

MAKING SPIRITUAL WAVES AND BREAKING OLD PATTERNS

By

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For the

ASSOCIATION FOR CONFLICT RESOLUTION

It is a special honor to be in your midst and to be invited to deliver the opening plenary address. I want to thank John Fiske for his introduction, for this invitation, and for the vision and sensitivity he brings to this work.

It is also a special treat to have my wife Marilyn, and my daughters Sakile and Kiamsha accompany me on this trip. By selecting this location, the planning committee made it very easy for me to accept this invitation. My daughter Kiamsha was one of your strongest advocates.

I am not a mediator, even though I have taught and studied various alternative dispute resolution approaches. So I come to you tonight not as an expert in your field, but as a partner in our collective quest to better understand and handle conflicts. I come not with new groundbreaking theories, but with a deep respect and appreciation for the work you do, and the role mediation plays in our quest to create a more peaceful and productive world. I sincerely believe that there is a precious and common thread that binds lawyers and mediators, and it is this deeper commonality that makes it appropriate for me to speak to this distinguished audience.

I first want to applaud the work of the family section of the association for conflict resolution. You play such a critical role in the life of this society. The work you do as mediators of family disputes is central to our growth and survival as a society. If there is one thing we all know it is that you can't have a family without having conflicts. We certainly can't have whole, healthy and productive families unless there are some processes through which its members learn to handle and resolve conflicts.

On a larger scale, so many of our most challenging social problems are the product of the inability of families and individuals in families to effectively navigate internal and external conflicts. To make matters worse, as a society we have not made the economic, educational, emotional and health needs of families a priority on our national agenda. Thus the combination of these larger social inequities and these personal inadequacies create an enormous challenge for the future of the family.

Therefore your work, and your mission, from my perspective, is central and indispensable. You have your hands and your hearts on the pulse of what ails us as a society, and I believe you have the balm that is needed to heal some of the brokenness that exists throughout this society and world. So I thank you for the work you do each day, and I hope my words may add some small value to your great calling.

It is from that place of reverence and respect that I speak to you tonight, about "making spiritual waves, and breaking old patterns." Though I'm sure your theme for this conference, "making waves, breaking barriers" may have been inspired by the location of the Seacrest Resort; I see another meaning embedded with this theme, which is why I adopted it as the focus of my remarks.

Waves are very beautiful to watch and for some very exhilarating to ride. Yet the real power of this movement that occurs upon bodies of water is that it symbolizes change. Though this force of change can sometimes be destructive, it is our faith that we can use and harness this energy for good that keeps bringing us back to the ocean.

Yet waves are primarily the product of wind, for it is strong winds blowing on the surface of the ocean that creates this majestic movement. And the wind, (this internal and external breath of life) in many traditions symbolizes the spirit. So the question before this section is not whether you can make waves within your profession and in society. The question is, what will be the source for this change, what will be the ultimate power that you use to create these societal waves?

As indicated in the introduction, one of my areas of concentration as a scholar and teacher focuses on the intersection between the practice of law and the illusive and controversial concept called spirituality. I argue in my book, *The Spiritual Revitalization of the Legal Profession: A Search for Sacred Rivers*, that the legal profession is by nature a sacred calling, and that lawyers are engaged daily in a spiritual enterprise, whether they understand it or not. I reach this conclusion not because lawyers are given license by the state to practice their craft, and certainly not because of how the public views lawyers. This controversial conclusion is a product of what we are called to do, and not the regulatory regime that governs the practice of law. This sacred mantle should be bestowed upon lawyers because we like all of you in this room live daily in the minefields of moral ambiguity. Lawyers, like mediators are invited into the most vulnerable and sacred places where people dwell. Mediators and lawyers are given a sacred trust to safeguard the precious needs and unrealized dreams of those we serve. So if conflict is

symbolic of hell, then those who help to resolve it, mend it, heal it, and lead others through it, can be heavenly guides.

Though my book was written primarily for lawyers, I believe it is equally applicable to mediators. For in the deeper sense of the word, mediators are spiritual guides. You are not neutrals caught in the middle of right and wrong. You create personal and collective mirrors that allow people to get a deeper and sometimes uncomfortable glimpse of the power and limits of their hearts and minds. When your work is done well, you not only allow participants to better understand what they are contributing to the conflict, but through reframing the issue and encouraging them to move beyond the prisons of their story, you permit them to see the other person not as the embodiment of evil, but as someone like them wherein good and evil reside.

So in the words of Rabbi Samuel Karff, speaking to a conference of mediators, he states, “Yours becomes in the deepest sense a spiritual vocation when you realize that while your techniques may be sharpened by mentoring, reading and experience, the gift of the peacemaker is a gift from a power greater than your own and you find yourself humbly grateful for the gift.”ⁱ

So I am not so subtly suggesting that if you want to make waves in the profession and the society that are truly transformative, then you must more systematically tap into the spiritual resources and powers that lie all around you, inside you, and are so endemic to the work you are called to do. Just as insights from the fields of psychology and sociology have greatly enhanced and enriched the art and science of mediation, so can the domains of religion and spirituality. Like those other fields spirituality, and certainly religion is not a panacea. These gifts and insights can be abused, manipulated and corrupted. We have had numerous example of this in our own lifetime. Yet, let us not throw out the baby with the bath water.

There are many in your section and in the field of mediation who have already made the connections that I speak about tonight. My plea is that this groundbreaking work of some of your members is not marginal reflections of strange people. Spirituality it is at the core of your work, and is one of the deepest yearning and needs of those you serve.

I define spirituality as consisting of two components. The first is a consistent attempt to live ones life and conduct one's work by the highest values humanly obtainable. The second is a sincere commitment to search for the sacred. For many this second aspect is captured by our incessant yearning to have a close and meaningful relationship with god. For others it is an attempt to extract from life the deeper meaning and purpose for one's existence. However one gives content to this second component; it must contain a transformative power that exists within our being and that we believe exists within life itself. Though this definition can be consistent and compatible with one's religious beliefs, it is not restricted to any particular religious tradition.

When I examine the work that you are called to do as mediators, and especially as mediators of family disputes, I see enormous synergy between your task and this definition of spirituality. Embedded in the **Model Standards of Practice for Family and Divorce Mediation** are some of the highest values that each mediator must strive to live by. For you realize that the mediator who operates in a values vacuum is a dangerous third party neutral, for there are tremendous abuses of power and people that can occur when we operate without a clear set of values and beliefs. Yet I would argue that your model standards, like the ABA model rules are merely a floor. Abuses of them can easily go undetected, unreported and unenforced. These standards must rest on a foundation of deeper values that each mediator nurtures and cultivates on a daily basis. There must be some practice, some process, some ritual or tradition that each of

us pursue to assist us in our quest to embrace, internalize and abide by the values we articulate. That process is an important aspect of spiritual development whether we use the label or not.

The second aspect of my definition is a search for the sacred. You are searching for the sacred in the mediation process when you strive to get the parties to reach a deeper understanding of the conflict; a more sincere understanding of the relationship and a more honest understanding of themselves. If all we strive to do is to secure an agreement that both parties are willing to sign, then we have added very little to the choices that conflicted people have in the society. If mediation is truly different then you must provide the parties with something that they can't find in the traditional arena. You must be a sensitive guide into the uncharted territories of human pain and spiritual possibilities.

The search for the sacred is clearer for the enlightened mediator; for she understands that it is the whole person, and not just the legal issues which she is called to serve. Some of you know instinctively that you are healers, striving to empower people to heal themselves. Your work is a reflection of one of the unique aspect of sacred searches. For if you are honest with yourselves then you know when you commence any mediation session, that you have embarked upon a journey to a land that is not fully mapped out, and you are guiding vulnerable people through a process that you can't completely control or determine. Thus faith, not fear must be in abundance in your healing kits.ⁱⁱ Even more so than lawyers, you must have the internal courage to live with uncertainty, ambiguity and messiness, which are the building blocks of human conflict.

If mediation, and especially family mediation, is to reach the next level of credibility and acceptance, then you must be willing to make some spiritual waves, and you must be willing to break some of the barriers that have imprisoned your work.

On the micro level you make spiritual waves when you come to the meditation process centered, whole and free of the personal biases, baggage and blinders that this society so easily places upon us. Your training and education will not ensure that you are bringing the best self to the mediation table or circle. Though each of us may have various paths we pursue in order to prepare ourselves for this journey, it is vital that we don't neglect the soul of the mediators as we prepare the mind of the third party neutral. When those you serve can qualitatively feel that the process you conducted touched the essence of who they are, and then you will know you are making waves. When they leave not only with an agreement, but with tools and insights that can guide them through their life's journey, then you are making waves and breaking down old barriers.

The work you do is not just work of the mind. It is work of the heart. It is work of compassion and sensitivity. It is the work for which spiritual legends and lessons are made. It is written in scripture, "Blessed are the peacemakers, for they are the children of God." ⁱⁱⁱ Peacemakers are the offspring's of divine principles when they preserve life and hope in a world destined for destruction. Blessed are the peacemakers, for they can see beyond human limitations, and embrace the endless potential and possibilities of the human spirit. Blessed are the peacemakers, for they instinctively understand the immeasurable damage and consequences of war. Not just the wars fought with missiles and bombs, but the internal wars fought with missiles of self hate, and the external wars fought with bombs of anger and abuse. They realized what Sri Mata Devi said in a speech to the United Nation, "Peace is not just the absence of war and conflict: peace must be fostered within the individual, within the family and within the society. Simply transferring the world's nuclear weapons to a museum will not in itself bring

about world peace. The nuclear weapons of the mind must first be eliminated.” This is the small but sacred peacekeeping work that you are called to do, one person at a time.

So to be peacemakers you must come to the mediation arena, spiritually grounded. You must come wrapped in armor that can’t be seen, imbued with powers that can’t be fully understood. You must be the peace that you hope to create in your work and in the world. As one of your workshop topics indicate, you must first “harmonize the world within, if you want to bring harmony to a conflicted and chaotic external world.

Your job, your calling would not be as critical if you only had easy disputes and easy people to mediate. But you face impasses, you find yourself sometimes between a rock and a hard place; between difficult people and hard circumstances. In those moments what skills, insights and values can you bring to the table? From what rivers do you draw the power to guide the process and the people to a higher level of understanding? Dividing up the house is difficult, deciding who has custody is challenging, but trying to heal the destructive patterns of abuse, denial, neglect, and low self esteem are the real challenges facing your section. Can you ride this wave; can you break down those barriers?

But the greatest wave you can make that can change the oceanfront of this society, is when you see yourselves not mere participants in the end game of family disputes, but when your practice is also focused on empowering families to stay out of crisis, by equipping them with the tools ahead of time so that they develop stronger and more productive families. Family meditation is a process for the beginning of relationships, not just at their end. This is the greater spiritual mandate facing this profession. How can you equip people so that so many of them don’t end up in the dispute resolutions centers we call courts, jails and mental institutions.

If the insights, tools and skill you possess are appropriate at the end stage, then they are appropriate at every stage of life. Families and communities are dying because they don't have what you possess. Certainly they need, better economic conditions; they need better school, and a host of other social necessities. But they also need the insights, tools and skills to handle difficult problems and challenges.

There are families in this society whose children are in jail or in a grave because they couldn't effectively navigate the conflicts that existed within their schools, communities or home. There are families in poverty because they can't mediate the conflicts that exist between their needs and this country's other priorities of waging wars and supporting the rich. There are families still imprisoned behind barriers of racial hatred, that prevents them from seeing the worth and value of those who are different from them.

Who will respond to these needs? Who will create the social waves that bring change in these desert places? I believe that these challenges are as much a part of your calling as divorce and custody matters. Some of you may argue that this is beyond the scope of what you signed on to do. But from a spiritual perspective, this is the essence of what you are called to do. For peacemakers do their best work when there is no war. True peacemakers journey to lands where they are strangers. True peacemakers take on issues that do not belong to them. For they intuitively understand, that "Injustice anywhere is a threat to justice everywhere." And destructive and neglected families anywhere in this society are a threat to families everywhere.

In conclusion:

As you ponder the future challenges of this section, as you reflect on what you desire as your individual and collective legacies, I urge you to look broadly at your lives and the forces

around you. Despite the fact that spirituality and religion have been used in ways that you might feel are inappropriate, does not mean that they do not offer you valuable resources in your calling.

You are called to do very emotionally difficult and vexing work. Thus you need to bring to that work all available resources and insights. If you ignore or dismiss the spiritual gems that lie all around you, and inside of you, then you will severely limit the power of your wave, and you will break very few barriers.

The people you serve live behind barriers of fear, anger, and distrust and hurt. You cannot reach them, nor help them break through these walls, if you approach them with windless waves. It is the spirit that dwells within you and them, and which guides your work, that gives you the greatest potential to usher in change. So embrace this power, harness it for good, and in the process you can leave this world better than you found it.

Families are microcosmic representations of the society and world within which we exist. If you can perfect a process and vision which serves to prevent crises, and heal personal brokenness at this level, I am convinced that we can transform this process to the larger stage of human existence. That is the great wave, the tsunami of justice, peace and prosperity that we must wash this society and world within. Let us together, mediators and lawyers, create and ride this wave. If we do, then our living and our work will not be in vain.

ⁱ The Spiritual Dimension of Mediation Speech, delivered at the TAM Conference Feb. 25, 2000 – Houston, Texas by: Rabbi Samuel E. Karff, D. H. L.

ⁱⁱ Ibid

ⁱⁱⁱ MATHEWS 5:9 BIBLE