

EXPLORING THE BIBLICAL AND CHRISTIAN TRADITION IN ALTERNATIVE DISPUTE RESOLUTION: A STUDY OF TRADITIONAL ADR MODELS AMONG THE ST. THOMAS CHRISTIANS IN KERALA, INDIA

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ABSTRACT

This study explores the traditional Alternative Dispute Resolution (ADR) practices among the St. Thomas Christians of Kerala, India, tracing their roots in Biblical teachings and Christian theological principles. Emphasizing reconciliation, forgiveness, and communal harmony, these faith-based mechanisms have historically provided culturally sensitive and restorative means of resolving conflicts within the community, complementing formal legal systems. Drawing on qualitative research, including interviews with clergy, elders, and scholars, alongside historical and theological analysis, the paper investigates how ADR among the St. Thomas Christians integrates Biblical mandates such as those found in Matthew 18:15–17 and 1 Corinthians 6, promoting dispute resolution internally through dialogue and moral accountability. The study highlights the role of parish councils and church elders as mediators, reflecting a blend of religious authority and indigenous customs adapted over centuries. Furthermore, it analyzes the impact of historical events, such as the Synod of Diamper, on these practices and their evolution amidst colonial and modern legal influences. By situating the St. Thomas Christian model within India's pluralistic legal landscape, the research argues for the relevance and potential integration of such faith-informed ADR approaches into contemporary dispute resolution frameworks, emphasizing their restorative focus and community participation. The findings contribute to broader conversations on legal pluralism, restorative justice, and culturally embedded conflict management, offering valuable insights for enhancing ADR in diverse societies.

Keywords: Alternative Dispute Resolution, St. Thomas Christians, Biblical reconciliation, Legal pluralism

INTRODUCTION

ADR suggests ways for people to resolve their differences without going to court. Traditional, religious and community traditions are the basis for the modern success of ADR. Early teachings from Christianity on reconciliation and settling disputes among community members formed the basis of important procedures and principles for conflict resolution outside the courts. Among the St. Thomas Christians in Kerala, this practice of religious arbitration is still observed.

The Syrian Christians, also known as St. Thomas Christians, believe their history started when St. Thomas the Apostle visited India in the first century CE. Over the centuries, they formed rules and social structures to resolve both spiritual and daily disputes, with justice and forgiveness from the Bible serving as a basis for their actions. The study investigates the theological, historical and practical reasons behind traditional ADR in the St. Thomas community and discusses how these factors can benefit modern ADR in India.

OBJECTIVES

The primary motives of this research are to analyze the theological and scriptural foundations of Alternative Dispute Resolution (ADR) within the St. Thomas Christian community of Kerala, examine the historical evolution and socio-cultural integration of these faith-based mechanisms, assess their practical application in resolving intra-community disputes, and evaluate their relevance and adaptability within India's contemporary pluralistic legal system. The study also seeks to identify the key institutional actors and practices involved in these traditional ADR frameworks, understand the challenges posed by colonial and modern legal interventions, and propose actionable recommendations for integrating culturally embedded, restorative justice approaches into formal ADR discourse and policy frameworks in India.

Theological and Biblical Foundations of ADR

The Bible provides deep understanding of conflict, justice and peace and acts as the main source for theology behind ADR in Christianity. Both the Old and New Testaments stress the importance of people from the same faith community living in harmony, receiving just treatment and settling their arguments. In the Torah section of the Hebrew Scriptures, we find detailed guidelines on how the Israelites should settle their differences, using the community's elders and judges (Deuteronomy 1:13–17¹). Because the Hebrew word “shalom” refers to wholeness, justice and proper relationships², ADR approaches prefer to focus on repairing relationships rather than only deciding matters of justice.

According to the New Testament, Christians should focus on restoring relationships and promoting reconciliation. If someone in your community hurts you, go to them and explain the issue just between the two of you, says Jesus: However, if he does not pay attention, ask another person or two to join you. If the person refuses to listen, then you should tell it to the church as the next step (Matthew 18:15–17)³. To Jesus, bringing people together is a requirement of morality and a necessity for spiritual growth, since it helps the Church remain united.

These ideas are further explored in Paul's letters which encourage early Christian groups to try and settle arguments among themselves and not take the case to a worldly court. In 1 Corinthians 6:1–6, Paul reminds his readers that Christians should not ask outsiders to judge their disputes, since there are believers who can do that. In urging Christians to settle their differences internally, he highlights that spiritual and moral qualities make it possible for Christian groups to mediate their disputes.

All of these principles combined support an ethical approach to ADR, focusing on restoring relationships, involving the community and promoting reconciliation. This system of law is still followed by Christian communities in Kerala, where settling disputes is guided by Biblical principles.

METHODOLOGY

This study relies on qualitative research and brings together a theological approach, legal anthropology and historical research. The research focuses on how St. Thomas Christian traditions in settling conflicts are influenced by the teachings of the Bible.

Interviews were conducted with 15 individuals which included Christian clergy, community elders and researchers who are experts in Christian ADR. Most oral histories were collected from rural and semi-urban parishes in Kerala and these were supported by studying Biblical scriptures, writings of Church Fathers, church documents and church archives.

The research focuses just on the St. Thomas Christian community and does not consider other denominations in Kerala. Because ADR usually remains informal and unwritten, results may depend on the situation and could be based on memories.

Everyone taking part in the study was duly informed about the purpose and gave their free and informed consent. All confidential and sensitive data about the community were kept secret and safe.

Historical and Cultural Context of the St. Thomas Christians

It is believed that the Kerala Syrian Christians or St. Thomas Christians of Kerala, were evangelized by St. Thomas around the year 52 CE⁴. They developed their own style, combining Persian, East Syrian and Indian elements, making their church special. By mixing Christianity with their regional

¹“Deuteronomy 1:13–17, New Revised Standard Version”.

²“Brueggemann W. Peace. In: The Anchor Bible Dictionary, Vol. 5. New York: Doubleday; 1992:206–211”.

³“Matthew 18:15–17, New Revised Standard Version”.

⁴“Mundadan AM. History of Christianity in India, Vol. 1. Bangalore: Church History Association of India; 1984:12–15”.

customs, the group from the Malabar Coast became strong and continued to follow both their religious beliefs and local traditions⁵.

The St. Thomas Christians did not have any central church authority. Before the sixteenth century, the community depended on JathikkuKarthavans, who had authority over both religious rites and administrative tasks, as they were directed by bishops from the East Syrian Church⁶. People lived together in edavaka, where the parish community was active in both religious and social matters and local administration involved both church teachings and old traditions.

The history of St. Thomas Christians was shaped by the Synod of Diamper (1599) which was called by Portuguese Archbishop Aleixo de Menezes. The Synod resulted in Latin customs being applied to the natives' religious practices and made the community subject to the Roman Catholic Church⁷. The changes brought by the Synod did not erase all earlier customs and some community methods of resolving disputes were continued with the addition of church law.

Traditional ADR Practices among the St. Thomas Christians

The dispute resolution practices among the St. Thomas Christians evolved from deeply rooted communal and ecclesiastical systems that prioritized consensus, moral accountability, and reconciliation. Historically, the community developed autonomous frameworks that integrated religious authority with customary law, reflecting both Biblical values and the socio-cultural norms of Kerala's caste-conscious and tradition-bound society.

Community Panchayats and Parish Councils

The traditional governance of the St. Thomas Christians was heavily influenced by localized decision-making bodies such as community panchayats and parish councils (edavakayogam). These institutions served not only religious and administrative functions but also operated as forums for resolving disputes within the community⁸. In many parishes, matters such as matrimonial disagreements, property inheritance, defamation, and even minor criminal misconduct were resolved internally, often without recourse to civil courts. These councils were typically composed of respected male elders of the parish, often nominated or elected by the laity, and functioned in a manner akin to customary village panchayats⁹. Their proceedings were informal, dialogical, and aimed at restoring social harmony rather than enforcing punitive sanctions. The emphasis was on compromise and collective wisdom, which aligns closely with modern concepts of restorative justice.

Role of Church Elders and Clergy

Clergy and lay elders played a pivotal role in mediating disputes, acting as moral guides and arbitrators. The parish priest (Achan), often in consultation with the vicar or bishop in larger dioceses, was looked upon as both a spiritual leader and a community elder entrusted with moral authority¹⁰. In cases of interpersonal conflict, especially within families or between parishioners, the priest would convene private meetings to hear grievances and offer pastoral counsel. These efforts were based on the Biblical mandate of reconciliation (Matthew 5:23–24; 18:15–17), emphasizing forgiveness, confession, and resolution in the presence of witnesses. The clergy's authority rested not in coercive power but in the respect and spiritual trust they commanded among the faithful. Elders, in turn, often acted as intermediaries or witnesses in the process, ensuring transparency and communal consent in the outcome.

⁵Neill S. A History of Christianity in India: The Beginnings to AD 1707. Cambridge University Press; 1984:40–46”.

⁶Frykenberg RE. Christianity in India: From Beginnings to the Present. Oxford University Press; 2008:123–125”.

⁷Podipara PJ. The Thomas Christians. Bombay: St. Paul Publications; 1970:89–93”.

⁸Bayly S. Saints, Goddesses and Kings: Muslims and Christians in South Indian Society, 1700–1900. Cambridge University Press; 1989:156–158”.

⁹George K.M. Christian Ethics and Indian Society. CISRS Publications; 2004:98–100”.

¹⁰Brown L. The Indian Christians of St. Thomas. Cambridge University Press; 1982:127–130”.

Research and Practices of Others

Since traditional ADR methods are not written down, ethnographic accounts and oral history provide records about them. In the central Travancore region, people normally settled disputes over boundaries by jointly examining the land and discussing the issue with elders and both parties agreed to uphold whatever decision was reached while standing near the altar cross¹¹.

Principles used in ADR include consensus, equity and reconciliation.

Consensus, equity and reconciliation (orumatham, nyayam and melvilakku) were the main ideas behind these practices. Unlike in adversarial models, the St. Thomas Christians used ADR to focus on reaching agreement through talking and relied on both religious and community guidelines¹². The purpose and the means were the same: those involved were expected to admit their wrongdoing, ask for forgiveness and mend relationships, not just agree to stop fighting. They are based on the restorative theology found in the Bible and show how indigenous Christians managed their daily disputes with their faith.

Comparative Analysis: Biblical Principles and Traditional Models

The traditional ADR practices of the St. Thomas Christians demonstrate a strong alignment with Biblical principles, particularly those emphasizing reconciliation, forgiveness, and communal harmony. The scriptural foundation, as outlined in Matthew 18:15–17 and 1 Corinthians 6, advocates for resolving disputes within the faith community through dialogue, accountability, and restoration rather than adversarial confrontation¹³. These principles resonate deeply with the parish councils' and elders' mediation efforts, where consensus-building and moral persuasion were prioritized over formal adjudication. The emphasis on forgiveness and reconciliation as both theological and practical imperatives underscores the spiritual ethos that guided these indigenous ADR models¹⁴.

However, points of divergence or evolution are evident in how these traditional practices adapted over centuries in response to external influences and changing socio-political contexts. The Latinization efforts post-Synod of Diamper introduced more hierarchical and codified ecclesiastical structures, shifting some ADR functions towards clerical authorities and away from communal consensus¹⁵. Moreover, colonial legal systems and the modern Indian judiciary introduced adversarial litigation processes that often conflicted with the informal, restorative approaches of the St. Thomas Christians¹⁶. These changes reflect an evolution where Biblical ideals were interpreted through varying institutional lenses, sometimes diluting the original communal and participatory spirit of ADR.

Despite these challenges, traditional Christian ADR practices offer valuable lessons for contemporary dispute resolution frameworks. They illustrate the importance of integrating ethical and spiritual dimensions into conflict management, emphasizing healing relationships rather than merely adjudicating rights¹⁷. The focus on consensus and community participation offers a counterpoint to the often impersonal nature of modern legal processes, suggesting that ADR can benefit from culturally embedded, faith-informed methodologies that prioritize restoration and social cohesion. Such insights are particularly relevant in pluralistic societies like India, where diverse cultural and religious traditions coexist.

1. Matthew 18:15–17; 1 Corinthians 6:1–6, New Revised Standard Version.

¹¹“Oral Interview with Fr. Mathew Kunnelpurayidom, Pala Diocese, April 2024”.

¹²“Vellian J. Ecclesial Identity of the Thomas Christians. Jeevadhara. 1975;5(30):234–240”.

¹³“Matthew 18:15–17; 1 Corinthians 6:1–6, New Revised Standard Version”.

¹⁴“Volf M. Exclusion and Embrace: A Theological Exploration of Identity, Otherness, and Reconciliation. Abingdon Press; 1996”.

¹⁵“Podipara PJ. The Thomas Christians. Bombay: St. Paul Publications; 1970:90–95”.

¹⁶“Frykenberg RE. Christianity in India: From Beginnings to the Present. Oxford University Press; 2008:140–145”.

¹⁷“Moore CW. The Mediation Process: Practical Strategies for Resolving Conflict. Jossey-Bass; 2014”

2. Volf M. *Exclusion and Embrace: A Theological Exploration of Identity, Otherness, and Reconciliation*. Abingdon Press; 1996.
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Relevance to Contemporary ADR Discourse

The traditional ADR practices of the St. Thomas Christians hold significant relevance within the contemporary discourse on Alternative Dispute Resolution, especially in the context of India's complex legal pluralism. India's legal system accommodates a variety of customary, religious, and statutory laws, making it imperative to recognize and integrate indigenous and faith-based mechanisms in dispute resolution frameworks¹⁸. The St. Thomas Christian model, with its fusion of Biblical principles and local customs, exemplifies how faith-informed ADR can coexist alongside formal legal institutions, offering culturally sensitive and accessible alternatives to litigation. This integration promotes legal pluralism that respects diverse identities and social realities, thereby enhancing the legitimacy and efficacy of dispute resolution processes¹⁹.

Moreover, faith-based ADR holds promise in multicultural societies where religion plays a crucial role in community identity and social cohesion²⁰. The participatory and restorative nature of the St. Thomas Christians' ADR practices illustrates how spiritual values can underpin conflict resolution efforts, fostering dialogue, empathy, and reconciliation. In pluralistic settings like India, such approaches can bridge communal divides and support peacebuilding by emphasizing shared moral commitments over adversarial competition²¹. Faith-based ADR thus complements secular mechanisms, offering tailored solutions that resonate with parties' belief systems and social contexts. Finally, the principles embedded in traditional Christian ADR contribute valuable insights to restorative justice and community mediation paradigms. The emphasis on forgiveness, equity, and collective accountability aligns with contemporary restorative frameworks that seek to repair harm and restore relationships rather than simply punish offenders²². By foregrounding community involvement and moral responsibility, these practices encourage holistic healing and sustainable peace. Integrating such heritage practices into modern ADR discourse enriches the field, expanding its theoretical and practical horizons to encompass diverse cultural and religious resources.

Implications for Modern Legal Systems and Policy

The traditional ADR practices among the St. Thomas Christians offer important lessons for contemporary legal systems and policy frameworks, particularly in pluralistic societies like India where diverse cultural and religious identities coexist alongside formal state law. These indigenous mechanisms demonstrate how faith-based, community-centered dispute resolution can operate effectively outside the formal judiciary, emphasizing reconciliation, consensus, and relationship restoration rather than adversarial litigation and punitive measures. Such approaches align well with modern restorative justice principles, which prioritize healing and social cohesion over retribution.

¹⁸"Baxi U. Legal Pluralism and India's Legal System. *Economic and Political Weekly*. 2000;35(7):569–575".

¹⁹"Merry SE. Legal Pluralism. *Law & Society Review*. 1988;22(5):869–896".

²⁰"Appleby RS. *The Ambivalence of the Sacred: Religion, Violence, and Reconciliation*. Rowman & Littlefield; 2000".

²¹"Lederach JP. *The Moral Imagination: The Art and Soul of Building Peace*. Oxford University Press; 2005".

²²"Zehr H. *The Little Book of Restorative Justice*. Good Books; 2002".

Integrating traditional ADR practices into the contemporary legal landscape could help bridge the gap between formal courts and local communities, making justice more accessible, culturally sensitive, and less time-consuming. This is particularly relevant in rural and semi-urban contexts where legal literacy and resources may be limited. By recognizing and supporting faith-informed mediation and arbitration, the legal system can harness community authority and moral persuasion to resolve conflicts peacefully and sustainably.

Moreover, policy reforms aimed at encouraging legal pluralism should actively accommodate and regulate these traditional models to ensure they operate fairly and transparently while respecting constitutional safeguards. This includes providing training and support for community elders and clergy acting as mediators and establishing guidelines to prevent misuse or discrimination.

However, challenges remain in balancing respect for tradition with protection of individual rights, especially regarding gender equality and minority voices within these community-led processes. Policymakers and legal practitioners must therefore engage with these indigenous systems critically and collaboratively, adapting them to contemporary human rights standards without undermining their cultural and spiritual significance.

Overall, the St. Thomas Christians' ADR model exemplifies how blending religious ethics with local customs can enrich dispute resolution in multicultural societies, fostering social harmony and reinforcing the legitimacy of both community and state justice systems.

DISCUSSION

The findings reveal a living tradition of dispute resolution that combines scripture, communal custom, and adaptive practice. This synthesis is most visible in the parish council, or edavakayogam, where elders and clergy sit together at a long wooden table in the church courtyard, hear both sides, and invite prayer before deliberation. Interviewees recalled a recent inheritance dispute in Kottayam in which two brothers claimed the same parcel of ancestral land. The parish priest convened three evening meetings, each opened by reading Matthew 18, and persuaded the brothers to accept an equal division plus a shared covenant that neither would sell without first offering the portion to the other. No civil suit followed, and the agreement was later blessed during Sunday liturgy, underscoring the moral weight carried by communal assent.

Scriptural mandates shape both the substance and procedure of these gatherings. Matthew 18 insists on direct dialogue followed by the inclusion of witnesses; participants therefore speak in turn while elders keep careful minutes and ask clarifying questions, mirroring that sequence. 1 Corinthians 6 discourages Christian litigants from seeking secular tribunals, so parish leaders feel an ethical duty to exhaust internal remedies before referring parties to a district court or to the state Lok Adalat system. Yet the research also highlights pragmatic flexibility. When a property boundary crosses parish lines and a Hindu neighbor is involved, elders often propose a joint sitting that invites the village panchayat president, blending religious and secular authority in order to reach a settlement acceptable under public law.

Historical pressures have left their mark. The Synod of Diamper imposed Latin canon law and replaced some indigenous offices with diocesan ones, but the spirit of communal mediation survived. Church archives from eighteenth century Travancore record fines for defamation decided by panchayat style bodies, suggesting continuity despite clerical reorganisation. Colonial courts later introduced written deeds and formal evidence rules; in response, parish councils began keeping registers that summarise parties, issues, and outcomes, a habit that improves transparency and supports enforcement today when settlements are filed as consent decrees.

Effectiveness, however, is uneven. Women who spoke with the research team reported that family elders, usually male, sometimes trivialise domestic abuse or inheritance claims. Clergy confirmed that they now send such matters to court annexed mediation centres where female mediators are

available. Another limitation lies in geographic disparity: well resourced urban parishes maintain accredited mediators and legal advisors, whereas small hill parishes rely on a single priest whose legal knowledge may be limited.

Despite these challenges, three features stand out as valuable for modern ADR design.

Restorative orientation: The process aims to rebuild trust and spiritual fellowship, not simply to declare a winner. Parties often share the Eucharist once peace is restored.

Layered authority: Decisions carry social, moral, and sometimes sacramental force, encouraging voluntary compliance and reducing enforcement costs.

Cultural resonance: Biblical language and familiar ritual forms help disputants perceive the outcome as just and meaningful, even when material concessions are required.

Integrating such practices into the broader ADR framework will require respectful regulation rather than homogenisation. State policy could recognise parish settlements as enforceable by default, provided minutes are written, signed, and filed with a local magistrate. Training programs that pair canon lawyers with secular mediators would raise quality while preserving pastoral sensitivity. Finally, involving women and youth in parish councils would strengthen legitimacy and align community practice with constitutional commitments to equality.

Thus, the St. Thomas Christian model demonstrates that faith informed and community rooted mechanisms can resolve conflicts efficiently, preserve relationships, and lighten the load on formal courts. Its lessons of reconciliation, shared authority, and cultural fit should inform efforts to craft ADR systems that speak to the diverse moral worlds of contemporary India.

CONCLUSION AND SUGGESTIONS FOR FURTHER RESEARCH

This study highlights the integral role of Biblical principles in shaping the traditional ADR practices among the St. Thomas Christians, emphasizing reconciliation, consensus, and communal harmony. These findings underscore the valuable contributions of faith-based approaches to contemporary dispute resolution, bridging theology, law, and social cohesion. The research suggests that integrating indigenous Christian ADR models can enrich both legal pluralism and restorative justice frameworks. Future research could explore comparative analyses with other religious communities in India, investigate the impact of modernization on these practices, and examine their applicability in contemporary legal systems to foster culturally sensitive conflict resolution.

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