

# OPTIMIZING THE ROLE OF MEDIATION IN RESOLVING CONFLICTS IN SPORTS ORGANIZATIONS: A STUDY OF CONFLICT RESOLUTION FROM AN ISLAMIC LEGAL PERSPECTIVE



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## KEY WORDS

Roles, Mediation, Resolving, Conflict, Organization

## ABSTRACT

The aim of this research is to determine the role of mediation in resolving sports organization conflicts from an Islamic legal perspective. The method used in this research is qualitative by conducting a phenomenological study of the activities of sports organizations and then conducting interviews with organizational administrators and athletes so that they can find out about conflict issues that occur in sports organizations. The research results explain that the role of mediation really determines the outcome of cases because its existence is highly anticipated to resolve problems. Mediation is very helpful in resolving sports organizational conflicts so that they are able to find solutions based on mutual agreement. The study of Islamic law is one of the approaches used so that it can be used as a barometer in dealing with organizational problems. This approach is certainly part of problem solving so that sports organizations can progress further.

## 1. INTRODUCTION

Humans as social beings certainly cannot be separated from conflict because of the interactions that occur at all times to achieve interests. Conflict is part of the dynamics of life that demands a solution so that the problems faced do not last long. Conflict can occur in various sectors ranging from small to larger scopes. The essence of conflict is due to differences in achieving goals so that the parties involved in the conflict try their best so that the conflict that occurs can be resolved to get out of the shadow of division.

Sports organization is a network of sports formed in making sports activities successful

based on statutory regulations. The organization was formed in order to organize a better life based on regulations. Sports organizations are accommodated by a committee so that they can carry out coordination functions, planning functions, and provide coaching so that stakeholders involved in them can achieve achievements. The success of an organization if it is free from the shadow of conflict that triggers division. Conflict in an organization is very human because there are interests that must be met. However, it is necessary to find a common thread so that the conflict does not drag on.

The role of mediation is very important in an organization so that the problems faced can be



resolved without creating new problems. Mediation can certainly provide its own character in resolving conflicts so that its contribution is greatly needed in optimizing the role it has. The goal of mediation is to reach an agreement in resolving the problem so that the conflicting parties find a point of understanding.

The desire to resolve problems through mediation is not only found in legal disputes but can also be found in organizations where many elements are involved. In dealing with conflict, a mediator is certainly needed so that the mediation process runs smoothly. The mediator acts as a liaison so that the conflicting parties can re-establish good relations. The mediator must be able to provide solutions to the problems faced. The neutrality of the mediator is a key position in resolving organizational conflicts. A mediator should act as a justice advocate in treating both parties in conflict. The mediator is not allowed to take advantage of the conflicting parties so that the mediation runs smoothly.

Usually, Mediation is used for disputes that occur in court in order to reconcile the two parties in dispute. However, lately mediation has reached all disputes that occur including in organizations so that the substance of mediation is very much needed because it can be a means that is more easily accepted and has a lower risk level because the role of the mediator must show his neutrality in a case so that the resulting decision gives a sense of justice to the conflicting parties. The steps taken by the mediator can be preventive and open so that both parties can accept it with open hearts without resentment.

The mediator must be able to formulate a conflict design in order to find a resolution to

the problem. The mediator can also be a facilitator to obtain information related to the dispute that occurred. This information will be a measure of understanding the level of accuracy of the conflict which can be used as a barometer in formulating the conflict problem. So the attitude taken by the mediator must be wise without looking at the differentiation of the conflict, the mediator must be trusted so as not to side with one of the conflicting parties. The role of the mediator is very much needed to consolidate various problems so that the conflicting parties accept the results of the mediation. The decision obtained from the results of the mediation is certainly a reference in resolving the conflict.

The effectiveness of the mediation role is very important in resolving conflicts, so in-depth qualifications are needed so that the direction of mediation is right on target. The mediator must be able to maintain neutrality so that the facilitator function runs optimally. The mediator is certainly able to bridge the two disputing parties to find a way out. The optimization possessed by the mediator will mobilize all the abilities he has so as not to get caught up in the dispute. Mediation should run smoothly so that the conflict that occurs does not drag on because the substance of the conflict is very fluctuating without looking at the status of the problem being faced.

The condition of Indonesian society in facing conflict is certainly different from a society that adheres to a capitalist system. Indonesian society adheres to a vigilante system in resolving conflict. They prefer conflict resolution through a system that is not regulated by an institution but is resolved amicably. The privatization system becomes a domain in resolving conflict because it is considered humane based on the culture



developed by society. The vigilante system is phenomenal in resolving conflict because the level of resolution is very satisfying so that those in conflict are easily united without going through formal channels.

Sports organizations are one of the conflict areas that require attention because of the diversity that occurs in the organization. The reference for conflict in sports organizations refers to Law Number 3 of 2005 concerning the national sports system. Article 88 of the law explains that sports conflicts can be resolved through consensus and can be taken through an arbitration mechanism in resolving conflicts based on applicable regulations. The last option for conflict if no solution is found is to go to court as a legal effort to resolve the conflict.

In the Islamic perspective, mediation is a method of dispute resolution that must be resolved peacefully. The concept developed adheres to the principle of *islah* according to the teachings of the Qur'an, namely QS. Al-Hujurat verse (49): (انما المؤمنون اخوة فاصلحوا بين اخويكم و اتقوا 9) (indeed the believers are brothers, so reconcile among your brothers that you may receive mercy). This verse is a basic principle that must be used as a guideline in resolving disputes. Through mediation, the conflict faced will certainly be resolved to find the point of the disputed problem.

The theoretical basis of mediation offered in Islam certainly finds a case in order to maintain the integrity of brotherhood. In maintaining the integrity of an organization, togetherness is needed so that the conflict faced finds the point of truth that is the hope of every human being. Islam teaches that conflict is very common in human history but peace is a principle that must be upheld so that the conflict does not last long and finds a common perception.

In Islamic teachings, mediation is equated with *hakam* as a form of representation in conflict resolution. *Hakam* is considered as a giver of justice in resolving cases between two or more people in conflict. The basic concept of *hakam* is taken from the word of Allah SWT QS. An-Nisa' verse 35, namely: (وان خفتم شقاق بينهما فابعثوا حكما من اهله و حكما من اهلها) And if you fear a dispute between the two, then send a *hakam* from the man's family and a *hakam* from the woman's family). This verse is a barometer in conflict resolution so that mediation becomes the determinant in deciding the case. The case referred to in the conflict can be a legal case or a case within an organization.

## 2. METHOD

The type of research conducted in this study is qualitative research by conducting a phenomenological review of sports organization activities. The research sample was taken from players, athletes, and sports organization administrators, because each individual can tell more deeply about the role of mediation in resolving sports organization conflicts. To obtain information about the conflict that occurred in the organization, in-depth interviews were conducted so that the information received could be more accurate. The approach used with rationalistic analysis of the general object being studied. This concept requires a holistic and systematic discussion by presenting the facts behind the incident so that the material studied can be more focused on the problem without eliminating the context it contains.

## 3. RESULT AND DISCUSSION

### 1. The Role of Mediation in Organizations

In an organization, conflicts cannot be avoided



due to various interests in realizing expectations. Sports organizations are large associations, the majority of whose administrators want to achieve goals. The role of each organizational person is needed in building synergy so that the organization can exist. Leadership of organizational leaders is needed as a strong resource in directing, motivating, and inspiring members of the organization to reduce conflict. However, it is necessary to involve parties when conducting mediation so that the mediation faced does not last long.

Mediation is considered successful if the mediator is able to carry out his/her functions and duties in reconciling the conflicting parties. The effectiveness of mediation is at stake in realizing reconciliation so that the conflicting parties find peace as a manifestation of mediation. The views conveyed by the mediator are certainly a reference so that the disputed issues do not widen which leads to division. So being a mediator must meet the criteria as a qualification so that the resulting decision does not disappoint the conflicting parties.



*Figure 1: Domain conflict in organization*

The emergence of tug-of-war interests becomes the main problem in the organization that triggers the emergence of conflict of interest. The existence of an authority in the organization that is faced with the interests of professionalism clashes with desires. An unfavorable situation like this certainly requires

reconciliation in reducing the problem so that it does not drag on. The emergence of facts and realities that are not balanced results in conflict in the organization so that what happens is disharmony. Different understandings in the organization are a factor that triggers conflict. Between the administrators of the organization compete with each other and not a few show egoism both in conveying opinions and in accepting ideas. Feelings of displeasure sometimes arise because of the advantages possessed by one of the conflicting parties.

Dissatisfaction factors also trigger conflicts due to interests that are not channeled. The differences in values received are not equal, thus triggering unfair treatment between them. Unhealthy competition sometimes colors the relationship between organizational personalities which leads to disharmony between organizational administrators. The resulting policies are not in line with the wishes of the administrators so that teamwork does not run optimally.

In resolving organizational conflicts, an approach is certainly needed so that the conflict does not drag on. One of the approach models used is the transcendental approach, which is an approach model to reconcile the conflicting parties in realizing a resolution without violence and always taking lessons from the conflict events faced. Conflict resolution through transcendental theory aims to construct conflict in finding a solution to the deadlock problem. Through a peaceful path, it is hoped that it will be able to present a resolution from the conflict space found. The orientation that was initiated is of course. able to bring peace in an unspecified time through conflict resolution management.

Conflict resolution does not just come out of

nowhere but through a resolution mechanism that has been designed so that the conflict does not drag on. Conflict management certainly works optimally through an approach that can direct disputes so that it can accommodate all interests so that they do not spread. The essence of problem solving is certainly not just about solving problems but being able to provide supervision of disputes between both parties in the organization so that it can unravel the formulations of conflicts that can be described in various approaches.

To find a resolution in a sports organization conflict, it must refer to the National Sports Law Number 3 of 2005. Article 88 of the law states that sports conflicts can be resolved through mutual agreement. Every problem faced must be made a Joint Decision involving every stakeholder. Through this consensus, it is used as a reference so that the Decision taken is not unilateral and provides a sense of justice for all parties.

In the deliberation process, of course, there are parties who feel disadvantaged so that they take opposition steps in responding to the case. The step of resolving the conflict through arbitration is a breakthrough in responding to the conflicting parties. Of course, always asking for the views of senior management in making decisions together is done openly by involving various related elements. Other decisions can be taken through the courts as long as no common ground is found between the two conflicting parties. This method is the last step in resolving the conflict so that the problems faced are not prolonged and all parties can accept it with open hearts.

Conflict resolution is certainly a common goal in overcoming problems so that the disputing parties feel comfortable in continuing the sports

organization being developed. Collaboration and compromise systems are targeted in finding a dead end through a win-win solution. The impact that will be achieved is certainly a recommendation because both parties feel that they are not disadvantaged and provide mutual benefits. The commotion that occurs due to differences in views and interests can certainly be minimized. Through this win-win solution, mutual justice will be achieved because they do not harm each other and even feel satisfaction with each other.



Figure 2: Sports Organization Conflict Map

The principle of volunteerism developed in conducting mediation is very helpful so that local disputes can be resolved. In some people or groups, of course, they accept each other's decisions made in the organization because they are based on sincerity and mutual acceptance of both the shortcomings and advantages of each personality to form unity. Sports organizations are family communities so that volunteerism is needed without any burden borne by each administrator or member of the organization. Of course, this principle teaches togetherness that must be borne by all administrators of the organization without considering the advantages or disadvantages of each person.

In making decisions, neutrality is needed so that the conflict does not drag on. Neutrality is

very important in making decisions so that there is no bias that can harm one of the parties in conflict. Neutrality is a bet in an organization so that decisions taken are democratic. To maintain integrity and professionalism, policy makers in an organization are required to be neutral so that decisions taken can provide satisfaction because they are far from bias.

In sports organizations, of course, there is diversity that comes from various groups and groups that lead to both internal and external conflicts. Problem solving is an intellectual problem solving that must be rationally supported by the decisions taken. Problem solving is present to find solutions to the obstacles of the problems faced. Problem solving skills are needed to overcome problems to their roots so that conflicts do not drag on. Problem solving is certainly able to hone abilities so that the parties in conflict are not harmed by each other.

The principle of agreement will certainly be a guideline that is mutually agreed upon by the conflicting groups. Agreement aims to unite all perceptions conveyed so that no one is disappointed in the decisions taken by the organization. Decisions taken together certainly want to put the problems faced in order to avoid majority or minority groups that can lead to disharmony in the organization. The main purpose of the agreement is to save the organization as a representation of greater interests than accommodating the desires of individuals or groups. The agreement wants to eliminate egoism in organizing so as not to get caught up in sectarianism. Agreement wants to establish togetherness from conflicting groups to carry out the commitment of the agreement so that solidarity in the organization becomes stronger.

The competencies faced will definitely occur in an organization. However, recognition is needed from the results of the organization's performance. The positive nuances produced by the organization require different perspectives to be united to produce joint decisions so that they get recognition from the conflicting groups. The results of the performance achieved by the organization will be used as assessment material to improve deficiencies in the future to achieve progress. In the nature of recognition, the success achieved by the organization is certainly given an award to increase enthusiasm for the organization's administrators so that they can show achievements, not prestige. The achievements obtained must be given a higher reward to increase work enthusiasm in order to be able to eliminate barriers in the organization.

In the principle of mediation, it is hoped that there will be a solution to the problems faced so that the conflict does not last long. If there is a problem in the organization, then it should be faced with a cool head and a clear heart so that the root of the problem can be resolved effectively. In conflict resolution theory, it is suggested that conflicting groups are able to be free from prolonged turmoil. Problems must be able to be faced by involving other parties in solving the problem.

Conflict resolution requires togetherness and no one is considered superior or inferior. The conformity step becomes a priority scale to unravel the deadlock so that there is a sense of ownership of the decisions taken. Conflict resolution at least brings a sense of comfort because of the differences that underlie it. The importance of accommodating the interests of the opponent is a determinant so that no one is sacrificed.



## 2. Conflict Resolution from an Islamic Perspective

Islam as a religion that is integrated into social life must of course be able to provide protection to society because the purpose of the revelation of religion is to provide benefits for humans. Islam and society must be able to transform into a fundamental bond so that there is no conflict in society and are able to realize eternal peace. Islam as a religion that is embraced by society does not merely teach commands and prohibitions related to God and humans or humans and humans, but Islam becomes a resolution in conflicts that occur in society and organizations.

Since the first human was born on earth, it has brought the seeds of conflict with various motives. However, it does not mean that conflict will end in division but conflict is expected to provide education to two different groups. Fourteen centuries ago, the Qur'an has informed about the solutions offered if a conflict occurs so that it does not last long. In seeking a solution, the Qur'an offers principles that must be developed as guidelines in order to provide justice and mutual satisfaction. Conflict resolution in Islam can be seen in the following illustration:



*Figure 3: Illustration of Conflict Resolution in Islam*

The conflict resolution offered in the illustration

requires fairness in making decisions so that both parties accept it with an open heart. This principle has been stated in the Qur'an, namely *ان الله يأمر بالعدل والاحسان* (indeed Allah commands to act justly and *ihsan*). The justice referred to in the verse includes decision-making including in sports organizations. The decisions taken certainly do not harm both parties but can provide comfort and security through the concept of justice. In sports organizations, of course, all parties must accept the decisions that have been made without comparing the results received because the source of reference in the Qur'an is not only different results but maximum acceptance.

From the perspective of Islamic Law, conflict resolution is certainly based on the common good in order to be able to eliminate the legitimacy of partisanship into the legitimacy of togetherness. The concept of moderation that is always offered in Islam certainly becomes a resolution so that there is balance in decision-making. The conflict resolution offered in Islam certainly refers to the principle of brotherhood without sacrificing one of the conflicting parties. The basic concept developed in Islam refers to the principle of indiscrimination as a theoretical basis for building togetherness. Islam does not want division in the problems faced but Islam prefers that both parties can be reconciled which ends in harmony.

In Islamic legal theory, conflict is very humane to occur but all problems can be resolved as long as there is no radicalism in the organization. Islam considers the path of peace to be the most appropriate solution because it can provide a sense of justice to those in conflict without discrimination. Peaceful tolerance highly upholds humanitarian values in organizations because it is very solution-oriented in solving problems. The values that

must be applied in solving problems are challenges in resolving conflicts, so what must be done is not to hurt each other between the two conflicting parties.

Equality must be prioritized in the organization so that both parties in conflict do not bring each other down to reach an agreement. Islamic legal theory considers that differences of opinion are not limited because the principle developed is to provide space so that there is no narrowness in developing the organization. The principle of freedom and mutual assistance becomes a priority scale in organizing so that ideas and concepts can be united so that a common agreement is reached. Solidarity must be developed in order to place the conflicting parties on a scale of excellence.

The highest theory in Islamic law in responding to conflict is to return the problem to the highest value, namely religion as a source of solution. Religion is not present to create chaos according to the meaning contained in religion or not chaotic. Religion gives a higher position in the organization so that all interests can be channeled with the note that the rules are not violated. One of the causes of conflict is egoism and inconsistency in implementing the rules so that no agreement is reached.

The position of the Qur'an as a source of law is certainly a reference in the organization. The Qur'an is present among humans, of course, an inspiration in resolving conflicts so that the organization can be healthy because it is supported by inspiring personnel. In Islamic law, the theory of *ijma'* is known as a mutual agreement in resolving conflicts. This theory is inspiring in responding to the dynamics of a very diverse organization. Islamic law is very revolutionary in responding to differences that lead to organizational harmonization. It's just

that it is not explicitly explained regarding conflict resolution because authority is handed over to the personality so that the *ijma'* model that is developed is very deverative in fostering mutual awareness.

#### 4. CONCLUSION

The involvement of mediation in organizational conflicts is very urgent because of the role of a third party in resolving conflicts as problem solving. The neutrality of the mediator is a determinant in resolving conflicts so that they can become a mediator so that there is no bias from one of the conflicting parties. The role of the mediator must run optimally so that the mediation function runs effectively because the mediator must be a protector to provide justice. Resolution in mediation begins with building trust so that it can be accepted by the conflicting parties. Trust is very important because it is an integrated part of decision making.

Islam as a religion of compassion aims to provide equality for all parties so that no one is harmed because of underlying interests. Conflict resolution in Islam refers to the guidelines of the Qur'an as a source of conflict resolution. The initial step taken through mediation is to bring together the two parties to find an understanding. The principle of peace must be put forward in order to be able to erode the egoism that is detrimental to many conflicting parties. Equality of position must be put forward in order to be able to reduce

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