

THE BUDDHIST PATH TO TRANSFORMING CONFLICT

A MEDITATION ON MEDIATION

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Preface

As a serial/multi entrepreneur, and from my experience as crisis manager, I look at conflict as an opportunity. It is a temporary transition phase that all parties involved can transcend in a constructive manner, provided that the correct approach is utilized. Fostering growth while transforming the conflict must be at the core for all parties involved and with each type of conflict, be it family, civil, business, economic or any other type. The emphasis should never be placed on creating winners and losers, but rather on having all participants reach collective and permanent progress.

After finishing my bachelor's degree in Accounting and Taxation, master's in Applied Economic Sciences and master's in Industrial Management, I was looking at this process from a rather pragmatic angle, i.e. based on facts and numbers. With my constructive yet calculated approach, and despite all my efforts, I did not always succeed in transforming conflict into a growth phase for all parties. A turning point came in 2010, when I became professionally active in Sri Lanka, albeit in real estate development, and I was immersed in Buddhism in every possible way. I quickly realized that inner attitude and mindset are of crucial importance when approaching conflict, and even more so when the goal is to transform it into growth. I suddenly saw all the conflicts around me through another lens and also started to realize that conflict is simply a part of life. As we recognize that our lives are peppered with conflict on an interpersonal, intrapersonal, societal and global level, the only question that remains is: "How do we welcome and embrace these conflicts? Is there a way to stop, settle, transform and transcend these rivalries and struggles?".

Almost 10 years have passed since I started harmoniously combining Sri Lanka as my mother country and Belgium as my native country, and Buddhism is now part of my being. The prolonged contact with Buddhism has helped me to develop the theories, skills, and personal qualities required to master conflict resolution. More than ever I am convinced that conflict can be transformed into growth, and with this notion in mind I

thought it was the perfect time to start the mediator course and require the specific process skills needed to become a professionally accredited mediator.

1. Scope

1.1 Purpose of this paper

During this course I have noticed that a lot of the tools that mediation offers are indeed rooted in Buddhism. With this paper I intend to point out that Buddhism is a perfect basis to nourish the appropriate mindset that is needed as a mediator, which is to welcome and embrace the conflicts and adversaries that cross our path and transform those moments into chances for growth; a mindset that is beneficial for the mediator's clients in various ways. In this paper I am consciously choosing to elaborate on certain basic pillars of Buddhism, in order to make sure it also resonates with people who are not well-versed in the subject matter. If not, this paper would lose its relevance.

The challenge lies in translating the Buddhist ideas, which at first seem abstract for outsiders, into tangible concepts that can be applied in mediation, regardless of the inherent capacities of the mediator. I want to set up a framework inspired by Buddhism that can be used for both training mediators and creating deeper insights and better tools for professionals in the field of – amongst others – mediation. Buddhist insights could also be directly passed to the disputants, but this is not the direct scope of this study. One must ask the question, if everyone were to apply the Buddhist mindset, would conflicts still exist? Or would we no longer need mediators and live in a world rid of conflict? Absolute Nirvana!

Buddhist insights allow mediators to look deeper into the eye of their 'adversary', i.e. the escalating conflict. It also allows them to train their minds to understand that conflict in their own life can simply cease, and bring that awareness into the room for the benefit of the clients. According to me, as mediators we cannot practice conflict resolution while failing to address conflict in our own life.

1.2 Definition of mediation

Regarding a definition of the term mediation I think we still have not found one that completely covers the concept. In Belgian law the legislator speaks of the mediator that “facilitates the communication and tries to have parties to work out a solution by themselves” (art 1723/1 Belgian Judicial Code). Michèle Guillaume-Hofnung, who in my opinion has formulated one of the most complete definitions of mediation, one that underlines the preventive as well as the curative character, speaks of a mediator that “tries to prevent or settle a conflict”¹.

For me mediation is rather about transformation. Facilitating communication is indeed crucial, but it is not the only aspect. Sometimes the disputants can still communicate in a decent way, but are nonetheless unable to reach reconciliation because their opinions are too far apart. I would therefore rephrase the definition as follows: “The mediator’s goal is to transform conflict into a positive and constructive interaction. This transformed interaction then yields an outcome that is fully supported by the people involved and lays the foundation to approach future conflicts in a more constructive manner.” There is a fundamental difference between *to settle/solve a conflict* and *to transform a conflict*. For me *to settle/solve* refers to a literal middle way, as if you would add up the variables and calculate the average. While *to transform* does not refer to an average, but rather to a creative outcome which is entirely new and different. This can only occur if we explore the underlying reasons of the conflict (needs, interests and fears), which are often completely unrelated to the elements that the clients are seemingly fighting about (opinions). This transformative path consists of looking at the conflict creatively, in search not for an average outcome, but for a groundbreaking and innovative one. Imagine a conflict arises about dividing 5kg of apples and 5kg of pears. *To settle or solve* would only bring you to split this into 2,5kg of each or – if supported by both parties – even an uneven division. If the focus is *to transform*, the mediator will make the client realize that such things as apple sauce, apple cake, pear syrup and many more can be made from the apples and pears. This will bring the clients to different insights and ultimately different results, which will also be supported by both parties and

¹ Guillaume-Hofnung, M., *La médiation*, Puf, 2015, p.71

will thus promote mutual growth. The work that is put in by a mediator who goes the extra mile, offering creative insights to the clients, should furthermore result in the clients being better equipped to handle any future conflict of a similar nature.

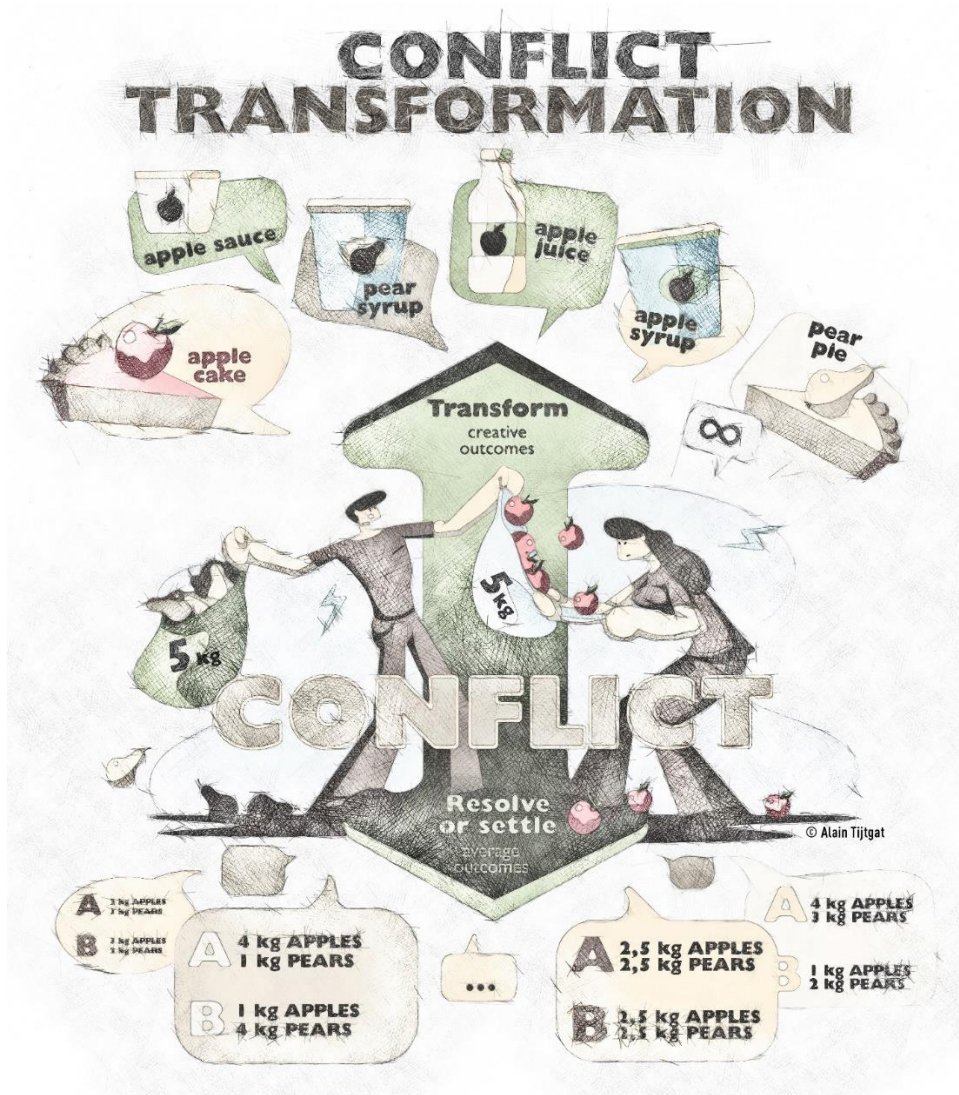


Fig. 1: Conflict transformation

This illustrates what I mentioned before, namely that to embrace conflict and change the way we handle, react to and think about it is of crucial importance. For me it is not about settling/solving of what is called the problem or conflict, but about changing the way the involved parties look at it. To adjust their focus and change the way they think and

communicate about the situation. Simply move the center of gravity from conflicts to possibilities.

I therefore prefer the longevity inherent in the concept of *transforming conflict mediation* over settling or solving a conflict, resulting in finding compromises that are usually of a very temporary nature, even if all parties have subscribed to them.

2. Mindfulness and meditation

2.1. Mindfulness

Though it has its roots in the almost 2600-year-old Buddhist meditation, the word mindfulness originally derives from the word *Sati* in Pali, the original language of Theravada literature. Personally, after many studies and countless consultations with Theravada Buddhist Masters and Teachers in Sri Lanka and India, I find the following translation, based on the words of Anālayo, to be the most comprehensive and applicable: “*Sati involves remembering to focus on what is otherwise too easily forgotten: the present moment.*”

More recently I find the work around mindfulness by Jon Kabat-Zinn extremely enlightening. He launched the MBSR (Mindfulness-Based Stress Reduction) program at the University of Massachusetts Medical School in 1979. Since then, the benefits that mindfulness (and MBSR in particular) offers in terms of physical and mental health have been documented in thousands of studies. This in turn has inspired numerous other programs to adapt the MBSR model to the needs of schools, hospitals, prisons and many other institutions. For the purposes of the present paper I am going to limit myself to the definition of this more recent Master of mindfulness, Jon Kabat-Zinn, which is: “*Mindfulness is creating awareness that arises through paying attention, on purpose,*

in the present moment, non-judgmentally, in the service of self-understanding and wisdom.”²

Awareness is a crucial concept both in mindfulness and mediation. It is therefore no wonder that meditation and mediation are only one letter ‘t’ apart. The mediator must bring awareness (of thoughts, feelings, behavior and everything else) into the room with the conflicting parties. It is important to notice that this also means awareness of his or her own state of being. I can vividly remember the exercise we were assigned by mediation lecturer Claude Vandevoorde, where we had to sit in a circle and point out everything that we were aware of in ourselves in that present moment. Not my favorite exercise, but one that did give me a tremendous amount of insights. Mediators are only humans, and although being in constant balance is quasi impossible, it is of key importance to be aware of our unbalance and to not let it affect the clients or the mediation process. A mediator who is not self-aware might disregard or challenge the clients’ point of view, instruct them based on personal opinions or experiences, or even side with one of the parties without realizing it.

Paying attention on purpose sounds easy on the surface, until we start thinking about all the actions we take throughout the day without consciously paying attention to them. Some days we arrive at work and notice that we didn’t pay any attention to the moments we spent while getting there. However, it is possible to purposefully bring your attention to the trees along the road to work, the sunlight bouncing off the cars, the smile of a child, the feeling of your mother’s touch or your breath while you exhale. That is what mindfulness is.

If we think about it, we soon realize how much time we lose by reliving the past or worrying about the future, and how little time we spend in the *now* and the *right here*. By practicing mindfulness, we focus our attention on the present. If any thoughts pop up, we do not judge these thoughts. We accept them for what they are, and don’t fall

² Purser, R. E., Forbes, B. & Burke, A., Handbook of Mindfulness, Springer International Publishing Switzerland, 2016, p.77

into the belief that some thoughts or feelings are right or wrong. All we need to do is to turn off the autopilot and tune in to our body and mind. However, that is something we do far too seldom.



Fig. 2: Past, present, future

In mediation it is equally critical for all parties to stay in the present, mediator included. On top of that, the mediator also needs to have a non-judgmental approach and must try to instill the same attitude in his clients. It is never easy to bring two or more parties together and rebuild lost trust. Life has often taken them in other directions and in many cases the conflicts are already in an escalated phase. A mediator needs patience, persistence and trust to make the seemingly impossible, possible.

At the start of this study I never expected there to be this much similarity between the Buddhist approach and mediation, but after exploring the first topic (mindfulness) it is evident that the similarities are undeniable. So much so that we can adopt Jon Kabat-

Zinn's definition of mindfulness as being one of meditation: "*Mediation is creating awareness that arises through paying attention, on purpose, in the present moment, non-judgmentally, in the service of self-understanding and wisdom.*"

2.2. Non-self, impermanence and interdependence

"We can never step into the same river twice", said Heraclitus. This is very true, since the water that is in the river today is not the same as the water that was in it yesterday. And still, it's the same river. It was Confucius that said: "Oh, it flows like that day and night, never ending."



Fig. 3: Impermanence

Mindfulness training underlines that feelings and thoughts do not define the self, but are rather distinct from the self. They should be observed with curiosity instead of immediate judgement. In Buddhism there is the concept of **non-self** (Anatta), which means that there is no separate self, and the concept of **impermanence** (Anicca),

which refers to the ever-changing context in the world, which should be seen in the light of **inter-being** and **interdependence** (paṭiccasamuppāda).

Everything is interconnected and affects everything else. All things exist in correlation with other things. Some say that when a butterfly flaps its wings on one side of the planet this can affect the weather on the other side. A bold statement that is made merely to illustrate how everything is in constant movement, influenced by and in turn affecting all other things. Nothing is more profound than the realization that everything in this existence is intimately connected and interdependent. Without up there is no down, without right no wrong, without wealth no poverty and without death, life cannot exist. The Buddhist concept for this is called dependent origination, because the existence of one depends on the existence of the other. People might think that if we eliminate the negative, only the positive will remain, however dependent origination dictates that this is not the case. Understanding and accepting this renders our destructive dual form of thinking obsolete and allows us to see separation and isolation for the misconceptions that they are. In mediation, it is important to be conscious of the interdependence between all disputants in a conflict, be it in family or business. In many cases all parties will still need to collaborate after the mediation, meaning that the interdependence does not come to a halt. Separating parents need to cooperate in order to raise their child, business partners need to make deals after conflict has arisen, etc. Consequently, a win-win solution for all parties is the necessary outcome for any mediation.

As stated earlier, Buddhist learnings reject the notion of a permanent self, and it is exactly this permanent self that forms the basis of many interpersonal conflicts. It creates the juxtaposition of *self versus other*, *me versus you* and *us versus them*. In order to reach true conflict resolution, we need to transcend that distinction. For the mediator this means that his clients are growing and changing inter-beings whom he can work with. It is then the task of the mediator to have his clients grow towards each other and have them reach a jointly supported solution. For the mediator, and naturally also for the clients, this insight is the comprehensive key that opens the doors to the true reality and to the idea of conflict transformation.

Inherent existence is a myth; a flower does not exist by itself, but only in interaction with the soil, weeds, rain and insects. There is no being, only inter-being. The Buddhist concept of **emptiness** should also be mentioned here. The Buddhist interpretation of emptiness is not one of a void or nothingness, but it rather refers to the fact that nothing can exist in a vacuum, that there is always context and that this context is ever shifting. Consequently, emptiness means lacking independent existence outside of the context. Everything and everyone is empty and capable of adapting in this sense, depending on how the context and conditions are changed. If we look deep enough into a flower, we see it is full of everything, also non-flower elements. We can see the sun, the earth, the rain, the pollination of the worker bees and even time and space in the flower. It is as if the cosmos came together to help the flower manifest itself. It has everything except for one thing: a separate self or identity. However, if the self is inexistent, then who or what am I looking at? The answer to that would be an ever changing and growing inter-being.



Fig. 4: Inter-being, non-self

The previous statement introduces the notion of an endless flexibility, and it must be mentioned that the choices we make and the steps we take, are what most affect the outcome. Constructive actions will lead to constructive outcomes and vice versa. The Buddhist concept of **Kamma** takes this one step further. Kamma refers to the correlation between actions taken with a certain intention and their subsequent consequences. These consequences are in turn again the cause of a next set of actions, meaning that the present is to be seen as consequence and cause at the same time. If the present state is a cause this also means that we are the master of our own destiny. With our actions we shape our own future. In a sense everything is possible, but all of this comes with responsibility because interdependence dictates that our actions inevitably also affect others. This is a powerful realization, which can aid us to develop constructive skills, but it can also be uncomfortable to know that not only others depend on us, but we also depend on others. This is where acceptance comes in, along with love and compassion. We simply need to accept interdependence and not resist it. Doing this clears the path for transformation. If we apply this interdependence to the world of mediation, we obtain a holistic approach to conflict transformation: the mediator and the clients understand that the whole is larger than the sum of the parts, and that any change made to one of the parts of the equation also affects the whole. It is true that mediators need to look at the separate trees, but their main focus is the forest.

Understanding all the previous concepts can have a profound effect on how people view conflict and lead their lives, and it also creates more clarity within the mediation process. A mediator who grasps this concept and passes it on to the disputants will be able to deconstruct some crucial walls. It means that the conflicting parties step away from a winner versus loser scenario and envision a solution that is supported by all, because they understand that any decision affects everything else. It creates a mindful insight into the impact our actions and words have on ourselves, the others and our environment. Attitudes change when we really comprehend the notion that if I cause someone grief or joy, that also impacts myself and changes me, which again changes my environment and so on. This pattern of thinking can also be expanded to an individual level, by acknowledging the interdependence between our reactions, our

moods, our decisions, our resistance and our fears. There is a constant flow from one to the next, and realizing this lets us better understand where our thoughts, emotions and actions come from.

For the sake of completeness, I would like mention that there are three Dharma (Teaching) Seals in the Buddhist Theravada tradition. They are more commonly known as the three characteristics of all existence and beings, being impermanence (*Anicca*), suffering (*Dukkha*) and non-self (*Anatta*). The concept of *Dukkha* will be more extensively discussed in the chapter The Four Noble Truths and The Noble Eightfold Path (title 4.1).

2.3. Meditation

The word meditation itself comes from the Latin *meditari*, which means as much as “to think something over”. Buddhism subscribes two main types of meditation, which require different mental skills, modes of functioning and qualities of consciousness. These two forms are called *Samatha* and *Vipassana* in Pali.

Samatha translates as ‘concentration’ or ‘tranquility’. This state of mind is reached when the mind is brought to rest and only focuses on one item, like a color or the flame of a candle, without being allowed to wander. If this is attained, mind and body reach a deep state of calm, a state of such intense tranquility that it must be experienced in order to be understood.

Vipassana stands for ‘insight’. It is a form of meditation that looks for insight into the true nature of reality, impermanence, suffering and selflessness. It is about learning to see and hear things as they really are, about learning to listen to our thoughts without getting caught up in them. As a result, we start to let go of our attachments, which allows us to feel more free and at ease even in unpleasant situations. *Vipassana* brings freedom from suffering, among other things, and it is a good technique to purify the mind and practice letting go.

Mindfulness meditation is seen as a stepping stone in order to reach the state of or acquire the skill of mindfulness. This means that meditation itself specifically refers to certain techniques, such as the well-known sitting form of meditation, which are used for self-exploration or to reach the state of being mindful. Mindfulness on the other hand is the state that one reaches or can experience during meditation or at any other time during daily life. Mindfulness does not have to come to an end after a specific session, but can be extended throughout the day. It's about catching your thoughts at any given moment. For example, when you find yourself thinking about how you dislike what you are doing, you stop and realize that this type of thought pattern will not make the situation any better. Or when you catch yourself while thinking negatively about yourself and you immediately dismiss those thoughts. Do this day by day, and your life will experience a positive change.

Two things are key in mindfulness meditation: concentration and exploration. Concentration refers to being able to keep your focus for a sustained period on a single object, such as your body, your breath or the flame of a candle. Doing this will relax and settle your mind and body, and prepares the scene for the investigative attention needed to explore what precisely is happening within what we are experiencing. We start to realize that our thoughts mostly wander to past and future, which brings our attention to what *is*. We can move from subjectivity towards objectivity. *My* thoughts become just thoughts, *my* worries just worries, *my* mind just mind etc. We then often realize that our attitudes and thoughts are sometimes repetitions of things we have heard before from other sources (parents, friends, teachers, (social) media ...). If we are mindful of our own thoughts and detach from them, we can cast off prejudices, fears, limiting beliefs and other repeated patterns that might be holding us back. This is the beginning of taking our own experience less personal, and the less we take things personal, the less we will enter into conflict with other parties and/or existing conflicts will escalate.

With more practice of mindfulness meditation comes greater emotional balance when confronted with change, pressure, stress or anxiety. We no longer want to push all that away or forget about it, and we no longer identify with all things pleasant or unpleasant, but rather we start to develop this curious and explorative mindset towards our life. We self-inquire and gain insight, which allows us to creatively participate in our dynamic life experience, instead of merely trying to control it.

Although the focus of this paper is not directly on the disputants themselves, I do want to mention that the success rate of any mediation would greatly increase if the clients themselves, as a preparation to the mediation, would learn about what a Buddhist approach could mean for their conflict. As this is such an important topic, we will examine this further in a next study.

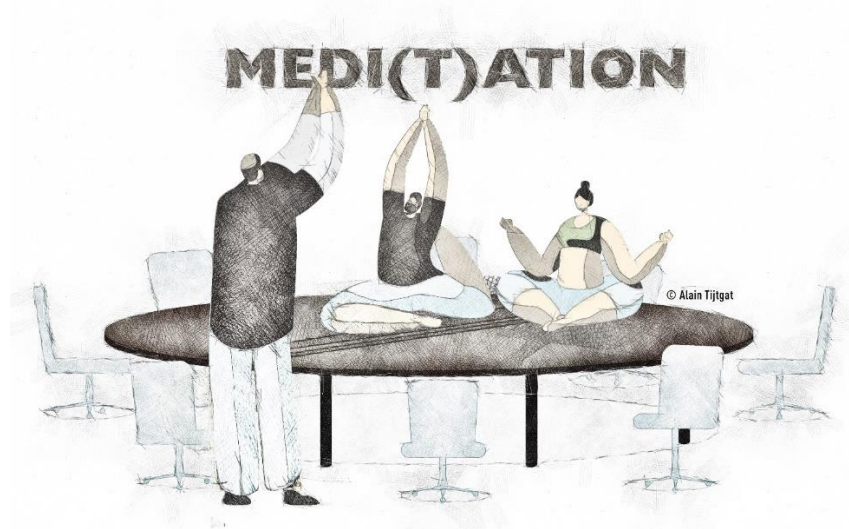


Fig. 5: Medi(t)ation

2.4. A seamless and mutual conjunction

When we look at the above-mentioned concepts, meditation and mediation clearly imply a compatibility and even an extreme similarity, a seamless and mutual conjunction that is reflected in the “Medi(t)ation Gemini Lotus” below. The concepts that define and comprise both meditation and mediation clearly have a striking overlap.

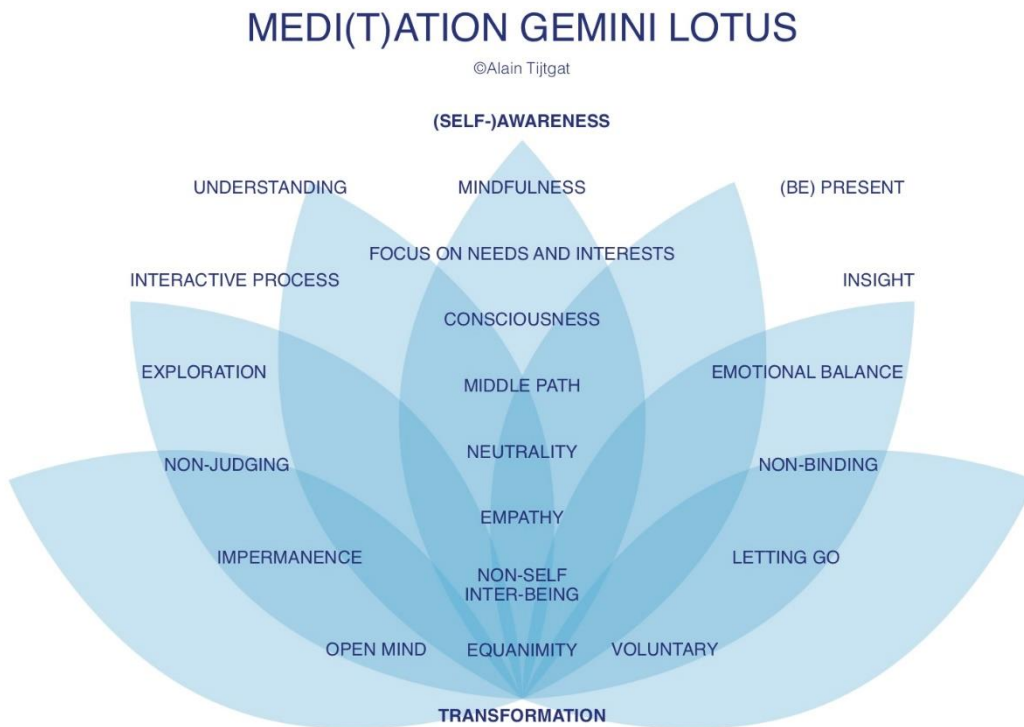


Fig. 6: Gemini Lotus of Medi(t)ation

With this is mind we will now examine some further aspects of Buddhism so as to lay out a method, a path to conflict transformation.

3. The Brahma Viharas

The Brahma Viharas refer to the four attitudes that are considered excellent or sublime. They are *Sattesu Samma Patipatti*, or the ideal way of conduct towards living beings. In social contact they can remove tension, make peace, heal wounds, level social barriers, revive joy or relive abandoned hope.

Although the four attitudes have their separate meaning, existence and purpose, they are still part of the same Four Faced Heart. Much like the four directions on a compass, they are inseparable.

I have listed the four emotions below.

3.1 Loving Kindness (*Metta*)

This emotion is about caring for others and yourself and showing affection. It is a soft emotion and has little to do with romantic love or love characterized by extreme attachment or feelings of control.

3.2 Compassion (*Karuna*)

Compassion means that the heart is open and cares for everyone. Showing empathy and placing yourself in another person's shoes as a sign that you care for and about them.

3.3 Sympathetic Joy (*Mudita*)

This emotion revolves around sharing in the joy of others and being happy when others are. As such you welcome less suffering and more happiness for others.

3.4 Equanimity (*Upekkha*)

Balance is key, both of mind and emotion. It is the emotion of the middle way, where one is neither clinging to or pushing away.

3.5 The enemies of the Four Faced Heart

All four of these Brahma Viharas emotions have a near enemy and a far enemy. The near enemy is an emotion or state of being that is close to the Brahma Vihara. Though it is close, it is not correct, hence a near enemy. The far enemy represents the opposite mental state; an emotion that is entirely off the mark of the Brahma Vihara. All these elements are represented in the schematic below.

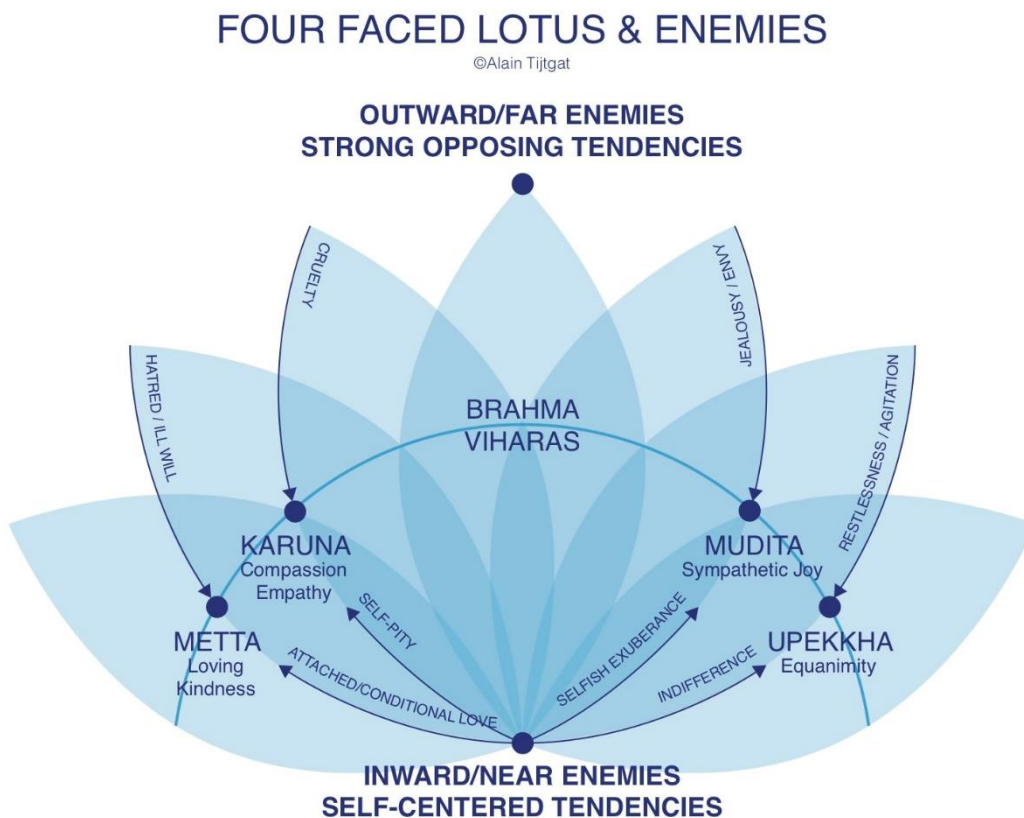


Fig. 7: Four Faced Lotus and Enemies

In my opinion one of the first steps or tools that the mediator must implement is to position the disputants in this spectrum. An individual will usually not be positioned both at the top as well as at the bottom of the above schematic. There will always be a more inward or outward tendency, which means that the mediator must not only attempt to position the clients correctly, but also make them aware of their position and attempt to move them in the right emotional state (Brahma Viharas) towards one another.

If clients are at the extreme top or bottom of the schematic above, then little can be done to transform the conflict and reach a jointly endorsed growth. In order to enable constructive communication and a balanced outcome, it is important that both disputants, or all parties concerned, are in the *Metta*, *Karuna*, *Mudita* or *Upekkha* attitude. A situation where for example the first partner shows selfish affection and the other one compassion will usually lead to outcomes that are not balanced and are therefore not real solutions or short term at best. It is thus the mediator's task to find the middle path in the schematic above.

A powerful tool that the mediator can use to this purpose is the knowledge that any enemy of a specific Brahma Vihara can be neutralized by focusing on a next one. If you start getting too attached to a person or outcome, compassion can serve as a reminder that other people are on their own journey. If you get too absorbed in your own suffering, someone else's suffering or the suffering in the world, then take time to reflect on the positive qualities of the people or the upside of the situation. If you become too obsessed with someone else's choices, qualities or life, try to cultivate a sense of contentment with your own path. If you are becoming too disengaged, apathetic or accept things too much as they are, some loving kindness can make you care a bit more again. This ability to move people between emotional positions is a tool that can be utilized by the mediator when parties find themselves in an enemy state of mind, in order to move them back into the desired emotion of the Brahma Viharas.

4. The Four Noble Truths and The Noble Eightfold Path

The concept of the Four Noble Truths is the pure essence of Buddhism. The Four Noble Truths are: Suffering, The Cause of Suffering, The Possibility of Cessation of Suffering and The Path to the Cessation of Suffering. These truths are considered true across time (past, future and present) and true regardless of the differences that can be perceived between human beings (gender, nationality, ethnicity, faith, etc.).

The Four Noble Truths are an antidote for the universal six roots of conflict, which are anger, contempt, deceit, greed, incorrect views and clinging to views. They are not mere beliefs, but rather a solid framework to train our minds, and each one can offer value to the mediator.

4.1 Suffering

This is the First Noble Truth (*Dukkha* in Pali). Simply put this refers to the fact that suffering happens. It is omnipresent and cannot be avoided, so we simply need to accept its existence. Some people undergo more or less than others, but in the end it crosses everyone's path. We should always be aware that impermanence is absolute, hence ups and downs are just part of life.

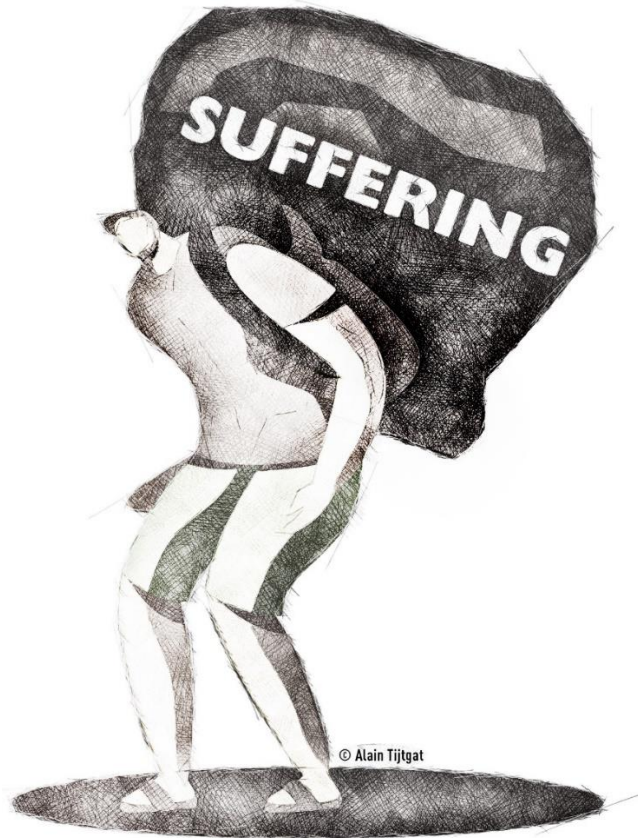


Fig. 8: Suffering

Whenever conflict arises, the First Noble Truth encourages us to see conflict as *Dukkha* (suffering). Anxiety, miscommunication, dissatisfaction and stress can all be experienced during conflict, and all these aspects – as well as the conflict itself – can cause suffering.

The Buddhist approach is to accept what is, and to see conflict as something natural and positive, as opposed to seeing it as threatening, negative and wrong. A very effective tool, also in this respect, is mindful meditation. As elaborately discussed earlier in this paper, it helps us to see what is truly happening in our life and helps us to cope with the six roots of conflict whenever they emerge.

We can only reach the Second Noble Truth, after we are able to fully understand suffering and relax in the face of it.

4.2 The Cause of Suffering

Samudaya is the Second Noble Truth. Buddhists point to desire and ignorance as the main causes of suffering. Human beings yearn to get their needs fulfilled, and failing to do so causes us to experience suffering. This is because our minds are not trained to cope with the incessant changes and challenges that life throws our way. Birth and death, rain and sunshine, cold and heat, etc., we tend to react to these changes in a negative way. Miscommunications and misinterpretations are also immediately given a conflict-related connotation.

One cause of suffering we all have in common is *expectation*, which is nothing less than a softer word for *control* and a harder word for *want*. Only when we change *expectation* into *acceptance* can we let go of what we are attached to. When reality does not fulfill the desired expectations, we can just let go of them instead of continually fighting reality.

Suffering also comes from not being able to see the world for what it is; holding on to illusions, fears and hopes, and behavior based on ignorance. There are three discernable causes of mental suffering: our thinking, our opinions and our idea of self.

4.2.1 Our thinking

It is often our thinking that constructs our cravings, desires, compulsive behavior, attachments (also to ourselves), and our wishes and fears. These are all mental activities that stop us from reaching our full capacity or highest level of happiness. The reality is that when human beings actually obtain their cravings or desires, they only experience a very short-lived joy, and even if the joy or pleasure were to last longer, it would become monotonous and dissipate quickly.

4.2.2 Our opinions

With opinions we refer to our stories, the way we interpret things, assign meaning, religious beliefs etc. It is crucial for us to understand how randomly we construct these and assign their importance. We need to think about what purpose they serve and if they are really needed.

4.2.3 Our idea of self

Humans tend to cling to the idea of themselves, that is, the way they see themselves, their identity and self-image. This is considered one of the main roots of suffering, and an important concept in this light is 'non-self' (called *Anattā* in Pali), as explained earlier in this paper (title 2.2). An inherent self does not exist, there is only non-self and inter-being.

Like with the First Noble Truth, mindful meditation can be a solution for challenges presented by the Second Noble Truth. Meditation teaches us to listen to our thoughts without getting overrun by them, and it clears the path to renounce our attachments and find freedom in situations which at first we might interpret as being unpleasant.

4.3 The Possibility of Cessation of Suffering

The Third Noble Truth is called *Nirodha* in Pali. This step is about accepting the possibility of liberation and the end of all suffering. Buddha teaches that the way to stop suffering is to extinguish desire, thus liberating oneself from attachment. Controlling desire and practicing non-attachment are key. In theory this sounds easy but for human beings this is hard, since we tend to be addicted to our causes of suffering. A good and recent example is the smartphone. Today I might want an iPhone to show off to my friends, and the next day I want to indulge and buy the latest Samsung smartphone because I read it has a better camera, and so on. The question to ask here is: "Why do I

want these smartphones?" We need to get to the root of this question and pull it out, because if not it will keep on emerging time and time again.

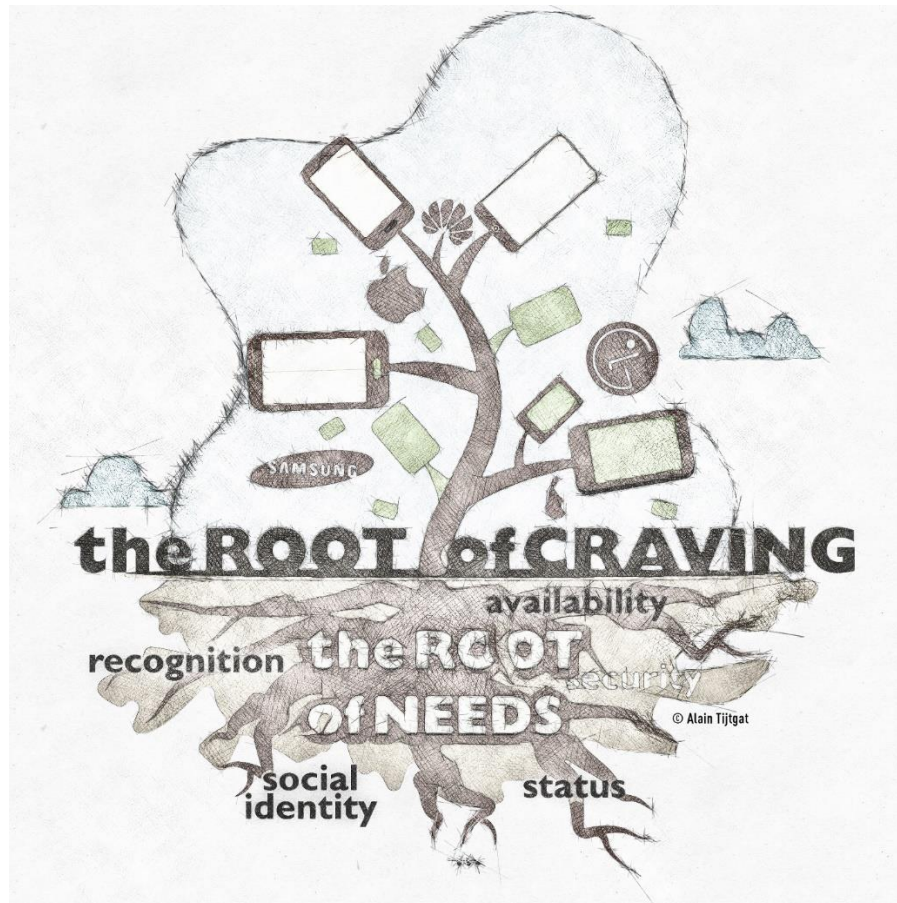


Fig. 9: The root of craving

Any mediator will have to deal with disputants who are sure that their conflict (or suffering) cannot be resolved. Anger, fear, false projections and blame rule their mind, and they put the source of their attachment or aversion outside themselves. They perceive themselves as passive victims instead of acting agents in their own suffering. If we want to assist others in conflict resolution, we have to make them truly aware that the conflict can be transformed and make them see that they are actors and decision-makers in their own life and the process of mediation. If that is the case, then they also have their own role in transforming the conflict and ceasing their suffering.

Again, meditation is a very powerful tool here, since it provides a clear step-by-step image on the cessation of conflict. Meditation helps us to notice the possibility of transformation, which opens the path for an even more profound and continued growth.

4.4 The Path to the Cessation of Suffering

The Fourth (and final) Noble Truth is called *Magga*, or the prescription by Buddha for the end of suffering. This regards a set of principles called the Noble Eightfold Path (or the Middle Way), which is designed to avoid all extremes including indulgence and severe ascetism.

This gradual path of self-improvement leads to a balanced life, by transcending and reconciling the duality that characterizes most thinking. As mediators well know, the language used during escalating conflicts is often dual or binary, i.e. designed to include or exclude. Just think about good/bad, beautiful/ugly, guilty/innocent etc. Such use of language comes from an or/or logic, which is exactly what we need to transcend in mediation if we want to reach a synergetic and/and reasoning and a win-win outcome.

When we apply the first Three Noble Truths we can reach a certain level of peace, known as Enlightenment, the Awakened Mind or Nirvana. We become filled with compassion for all living things, which is a prerequisite to attain the cessation of suffering through the Eightfold Path.

4.5 The Noble Eightfold Path

The *Ariya Atṭhaṅgika Magga* or Noble Eightfold Path is not a belief system, but a framework that starts from the Four Noble Truths. There are eight stages that should be considered as one, seeing as each step supports and reinforces the previous and next. We can often see them represented as the eight beams of the Dharma Wheel (or Dharma Chakra), one of the oldest Buddhist symbols representing the very basics of Buddhist teachings.

4.5.1 Wisdom

Wisdom is about obtaining the 'Right Understanding' or 'Right View', i.e. accepting the Buddhist teachings and cultivating the ability to see that everything is in the present. It cannot be repeated enough that the mediator must focus on the present of the clients, an ability that the clients themselves also need to develop. In the mediation framework the past is only relevant in order to understand the present.

We need to train our minds to see conflict for what it is, a state that emerges based on causes and conditions. If we learn to go beyond the distortions of seeing conflict as something that revolves around the notion of 'I/me personally', we develop the needed cognitive intelligence to obtain the 'Right View'.

Getting clients to the point where they no longer take the conflict personally is also of immeasurable value. Almost all cases of mediation start with conflicting parties that take everything personally and often put all the blame on the other party. This triggers a lot of defense mechanisms, fear and anger. When involved with a high conflict personality it is easy to get hooked into conflict and start taking things personally. You can see this when clients feel the need to defend themselves, and when they display one of the 3 F's as a response, i.e. fight, flight or freeze. You might see them behave like there is no choice, and there is only one way to deal with the conflict. Or like they have the need to prove something to the other person or other people, or feel like the other person is taking advantage of them.

Apart from 'Right Understanding' there is also 'Right Thought'. This refers to being committed to cultivating the correct attitudes, setting the 'Right Intention' and having a focus on knowing our subtle intent before we act. This helps us to avoid and transform conflict.

4.5.2 Ethical Conduct

Conduct in this context refers to both speech and actions. We need to be mindful of our speech and keep it in harmony with our spiritual life. By adopting 'Right Speech' we start speaking truthfully, avoiding slander, gossip and abusive speech. This also increases awareness of the impact of our words on our thoughts and actions towards others and ourselves. The 'Right Action' is about behaving peacefully and in harmony, i.e. no stealing, killing, overindulgence etc. The combination of 'Right Speech' and 'Right Action' leads to 'Right Livelihood', meaning that we earn our living in a righteous and humane way. The Five Precepts can be mentioned in this respect, which underline that one should not resort to illegal or evil activities. All these concepts, related to ethical conduct, increase our awareness of how what we do has an impact on ourselves, others and the entire universe.

Ethical conduct is also pivotal for all parties during the mediation process. The most recent definition of mediation by M. Guillaume-Hoffnung starts with the following: "*La médiation est un processus de communication éthique...*", meaning that mediation is a process of ethical communication. During the intake and preparatory phase, a mediator should thus surely and clearly state the rules that are to be followed during the process, in order to assure an ethical communication. In case of any infringements against those rules adequate actions must be taken.

4.5.3 Inner Development

Here we refer to adopting the 'Right Mindfulness', meaning that we need to be aware of our body and apply a mental focus to our emotions, mentality and abilities while also steering clear of impulses and desires. The mind is malleable and changeable, so with the 'Right Effort' we can train ourselves to cultivate a positive state of mind and move in the right direction.

This will help us to finally reach the 'Right Concentration' and develop the mental focus needed for true meditation. This is the most important aspect in the Eightfold Path, for without proper meditation we cannot move to a higher level of well-being.

The 'Right Effort', 'Right Mindfulness' and 'Right Concentration' are key to creating the awareness of the subtle aspects of how we experience things. It also constitutes an excellent base to create a successful mediation process, with an emphasis on growth and transformation for all parties involved.

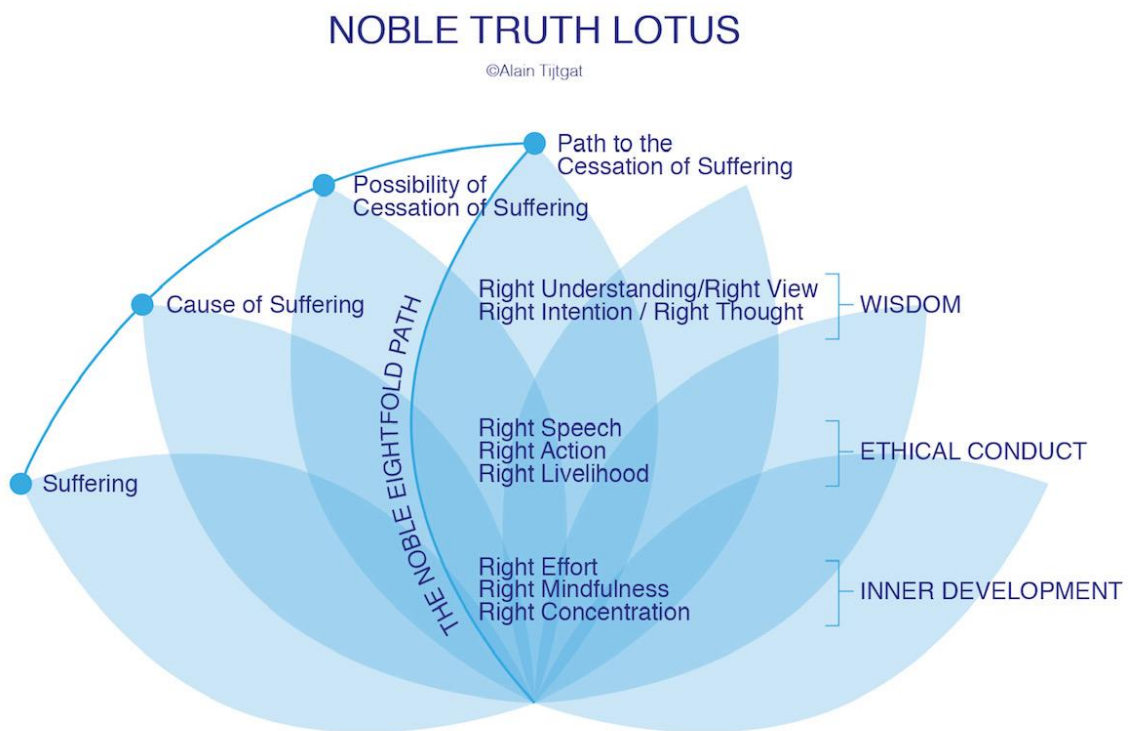


Fig. 10: Noble Truth Lotus

5. Conclusion

Only one letter 't' separates meditation from mediation, and when we look at the process behind both terms, we see that the difference between them is actually even smaller than that. When starting this study, I was already aware of the striking parallels between both concepts, but I never expected there to be this much similarity. Apart from being similar, both concepts are also compatible and supportive of one another. There is no doubt that knowledge of the Buddhist philosophy and practicing meditation is highly recommendable for mediators, since the two processes form a perfect symbiosis. I would also firmly suggest for mediators to pass on some Buddhist insights to their clients, since this will be highly beneficial to the process. In fact, this is something that I will certainly offer in my own practice. Of course, as with the mediation itself, this will be purely on a voluntary basis for the clients.

Lord Buddha talked about illness very much like a physician: he described it, identified the underlying cause(s) and developed a cure. His teachings are undeniably applicable in a conflict transformation context and can even contribute to conflict prevention, however their value has been gravely underappreciated up until now. In terms of conflict prevention very little is done and not much literature can be found. In this respect I would like to come back to the definition of mediation by Michèle Guillaume-Hofnung (title 1.2), where prevention is explicitly mentioned. During transformational mediation we try to pass on some tools to the disputants in order to handle future conflicts more smoothly, but there is also a lot that can be done before conflict even arises. Buddhist philosophy can play a key role there. This is uncharted territory for now and we will undoubtedly come back to this in a next study.

Meditation as such provides many proven benefits, and throwing meditation concepts into the mediation mix might well be a winning combination. Practitioners of both meditation and mediation consciously choose to be aware of what is happening in the present moment, without judgement, and they should create that same awareness within their clients. Both processes require the discipline to ground yourself, to find your

center, to explore the real needs and to take action based on the findings. Meditation and mediation also have a shared need for self-exploration and the creation of self-sufficiency. Meditator and mediator, as well as their clients, can reverse the downward spiral of destructive stress and escalating conflict within themselves and those around them. Meditation teaches you to have control over your future reaction to stress triggers, the same way transformational mediation teaches you conflict resolution skills in order to reduce future conflicts.

Earlier in this paper we discussed that the definition of mindfulness can be copied entirely in order to formulate what mediation means. We also discussed the seamless and mutual conjunction between mediation and meditation as depicted in the “Medi(t)ation Gemini Lotus” (title 2.4). While meditation is oriented towards internal sensations, you could state that mediation is in a first phase focused on the external sensations, such as for example the communications and interactions between conflicting parties, especially noticing what works and what does not in the relation between the disputants and asking what can be done to transform it and/or let it go. However, here there is also an absolute interwovenness between both terms, because meditation has an influence on ourselves as well as on our relationships with others, and in mediation the points of view that are made by the conflicting parties are essentially also a stepping stone to explore and deepen the psychology and to uncover the real underlying interests, needs and fears. Additionally, the disputants are asked to relate their vision of the conflict from the ‘I’ perspective and share their point of view during the preparatory phase of the mediation process. They are thus encouraged to start from themselves.

The increasing levels of stress in our modern-day society has rung in the emergence of an ever-rising number of meditation practitioners, in order to stimulate and increase mental health. A rising number of scientific studies confirm a link between meditation and physical and mental well-being. On the other hand, we also see an increase in the amount of research that is conducted about how meditation works and what causes its positive impact on the brain. There are a multitude of personal gains that mediators can

experience from meditation apart from just relaxation, and on top of that they may find – as I have – that mindfulness, awareness and insight practices from the Buddhist philosophy can also hone their professional skills.

You could say that I have done a meditation on mediation, and the only logical outcome I found is that integrating the two processes makes perfect sense. Following the Buddhist Path to transforming conflict simply works. Mediators that effectively implement these Buddhist insights and regularly meditate, experience a multitude of beneficial effects, of which I have listed a few in a non-specific order below.

1. Greater self-awareness about how they are functioning in the mediation process and how they are looking at the parties involved. Mediators are also human beings that have preferences and aversions, however it is of paramount importance that they are very aware of them. I personally feel that a lot of the existing literature on the subject pays little to no attention to the fact that mediators are also social beings, influenced by the space and time they live in, their beliefs, values and narratives about the issues that come up during mediation. Even when in the role of the neutral party, or even better, the multilaterally partial third party, the mediator steps into the process as a being with a body, and not an empty signifier. As mentioned before, the awareness circle exercise assigned to us by lecturer Claude Vandevoorde on Friday mornings is forever etched in my memory. This sensing exercise, namely the immediate bodily experience, clearly did not miss its goal. A raised self-awareness provides the mediator a heightened self-knowledge, a crucial asset during the mediation process.

2. Higher awareness of and respect for the own feelings in terms of needing a break. Keeping the right balance, called the Middle Way in Buddhist terms, ensures a correct stress management and reduces the chance of a burnout, for example.

3. An enhanced awareness on external conditions, being the clients in this case, allowing for a better exploration of their interests, needs and fears in order to see the

true nature of reality. This in turn should also increment the awareness of the participants.

4. A meditative mediator will bring more peace to the room, which will ultimately benefit the entire mediation process, and thus also the clients.

5. Mediators are expected to listen attentively, so in case they do get distracted they will be mindful to revert their attention back to the present and focus on the clients. An important concept in meditation is that success does not depend on how long focus can be maintained, but rather on the capacity to notice when you lose focus, refrain from judging yourself and return to the previous focus. Here again, awareness is key.

6. Heightened capacity for calibrating and refined insights and intuition, consequently further advancing the mediation, which ultimately is an absolute exercise in balance.

7. Expanded sensitivity to certain clues that the parties expose, verbally or non-verbally, which indicate a change in thoughts, attitudes or feelings.

8. Raised sensitivity to how the natural timing of conflicts occurs. This is a hugely important factor, to realize which stage the conflict is in (e.g. escalation stage or not) and whether a certain moratorium needs to be introduced.

9. Detached neutrality is promoted, meaning that the mediator will not defend one party at the cost of the other, but rather like a pendulum he or she will empathize and show understanding towards all parties (even those not present at the mediation). This is called multilateral partiality, implying a full involvement with and recognition towards all parties. Unlike a lawyer for example, who unilaterally defends and acts on behalf of his or her client.

10. Being immersed in the Three Buddhist Teachings of impermanence, non-self or inter-being and omnipresent suffering drives the mediator towards a holistic approach.

These concepts automatically point the mediator and the disputants in the direction of a less dual use of language and thinking. In other words, there will be less inclusive and exclusive reasoning, less 'you versus me' stories, and the or/or logic will be replaced by the and/and approach. Ultimately the focus is placed on creating a synergetic dynamic and a win-win situation for the clients.

11. Better understanding of the nature of suffering; seeing suffering as part of life and what we can do to let it go. Accepting is the first step!

12. Increased patience and openness. Mindfulness techniques offer great benefit to mediators in terms of enhanced presence and patience, as well as opening the mind and decreasing judgement.

13. There is an increased willingness to step into high risk conversations and raise sensitive topics without losing empathy. When a brain is scanned during meditation, the area of the brain where empathy resides (anterior insular cortex) lights up notably. This is an important benefit, since a mediator has to be equipped to address the reality in the head and heart of other people without coinciding with them completely. Reciprocal empathy is also important for the disputants; the mediator's job is to find the hidden empathy and understanding between all parties and rekindle it.

14. Stronger emotional intelligence, leading to an increased level of compassion, acceptance, kindness, etc.

15. Mindfulness helps to ground the mediator and prevents him or her from being swept away by the emotions of the disputants by fostering an improved ability to keep calm and stay in balance in the face of conflict and intense emotions. Not being absorbed by the conflict and disputants, strengthens de mediator.

16. Greater disposition go deep into a conversation and get straight to the core of what is not working efficiently and, maybe even more important, what is working between the conflicting parties.

17. Faster detection of common ground between clients. Common interests and needs, whether pronounced or not, form the basis to transform conflict. Hence, being able to detect the common ground, as well as the grounds for disagreement and dislike, facilitates a faster conflict transformation.

18. Decreased reactivity, argumentativeness and rigidity in viewpoints.

19. Lower investment in attachments, outcomes, expectations and judgements. It is worth mentioning that the mediator does not commit to any result, nor does he or she offer solutions (and clearly states this during the opening statement), but helps the parties achieve a solution that is carried by all parties.

20. Increased problem-solving skills and ability to work towards creative solutions, thus transforming conflicts to growth both short and long term for all parties involved.

21. Improved response to criticism. People that are mindful respond to criticism more slowly and thoughtfully, because there is more acceptance and understanding of where the other person is coming from. Responding negatively to criticism is rarely a good idea. By eliminating impulsive behavior, we create more time think about how to better respond to criticism and proceed in a more positive and cohesive way. A mediator has to deal with criticism on many occasions; even though he clearly states the nature of his interventions during the opening statement, still disputants continue to criticize, stating that they need to solve it themselves, that the mediator does not offer solutions, that the process takes too long, etc.

The list ending here does not mean that there are only 21 benefits. The advantages for mediators and their clients are infinite, and this non-exhaustive list will only continue to grow over the years.

Final thoughts

Buddhism and mediation contain a clear set of instructions regarding how we can all improve our skills in conflict handling and untangling the knots created (by conflict) inside ourselves, inside our clients and between our clients. As previously mentioned, the disputants will hopefully also be inspired by the Buddhist approach, and will do their own meditation on mediation. They will benefit from this by being able to more rapidly transform their conflict into a constructive story for all parties, and – if we go one step further – they will be handed the tools to be able to detect future conflicts in an earlier stage or even prevent them from occurring.

It is of crucial importance that the mediator prepares the client for the mediation process, thus increasing the chance of success. Many insights and tools that can be used to that end have their roots in Buddhism – such as mindfulness meditation – and just like mediation itself I will therefore also be offering this in my practice, in cooperation with a Theravada Buddhist Meditation Master. As mentioned earlier, just like the mediation itself, this is completely voluntary and optional.

I do realize that not all clients are open to this type of approach, but as mediator you need to be aware of that and offer these tools without necessarily mentioning words like Buddhism mindfulness or meditation. As mediator we can simply invite the disputants to be more present and calm, to be more articulate and clear in presenting their feelings and ideas, and to show greater understanding of where the other parties' positions, fears, interest and needs are stemming from. Just reminding the disputants to breathe can already help to reduce the stress and animosity.

Each and every one of us can play a role in transforming conflict, just by raising our awareness. When we see conflict around us, instead of picking a side and reinforcing the views of one of parties, we can deliberately choose to be more mindful and simply pay attention to what is currently happening while refraining from judgement.

We were able to touch on many elements in this paper, but there is much more ground to cover. The process and the writing continue, and in 2020 I expect to publish a book on this topic, followed by an app which will serve as an instrument for both mediators and disputants. *Paritta* (in Pali) chanting will certainly be included in the app. *Paritta* chanting has the Buddhist Teachings incorporated in the form of verses, instills benevolence and love, and provides protection from evil spirits, illness, misfortune, influence of planetary systems and more. It creates confidence, goodwill and blessings for all living beings. The chanting has a certain vibration, rhythm and frequency that is pleasing and creates positive energy. Personally I often use the following powerful *Paritta* (<https://www.youtube.com/watch?v=6n7ge1E4ZHA>) to start my day in a constructive and optimistic way.

And to close, a final pondering ... Unfortunately, it is human nature, especially in the West, for everyone to want to change the world, but for nobody to think of changing themselves ...



Fig. 11: Change yourself, then the world

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