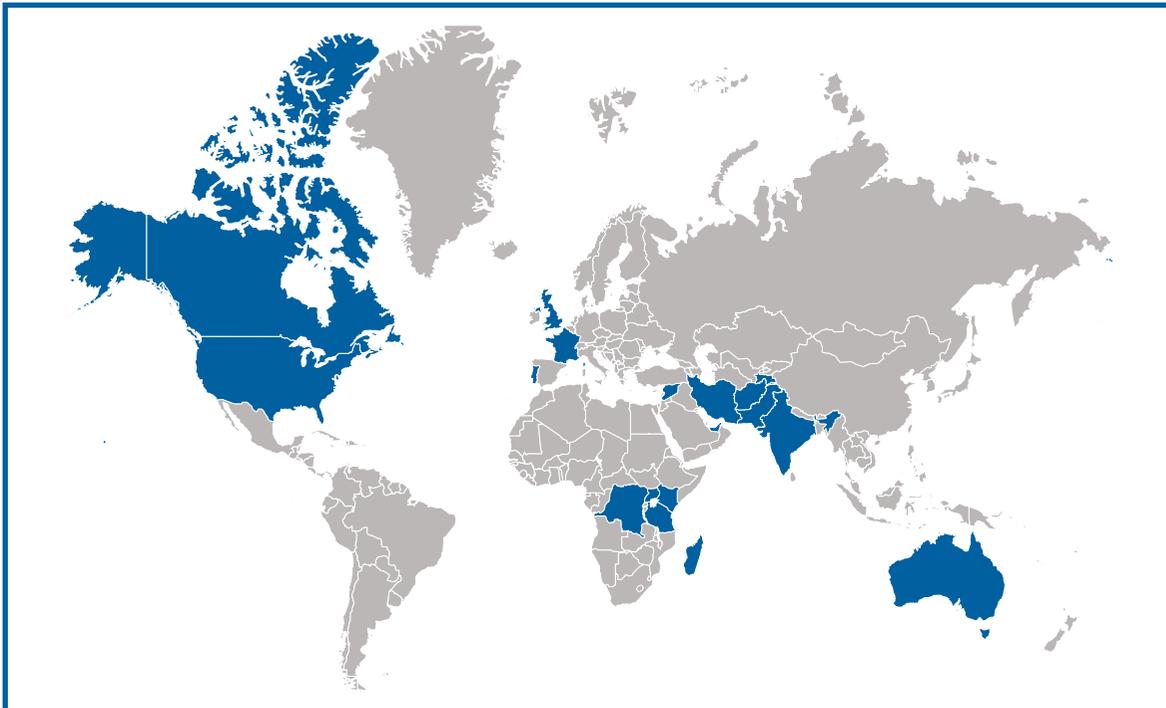


Ethics in Dispute Resolution

2017, the Diamond Jubilee year, marks the 30th anniversary of the establishment of the Conciliation and Arbitration Board (CABs). Over this period the CAB system has grown globally and now has presence in 18 countries.



◀ Blue highlighted countries are those which have an operational Conciliation and Arbitration Board: Afghanistan, Australia, Canada, Congo, Dubai, France, India, Iran, Kenya, Madagascar, Pakistan, Portugal, Syria, Tajikistan, Tanzania, Uganda, UK, USA

Through the ethos of Islam, mediation can help with the resolution of conflict:
“If you fear a breach between them, appoint (two) arbiters, one from his family, and the other from hers; if they wish for peace, Allah will cause their reconciliation: For Allah hath full knowledge, and is acquainted with all things”
 Sura 4 Ayat 35

Differences of opinion sometimes lead to disputes and conflicts. These can affect an individual and their entire family. The quality of life of an individual, the family and the community at large can be affected by differences and conflicts.

A community is composed of individuals and families; when they are united they stand strong and can face challenges, when they have conflict the unit of the family and community can disintegrate and challenges become much more difficult to overcome.

Mediation and conciliation can assist in resolving disputes and improving one's quality of life. When we are faced with challenges we seek inspiration and guidance.

This concept of reconciliation and harmony is also found during the time of Prophet Muhammad (peace be upon him and his progeny) whose life is filled with examples of mediated solutions to problems. There is a well-documented incident that during the reconstruction of the Kaba, one of the buildings in Mecca to which many Muslims go for pilgrimage, a dispute arose over the placing of the Black Stone (Hajr al-Aswad) into the building. Each of the four tribes of the Quraysh sought the honour of placing the stone to the exclusion of the others. An impasse arose and the matter was referred to the Prophet. He asked each of the contesting tribes to choose a leader. He then spread

a full sheet of cloth on the floor and placed the stone in the centre, asking all four leaders to each hold it at one end and raise it together. Thus, a conflict was averted by the Prophet's prudent action in giving all four leaders an equal honour of placing the stone. This tradition has continued over decades with our Imams. Imam Jafar al-Sadiq (peace be upon him and his progeny) said: “The charity which Allah loves the most is the peace re-established between quarrelling parties.” Over time this responsibility was later established amongst elders within the Jamat and up to 1986 disputes had been handled by Tribunals.

At the time of the ordainment of the Shia Imami Ismaili Constitution in 1986, the first International Conciliation and Arbitration Board (ICAB) as well as the National Conciliation and Arbitration Boards (NCABs) were established. The first appointments to the Boards were made in December 1987.

The role of the NCAB is to resolve any differences of opinion and disputes amicably within the framework of our ethics and values maintaining unity and harmony within the Jamat.

As we embark on the Diamond Jubilee year of our beloved Imam, let us carry with us this intention to manage our differences ethically and in accordance with the guidance of the Imam.

‘Any differences must be resolved through tolerance, through understanding, through compassion, through dialogue, through forgiveness, through generosity, all of which represent the ethics of Islam’.

Mawlana Hazar Imam Al-Khawabi, Syria 9th November 2001