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MEDIATION IN THE RELIGIOUS SPHERE: MYTH OR REALITY?

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Abstract. The purpose of the article is to determine the possibilities and limitations of applying mediation as an alternative dispute resolution mechanism within religious organizations in Ukraine. The study is based on the analysis of Ukrainian legislation, statutory documents of religious organizations, and scholarly approaches to mediation and religious conflict resolution. The article examines the specific nature of religious conflicts, existing mechanisms of conflict resolution in religious organizations, and the potential of mediation in this field. It is argued that religious mediation may be effective in disputes concerning communication within communities, property use, interpersonal tensions, and interfaith cooperation, while its application is limited in cases involving dogmatic issues, canonical jurisdiction, or the absence of voluntary participation. The practical significance of the study lies in the formulation of recommendations for the implementation of mediation practices in the religious sphere.

Key words: mediation, religious sphere, psychological conditions, conflict, alternative dispute resolution methods (ADR), nonviolent communication, facilitation, conflict prevention.

Introduction. Throughout the entire period of Ukraine's independence, religious organizations have played a significant role in the life of Ukrainian society, particularly during periods of political, economic, and social crisis. For this reason, religious organizations consistently occupy high positions in public trust surveys. According to the Razumkov Centre's 2025 data, more than 65% of Ukrainians trust churches and religious organizations, which is one of the highest indicators among all social institutions both in Ukraine and in Europe. It is noteworthy that even in times of social upheaval, this level of trust remains consistently high, underscoring the importance of religious institutions in the lives of Ukrainians.

It should be noted that religious life in Ukraine is distinguished by its diversity, in which various confessional traditions are intertwined, reflecting cultural, social, and geopolitical characteristics. An analysis of current data on the network of religious organizations makes it possible to gain a deeper understanding of the contemporary state of religious life in Ukraine and its potential influence on social processes. According to the official report of the State Service of Ukraine for Ethnopolitics and Freedom of Conscience, as of 1 January 2025, a comprehensive analysis of the structure of religious organizations in Ukraine was conducted (State Service of Ukraine for Ethnopolitics and Freedom of Conscience, 2025).

The analysis of statistical data on the network of religious organizations in Ukraine as of 1 January 2025 allows for several important conclusions regarding the confessional structure of Ukrainian society.

Traditionally, Orthodox churches remain dominant in Ukraine. They are represented by 19,503 organizations, accounting for more than 52% of the total number of religious organizations in the country. Protestant churches rank second in terms of the number of organizations, with 10,932 entities, representing approximately 30% of the total. Catholic churches occupy third place, with 5,295 organizations, amounting to approximately 14% of the total number. Other religious denominations, including Muslim organizations, with 634 entities, Jewish organizations, with 507 entities, and Eastern religions, with 29 entities, together account for less than 4% of the total number of religious organizations (State Service of Ukraine for Ethnopolitics and Freedom of Conscience, 2025).

The functioning of religious organizations in Ukraine also has its own specific features, determined both by internal canons and traditions and by state regulation. Religious organizations have the right to conduct worship services, religious rites and ceremonies, establish educational institutions for the training of clergy, and engage in charitable activities (Verkhovna Rada of Ukraine, 1991).

The purpose of this article is to determine the possibilities and limitations of applying mediation as an alternative dispute resolution mechanism within religious organizations in Ukraine. The scientific novelty of the article lies in the attempt to conceptualize religious mediation as a specific form of alternative dispute resolution that combines legal, psychological, communicative and theological dimensions. The study is based on the analysis of Ukrainian legislation, statutory documents of religious organizations, and scholarly approaches to mediation and religious conflict resolution.

Methodology. The study is based on a combination of general scientific and special research methods, including analysis, synthesis, comparative legal analysis, content analysis of statutory documents of religious organizations, and interdisciplinary interpretation of mediation practices in the religious sphere.

The Concept and Fundamental Principles of Mediation

Mediation is an alternative method of conflict resolution that involves the participation of a neutral third party – the mediator – who assists the parties in reaching a mutually acceptable solution. In international practice, mediation is recognized as an effective instrument for out-of-court dispute resolution, contributing to reducing conflict levels in society and conserving judicial resources (Strange, 2020). The study of theoretical and conceptual aspects shows that the institution of mediation occupies an important place in the modern socio-legal space as an effective alternative to traditional litigation. (Basenko et al., 2022: 93).

Modern legislation defines the fundamental principles on which the mediation procedure is based. Article 3 of the Law of Ukraine “On Mediation” provides the following: “The mediation procedure shall be conducted by mutual consent of the parties based on the principles of voluntariness, confidentiality, cooperation and equality of the parties, as well as the impartiality and independence of the mediator” (Verkhovna Rada of Ukraine, 2021). The implementation of these legislative standards is due to the urgent social need to form a culture of peaceful dispute resolution. (Kalmykova, 2023: 70).

The foundational principle is voluntariness. Mediation may begin only upon the mutual consent of the parties to resolve the dispute. Another important principle of mediation is confidentiality. Observance of this principle makes it easier for the parties to agree to mediation, as it allows them to preserve their reputations in the eyes of others while keeping their interests private.

The next principle is the equality of the parties and their equal standing. This means that the participants in the dispute have equal rights. The mediator gives equal attention to all parties, regardless of their social status, and provides equal opportunities to each participant (Verkhovna Rada of Ukraine, 2021).

The entire mediation process is carried out based on the mediator’s neutrality. The mediator must demonstrate impartiality toward the parties to the conflict, maintain equal distance from them, and remain free from emotional bias or material temptation. The mediator also applies the principles of responsibility and transparency. They create an atmosphere of trust, adhere to the procedural rules, and inform the parties about the course of the process.

The parties to the conflict bear responsibility for their own conflict and for making the final decision. Mediation is applied in those spheres of life where social changes and societal transformations have created the need to find alternative ways of resolving conflicts, distinct from older traditional methods (Verkhovna Rada of Ukraine, 2021).

Established Mechanisms of Conflict Resolution in Religious Organizations

The governance structures and conflict-resolution mechanisms of religious organizations in Ukraine reflect their theological understanding of the Church, historical traditions, and practical needs.

Orthodox churches – the Orthodox Church of Ukraine and the Ukrainian Orthodox Church – have similar hierarchical structures, characterized by a strong role of the episcopate and formalized judicial procedures. The specifics of the internal judicial proceedings and canonical administration of these institutions are clearly regulated by the relevant regulatory documents and canons (Statute on the governance of the Ukrainian Orthodox Church, 2022).

The Ukrainian Greek Catholic Church combines Eastern synodality with Western institutionalism, which is reflected in a well-developed system of ecclesiastical tribunals and a clear codification of canon law (Ukrainian Greek Catholic Church, 2014).

The All-Ukrainian Union of Churches of Evangelical Christian Baptists demonstrates a more congregationalist approach, with significant autonomy of local communities and a preference for informal methods of conflict resolution.

There is a tendency toward less formalized conflict-resolution procedures in all religious organizations, which is connected with the growing openness of church life and the need to meet contemporary standards of transparency and accountability.

Challenges and Opportunities in the Field of Religious Mediation

Despite its considerable potential, religious mediation faces some specific challenges in society that require a systematic approach to their resolution, namely:

- a. the complexity of combining religious and secular approaches to conflict resolution;
- b. the importance of taking into account the hierarchical structure of religious organizations, inter-religious differences, and theological contradictions
- c. the emotional and spiritual intensity of religious conflicts (Padilla, 2014).

The Potential and Opportunities of Religious Mediation

Recognizing the problems outlined above, religious mediation possesses significant potential and unique opportunities, namely:

- a. deep historical traditions of reconciliation within religious communities;
- b. a high level of trust in religious institutions and their leaders;
- c. the use of preventive mediation and the promotion of peace (Matthews-Giba, 2000: 1700-1705).

Recommendations for the Implementation of Religious Mediation

For the effective implementation and development of mediation in the religious sphere, detailed recommendations are proposed. These recommendations encompass the training of specialized mediators, the creation of systems of cooperation between religious organizations and professional mediators, and the development of an appropriate methodological framework.

These recommendations should take into account the specific nature of the religious context and should be aimed at integrating spiritual practices of reconciliation with modern mediation techniques. Successful implementation of these recommendations will contribute to the formation of a culture of peaceful conflict resolution and to increasing the effectiveness of mediation in religious communities (Matthews-Giba, 2000: 1705-1710).

Religious mediation may be especially effective in disputes concerning communication within communities, property use, interpersonal tensions between clergy and parishioners, and interfaith cooperation. However, it may be limited in cases involving dogmatic issues, canonical jurisdiction, or conflicts where one party refuses voluntary participation.

Accordingly, the following sets of measures are proposed for addressing the identified tasks:

Development of comprehensive educational courses: A specialized program should be developed that combines classical mediation methods with religious traditions, canonical norms and practices, and the specifics of conflict resolution.

Such programs should include the study of religious texts and documents related to reconciliation, theological interpretations of conflict, peacemaking practices, and practical cases from the religious sphere.

Involving religious leaders and administrators in the process of training mediators: Cooperation with religious authorities ensures the authority and legitimacy of training programs in the eyes of religious communities. Religious leaders can provide useful knowledge about the specifics of religious conflicts and traditional approaches to their resolution.

Formation of interdisciplinary teaching teams: Such teams should include both professional mediators and representatives of religious communities in order to ensure a comprehensive approach to mediator training in the religious sphere (Padilla, 2014).

Development of specialized modules on interfaith and interreligious mediation: Preparing mediators to work in conflict situations between different religious groups requires special attention to intercultural communication, religious tolerance and interfaith understanding. The proposed recommendations for the implementation of religious mediation create a comprehensive basis for the effective development of this direction in the religious environment of Ukraine.

The combination of the traditions of reconciliation that exist in different religions with modern mediation methods opens up new opportunities for dialogue and understanding between confessions. Such an approach will contribute not only to the resolution of intra-religious disputes but also to the harmonization of social relations in general.

Conclusions. The conducted research allows us to draw several important conclusions regarding the development of religious mediation. This unique practice combines ancient spiritual traditions with modern approaches to conflict resolution, opening up opportunities for a deep dialogue built on mutual respect and understanding of religious worldviews.

The analysis revealed both challenges and prospects in this area, which made it possible to formulate specific recommendations. Their implementation will contribute to the creation of an effective system of religious mediation in Ukraine, which will help not only resolve intra-confessional disputes but also play an important role in resolving broader social conflicts, especially in regions where religion is a key element of the identity of communities.

Therefore, religious mediation should be understood not as a universal mechanism for resolving all religious disputes, but as a complementary tool that can be effectively applied in conflicts where voluntary participation, dialogue, confidentiality and mutual recognition of interests are possible.

Mediation in a religious environment is an opportunity, a challenge, and a gift, because a dispute can be transformed into a process of revelation and love, as the classic of German philosophy, Schelling, notes: "Every being can reveal itself only in its opposite. Love only in hatred, unity only in conflict."

Thus, the development of religious mediation is not only an internal matter of religious communities, but also an important component of building a peaceful and harmonious society capable of constructively resolving conflicts and promoting dialogue between different population groups.

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