



## EXPLORING ALTERNATIVE DISPUTE RESOLUTION (ADR) IN BUDDHISM: THE SYMBIOTIC RELATIONSHIP BETWEEN MEDITATION AND MEDIATION AS AN INSIGHT FOR CONTEMPORARY MEDIATORS

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### Abstract

**Background:** The Alternative Dispute Resolution (ADR) process has become popular as a means of resolving disputes beyond the formal judicial system. Modes of dispute resolution grounded in dialogue have a long history in many legal systems and cultures. Among all these traditions, Buddhism provides a holistic model for comprehending and resolving conflict. Drawing from the tenets of compassion (Karunā), mindfulness (Sati), non-harming (Ahimsā), and non-attachment (Anupādāna), the Buddhist approach transcends procedural justice and responds to the emotional, moral, and psychological aspects of conflict empathetically. In an era marked by escalating geopolitical conflicts, including tensions in the South China Sea, border clashes in South Asia, inter-ethnic conflict zones like the Myanmar area, border issues between India and Pakistan, and transboundary issues linked to water sharing between India and China. The infusion of Buddhist principles into ADR is timely and critical to offer a transformational alternative to adversarial and interest-based models. To address this gap, the study aims to examine the synthesis of Buddhist doctrine and the contemporary ADR framework, focusing on the transformative aspects of meditation in the mediation process. Adopting a qualitative and doctrinal approach, the study analyses Buddhist philosophical texts alongside contemporary ADR literature to explore how meditative practices contribute to emotional regulation, focused attention, empathy, and constructive dialogue. Based on the teachings of right awareness, right speech, and cultivating inner peace, it further examines how mindfulness-informed mediation practices may enhance conflict de-escalation and promote durable, mutually acceptable outcomes in family, workplace, and community disputes.

**Involvement to Buddhaddhamma:** The study reflects a contemplative encounter with the Buddhaddhamma, which critically examines whether Buddhist philosophical fundamentals serve as a universal and ethically coherent basis for reconciliation and conflict transformation. At the heart of this study is the Buddhist view of conflict in relation to suffering (Dukkha), its cause in craving (Taṇhā), and its cessation through morality (Sīla), meditation (Samādhi), and wisdom (Paññā).



These teachings suggest that struggle originates from a deeper source than external circumstances; It stems from the heart or the mind. The study suggests that the Noble Path serves to address these sources of conflict, in the context of right intention (Sammā-sañkappa), right speech (Sammāvācā), right action (Sammākammanta), and right mindfulness (Sammā-sati). These principles provide moral guidelines for personal conduct and a framework for resolving conflicts at social, and institutional levels. These components help individuals develop ethical behaviour and self-awareness, which are valuable tools for mediators who aspire to foster constructive communication and emotional transparency during disputes. The study highlights that the Buddhist approach of conflict transformation is more than a method for resolving interpersonal or societal conflicts. It recognises that peace, emotional well-being, and relationships are interconnected.

**Conclusions:** The study concluded that Buddhism offers a positive foundation for ADR by replacing adversarial competition with compassionate understanding and shared healing. Incorporating mindfulness and meditation into mediation creates an atmosphere in which parties can de-escalate from finger-pointing and hostility to peace-making and mutual resolution. Through the infusion of Buddhist principles, mediators can help disputants to become more settled and enable both parties to find inner peace amidst conflicts, as well as promote socially harmonious relationships within the community. This research supports mediators' use of Buddhist-inspired techniques to cultivate empathetic understanding, ethical discernment, and emotional resilience, which are necessary to achieve more sustainable and substantial conflict resolution.

**Keywords:** Alternative Dispute Resolution (ADR), Buddhism, Conflict Resolution, Mediation, Meditation

## Introduction

Alternative Dispute Resolution (ADR) has become popular for addressing disputes outside conventional judicial systems (Stipanowich, 2004). Among the many methods available in ADR, the incorporation of Buddhist ideas and practices offers a convincing path to understanding conflict resolution from a holistic and transformative standpoint. These principles have been used to tackle a wide range of conflicts, from family and workplace disputes to community and complex geopolitical conflicts (Phramaha Itsret Kittisslo, et al., 2024). Buddhism provides a profound understanding of the nature of human conflict, the causes of suffering, and the paths to inner peace and reconciliation (Venerable Dr. Phramaha Hansa Dhammhaso, 2010). Investigating its intellectual and meditative legacy reveals the fundamental ideas and techniques that support successful conflict resolution and promotion of societal peace.

Amidst the increasing polarisation and nationalistic sensitivities across our globe, the need to include Buddhist principles in ADR has never been greater. The conventional legal or adversarial methods do not address the multi-layered dimensions of conflicts, such as emotional, psychological, and ethical, that sustain hostility (Blix & Wettergren, 2024). Even on current issues, including the border dispute between India and Pakistan, transboundary water-sharing conflicts involving India and China, or trade interference between India and the USA, demonstrate how underlying



distrusts and inflexible stances often hamper fruitful conversation. Notable contributions in this field include Prof. Hansa Dhammadasa's work on Buddhist Values towards Conflict and Peace and Peace Studies: The Buddhist Path to World Peace (Phramaha Hansa Dhammadasa, 2016), which illustrates how the principles can address contemporary geopolitical issues to attain global peace. In contemporary multiracial and multi-religious societies, social conflicts are informed and exacerbated by religious identities or cultural values. Buddhist ethics of right speech (Sammāvācā), non-violence (Ahimsā), and compassionate understanding (Karūṇā) offer a universal and non-sectarian framework for dialogue. These values transcend religious traditions, affirming peace-centric messages in Christianity, Islam, Hinduism, and Judaism, providing a common moral lexicon for mediators operating in various contexts (Igunbor, 2025). Buddhist-influenced techniques, such as mindfulness, empathetic listening, and ethical speech, help mediators overcome positional bargaining to a deeper recognition of the other party's needs and desires, and thus towards sustainable reconciliation (Bagshaw & Stud, 2017). This means that both mediators and disputants benefit from the mental clarity, emotion regulation, and awareness grounded in empathy, all of which are key aspects for reducing adversaries' hostility and encouraging open conversation. For example, mindfulness-based tools may help mediators stay present and refrain from escalating reactively, whereas ethical communication grounded in right speech opens trust and respect. These attributes provide psychological safety and moral anchoring to transmute geopolitical and socio-political conflicts into constructive, peace-oriented dialogues.

Buddhist teachings focus on the awareness of the transient and linked character of life and the basic causes of human suffering: Attachment (Taṇhā), aversion (Dosa), and ignorance (Avijjā), as expounded in the Tripitaka, particularly in the Samyutta Nikāya (SN 56.11, Dhammacakkappavattana Sutta) and the Dhammapada (Verses 212-216), which collectively frame the foundation of the Noble Truths (Girish, 2019). Buddhism presents a road map for negotiating challenges with knowledge, compassion, and practical skills through ethical behaviour and meditative awareness. This article focuses on integrating meditation, a basic Buddhist practice, into the mediation process. Mediators who cultivate deep listening and emotional resilience will be able to provide a conducive environment for participants to examine underlying interests, engage in honest communication, and seek mutually beneficial solutions (Karunamuni & Weerasekera, 2019).

## The Art of Dispute Resolution in the Buddhism

Buddhist philosophy recognises that the realm of Buddhism is not free of conflict even beneath its serene façade (Tavachalee et al., 2021); Instead, it recognises the inescapable relationship between human life and the natural existence of conflict. Often manifesting as conflict, the great lessons of Buddhism follow the path of suffering from ignorance. Buddhism encourages a fundamental shift in perspective if we are to untangle and handle these conflicts. The primary issue takes the front stage instead of obsessing about the "Other" as the source of conflict. This is central to mediation as it promotes examination of the underlying circumstances and helps



one to reject assigning blame to others. The essence lies in the conditions that create difficulties rather than the intrinsic character of people. Inspired by Buddhist ideas, this subtle approach fits well with mediation techniques, steering the settlement process towards revealing the underlying cause of the problem instead of concentrating only on the parties engaged.

A comprehensive explanation of Buddhist conflict resolution involves the Sangha's practices as the first framework for settling conflicts within a monastic community. The Vinaya Pitaka outlines detailed procedures for handling disagreements, emphasising conciliation, confession, mutual understanding, and collective harmony instead of punishment. Key to these practices are principles such as sammukhā-vinaya (Face-To-Face Confrontation), sati-sāraṇa (Recollection of The Facts with Mindfulness), and ñatti-kamma (Formal Resolution Through Consensus), which provide for transparency in conflicts and compassionate responses. Such monastic systems are restorative, capable of maintaining good relationships, repairing trust and unity within the Sangha. Prioritising dialogue, ethical self-interrogation, and reconciliation, the Vinaya traditions demonstrate a non-adversarial approach to resolving conflict.

In Buddhism, mindful meditation is essential to reflect and acquire a deep understanding of the prevailing challenges (Tophoff, 2020). The practice enables mediators to cultivate inner awareness and emotional balance, allowing them to address the roots of conflict with clarity, compassion, and transformative insight (McConnell, 1995). Meditation is a discipline for identifying and separating the emotions embedded in a circumstance. People who can see, accept, and let go of these feelings develop an open-hearted, receptive attitude to the reality of the situation. This increased consciousness facilitates effective conversation and sympathetic listening. Ignoring the underlying causes of suffering impairs one's ability to interact successfully with people, make wise judgements, and clearly and effectively express ideas.

In the intersection of law and ADR, especially in terms of mediation, mindfulness meditation techniques have been appropriately integrated into the framework. Studies have explored the transforming aspects of the Buddhist perspective and its application in conflict resolution, therefore clarifying the advantages of using a transformative approach in mediation. These studies emphasise the need for mediators to embrace this technique to alternate perspective that negotiates the philosophical underpinnings of mediators and disputants (Kuttner, 2009) termed the "Relational Worldview." This paradigm acknowledges human nature's dual capability by combining a receptivity to others with the self-interestedness emphasised by individualist points of view. Resonating with the whole Buddhist perspective on conflict resolution, this transformative method converges in its focus on persons and their reciprocal obligations in conflicting situations. Mindfulness techniques become transformative instruments able to change attitudes, ideas, and behaviours within conflict, thus acting as accelerators for the peaceful resolution of disputes. Mindful meditation, essential for Buddhist conflict resolution and peacebuilding, held such importance for the Buddha that he directed daily practice among the monks (Kraft, 1992).



## Sangha Serenity: Fostering Peace within the Buddhist Society

A Sangha is a diverse community comprising monks, nuns, laymen, and laywomen who embark on a spiritual journey. At first, peace among the monks prevailed without a written rule of behaviour, while the Buddha was establishing the Sangha. Conflicts emerged as the society grew in complexity and scope. Understanding this, the Buddha developed the Vinaya, an ethical code ensuring monastic community order. Emphasising knowledge and ethical instruction in the spiritual path, Dhamma Vinaya is included in the cornerstone of the early Buddhist writings, the Pali canon (Thero, 2022). Guarded for more than 2,600 years, this monastic rule provides ideas on harmonious community life beyond moral principles (Smith, 2009). Since its founding, dispute resolution has become an integral part of the everyday activities of the Buddhist religion and the monastic community. At the same time, modern Buddhist Sangha keeps changing and using it, thereby highlighting the ongoing history of including dispute resolution into the fabric of Buddhist community life.

It is universally accepted that the Buddha established the Saṅgha for various purposes, including fostering its members' welfare, checking immoral action, abandoning unwholesome states of mind, for the protection of the Vinaya, and continuity of the Dhamma (Viengsavanh, 2024). Among these, one of the main goals was to create a harmonious religious society wherein nuns and monks coexisted (Kawanami, 2015). This community vision aimed to show a society where individuals sought peaceful coexistence, avoiding disputes and transcending assembly. Identifying himself as a reconciler and supporter of oneness, the Buddha exhorted the Sangha to promote calm personal relationships and quickly settle any developing conflicts (Mazza, 2021). Expanding the six principles of cordiality (Chahāṛā-sīla or Chahāṛā Sīla), a set of rules meant to avoid harm (Ahimsa), lessen suffering (Dukkha-pahāna), and maintain harmony (Sāmaggī) within the monastic community, he sought to mitigate the negative consequences of social strife (Dalai Lama, 2016). The teachings of the Buddha reflected a desire for peace and a practical guide for fostering harmonious group life.

Buddha gave meticulous direction to the monastic community, advocating a holistic framework for harmonious communal life. In public and private spheres, he taught a comprehensive code of conduct defining three fundamental aspects of moral behaviour: Physical, verbal, and mental acts infused with loving-kindness towards other monks (Venerable Sumanpriya Bhikkhu (Suman Barua), 2017). This edict sought to create an environment of kindness beyond outward actions, encompassing the fundamental fabric of mind and purpose. Buddha stressed the importance of material generosity as a cornerstone of communal peace. The encouragement of monks to share their material gains generously helped to foster a Sangha culture of mutual assistance and group well-being (Hattam, 2007). This injunction met the community's pragmatic necessities and underlined the importance of developing a giving attitude as a natural aspect of the monk's journey.

The Buddha's application of the code of discipline to the monks, i.e., the Sangha, is closely detailed and is a complete system of rules to ensure harmonious communal life (Goodman, 2014).



In the public as well as in the private domain, he taught an all-encompassing way of life, a set of moral guidelines that covered the basic standards of virtuous behaviour, physical, verbal, and mental conduct, imbued with loving-kindness towards his fellow monks. There was an inculcation of a sense of goodwill that manifested not only in outward actions but was rooted in the fabric of thought and intention.

Buddha reiterated the necessity of material generosity as one of the foundational pillars of a harmonious society. Monks were exhorted to relinquish their acquisitions, creating an atmosphere of mutual support and collective well-being in the Sangha (Hattam, 2007). This command supported the practical requirements of the Sangha and emphasised the importance of practising generously as part of what it means to be a monk. The monastic discipline, according to the teaching of the Buddha, was not only a question of personal conduct: It was also the organisational basis of the monastery. Compliance with the rules of discipline in the monastery was the fifth part of the Buddha's advice (Dhirasekera, 2007). This regulation was designed to bring discipline and order so that the Sangha was within a well-ordered, lawful framework. Moral codes, grounded in ethical principles, were guiding norms for the daily activities of the monks, providing a moral framework for the common life of the community (Hanh, 2020).

The Buddha urged the monks to help mitigate suffering in society. It was not about the communal obligation to rectify or to mitigate the cause of pain. The Buddha did not conceive the Sangha as a passive refuge for personal salvation, but as a community that generated a dynamic collective life in the interests of welfare. The six principles of cordiality set forth by the Buddha comprised a framework for maintaining the harmony and growth of monastic life (Tachibana, 2021). They are concerned not only with how to treat others but also with how to conduct oneself, representing a shared ethos of kindness, of generosity, of self-restraint, and of collectivism. This broad range of action was congruent with the Buddha's overall vision of the Sangha as a kind of microcosm of an ideal society, one in which people worked to physically develop qualities of mind and heart, to support one another regarding their physical needs and their quest for liberation, and to work together to end suffering. The lasting relevance of these principles is evident in the modern-day Buddhist monastic communities, where the teachings of the Buddha still set the course and the tone for the behaviour and culture of monks. The six principles are a beacon of testimony to the Buddha's intention, and they express the ideal manner of living in the world (Johnson, 2002).

In the monkhood, the cultivation of loving-kindness and compassion as a practice is not a belief but a lived experience. The Buddha's wisdom emerges as he commands monks to adopt tranquillity in meditation and then radiate it outward. By actively practising the six principles of cordiality, the monks create: "A Warmth of Feeling, A Climate of Affection and Respect" that promotes togetherness, concord and unity among members of the Sangha. It lies in the Buddha's affirmation that the long-term harmony of the monastic community is built on a foundation of peaceful and ethical social relationships. Even when disagreement arises, the Buddha recommends



addressing it with the soothing influence of loving kindness and compassion, showcasing their power in transforming our relationships with others in the community (Kung, 2010).

The Buddha anticipated that disputes within the Sangha would be inevitable and provided detailed instructions in the Vinaya for resolution. In Buddhist monastic life, disputes arose over interpretations of Buddhist law, allegations of unskilful behaviour, and transgressions of the precepts, duties, and responsibilities. The Buddhist Sangha developed a framework of seven conflict resolution techniques, effectively pacifying fights in their communities (Werner, 2005). The implementation of these mechanisms demonstrates the community's adherence to the values of harmony and the welfare of the community.

### **Sangha Symphony: A Pathway to Dispute Resolution through Seven Steps**

Developed during the past 2500 years, the 'Seven Practices of Reconciliation in the Buddhist monastic community' are evidence of a long tradition of dispute resolution (Friedlander, 2012). Conceived with the express purpose of repairing monastic bonds and maintaining harmony among Sangha communities, these practices emerge with conscious subtlety. When there is a conflict among monks, the first step is a meeting of the assembly, which begins with the practice "Face-To-Face Sitting", in which stupa meditation is practised. It involves monks sitting together, breathing, and having a willingness to support rather than confront. The arguing monks, along with key members, meditate silently, creating peace in the Sangha.

After that peaceful pause, a vital confrontation occurs in which the conflicting monks express feelings and share their pain with the community gathered in silence. The practice of "Deep Listening" becomes prominent, serving as an essential aspect of an aware Sangha. The whole community, trained in the art of compassionate listening, listens to what each monk says without taking sides (Somaratne, 2012). While conventional mediation parties talk to the mediator separately, the monks speak freely in the Sangha, with the whole community acting collectively as a mediator. This shared participation transforms participants into mediators representing the community's interest in conflict resolution (Tavachalee et al., 2021)

The process is anchored by a deep-listening session, which serves to address group anxieties and misunderstandings. A shift in collective understanding occurs. However, the way the Sangha engages with the practice further amplifies the collective nature of a solution, potentially disrupting it if one member is not in harmony with the others. While the monks pursue this journey of change, the Sangha experiences the power of mindfulness and collaborative conflict resolution. It highlights a profound approach that has been embedded in the history of the Buddhist community life (Insakorn, 2021). The convergence of mindfulness, community support, and shared accountability in conflict resolution reveals a Buddhist monastic tradition (Tanabe, 2022).

In conflict resolution, the art of active listening, which bears similarity to the Buddhist practice of deep listening, is a central factor of mediation. In Buddhist philosophy, listening (Savana or Suta) is more than the auditory act of hearing. It is a moral practice that involves receptivity, non-attachment, and empathy. "Deep Listening" is to listen with the intent of relieving



the suffering in the other without interruption or judging prematurely (Miller, 2015). Similarly, the *Samyutta Nikāya* states that wise listening (*Suta-Maya Paññā*) is an initial factor in the development of right understanding as it involves being receptive to others' viewpoints and feelings (SN 56.11). In mediation, this listening involves creating an environment where participants experience being listened to, acknowledged, and respected, which in turn diminishes hostility and opens the door to productive conversations. This communication tool is one that mediators exercise and provide for all participants, enabling productive discussion throughout the mediation process. Active listening goes beyond hearing; It is an empathetic interaction that conveys genuineness while paying complete attention to the process of communication. It is about "Reading Between the Lines" and letting all participants in the communication loop know that their views are being honestly recognised (Shaw, 2021).

Skilled in active listening, mediators communicate empathy and genuinely care about addressing the issues at hand. While mediators may interject in this process, as we have already done, re-articulating parts of the parties' stories to demonstrate understanding of the Buddhist practice of conflict mediation, the practice of deep listening in Buddhism takes a very different approach. In this case, the emphasis is on quiet listening with no immediate verbal response. Input into the Buddhist reconciliation process is postponed, reflecting the meditative nature of deep listening (Vijitha, 2019). Parallel to introductory mediation classes, where students are taught to actively listen and pay deep attention to the perspectives of others, the Buddhist model focuses on how responses can be both meaningful and generative, as well as mindful and reciprocal. Each approach acknowledges the power of authentic, deep listening from which understanding, empathy, and, eventually, peaceful conflict resolution can emerge. As the mediators and disputants engage in deep and active listening, they move closer to solving problems while building a thought-provoking and respectful communication culture (Kelly, 2023).

The second stage of the Buddhist reconciliation process is "Remembrance," in which the monks bring to memory the complex history and dynamics of the conflict and share them openly with the Sangha. This practice requires individuals to spend time in silence in contemplation before expressing their memories, allowing the origins of the conflict to be explored. The narratee, together with other members of the Sangha, promotes understanding through co-operation, while the narrator goes into minute details, contributing to a collective comprehension of the causes of the conflict. It is an important step because it helps both conflicting parties to gain deep insight into how their unskilful behaviour and thinking lead to the suffering in the conflict. Through this reflective aspect, greater self-awareness is achieved, and transformative pathways for future behaviour are identified to prevent recurrence. Such an approach is distinct from traditional mediation, which includes fact-finding interviews with each party separately, for the mediator's comprehensive assessment of the dispute. In contrast to the Buddhist approach, traditional mediation does not emphasise one's self-reflection on one's own behaviour during the conflict. It remains a process of information gathering rather than intentional and self-examination,



which is the fundamental approach of Buddhism, illustrating the subtlety and sophistication of the Buddhist method of conflict resolution (Kidron, 2021).

The third stage is the Sangha's assessment of the mental stability of both conflicting parties. Considering mental well-being as a factor influencing social cohesion, this assessment becomes essential. Once in the process, there is a revelation that one or both of the parties is mentally disturbed, potentially creating discord or unhappiness within the monastic community. The Sangha then expedites the decision-making process. In such cases, when the state of mind is too disturbed to remember the details of the conflict, the focus shifts to quickly re-establishing peace within the community. The pragmatic view is that the process must prioritise the welfare of the entire monastic body and promptly mitigate the disturbance caused by the quarrels involving individuals with compromised mental stability. The bottom line remains the peace and serenity of the group, along with sincere and purposeful conflict resolution (Makhumtup et al., 2024).

In the fourth stage, "Covering Mud with Straw" is performed, where both sides, whose mental conditions are sound, receive inspiration from the Buddhist Sangha. This procedure involves a mature monk appointed to speak on behalf of one party in front of the monastic community. In the Sangha, elder monks are revered teachers, and their words are taken seriously among the community. These senior monks also provide support and demonstrate kindness to the monks they represent while addressing the assembly, a strategic measure intended to diminish any remaining ill will and facilitate resolution. The practice is based on the metaphor of "Putting Straw on Mud", with the mud representing the quarrel or dispute and the straw symbolising the loving-kindness called *Maitrī* (Metta), which can settle such disputes. The elder monks subtly weave beneficial words and the essence of the Dharma to transform the battlefield into an encounter of understanding and compassion. Similar approaches appear in other religion conflict resolution methods. In Sulh, the *jaha* acts on behalf of the wrongdoer's family and issues an apology (Diab, 2016). As outlined in the biblical conflict resolution process, Christians bring community members to provide support (McElrea, 2001). This Jewish arbitration method (*Bitzua*) allows the parties to select their own judges (*Dayyanim*) who serve as their advocates (Zelcer, 2007). In mediation, lawyers may enter the proceedings to represent and argue on behalf of the parties. The commonality across this wide array of religious traditions is a recognition of the necessity for support during conflict resolution. By utilising elders, intermediaries, and spokespeople, all these religions have developed methods to offer guidance, understanding, and reassurance in the complex maze of resolution of conflicts (Sampson, 1997). This convergence of spiritual and civil perspectives reflects a common quest for understanding, peace, and justice in conflict resolution.

In the fifth stage of the reconciliation process, the Sangha holds a meeting where each monk openly engages in a "Confession of Self". This act reveals itself as a voluntary confession of one's faults and offences in the case. The stepping stone into the confessional dialogue is when a mendicant confesses publicly. The self-confession, then, is a kind of ritual resolution ceremony that is offered as an opening for the two parties to have a moment of self-reflection,



to say sorry, and to take responsibility for their actions. Everyone stands as one with the monks chanting, and they cheer and support the monks through the self-confession. Interestingly, senior monks have a major role in appeasing the disputing monks, stressing the communal norms of interpersonal tranquillity and amity (Arai, 2017). They point to a culture that emphasises the healing of hurts as a necessary part of communal health. The challenge to confess becomes an opening for deep self-knowledge and reconciliation. It allows monks to sincerely apologise and show they are serious about healing the damaged relationship. This self-examination is an exemplary model of accountability and represents the communal aspiration to make a place where conflicts are cared for attentively, encouraging a culture of openness, learning, and reconciliation among monastics.

In the sixth stage of the reconciliation process, a special committee consisting of impartial members examines all the nuances of a case. The special committee does not mention the number of neutral members. It can vary depending on the situation and participants. The members are designated following the tradition of democratic spirit and collective consideration that Buddhism has always cherished; Thus, minimising tendencies for prejudice while reflecting, by proportion in numbers, varying shades of opinion within the monastic or lay congregation. This investigative phase reflects the function of the mediator in mediation, where inquiry into the background is an essential prerequisite. Once the investigation is complete, the committee's findings are presented to the Sangha, or monastic assembly. After all, information on the report has been brought to the attention of the Sangha, the Sangha debates and puts the matter to a majority vote. The Decision is then announced to the whole community. Everyone in the assembly has officially accepted that the only option that remains open for the disputing monks is either to accept the assembly's verdict or leave the community. What is common, as a post-settlement practice, is to suppress further mention of the settled issue in monastic gatherings. This moderation is in keeping with the rigorous observance of the Buddhist monastic code, based mainly on the value of harmony and the common good. The ending of the conflict is a sealed matter, leading to a habitat where the old fight is not brought back up and forcing a focus on the future of harmony. This tactic respects resolution and reveres the value of communal harmony in functioning the complex weave of Buddhist life (Arai, 2017).

In the final stage on the path towards reconciliation, the most respected chief monks gather and announce a general pardon, a collective reunion sermon up to the wits of the monastic society. The quarrelling monks prostrate themselves towards their venerable seniors, using compassion and loving-kindness to bring reconciliation. This last act carries much weight as the reuniting force between the divided monks, bringing about a harmonious concord in the Sangha (Tanabe, 2011).



## Insights of Buddhism on Dispute Resolution: What does Buddhism Offer the Field of Conflict Resolution?

Buddhism has been a doctrine of peace: Buddha was a mediator who sought to reconcile the divided, consolidate the fragmented, and bring peace (Singh, 2017). As religious founders such as Aaron, Christ, and Muhammad, the Buddha accepted that human conflicts, disputes, and misunderstandings are natural and inevitable consequences (Close, 2020). He did not preach grudges, but repeatedly cleared the slate. Instead of having a negative perspective towards conflicts, he considered them opportunities for spiritual reflection and meditation. The Buddha's Dharma contains the precepts of how to end suffering, lead a good life, and search for Enlightenment. The Vinaya contains ethical teachings and practices on issues related to the community and conflict, and consequently, its proper end. In Buddhist conflict resolution, the emphasis is on mindfully meditating on the roots of the conflict, one's part in it, and the suffering that follows. The aim is a fundamental transformation of mindset, heart, and thoughts.

There has been a tsunami of interest in law and dispute resolution regarding the use of mindfulness meditation, along with emerging paradigms inside the legal world. This confluence of principles culminates in the pragmatic environment of legal practice, and that is consistent with legal practitioners trained in negotiation and mediation. The centre of legal voice, mindfulness meditation, is increasingly playing a leading role as a means for lawyers in such practices. Their expressions highlight the tangible advantages of stress relief and the promotion of key professional qualities. These qualities (Attention, Creativity, Empathy, etc.) combined constitute a skill set beyond the traditional legal paradigm (Riskin, 2004).

This new method is to be found in the utilisation of a sophisticated "Understanding-Based Model" in mediation and conciliation within the legal framework. The model aims to foster deep understanding between opponents. A departure from coercive strategies, lawyers using this model serve as coaches, guiding a cooperative process to study creative outcomes (Riskin, 2013). Essential to the approach is the conscious move away from imposed compromises towards a conscious and respectful dialogue. Unlike top-down methods of resolution, this transformative paradigm is a model that promotes a journey in which participants in conflict draw from one another in order to construct their futures collectively. More than solving conflicts, this approach safeguards the respect of unique interpretations, leaving room for the promise of future relations. Within the broader scene of conflict resolution, the concept of awareness-based modelling is a testimony to the power of mindfulness and respect in dealing with the subtleties of human encounters (Riskin, 2009).

Buddhism, as a profound system of beliefs and practices, adds a different and inclusive dimension to the field of conflict resolution by proposing an alternative vision and a full range of ADR and peacebuilding. This unique method creates an atmosphere where all concerned are encouraged to listen and engage in respectful dialogue (Phan, 2016). It is this ethos that helps generate the conditions favourable to the investigation of solutions born of wisdom. Sharing the beliefs of the Dalai Lama, the exercise of inner peace is found in mindfulness exercises (Kabat-Zinn



& Davidson, 2012). If taken up by humanity, this interior change can yield peaceful families and human communities, which underpin world peace.

## The theoretical framework of Meditation and Mediation

Mediation and meditation mutually engage in a rich theoretical sense. Meditation, a form of meditating, is the communication between consciousness and unconsciousness, frequently expressed and put into words via bodily awareness, often the breath (Nash et al., 2013). As described in the Satipaṭṭhāna Sutta (Majjhima Nikāya 10), mindfulness practice transcends body awareness (Kāya) but also includes feelings (Vedanā), mind states (Citta), and mental objects (Dhamma). It enables an expression of a wisdom-filled guard that further informs and balances our involvement in conflict resolution. This increased attention to what is happening physically facilitates conflict resolution by allowing the body's responses to surface. Bringing rituals to mediation and meditation enhances the quest for peace. The two are working together in a way that leads to inner peace, which leads to outer peace. The orderly processes of meditation and mediation encourage a sense of balanced firmness of spirit, focusing on a world of prosperity and respect. Common ritual elements, including ritualised or consecrated spaces and facilitated discussions, reveal organisational symmetry in using these two educational strategies and how they guide students from solidarity toward reflection and change (Iacobucci et al., 2008). Evenness, neutrality, and indifference, cardinal principles in the meditative traditions, are acquired here to add to the responsiveness of mediators. A neutral state of mind is highly valued in many traditions because it makes the mediator effective. In particular, mindfulness meditation cultivates equanimity by decreasing subjective reactivity and promoting a more direct perception of reality (Grabovac et al., 2011).

## Harmonising Mediation and Meditation: A Path to Effective Conflict Resolution

### Synergy in Resolution: Integrating Meditation and Mediation

Meditation is an incredibly in-depth method of getting closer to reality, and makes meditation practices work much better. The fact that it can be integrated into everyday behaviour highlights its significance as a meta-technique in mediation, broadening their perspectives and refining their professional practices. In the Buddhist tradition, the idea of "Three Goods" in meditation indicates the progressive nature of meditation, from creating self-awareness in oneself to the creation of helpfulness for the individual, and leading with learning. With discernment, experienced mediators can employ meditation to navigate conflicts with clarity and compassion, which undoubtedly produces superior outcomes in dispute resolution (Roca et al., 2021).

### Inception Insight: Igniting Motivation in Mediation

As we anticipate the mediation process, it is helpful to reflect on our desire to serve the parties involved and recognise that every individual has abilities and limitations (Including Ourselves). This kind of preliminary self-assessment is a helpful way to ground mediators before attempting to mediate.



### **Equilibrium Insight: Navigating Inner and Outer Realms in Mediation**

By including meditation in mediation, the mediator can gain a clearer perspective of the overall situation. Meditation, as explained, allows a contemplative focus on one's train of thought without diminishing the mediator's involvement with the disputants (Matko & Sedlmeier, 2019). Meditation does not involve dissociation but rather a state of mindful awareness and relaxation, in which the mediator notices the various sensations, cognitions, and emotions accompanying a conflict, coming and going. This cultivated sense of presence, developed through consistent reflection, allows mediators to observe clearly and resiliently both external dynamics and internal responses. In this way, keeping the balance and the consciousness alert, the mediator can properly move from outside interactions to inner reflection without allowing either side to become biased or distracted. The purpose of such a mindfulness practice is to maintain a sense of equanimity in the face of conflict and to perceive the truth clearly and directly, without distortion or bias (Melchin & Picard, 2008).

### **Final Insight: Embracing Merit and Lessons in Mediation from Experience**

After the parties have left the mediated process, mediators have resources available to them in post-mediation reflection, which forms a backdrop for mediators to think about what they bring to the mediation and dedicate the influencing results to social good. An unwavering commitment to change serves for mediators as a transformational vehicle that allows them to transcend the everyday dangers of guilt, regret, avoidance, and repression that may lurk in the "Inner Wilderness" of development. Where desired outcomes persist, the mediators may feel incompetent or worry about the continuation of the distress of the parties, or the preservation of their professional position may become a concern. Nonetheless, rather than avoiding it, meditation offers the potential for positive reflection and an opportunity for growth. In acknowledging constraints and accepting historical truths as they have been, mediators develop a sense of humility and resilience. Meditation teaches them to examine their behaviours without defence and to accept the feelings and realisations that arise. This reflective process, steeped in mindfulness, is a refocusing of their intention to strive forward with ever more loving kindness for the people in their care (Gale, 2017).

### **Limitations and SWOT Perspective**

While introducing meditation into mediation offers the transformative possibility, it is also crucial to acknowledge the practical and systemic limitations apparent in legal systems today. For example, in Thailand, the Dispute Mediation Act BE 2562 (2019) defines the primary features of civil mediation. The Act does not cover all disputes, but is limited to certain types of disputes, with civil and commercial claims with a pecuniary limit up to THB 5 million, and excludes specific categories such as personal status, family rights, and immovable property disputes (Wongsawangsi, 2023). Under the law, mediators are required to have undergone authorised training and official certification in order to mediate at accredited or government-recognised mediation centres (Goh & Tangkiriphimarn, 2023). While this guarantees the quality and consistency of mediation as a practice, it may have the effect of excluding independent or community mediators who rely on more holistic or contemplative practices, such as Buddhist-influenced meditation.



This entails that even if the state-recognised mediation is standardised and professionalised, a community-based approach (Faith-Inspired or Led by Meditation) may not completely fit into the statutory legal framework. As a result, meditation practices influenced by Buddhist traditions may operate alongside, rather than from within, the formal justice system. Moreover, cultural pluralism and secular governance also influence the formal recognition of religious or contemplative cultural techniques in sanctioned ADR programs. Nonetheless, these community-based and faith-inspired models provide valuable psychological and ethical perspectives that might enrich formal ADR mechanisms. A fruitful possibility, however, is to include such meditative and ethical techniques in mediator training programmes.

### SWOT Analysis of Integrating Meditation within Mediation Frameworks

#### Strengths

- **Holistic Conflict Resolution:** Integrates emotional regulation, mindfulness, and ethical awareness for greater understanding and long-lasting peace.
- **Emotional and psychological benefits:** Cultivating empathy, patience, and equanimity leads to mediators being more neutral and effective.
- **Harmonisation with Buddhist Ethics:** Principles of right intention, compassion (*Karuṇā*), and non-injury (*Ahiṃsā*) provide a strong ethical basis for dispute resolution.
- **Enhancement of Modern ADR:** It enriches traditional mediation, bringing about material, non-material, and psychological-relational interests.

#### Weaknesses

- **Limited Statutory Recognition:** Formal ADR legislation, such as Thailand's Dispute Mediation Act, B.E. 2562 (2019), does not specifically include faith-based or meditation-infused mechanisms.
- **Secular Objection:** In more pluralist societies, secular states may reject religious/spiritual perspectives.
- **Non-Standardised Training:** No structured educational process where meditation practices are required as part of the mediator qualification curriculum.

- **Risk of Misunderstanding:** While left without guidance, one might not recognise meditation for what it is, a cognitive, emotional, yet practical tool rather than a solely spiritual one.

#### Opportunities

- **Integration in Mediator Training:** Community-based, faith-inspired, and meditation-driven approaches should also be integrated into professional training to enable mediators to address present-day complex disputes on or around culture, identity, and emotion.
- **Cross-Cultural Innovation:** Provides culturally-appropriate approaches, particularly for cultures dominated by Buddhist or contemplative practices (e.g., South Asia and Southeast Asia).
- **Global Peacebuilding Frameworks:** Supports the UN SDG 16 (Peace, Justice, and Strong Institutions) through restorative and non-violent modes of conflict resolution.
- **Collaboration Across Fields:** Helps us to rethink the relationship between law, psychology, and religious studies in developing ADR more broadly.



### Threats

- **Institutional Intransigence:** As the legal system favours proceduralism, non-traditional practices might face resistance in being adopted.
- **Cultural Misalignment:** Meditation may not be desirable, dynamically relevant, or practical, in this non-Buddhist (or Secular) context.
- **Over-Spiritualisation:** Potential to water down the neutral or secular spirit of meditation if not offset by universal ethical principles.
- **Implementation Concerns:** In the absence of a universally accepted measure, evidence for the effectiveness of contemplative meditation may be anecdotal rather than empirically based.

### Key Insights for Modern Mediators from the Buddhist Principles of Conflict Resolution

In exploring the overlay of mediation and meditation techniques as a dispute resolution mechanism in Buddhism, a number of notable lessons become evident, providing pertinent and valuable guidance for present-day mediators.

Modern mediation theory underlines the roles of psychological awareness, empathy, and ethical dialogue (Della Noce, 1999), all themes resonant with Buddhist teaching. Compassion (*Karuṇā*) corresponds to the mediator's role in cultivating empathy and understanding parties' deeper interests behind their positions. Mindfulness (*Sati*) promotes emotional regulation and presence, enabling greater impartiality and active listening, all essential skills in transformative and facilitative mediation models. Right speech (*Sammā Vācā*) parallels modern mediator ethics, including the commitment to honest, respectful, and goal-based communication. These principles are consistent with the transformative mediation framework that endorses moral engagement and relational empathy (Folger & Bush, 2014). The contemporary Mediation International instruments, such as the UNCITRAL Mediation Rules (2021) (Knieper & Haddad, 2023) and Singapore Convention on Mediation (2019) (Chua, 2019), remind us of the values of voluntariness, impartiality, and informed dialogue that are rooted in the Vinaya's pan-monastic mediation rules and traditions of consensus-based decision-making. In placing Buddhist knowledges into these contemporary frameworks, the literature underscores a shared concern for inner transformation, ethical communication, and sustainable peacebuilding between religious philosophy and legal practice.

#### **Harnessing the Power of Mindfulness through Meditation:**

One of the cornerstones of Buddhist meditation is the cultivation of mindfulness, the skill of being present moment by moment without judging one's thoughts, feelings, or sensations. This mindfulness is developed through techniques such as breath awareness and body scan. Modern mediators can employ these tools to enhance their mindfulness practice, ensuring they remain fully attentive and present during meditation sessions. Through cultivating presence, mediators help to provide a sanctuary for the disputant's expression and offer potential solutions from a wise and clear perspective (Bowling & Hoffman, 2000).



### **Cultivating Compassion and Empathy through Meditation:**

Buddhist doctrines place value on developing compassion and empathy for oneself and others. Meditation practitioners can meditate to cultivate compassion and empathy. Modern mediators can employ meditation to enhance their compassion and empathy toward those involved in conflict. By demonstrating empathy and promoting a connection rooted in mutual respect, mediators can develop a rapport that builds trust and cooperation during mediation (Fulton, 2018).

### **Embracing Non-Attachment and Neutrality through Meditation:**

In mediation, maintaining neutrality and detachment are key to evoking a sense of level-headed decision-making and trust between the parties (Cobb & Rifkin, 1991). Insight meditation, or Vipassana, emphasises that meditators observe thoughts, feelings, and bodily sensations without reacting, realising they are transient. Building upon Buddhist themes of non-attachment, mediators can remain neutral and open-minded, free from prejudices or biases (King, 2023).

### **Nurturing Inner Calm and Equanimity through Breath Awareness and Mindful Meditation:**

Buddhist meditation methods are effective methods for training the mind to be calm, collected, and equanimous, qualities that are indispensable for any successful conflict resolution (Sunandabodhi, 2024). With techniques like breath awareness and mindfulness meditation, meditators develop an ability to centre their attention on the present moment, fostering resilience in the face of adversity. Modern mediators who practise meditation can cultivate inner peace and calm, which can assist parties in generating resolutions that endure based on their needs and interests.

### **Integrating Eastern Wisdom with Western Practices:**

As mediation evolves, more proponents argue that synthesising Eastern wisdom traditions and the Western conflict resolution practice is crucial. By integrating ancient and contemporary mediation methods, mediators can gain insights that enable them to resolve conflicts while addressing diverse party dynamics and cultural diversity (Chen et al., 2018). Mediators can develop an integrated and holistic approach to mediation that combines the best of both Eastern and Western traditions, supporting healing, reconciling, and sustaining peace.

## **Applying Buddhist Principles of Conflict Resolution to Contemporary Conflicts**

The modern disputes across South and Southeast Asia are generally deeply layered, ranging from national security concerns to border disputes, trade disagreements, or ethnic insurgencies that are not adequately addressed by conventional adversary methods. By integrating Buddhist-minded meditation, a transformative and compassion-based framework exists that can introduce creative interest-based negotiation.

### **India-Pakistan Border Disputes**

The border disputes between India and Pakistan stem from colonial legacies and political discourses that date back decades (Das, 2014). The Buddhist-informed mediation model can facilitate empathic listening and non-conflict conversation, favouring an understanding over accusation.



Practical applications on the ground where representative's express concerns, without attributing blame. This progressive trust-building approach refocuses from competitive distrust to collective security and the human good, consistent with a Buddhist model of peace that is grounded in compassion and wisdom.

### **Transboundary Water Conflicts - The Brahmaputra River**

The rivalries over the Brahmaputra River between India and China highlight the contradictions between national interests and ecological interdependence (He, 2021). Through Buddhist ethical attention and compassionate consideration for affected communities, mediators can facilitate joint water management projects based on mutual benefits. Training mediators in meditation-based preparation decreases reactivity and helps them approach the table with calmness, allowing them to consider what will truly be sustainable, interest-based solutions that meet all parties' needs.

### **Trade Disputes - India and the United States**

Trade diplomacy, especially between India and the U.S.A., often gets stuck on tariffs. Using mindful awareness can help "Keep Emotions in Check" when negotiating, thereby reducing the likelihood that the pressure of negotiation will hinder a clear and respectful interaction. This mindfulness-informed diplomacy fosters trust between the two countries, prevents escalation, and enables partnership-based agreements founded on understanding and long-term cooperation.

### **Ethnic Insurgencies in India's Northeast**

Ethnic insurgencies in areas like Nagaland and Manipur can be addressed through Buddhist principles of dispute resolution. The Buddhist principles provide valuable practices for peacebuilding. Meditation-based dialogue and compassion training for mediators helps manage the volatility of emotions and lowers hostility. Mindfulness circles enable grievances to be expressed calmly, foster deep listening, and cultivate common human trust.

### **India - China Border Conflict**

The simmering tensions between India and China in Ladakh and Arunachal Pradesh are representative of stubborn territorial pride, coupled with nationalist emotions (Verma, 2024). The shared Buddhist heritage can serve as a moral bridge, redefining disputes in terms of non-attachment and right intention. Practical steps, such as bilateral peace forums and meditation-based dialogues, can foster empathy and promote reflective encounters. In orienting the view toward not control but coexistence, these dialogues move us toward a Buddhist harmony of wisdom and compassion, opening paths to peace.

### **Thailand - Cambodia Temple Dispute**

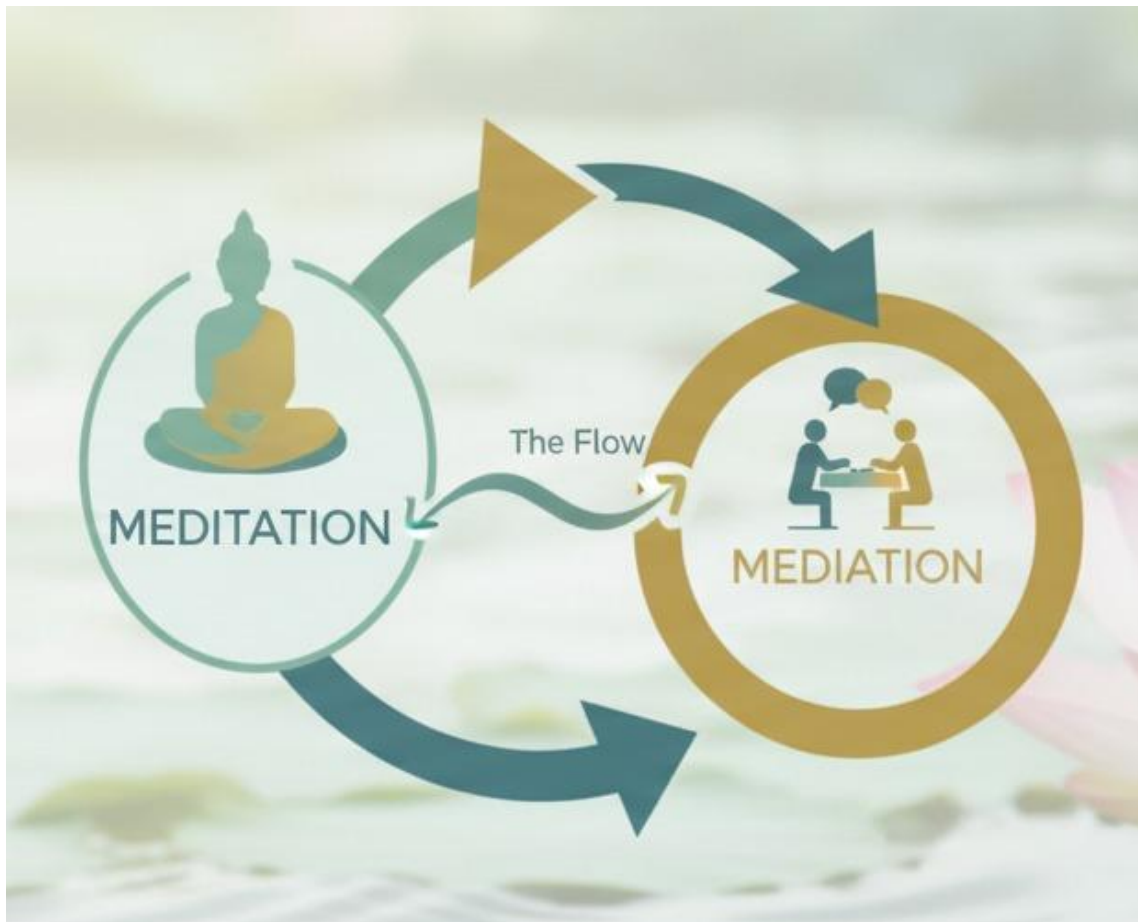
The Thai - Cambodian dispute over the Preah Vihear Temple is about control of a Buddhist holy site. Both countries can move beyond ownership and adopt co-management of the temple by practising non-attachment and shared stewardship. Conservation could be overseen by a joint management council based on mutual respect. Inter-monastic dialogues, under the guidance of senior monks, can reintroduce a common spiritual heritage to stakeholders, allowing the temple to be seen as a symbol of convergence rather than divergence. Thoughtful diplomacy, guided by



empathy and a proper understanding, can reimagine the site as a monument of reconciliation and peace.

### Southern Thailand Insurgency

The ongoing insurgency in Pattani, Yala, and Narathiwat, the three southernmost Muslim-majority provinces of Thailand, is largely due to a significant size ethnic Malay minority, which faces discrimination from the Buddhist Thai majority state. Using *karuṇā* (Compassion) and *upekkhā* (Equanimity, understood as non-reactive impartiality rather than indifference), mediators can contribute to dialogue across faiths and peacebuilding that restores. Teaching mediators' mindfulness-based conflict transformation contributes to emotional regulation and bias reduction. Integrating peace education into monastic and Islamic institutions with emphasis on interdependence, non-violence, and right speech fosters a new generation of leaders who respect diversity as in Figure 1.



**Figure 1** The Symbiotic Relationship between Meditation and Mediation

### Conclusions

Buddhism outlines a unique mechanism for conflict resolution, which insists on restructuring the internal peace of an individual as the basis for a sustainable peace in society. It reframes conflict as a mode of development and supports mediators in attaining balance, perspective, and



compassion throughout the mediation process. It demonstrates that peace comes from awareness and balance within the individual. This study shows the utility of implementing Buddhist principles for modern ADR settings, from family and workplace conflicts to complex geopolitical conflicts, offering mediators hands-on skills to regulate heightened emotions, magnify empathy, and promote ethical conduct. These strategies may be applied as part of pre-mediation preparation or in-session as a means to keep attention and promote neutrality. An application of these strategies could be incorporated into mediator training programs so mediators can develop skills to address complex conflict issues in multicultural and multiple faith contexts. The study affirms that Buddhism-informed meditation is not a mere theoretical idea; It has real-world application for a lasting and psychologically informed approach to conflict resolution. This study suggests that parties' conscious and ethical presence within mediation maximises the chance of relational healing and sustainable agreements within relationships.

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