

From: dhshapir@uci.edu  
 Subject: negotiations, mindfulness, xujing, dongjing!  
 Date: Fri, April 30, 2010 3:37 pm  
 To: jrothenberg@jd12.law.harvard.edu  
 Cc: slshapiro@scu.edu

Hi Julie, Thanks for your kind note and your intriguing questions. Some comments in CAPS BELOW IN YOUR EMAIL.

Dear Dr. Shapiro,

I am a student at Harvard Law School studying negotiation, and I have been intrigued by the potential for meditative practices to improve negotiators' skills. I'M CURIOUS WHAT YOU FEEL MIGHT BE THE BENEFITS OF MEDITATION FOR NEGOTIATION! The current negotiation literature focuses on mindfulness insofar as it helps negotiators understand their emotions, which is crucial to success and satisfaction. WHY? GO A LITTLE DEEPER...WHY MIGHT UNDERSTANDING ONE'S OWN EMOTIONS BE CRUCIAL TO SUCCESS? MIGHT IT HELP THEM "CLEAR THEIR MIND" SO THAT THEY CAN "SEE" AND UNDERSTAND AND EMPATHIZE WITH THE PERSON WITH WHOM THEY ARE NEGOTIATING? MIGHT IT HELP THEM SEE WHEN THEY ARE NOT CENTERED, OR GETTING INTO A POWER STRUGGLE? NOTICE ANGER THAT COULD GET IN THE WAY? FEAR?

However, I and many of my colleagues have noticed that such meditative practices lead to a medium-term, mild depression, which is a significant barrier to adopting the practice. INTERESTING OBSERVATION!! WHEN YOU SAY THAT SUCH PRACTICES "LEAD" TO MILD DEPRESSION ARE YOU SAYING "SOMETIMES, ALWAYS?" WHY DO YOU THINK THAT MIGHT BE SO? Further, depressed moods are correlated with negative results in a negotiation, AGAIN, INTERESTING, WHY DO YOU THINK THAT MIGHT BE SO? IF YOU ARE DEPRESSED, YOU CARE LESS? AREN'T AS ATTENTIVE? suggesting that mindfulness may not be the most effective technique. I LIKE YOUR NUANCE HERE: "MAY NOT BE" BUT I'D AGAIN PROBABLY NUANCE YOUR STATEMENT STILL FURTHER: A) I'M INCLINED TO BELIEVE, IN GENERAL THAT THERE IS NO ONE BEST TECHNIQUE THAT IS ALWAYS BEST FOR EVERYONE IN ALL CIRCUMSTANCES! B) THAT MINDFULNESS SEEMS LIKE IT COULD BE A POSITIVE TECHNIQUE FOR SOME IN HELPING FACILITATE NEGOTIATION (WITH PROPER TEACHING AND WITH CARE IN ADDRESSING CONCERNS THAT ARISE--MORE ON THAT BELOW); C) I'D PROBABLY SAY IT MAY BE ONE OF SEVERAL "TECHNIQUES" THAT USED TOGETHER WOULD BE BETTER THAN ANY ONE ALONE.

I am particularly interested in your 1992 article on the adverse effects of meditation. Our library does not have access to this material, and I wonder if you might be able to send me the article, and perhaps point me in the direction of where I might learn more. INCLUDED, AS PER YOUR REQUEST! I'M ALSO TAKING THE LIBERTY OF INCLUDING AN ARTICLE ON SELF-CONTROL IN THE ENCYCLOPEDIA OF PSYCHOLOGY THAT MAY BE OF INTEREST TO YOU. NOTE IN PARTICULAR THE IDEA OF "XUJING" WHICH MEANS CENTERING ONESELF PRIOR TO ANY ACTION (INCLUDING NEGOTIATION). THIS CENTERING (WHICH MINDFULNESS CAN BE VERY HELPFUL IN DOING) CAN ALLOW THE MIND TO BE LIKE A CALM LAKE, SO WE CAN SEE MORE CLEARLY (AND EMPATHICALLY). XUJING (WHICH ALSO IS FROM CHINESE PHILOSOPHY, JUST AS MINDFULNESS ORIGINATED IN THE BUDDHIST TRADITION) HAS A CONTEXTUAL WORLD VIEW IN WHICH SELF AND OTHER ARE SEEN AS INTERCONNECTED. THEREFORE, YOU MIGHT THINK THIS WOULD BE GOOD IN NEGOTIATION, MOVING TOWARD A "WIN WIN" MODEL.

THE NEXT STEP AFTER XUJING, IS "DONGJING" WHICH SIMPLY MEANS FINDING THE BEST BALANCE OF ASSERTIVE AND YIELDING IN ANY GIVEN SITUATION, AGAIN, SOMETHING THAT MAY BE QUITE IMPORTANT IN NEGOTIATING (IN

STYLE, TONE, CONTENT).

In particular, I am trying to understand if the adverse effects are linked to a particular style of meditation, such as mindfulness, or if they are present across meditation styles. TO THIS QUESTION, THE RESEARCH SUGGESTS THAT THERE ARE "ADVERSE" EFFECTS TO ALMOST ANY TYPE OF MEDITATION, JUST AS THERE CAN BE ADVERSE EFFECTS TO RELAXATION, EXERCISE, ETC.

WHAT IS IMPORTANT IS TO TRY TO "MATCH" THE TECHNIQUE TO THE PERSON (SEE CONTROL THERAPY ARTICLE BELOW). ALSO, AS YOU'LL SEE IN THE ADVERSE EFFECTS STUDY, IT IS IMPORANT, TO NOTE HOW THE "ADVERSE" EFFECTS ARE ADDRESSED. WHEN A PERSON BEGINS MEDITATING, IT IS POSSIBLE THAT A LOT OF "STUFF" WILL COME UP, SOME OF WHICH MAY BE TOO MUCH FOR THE PERSON TO HANDLE, ESPECIALLY IF THEY HAVEN'T HAD TRAINING IN SELF-REFLECTION. YOU MAY ALSO WISH TO CHECK OUT AN EXCELLENT RECENT BOOK "THE ART AND SCIENCE OF MINDFULNESS" (AMERICAN PSYCHOLOGICAL ASSOCIATION PRESS) 2009, SHAPIRO, SL AND CARLSON, L. THEY DISCUSS THE IMPORTANCE OF LOOKING AT THE INTENTION OF DOING MINDFULNESS, THE ATTITUDE (E.G., ONE OF COMPASSION AND NON-JUDGMENTALNESS." SO, I THINK IT WOULD BE IMPORTANT TO SEE WHY A PERSON IS BECOMING DEPRESSED. IS IT THE CONTENTS OF THE MEDITATIVE EXPEREINCE THAT ARE COMING UP? IS IT THE FEELING (ESPECIALLY I IMAGINE AT HARVARD LAW SCHOOL, WHERE ACTIVITY IS VALUED) OF FEELING TOO PASSIVE? AGAIN, THIS DOESN'T MEAN A PERSON SHOULD CONTINUE WHAT ISN'T WORKING; BUT IT DOES MEAN IT MIGHT BE IMPORTANT TO EXPLORE GENTLY AND KINDLY, WHAT'S GOING ON!

BTW, I'VE LONG SINCE RETIRED INTO A "CONTEMPLATIVE CAVE" AND FOR MORE UP TO DATE AND WISER INFO, LET ME REFER YOU TO MY DAUGHTER DR. SHAUNA SHAPIRO (THE SL SHAPIRO) OF THE ABOVE BOOK <SLSHAPIRO@SCU.EDU> WHO IS ON THE FACULTY OF SANTA CLARA UNIVERSITY.

SO, HOPE THAT HELPS. BEST WISHES ON YOUR JOURNEY, AND I HOPE YOU CONTINUE TO BRING WIN WIN NEGOCIATIONS ,AND PEACE, COMPASSION, AND HEALING, BOTH TOYOURSELF, AND THE WORLD. WARM REGARDS, NAMASTE, DR. S

With gratitude,  
Juliet Rothenberg

Juliet Rothenberg  
Harvard Law School  
[jrothenberg@jd12.law.harvard.edu](mailto:jrothenberg@jd12.law.harvard.edu)

**Attachments:**

**EOP-Control Therapy.pdf**

Size: 1.1 M

Type: application/pdf

**EOP-Self-control.pdf**

Size: 928 k

Type: application/pdf

**Adverse Effect of Meditation.pdf**

Size: 563 k

Type: application/pdf