

## **From the waves to the ocean: how the discovery of deeper levels of our human being can help us to collaborate.**

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### **I. INTRODUCTION**

Most of the time, we see collision between people or institutions as a problem. In a certain way it is, because it causes pain and difficulties. But on the other hand, we can be *thankful* for that difficult situation, because it invites all those involved to discover who they really are. So, the first thing they can do is to really *accept the* conflict. This is a first step that allows them to grow as human beings, and it is from that perspective of growth and development that I would like to look at the theme of this conference. When we are in a conflict situation, it is always good to look in the mirror to see what are our personal responsibilities and possibilities.

In some yoga traditions and in Buddhism the image of men as ocean waves is often used. Every wave is different, but in essence it is a part of the ocean, it *is* the ocean. We can see that ocean as symbolising the power that works in the universe, the source of everything that exists and will exist, the ultimate reality that is present in everything, the life-energy, or simply as the Divinity, for those who want to see it in those terms. We can see the waves as our ego's. Of course those ego's exist, they come up and disappear, but the wave is just a part of a much bigger reality. The ocean is our deeper reality, which I should like to call our "self" (but what's in a name?). The "self" is something inside ourselves –the ocean inside ourselves- that at the same time transcends us. One can see the "self" as a sort of a nucleus in every human being where we can find wisdom, peace, and love. It is our highest human potential. You can simply call it "what we can become". So, in imitation of some very old traditions I see human beings to a certain extent as waves, but on a deeper level I see them essentially as ocean. They both have their reason of existence, but we should never think that the waves, which we can see on the surface, are the only reality.

I think that this is a very rich and powerful image, and that it can help us a lot to have a deeper insight in the theme of this conference, collaboration instead of collision. I think that one of the problems is that those who aren't able to collaborate can only see the waves and don't realize that they are also ocean. So, one of the ways to a better collaboration might be for people who are involved in a conflict to become conscious of the fact that they are essentially ocean and that they

can draw something from the endless resources of the ocean. It is the ocean that offers them wisdom, compassion, strength, clarity, and so forth. When they touch the ocean, they develop as human beings. They grow.

So, in this keynote I want to explore the problem of collision between parents, social professionals and actors in the legal system from the perspective of human growth. For me, the way we act in conflicts and *the way we function in our profession is inseparably connected with the way in which we stand in life*, with how we *are* as human beings. If we want to come to a better collaboration between all the actors, we have to work on two tracks. First, there is an “outer track”. When we are on that track, we are looking for changes in structures, procedures, good practices and so on. But there is also an “inner track”. When we work on that inner track, we try to create a vision and try to come in contact with the ocean, the positive potential that exists in people. That means that we go into the direction of transforming all those who are involved in the conflict. In my opinion, *both* tracks are necessary. However, we have mostly a tendency to emphasize the “outer track”. That’s why I ask some attention for the “inner track”, which is the track of spirituality.

I have to admit that I had many doubts about connecting spirituality with practical, concrete things such as law and social work. But I have a feeling that a spiritual point of view can add some value to our exploration of the theme. Ever more: spirituality is just a part of what we do and who we are. We cannot disconnect it from life and work. For me, it is not a good idea to “isolate” spirituality in churches, religions or wherever. It is something that can colour every minute of our lives. Nevertheless, it is not easy to make such a point of view concrete enough, nor is it evident to find a language to tell about things that are so difficult to catch in words.

In this keynote I want to give a *vision*, a kind of an image from a dream for the future. A vision indicates how far we can go. A vision can connect people. It can generate energy. However, a vision is not a scientific theory, although it can be substantiated with some scientific insights or findings. A vision is not a fantasy. It can become a reality if we *choose* it.

I think it is meaningful to give a vision, because we not only need good practices and examples, but also a framework to give them a place and to let them evolve. A vision gives an answer on “why-questions”. Not only what we do or how we do it is important, but also *why* we do it. Most people have a need to search the meaning of things that happen and even the meaning of their lives.

One could argue that a vision is not realistic, in the sense that our current reality is completely different from an idealistic image that is painted. That is correct, but the value of a vision doesn’t depend on the extent to which it reflects reality, but on the extent to which it can *inspire* people and give a meaningful direction.

I give you a report of my search. I certainly don't have final answers. But if I can ask some good questions, this means quite something.

## **II. A CASUS AND SOME QUESTIONS**

John and Mia want to obtain a divorce. John went to live alone. Petra and Jonas are the two children of the marriage (12 and 13 year old). There is mediation between John and Mia, and they agree that the children will be staying with Mia, and that Jonas will go to his father every weekend. Petra however does not want to visit her father, because in the past some things happened which make it very difficult for Petra to see him (there was violence perpetrated on her). John can agree with the fact that Petra will need some time before she will be able to stay with him in the weekend. There was also a child psychologist present during mediation, and she found that Petra's choice was ok. Mediation results in a project of a contract, and Mia and John will submit that project to their respective lawyers. John's lawyer says: you can't sign such an agreement. You have the right to see your daughter and if necessary we will bring this to Court. John does not sign the project of contract that resulted from mediation and he brings his cause to Court. The judge decides that a social research must take place. The social worker says that it is better for the development of Petra that she sees her father biweekly in the weekend, and the judge decides it is to be so.

What is the cause of that lack of collaboration? I think we can point out several causes on several levels, such as not being able to see beyond the logic of the own profession, a different mentality between professionals, materialism (starting a cause in Court because this is advantageous for the lawyer), a lack of consultation forums between professionals, bad communication between several professionals, a lack of deontology, etc. But we can also go to deeper layers. Maybe the cause could be that some people are disconnected from their inner feelings, as there is the feeling of justice. Or is it possible that they are disconnected from their intuition, so they can't hear their inner voice that tells them that something is not good? Or are they in the grip of aspects of their "shadow", so that negative feelings such as anxiety, anger and sorrow, which arise from the unconscious part of the spirit, determine their behaviour? Is it possible that the lack of collaboration is just a symptom of the lack of wholeness of those involved in the case? Can we say that the real problem is that people identify with something that is just a part of themselves ("the wave", their ego), and not with what they are in their essence ("the ocean")?

When we focus on the development of human possibilities we can ask ourselves if a conflict is a symptom of the fact that the people who are involved are disconnected from the ocean. We can ask ourselves if a conflict is an invitation of life itself to grow as a human being, to take new steps in our evolution. Or a conflict can be a chance to grow as a professional or as an organisation.

But *what* is growth? *Why* should those people grow? And *how* can they do so? These are the three questions I will explore.

### **III. WHAT IS HUMAN GROWTH (in this case) ?**

#### **III. 1 On an individual level**

In short, we grow when we set steps in the direction of reaching our full potential. What is in us, manifests itself more and more. The essence of what is in us is the power to love and to be creative.

Therefore, a first step is that we become conscious of the fact that we have these capacities in ourselves, so that we can feel them and experience them. One becomes more and more conscious that he or she is not only a wave, but also ocean. If we become aware of that, we can draw something from an inner source (the ocean) and let it guide us. The ocean offers wisdom, compassion, strength, clarity, and so on. The inner source makes us feel what is right in a certain situation. In other situations it functions as an inner voice that warns us that we shouldn't do certain things. That is the "daemon" about which the Greek philosopher Socrates spoke.

To come to our deep source we must learn to deal with our shadow. For the psychologist Carl Gustav Jung, this is the essence of spirituality. Our shadow contains repressed aspects of ourselves and is unconscious, but it determines for a great part our behaviour. We all have aspects of ourselves that we'd rather not see, such as feeling of anxiety, hatred, bitterness, sorrow, and so on. But the shadow contains also positive attributes from ourselves from which we don't realize that we have them. So, John and his lawyer and all the others who play a role have to do some "shadow work". They can look deep enough in the mirror to see what makes them act like they act. That can be very confronting, and our education systems don't pay much attention to that kind of work.

If we know our shadow we can control it, and if we can control it we become free. That is a kind of positive freedom that makes it possible for us *to choose* for love, autonomy and creativity. Positive freedom is mastery. It makes it possible to bring the light that resides within us in the darkness of the conflict. It gives us the power to choose what is the best for everyone in a situation, and especially for the children. We can transcend the ego without misconstruing it.

An aspect of growth is that one realizes that the others are also waves of the same ocean. Waves who have their reason of being here on earth and who want a certain space to develop

themselves. One can learn to see that each wave is unique, irreplaceable and needed. When we see the ocean, we see that we have a common ground. The ocean connects us. Starting from that common ground, it is much easier to deal with differences.

That perspective on human growth is a holistic one. The ocean is in everyone of us and all waves are manifestations of the ocean. They are all connected through the ocean. On a very deep level applies that what good is for the other is also good for you, and that what bad is for the other is also bad for you. So, if it is bad for Petra that she comes to John, it is also bad for John. John suffers because he has not made a free choice but was influenced by his lawyer, and by unconscious tendencies in himself. On a deep level he feels that this is not correct, because people have to make their own choices. And also John's lawyer suffers. On a deep level he feels that he hasn't done the best he can, and that makes him less happy than making the choice of respecting the project of agreement that was the result of mediation.

### **III. 2 Growth for institutions and organisations**

Institutions and organisations, just as social services and courts, can grow as well. They can make a vision, a mission and choose values that evoke human growth. They can develop practices that give their employees more opportunities to come in touch with the ocean.

Different professions, institutions and organisations, such as those who are situated in the legal and the social world, can grow by learning about each other. Most professionals are very specialized. They live in compartments with their own logic and their own methods of working. The closing offs between different professions can be opened by seeing that the things which the other profession brings have their value and are just aspects of the same whole picture. It is not necessary and not possible to erase the differences between professions, but to reach a better cooperation it can be meaningful when those professions work from a same perspective: a perspective of growth and development. We can see professions, institutions and organisations as certain surfaces on the ocean, or as bays or little seas.

### **III. 3. Our law system**

Most conflicts about children have a legal dimension. We live in a time in which our legal systems are challenged to evolve and to develop.

The challenges for the juridical system are very strong in the Anglo-Saxon world. There, the juridical system is “adversarial”, which means that the parties plead against each other, and the one with the best arguments will be the winner. This system can be very confronting and even hurt people, so it isn’t amazing that Anglo-Saxon lawyers began to search for alternatives. The last decades, a lot of new practices and theories have grown. In her book *Comprehensive Law Practice* Susan Daicoff writes about the “vectors” of a new movement, which has been named *comprehensive law practice, rights-plus, holistic law, visionary lawyering, transformational law, integral law, and so on*. According to Daicoff, the “vectors” of the movement are *Therapeutic Jurisprudence, Preventive Law, The Integration of Therapeutic Jurisprudence and Preventive Law, Procedural Justice, Creative Problem Solving, Holistic Law, Comprehensive Dispute Resolution, Collaborative Law, Transformative Mediation, Restorative Justice* and *Problem-solving Courts*. Despite the differences in theory, practices and domains in which they are used, those “vectors” have two important things in common. Firstly, they are not only concerned about individual rights, but also about non juridical factors such as needs, desires, values, wellbeing, relations, human development, and so on. Secondly, they search for the optimal solution for juridical problems, not only from a juridical point of view, but also from the point of view of human wellbeing. That implies attention for emotions, healing, harmony, relations, and so on. So we can see an openness to other disciplines and other methods. That is one of the ways to make it possible for our legal systems to grow and develop.

In Europe, too, there are renewals of the legal system, but we can’t talk about a movement. However, also in Europe, there is a tendency to look at the psychological effects of law and law practice, to look at non juridical aspects of juridical questions, to give more responsibility to people, to look for lasting and comprehensive solutions for juridical problems, to be more creative, to give opportunities for self-determination, to humanizing the juridical system, to an ethics of care, and so on.

I think that while developing our legal systems, it is better not to forget the spiritual dimensions. Some authors, like David Hall (“*The spiritual revitalization of the legal profession*”) have emphasized the importance of spirituality for the legal world.

#### **IV. ARE THERE REASONS TO OPT FOR A DEVELOPMENT-ORIENTED PERSPECTIVE ?**

##### **IV.1. Growth is a need**

Humanistic psychologists like Fromm and Maslow teach us that normal people have a need to grow. If this is an essential human tendency, professionals can act in a way that encourages people to grow. Growing makes people happier. In the case of John, Petra and Mia, it is the conflict and the pain it causes that invites everyone to grow. And so, their lawyers, social workers and judges can learn to see that opportunity, respect it and give possibilities to use that opportunity.

## **IV.2. Growth is the aim of life**

The Greek philosopher Aristotle told us that the aim of every living being is to realise his potential. He also said that the aim of the Kosmos is to come to a greater perfection. Throughout the centuries, humanity has progressed, although there is still a long way to go. It is up to us to follow this trend. For me, we are on earth to remember who we really are, to *experience* in a *conscious* way the ocean within ourselves. That gives us joy.

## **IV.3. The inner and the outer world hang out together**

Mahatma Gandhi said : “Be the change that you want to see in the world”. If we want to change our way of working, if we want to collaborate, we have to begin by changing in ourselves. John, John’s lawyer and all the other people involved must investigate what things in themselves prevent them from collaborating. They can look at their shadow. The world in which we live, just like our professional environment, is largely a reflection of who we are. The conflict we see in our professional environment is the mirror of a conflict in our inner world. I think the next revolution in humanity will be an inner revolution, a revolution that makes us jump into the ocean. Now, we are investing a lot in the outer track. We are searching for new structures, procedures and protocols. Of course this is very important, but it’s only half of the story. I think the inner track is everyone’s responsibility. It belongs to all professional disciplines. Traditionally, it was the mission of religions to help us discover the inner track, but they did it from a very hierarchical position and today they have lost a lot of influence, at least in Western Europe. So, we have to do it ourselves, with the help of others. All revolutions go about becoming freer. I think the next revolution will be a revolution that gives us more *inner* freedom.

## **IV.4. The time is ripe for new approaches**

We face the end of a period, the period of modernism. Our political and economic systems are under pressure. Materialism is very strong but we begin to find that it cannot provide us with the ultimate happiness. Times are ready for deep changes. We are looking for new ways of living.

One of the most typical characteristics of our time is that hierarchical relations are supplemented with relations of partnership. When people are more on an equal footing, they get more space to become themselves, they don’t have to meet the requirements of authorities so

much. We can also see that great ideologies, great religions and other doctrines became less influential. The consequence is that people get the space to shape their own lives in a more personal way. When oppressing structures or ideas disappear, people have more opportunity to grow, to discover the ocean.

To a certain extent, we lost the God above us (which is in a certain way very liberating), and the challenge now is to discover the God in ourselves, but without religion or priests. We are all priests for each other, as humans and as professionals. We are partners in priesthood. And our daily work, with all the conflicts that it brings, offers much opportunities for being priests for each other.

## **V. HOW CAN WE REALISE GROWTH ?**

The pain of the conflict invites us to grow, and the interests of children can be a strong catalyst to help us in that way. Children ask us : “please, become free enough to make the best choice for everyone”.

To remember that we are gulf and ocean, we must go deep enough. On an individual level, there are several ways to make contact with our inner guidance, our deeper feelings, the ocean. Contemplative practices like yoga, meditation, prayer, a walk in nature can help us a lot. Silence –and that is not only acoustical silence but also silence of the rational mind- helps us to discover what decisions we can make for the greatest good of everyone. So, one of the best things that John and Mia and all professionals involved can do before they make decisions is take enough time to become silent.

Contemplative practices can form an essential aspect of our professional functioning. Therefore, professionals can take enough time for them, and a part of further training courses for professionals can be spend on contemplative practices (for example mindfulness).

Some professionals are helpers and coaches of their clients. To a certain level, they are conflict coaches that prepare their clients to deal with conflicts. So, they could suggest their clients that contemplative practices are a helpful way to do so. A step further is that professionals have contemplative practices together with their clients. Now we already hear about lawyers who pray together with their clients. Although this is rather exceptional, it proves that it is not completely absurd.

It must be possible to create structures and settings where professionals (from various disciplines) and their clients come together around a certain case. The aim can be that the whole group goes deep enough to come in contact with “the ocean”. The “theory U” (of Peter Senge and others) can be a good model for this. When people go deep enough, they can transcend dualism. They *experience* what is necessary in a certain case. To act ethically is not only a question of complying with certain norms, it is feeling together and on a deep level what life asks from us. A circle setting can help us to reach that result. The circle stands for equality, partnership and connectedness, the female principle. In a circle are all participants on the circumference of the circle and equally far from the centre point. As a result, they are equivalent. The circumference of the circle can be considered the symbolic connection between the parties. The centre one can regard as the joint issue which must be worked on. One can also see this centre as a metaphorical joint source to which parties focus, the source of inspiration and creativity that belongs to nobody but which everybody can use. During the circle process, a “talking stick” can be used to regulate the conversation. With that tool, everyone gets enough space to tell what is really important and is invited to really listen to the other. With a talking stick, conversations are non violent, they get the dimension of depth, the dimension of the ocean.

Circle processes can be seen as rituals. Rituals lead us to an inward place. They work not in the first place on our thoughts but on our feelings, on our way of being. Rituals help us to find our authenticity. They tune people to their environment. They work as a binding agent. When used at the opening and closing of meetings, rituals can express the solemn and sacred character of the meeting.

Legal and social professionals don’t have the habit to meet in a way as described above. I think we need people to support them during the process of attending “the ocean”. For me, we need a new kind of profession for that. It is a sort of mediation, but mediation with a strong spiritual accent. For the moment, I think we don’t have much people who can do that, but if there comes enough demand for such people, they will certainly rise.

To work in a way as I described above, it seems necessary that different professional organizations work out *together* a *vision* of how their professionals can work together on a deeper level. An important aspect of that vision is the development of some guidelines that can give inspiration, that can help us to bring light in the world. I give some examples of such guidelines:

- reach your highest potential in your professional practice;
- act from your source
- realize that there is a strong connection between how you work and who you are;
- you can change, and your work is an opportunity to change;
- search your own personal way to be silent;

- weave a cloth together with other professionals, and remember that every thread of that cloth is indispensable.

## **V. CONCLUSIONS**

Our time can be marked as the end of a period. We have to discover new ways to deal with all kinds of problems, such as the problem of the lack of collaboration between professionals when the interests of children are at stake. One of these new ways could be that we explore the “inner track”. That means that we try to set steps in the direction of realizing our human potential. So we can make contact with a deep, inner source that guides us when we must make difficult decisions. That makes it possible to transcend dualism. The way we function as professionals is strongly interconnected with how we are as human beings.

It is not easy or familiar for most of us to walk on the inner track. We are implemented on a very personal way. When we try new things, it is normal that we meet failure. But the most important thing is that we explore new directions and learn from our failures. We have just to trust ourselves and life.