *Ta'thir*. The following case was solved through *Tadafu* where the verdict was issued by another arbitration jury, but we (the *tow* experts, that is, my colleagues and I), gave consultancy. The case was as follows:

**The heard/seen case:** An arbitration jury appointed me, another engineer and a lawyer as a consultancy committee of experts to deliver on an arbitrage. The project was a channel to divert rainwater from a certain place. The cost was over \$2 million Jordan dollars, and the project period was 3 months. After 4 months the project was handed over to the owner, no surveying measurement were done.

After a rainy season, it was found out that drilling did not allow the rain water to run out naturally but rather gathered in the channel. The accumulating water flooded the area that was supposed to be protected, and a man was killed due to the floods. The mission of the arbitration jury was limited to the owner's claim for compensation due to the bad execution of the channel (as for the damage and the life wasted, this was to be resolved by the courts).

**Conflict solving:** Our contribution, as a committee of experts, was deciding whether the work was executed properly. If not, what were the deficiencies? And what compensation did the owner deserve? The arbitration committee members were well known since we were engaged in other juries. In addition, committee members were familiar with my work on this holistic research on the path of renewal. I explained to my colleague experts my new approach, and we agreed to introduce my approach in our report. So, whenever we noticed failure in execution, we sought the non-compliances aspects of our culture.

We started our discovery (*Istqsa'*) at the field where the assessment took us three days, the tender was 6.5 kilometres long with a total of 1067 000m<sup>3</sup> to be drilled with homogenous slope, whereas the executed was 767 000m<sup>3</sup> were drilled with non-homogenous slope. In addition, we found some cheating and unjustified claims. Our dream (*Hulm*) as a committee of experts was for justice to prevail, linking our finding to both contract and ethics as a basis of contracting. The view was clear and we started writing our report to attend knowledge-based justice as a mean of the design (*Khalas*), for both the contractor and the project owner. Finally, wisdom prevailed (*Ta'thir*) when the contractor's lawyer asked to interrogate us. Since I was the one who wrote the report, my colleagues gave me the privilege to answer all questions in the hearing.

I was able, through my answers, to bring to the surface all values that had been violated. The owner of the company was present but was not allowed to talk. He had to whisper to his lawyer whenever he felt that he has something to say or ask. All answers brought to the surface demonstrated his company's bad intentions. After one and a half hour of interrogation, the owner of the company felt ashamed and asked his lawyer to stop.

After a while I asked one of the jury members about the verdict. The jury endorsed my report and issued our verdict accordingly. After 3 months, I met the businessman's lawyer and he expressed gratitude for our verdict which highlighted many issues their company had overlooked.

Individually, being on the Eastern holistic path of renewal, the reason of man's existence on this earth is to build and not to destroy. The understanding of man's nature is important since interactions mean getting involved synergistically with each other. Humans are composed of spirit and matter, and nature has been involved through spirit into matter, and evolves through different stages. Man is the result of the involution of spirit and the evolution of matter; the final effect of this cause is 'self-realisation', which means that the knower arrives at that stage of perfection where one can know oneself. Getting involved in this PhD program allowed me to know myself better. Self-knowledge, I believe, means to know the mystery of one's existence in theory as well as in practice. The *Tadafu* within one's existence is the creative transformative wheel.

Collectively, the ensemble of spirits and matters form the complex community, but each community has a community spirit, that can clearly identify the good and evil. Usually there is the grey area where individuals within the same community cannot agree on where conflict arises. Working on the community spirit by reviving communal values can reduce the size of this grey area. *Tadafu* as a creative tension and community interaction is the key factor in reducing such area. To reduce this gap, wisdom through the co-created knowledge is essential. In this way, knowledge is no longer something to be acquired, but to be sought for and discovered by the mind to which it assigns an active role.

For Rahman (1966), any Islamic reform must begin with education to generate a modern, genuinely Islamic worldview. At present Islamic intellectualism, for Rahman, is virtually dead, and the Muslim world presents the uninviting spectacle of a vast intellectual desert, particularly since Iqbal's death. The technological frenzy in which we are currently engaged does not address man's concrete wholeness. Muslims are simply imitating this technology.

*Tadafu* is my own story, the story of the Abbadi family and community, and my workplace. These are altogether engaged with the pursuit of justice. Islamic society is based on the moral values of justice, compassion, and protection of all people. Consequences of oppression are dehumanising and catastrophic to all human beings. Jabir b. 'Abdullah reported that the Messenger of Allah (pbuh) said: Beware of oppression, because it will lead to darkness on the Day of Resurrection. Avoid avarice, because it destroyed your predecessors. It led them to shed the blood of their own people and to regard prohibited matters as lawful (Al-Bukhārī,). The *Tadafu* methodology meet the CARE rhythm where I found that:

- *Tadafu* as new Islamic philosophy-in-practice which has been developed through this research where the four functions of *Istqsa*, *Hulm*, *Khalas* and *Ta'thir* are the driving forces for transforming self and community.
- *Tadafu* is an integral approach for knowledge co-creation and contribution, it is linkage between knowledge and ethics.
- *Tadafu* is the emancipatory driver for individual and community.

- *Tadafu'* is the prevalence of wisdom, and the driving force for social transformation and institutional leveraging.

Through this research, we (the Hikmah Circle) found out three empowering transformative aspects, namely respect, spirituality and education. The following elaborations shade light on these aspects:

- *Respect for human dignity*: Transformation is based on the basic tenet of CARE-ing and dignity of all humans. The basic idea is to leave the world a better place. This value gave us the strength to stand-up when we see injustice taking place.
- *Spirituality and human connectedness*: We found that relying on spirituality, faith, wisdom and harmony with everyone is effective in strengthening our resolve in transforming community. Spirituality does not imply a religious doctrine, by itself, but rather a search for understanding the community spirit and each other as a result.
- *Empowerment through education*: Community transformation occurs by giving the tool where the central role for transforming is being an educator for action. As a result, much of ICRC work centred on educating the ADR community, that is, arbitrators, lawyers, engineers, contractors and other stakeholders. This emphasis on education, sharing of information and strategies, and providing a "seat at the table" gives voice to those who were previously silent. What is also interesting is that, as others in the community and within our organisations find their "leadership voice", we are required to find a new voice for ourselves, either by finding new conduits/bridges with other organisations, as suggested in the previous section, or by looking for new ways to develop ourselves and our leadership. As we discussed several times in our inquiry, we would all love to "work ourselves out of a job."

## **5. The Integral Conflict Resolution Centre (ICRC): Institution for Justice to Prevail**

### **5.1. ICRC supports ADR community as a group and individuals**

Al-Qahtani asserts that Muslims, in most of the Muslim world, use the Prophet's advice in resolving the dispute. Although the Koran states that the teachings of the Prophet must be "a judge of all differences" for Muslims, after the death of the Prophet, who is no longer to be a judge in all disputes, it now means that Muslims continue to seek advice and judgment on various matters During the consideration of his year and in the Sharia (Al-Qahtani, 2007:442-443).

ICRC was developed as a direct result of this research with the purpose to deliver conflict resolution services with rapid low-cost approach and disseminating the needed knowledge to build a peaceful community through prevalence of justice. ICRC is fully involved in community activation, awakening community consciousness, innovation driven institutionalised research and transformative education in line with CARE concept. ICRC conducted two workshops for peer arbitrators through the Hikmah Circle meetings with the purpose to raise awareness of the high cost and time consuming of



the old practices and introducing the rapid low-cost ADR approach as a new form of knowledge and practice.

ICRC delivers educational transformation and transformative education in a transdisciplinary manner. The fourteen participants expressed their appreciation and gratitude for the introduction of alternatives for arbitration and jurisdiction. The newly developed transformative knowledge is disseminated by the ICRC to the ADR community members where the dissemination continues as a geometric sequence. For clarification, a geometric sequence is a sequence in which each term after the first is obtained by multiplying the preceding term by a constant.

Through ICRC, the concepts and frameworks of the developed ADR approach, that came from this research are further refined for the benefit of ADR community members. The key to success is continuous improvement through co-evolution brought about by new knowledge assimilation and application.

## **5.2. The Integral Conflict Resolution Centre (ICRC) structure**

ICRC is self-covering cost with no profit, working with all individuals seeking prevalence of peace through the reduction of conflicts. These individuals vary from professional arbitrators, lawyers, engineers and contractors, to family disputes and conflicts arising from accidents, quarrels and fight. ICRC works under the *Tadafu*' methodology that follows the CARE rhythm in which the CARE-ing for the *Ummah* is the major dominant.

### **5.2.1. ICRC: Goal, vision, mission and values**

The ICRC strength is derived from the Islamic *Shari'ah* concept which is submitting together to a common goal, including the concrete responsibility for (*falah*) the well-being of all. This can be detailed by the following:

1. The main goal of ICRC is activating and awakening ADR community, groups and individuals working on conflict resolution so that they contribute to peacebuilding and prevalence of justice.
2. ICRC vision is to establish a conflict free society,
3. ICRC mission is to build resilient communities through activation and conscious awakening, innovation driven research and applying transformative education on resolving conflicts.
4. The adopted values are: resilience and flexibility, equitability, sustainability, inclusivity and improving gender diversity.

### **5.2.2. ICRC guiding principles**

The guiding principles of the Integral Conflict Resolution Centre are derived from the local Islamic culture, these principals are the following.

1. *Adl* عدل (justice)
2. *Ihsan* إحسان (perfection or excellence)
3. *Taqwa* تقوى (Piety/God fearing)
4. *Ikhlas* إخلاص (sincerity that is Purity of intention)
5. *Islah* إصلاح (reform and renovation)
6. *Wasatiyya* وسطية (Middle way)
7. *Nasiha* نصيحة (good advice)
8. *Al'amr biAlma'rof wa alnahi 'an almunkar* الأمر بالمأروف والنهي عن المنكر (enjoining the good and forbidding the evil)

#### 5.2.3. ICRC services and advices

- a) The Integral Conflict Resolution Centre provides the following developed services depending on the heard cases:
  - i) Early neutral evaluation (*Taqim* تقييم).
  - ii) Early bird conflict solving stimulation (*Istedrak* استدراك).
  - iii) Negotiation (*Mufawdat* مفاوضات).
  - iv) Conciliation (*Sulh* صلح).
  - v) Mediation (*Wasata* وساطة).
  - vi) Arbitration (*Tahkim* تحكيم).
  - vii) Mediation-Arbitration (*Wasatut Attahkim* وساطة التحكيم).
- b) The Integral Conflict Resolution Centre advises a disputant to follow the following recommendations according to dispute nature for cost and time saving:
  1. if Appointing a sole arbitrator.
  2. Use arbitration agreement set by the arbitrator.
  3. Use one exchange of submissions.

4. Hearing only deemed necessary by the arbitrator.
5. Put short time limits.

#### 5.2.4. *Template of ICRC, conflict transformation*

The main template of the ICRC is creating a peaceful society for the *falah* of the *Ummah*. Resolving burning issues, disseminating the CARE concept and ADR approach to education, developing learning communities, among others, are all primary issues that lead to the main template; that is, transforming conflicts. Conflict transformation is transforming cultures of violence to overcome injustice and imbalances.

Through my work on conflict resolutions, I found that what is important is that any conflict transformation strategy is function of every conflict context. Reducing conflicts and human suffering is a long-term process. ICRC is taking the initiative to help building society founded on justice, corruption free society and minimising the negative conflict's effect and maximising peacebuilding. Such work needs deep conflict analysis for every arising conflict. What is done in each context may be different, however, the conflict analyses should include: a) the identification of the conflict causes, driving factors, stakeholders and actors in the conflict; b) good understanding of the dynamic nature of the conflict including the inter-relatedness of the different factors, actors and stakeholders; c) history of similar context conflict, this will surely help in the identification of entry points to solve such conflicts.

#### 5.2.5. *Concluding remarks on the Integral Conflict Resolution Centre (ICRC)*

ICRC as an entity, was established to activate and awaken ADR community and the *Ummah* as a result (taking the form of a geometric sequence) to the social problem resulted of conflict for the purpose of resolving them, to initiate an innovation driven research for reducing conflict and peacebuilding applying transformative education to transforming conflicts each case through its context. Knowledge based justice and peacebuilding is the major outcome of this research, we built high emphasis on the quality and competence of ADR staff and players, through the implementation and practice of the developed mechanism, we found that satisfaction among conflicting parties with ADR outcomes is much more important than the dispute resolution's cost, time, or its specific procedures.

The developed rapid low-cost ADR approach employed in the ICRC takes this issue seriously, reducing time and cost shall never affect the ADR outcome quality. Within our approach we can easily and strongly proceed with the self and community education and transformation for the wellbeing of

the *Ummah*. Improved and sustained analysis of conflicting causes within each conflict context leading to knowledge creation and sharing will be the community transformative force leading to the *Falah* of the *Ummah*. All activities of ICRC are targeted towards bringing social, economic, spiritual and political freedom among the Jordanian citizens through prevalence of justice and peacebuilding.

## 6. Research Soundness, Limitations and Direction for Future Research

**Soundness and validity:** As every research is faced with soundness and validity, I followed the recommendations of Reason (2002) where he recommends that research validity could be enhanced by “bracketing off” biases in perceiving, in acting and in remembering while conducting research. Also, I

followed the recommendations of Heron (1996) who recommends that researching cooperatively with people made us concerned with the goodness of research instead of truth, advantageous outcomes and credibility.

**Limitations:** This research was conducted mainly in Amman at the ADR conflict resolution community who are always present in the Palace of Justice. Personally, I strongly believe that the study can be generalised for Jordan since conflicts all over have the same nature within our society.

**Direction for future research:** This research mainly focussed on conflict arising from construction contracts and family dispute regarding heritage. Some conflict cases due to accidents and fights were tackled only because of the direct involvement of myself. Further research on conflict due to accident and fights are recommended. The conflict transformation is a long-term issue that need to be seen and observed. The outcome ought to be compared to the duplication of this research on the different nature of conflicting roots. A further research is recommended

It is also of importance to see how the outcomes compare if this research is replicated in other Islamic countries such as countries of the Far East as Malaysia and Indonesia, or in the Arab countries in north Africa, as countries with similar or dissimilar set up to Jordan.

## 7. Conclusion: The ICRC as a Transforming Methodology

Coming to the end of my research to innovation on the Eastern Path of renewal, I am fully convinced that we need to read the sacred text considering our reality and context. Through *questioning the text* as used by Sardar (2011), *can we tease out possible answers to our moral dilemmas*. The significance and meaning of the verses of the Qur'an, then, must be rediscovered by each generation in the context of its own time. Reality jurisprudence (*Fiqh al waq'* *فقه الواقع*), is the human interpretation of the *Shari'ah*, therefore, it is the human's interpretation of divine law in light of text and reality. Context plays a vital role in such interpretation, hence, what was appropriate five hundred years ago may not be appropriate for our reality and context.

This research followed the 4Cs rhythm from *calling* to *context* to *co-creation* and ended with *contribution*. Where the main driving force in which this work is to be carried forward is the CARE Model (2014), culminating in transformative education. The goal of this innovative journey was to bring social transformation and peacebuilding through integral innovative conflict resolution process

and services into the Jordanian ADR community, with an aspiration, in time, to become relevant for other societies in the Middle East and beyond.

While the 4Cs focus on the individual researcher's innovation drive in his or her context, the CARE aspect of the twin-rhythm research focuses on the institutionalisation of the researcher's integral process towards the development of a self-sustaining and institutional development, dynamic that lead to justice and peacebuilding. The developmental (co-evolution) catalysing of raising consciousness is the next level. The stage that follows in the CARE Model is (R-earch-to-innovate) the innovation-driven research that ensures knowledge creation. The model culminates in lifelong 'education' by delivering capacity building and real-life problem solving.

This CARE model has a direct impact on the social innovation journey that led to a true development through strengthening the link between research and innovation ensuring the practicality of the implementation of the research result. The most exciting aspect of this research is the spiralling where the end is the beginning of a higher phase of ground for becoming. It is a spiral of direct transformational result of integral process where the "know how" is translated into 'how to' do and became part of the inquirers' skill, knack and competence, it has incarnated into practices in described cases in section 4 above.

The research began with the original *call* where the ontology was explained through the narrative method where I was able to identify my call and community call, that is, seeking justice (*Adl* عدل). Then, I moved to the foundational context where hermeneutics provided a mechanism for interpreting the context of this research, I was able to identify and overcome imbalanced cultural aspects, connecting societal and personal transformation and revealing imbalances uncovering transdisciplinary imbalance. Then I proceeded to co-creation where critical theory, as well as feminism. In addition, I provided the vehicles for emancipating into a new realm of ideas and possibilities. I was able to uncover transformational Imbalances and transcultural imbalances, looking into feminism for promoting liberation of self and others, leading to producing emancipatory knowledge where I developed a rapid low-cost ADR approach. Then I ended with contribution through cooperative inquiry which provided tools of social innovation for emancipating the Jordanian ADR community, where the creation and development of the new knowledge led me to the establishment of the Integral Conflict Resolution Centre (ICRC).

The ICRC activities are targeted towards bringing social, economic, spiritual and political freedom among the Jordanian citizens through prevalence of justice and peacebuilding. this research also resulted to the creation of the *Tadafu'* methodology, where I developed four tenets for the *Tadafu'* methodology to be used in (ICRC) as a contribution and transforming methodology, the newly adopted tenets for ICRC are:

1. *Istqsa'*: Unearth what is required for justice to prevail for self, others and community, aiming at achieving the objectives of Islamic law (*Maqasid al Shari'ah*).



2. *Hulm*: Use reality jurisprudence to act and solve conflicts, by coding and decoding our lived experiences and adopting other's successful experiences on conflict resolution including western experience whenever needed.
3. *Khalas*: Liberating self and community through creative tension (Tadafu' تدافع), and critical analysis.
4. *Ta'thir*: Actualise rapid low-cost ADR via pragmatic and realistic procedures.

As a researcher, I found out that the prevalence of wisdom through continuous education was the main theme for sustainable transformation. Wisdom was translated by the development of several services that insure rapid low-cost ADR. I found out that the most important affecting (*Ta'thir*) resides behind practice and education.

Yes, this PhD program adds high quantitative and qualitative values to my transformation, and eventually, to the research community. I managed to reclaim my heritage by reconnecting with my nature, culture, norms and customs that give unique identity for sustainable personal transformation.

Sigmund Freud, the psychiatrist, recommends that vital decisions of life should come from the unconscious, from somewhere within ourselves or inner needs of our nature. Playing complementary role, mingling between the twin human hemispheres the right side and the left side of the brain, between listening carefully to forms of speech, and in the same time deciphers content. My decisions were based on intuition and high spirituality made systematically as well as unsystematically, rationally and intuitively. I became able to perceive the world concretely (Ricoeur, 1970). By reconnecting with my own source, I become an active participant in a creative process of reconstructing myself and society as Lessem and Schieffer (2010) advocate.

This research led me to wisdom. God says: He grants wisdom to whom He pleases, and whoever is granted wisdom, he indeed is given a great good but none will grasp the Message but men of understanding (Qur'an 2:269). I believe that working towards a joint cause is vital for a healthy community that shares specific qualities for the wellbeing (*Falah*) of the Ummah. Qur'an says: "*Allah would not change our affairs unless we ourselves decide to change*" (Qur'an, 13:11). Among the characteristic of a healthy community, I can say truthfulness, trustworthiness, justice, unity, moderation, humbleness, enjoining good and forbidding wrong, maintaining a healthy balance in life and (for me) the most important quality of a successful community is the implementation of justice – the pursuit of which has been and remains the mission of my life.

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