

Negotiation, Mediation and Conflict Resolution in Public Context
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Briefing Paper by Asena Soydas

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To

The Mayor of the City of Gengen
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Proposal for the conflict around the new mosque project at the City of Mengen

Dear Mr. Stubeck,

Thank you very much for your request. The following is a proposal paper concerning the conflict around the new mosque in Gengen. In reaction to rising complaints by the inhabitants, I recommend launching a mediation process between the involved parties and the city itself. Regarding the early stage of the conflict, a result for the benefit of all parties is highly possible.

Background

In March 2019 the chairman of the Turkish- Muslim community in Gengen- a southern german city with 7000 habitants - requested administrative support in the search for a construction area where the community could build a new mosque or a new building which the community could obtain. Until then the community owned an old building- consisting of two rooms and a restroom- in the suburb of Gengen, where they were facing some restrictions in terms of construction and building law as well as conflicts in the neighborhood concerning the parking lots. The mosque which the community bought self-investment in 1990 spatially restricted and does not provide enough space for the 100 members' strong community. After analyzing the blueprint and the finance plan of the Turkish-Muslim community, the City of Gengen suggested the Bauer- Areal in Fabrikstraße 5-10, which would after building an annex, the community with two bigger prayer rooms, a bigger room for other get-togethers, a big kitchen, two restrooms, and enough parking possibilities. In May 2019 the city council decided in a public and preannounced sitting the sale of the Areal to the Turkish- Muslim Community in Gengen in unison. Soon after the decision, the City Council received inquiries of people living in the surrounding of the mentioned area. Among them were questions around the architecture and the azan (call for prayer) or the relationship

between the community and the Turkish-Islamic Union for Religious Affairs (DITIB)-umbrella organization of 900 Turkish-Muslim mosques in Germany linked to the Turkish government's Directorate of Religious Affairs (Diyanet). Some inhabitants claimed that this selling is illegal, thus, needed to be brought to justice. At the same time, a group of citizens "Gengen against the Islamification" mobilized and protested on social media, in front of the old mosque and the town hall accusing the Muslim community and the mayor of being the long arm of Al-Qaida in Germany. On the night of June 23rd, unknown perpetrators threatened the Turkish- Muslim Community in written form and put a pig's head in front of the main entrance to the Mosque.

Who are the stakeholders and what are their interests?

The Turkish – Muslim Community of Mengen consist of Turkish migrants' family in the third or even 4th generation in Gengen. The Turkish migrant community is the biggest migrant group in Gengen and is the need for a Mosque- or in a broader term, a community center – where the members can meet, pray and do other community work-based projects such as open house days.

- 1) The City Council of Gengen is interested in a diverse and tolerant Gengen for everyone and is interested in revitalizing vacant buildings.
- 2) The inhabitants around the Bauer- areal are interested in ideas concerning cohabitation in the same neighborhood and possible restrictions.
- 3) The (neutral) non- Muslim community of Gengen is interested in the effects the new mosque can have on the daily life, as well as wants answers raised by political debates.
- 4) Group of people against a new mosque. These people do not want to have the mosque and the Muslim community visible

How could the mediation process look like?

1) Introduction of a mediator and the goal of the mediation process

The mediator, in this case, can either be someone completely unknown for the population of the city or public figure who is accepted and valued by all parties included but has experience in mediation. Since you Mr. Stubeck have a political position and are also the target of the frustration of some people, I do not recommend you to be the mediator. If you desire to go for an unknown mediator, mediator-finden.de can help to find a professional mediator. Given the importance of the city life and weighing up

against a lawsuit, the financial aspect for the mediator could be covered by the city budget.

2) Choosing the right location

The mediation process once announced publicly, will lead to a high interest in Gengen and beyond Gengen. Therefore, I suggest having the meetings in a neutral, open and wide place such as the Bürgerhaus of your City is. Besides, this location will emphasize that the conflict concerns the whole population of Gengen and the cohabitation amongst the citizens.

3) Time Schedule

Defining the period and the number of meetings will result of course in a way during the meetings dependant on the emerging topics. But you should define that roughly in advance. Considering that there are no severe deadlines or financial disadvantages for one of the parties and the complexity of the topic I suggest meeting at least 5 times for full-day sessions, including one day where everyone can visit the existing mosque and the envisaged area for the new mosque.

4) Inviting Parties

For the first and last as well as "visit session" you can consider inviting the whole population, but keep in mind that only representatives or a group of representatives for all parties can carry out the further mediation process efficiently. While for the city (City Council members) and the Muslim community (Chairmen) the representatives are clear, for the other remaining groups I suggest transferring the assignment decision to themselves during the first meeting. Nominating someone in advance could be seen as a drawback.

Why mediation?

Mediation is a process in which a third neutral party can help to find a solution for a problem by assisting all parties in their communication, clarification of their positions and the exchange of their views. It avoids legal action. Furthermore, it is a tool to examine the basal reasons for conflict while providing enduring solutions that are adapted to the needs of the involved parties. In your case, mediation can accompany the process of renovation/ relocation of the new mosque by taking along all parties thereto and preventing a destructive conflict resolution. The mediator will first of all

outreach to the underlying concerns and questions around the new Mosque debate and sensitize the project manager of the Turkish- Muslim Community for those concerns and questions as well as sensitize for being as open and transparent as possible in the first step towards understanding. All factual questions will be answered during the process but of utmost importance is the development of trust and the handling with the unknown and worries.

Why does the case in Gengen matter?

Although the dispute around the new Mosque in Gengen seems at first glance like a city intern/ local level dispute the resolution of this conflict can have bigger nationwide importance and serve as an example in similar cases. The building of new Mosques – depending on the planned architecture- can even change the cityscape. In the past, mosques in Germany established outside of the city, in the industrial areas thus not visible for the other communities. In this connection, it should be mentioned that mosques in Germany are not just places for religiosity but also the center of civic life which facilitates youth work, rooms for men and women, rooms for ablution and even purchasing. Recently Muslim communities in Germany want to be integrated actively in the local daily life, thus, they aim to have spaces in the cities. The expectations of how a mosque has to look vary of course. While some insist on an architecture similar to buildings in their home countries (including minarets etc.), many communities just formulate the need for a community center. The cases may vary, but Gengen can set an example in conflict resolution through mediation.

Possible Limitations

While mediation provides the disputants with a neutral platform for negotiations and bargaining procedures, it is not a platform to change people's political or social ideas. With one group being extremely against the new Mosque and probable source causing the "pig head" incident there is the risk of the hindrance of the mediation process if not even failure. Mediation with this extreme group might not be possible, and they can and will try to convince inhabitants to join their attitude. At this point, it is important to reach out as soon as possible to the parties involved, show them that their concerns and questions are taken seriously and giving them a neutral contact person who is non-judgemental. Despite the mentioned risks mediation is the best possible solution for all parties since it foresees cooperation between all parties as equals- not as rivals but partners.

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How to find a mediator in Germany?

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