
Kluwer Mediation Blog

Do I have your attention?

Ian Macduff (NZ Centre for ICT Law & School of Law, Auckland University) · Monday, January 26th, 2015

“Instructions for living a life.

Pay attention.

Be astonished.

Tell about it.”

Mary Oliver, American poet

“Everyone knows what attention is. It is the taking possession by the mind in clear and vivid form, of one out of what seem several simultaneously possible objects or trains of thought...It implies withdrawal from some things in order to deal effectively with others, and is a condition which has a real opposite in the confused, dazed, scatterbrained state.” William James, *The Principles of Psychology*, p. 403

We’ve all seen them, in the streets of our towns, in public transport, driving on our highways, possibly even on the sofa at home – the person clutching the modern talisman, the smart phone, mesmerised by and lost to whatever might be on the screen. Such is the ubiquity of the phenomenon that even the 2014 Press Photo of the Year features smart phone users – though in this case, they are African migrants holding their phones aloft on the shore of Djibouti City, as if in some secular rite, searching for a signal, for a means to connect to home.

The smart phone perhaps exemplifies a modern issue with attention, in that there’s no doubt that this little device seems more able to hold the absorbed attention of its owner, to draw that user down the rabbit hole into whatever other world might be on offer; and, at the same time, it is able to distract the owner from whatever else might be going on, including conversation with friends at dinner, engagement with a class, awareness of other people on the footpath or – more perilously – the oncoming threat of traffic as the user steps off the footpath. Parents, grandparents and teachers will all know, as do the social scientists, that there’s something far more alluring in that little screen (or in its larger cousins, the phablets and tablets) than might be offered by a mere human being.

This blog is not, however, about the modern phenomenon of smart phone addiction, tempting though that might be, and likely that it would be to evoke some kind of recognition in readers. What interests me more for our purposes as mediators and

communicators, is how we might think about attention itself: what it is, what we pay attention to, when distracts us from attention and how we choose what to pay attention to. "Attention" is enough of an issue that increasingly the subject of empirical, cultural and popular inquiry. For example, the online journal, *The Hedgehog Review* (a publication of the Institute of Advanced Studies in Culture at the University of Virginia), devoted an entire issue to the question, with one author noting:

"The perception that ADD is the affliction of our times, whether as a neurological condition or a cultural metaphor, has been reinforced by the cascading development and diffusion of our electronic and particularly digital technology. At work or play, in school or at home, in the privacy of our bedrooms or while riding the bus or driving our cars, we are constantly sending and receiving messages, texts, images,...."

J. Tolson, "Minding our Minds: A Bibliographic Essay" in *The Hedgehog Review* (Summer 2014, pp70-71)

There's a risk, of course, that the concern about attention can be sheeted home to new cultural phenomena (the phone, computer games . . .), or to groups (the young, of course), or to medico-social syndromes (ADD, ADHD, loneliness, "fear of missing out"). But the concern about attention both predates these modern distractions and spans surely any and every generational, cultural or population group. The fact, too, that attention has been a perennial concern may be seen in those contemplative practices, both sacred and secular, that seek to find ways for us to still the noise going on in our skulls. This can be brought home to mediation as well, given now the well-established literature on mindfulness in mediation, largely through the pioneering work of Professor Len Riskin.

The issue of attention for mediators and in mediation is, of course, nothing new: much of what we do turns on engaging the attention and participation of the parties. Equally, specific approaches to mediation - especially narrative mediation - are grounded in the awareness that parties may arrive at the mediation with a very clearly focused attention; they are, as John Winslade and Gerald Monk suggest, "conflict saturated", and all of their attention is focussed on the conflict, their understanding and narrative of it, to the point of being less able, even unable, and unwilling to give attention to the stories of others. It's not that the parties lack attention; indeed their attention is very clearly riveted to a particular narrative.

Here's the problem then: on the one hand, we're concerned that our communication partners are too readily distracted and attention spans are microscopic, butterfly minds never rest in one place long enough to gather anything of value; on the other, there's the fact that people are all too attentive, all too capable of devoting every part of their being to a specific narrative or view of the world. Somewhere between fluttering and fixation must lie the capacity for attending to what's going on in this conversation, in this moment - and in this dispute.

One way of thinking about this is to focus on the distractions, the events and attractions that can lure attention away from what's going on here: what's happening outside the window, the snatch of song that pops unbidden into your mind and won't go away; the discomfort of a room that's too hot or too cold; the memory, as for

Proust, of that first madeleine that sets off a train of reflection. There are at least two kinds of distractions, only one of which we – as mediators – can directly manage: there are the external distractions, the features of space, location, noise, comfort and so on that we can (with attention) diminish; and the internal distractions, the other conversation that’s going on in your mind (even as you read this) that we can see, aren’t privy to, and can only seek to channel by a constant awareness of where the other person seems to be.

Those aspects of attention are, I think, primarily about context – the external elements that distract us, and the circumstances in which the parties find themselves, which may serve as the internal distraction. There is, however, one other way of thinking about the distractions and that’s to think about choice. Rather than seeing ourselves and others as wholly dragged between the Scylla of smart devices or the Charybdis of our inner noises, it may be just as helpful to think about the choices we make as to where we put our attention. After all, in response to the critiques of the “always on” world, it is suggested that it’s not that people – always other people, mind you – are slaves to “constant partial attention” (Linda Stone) but rather that there’s a choice being made as to where to focus that attention, and problem is that the smart devices are just too tempting.

Oddly – as with the ancient arts of mediation – there’s nothing new in this: after all, from the philosophers like Aristotle to the great teachers like Buddha, and modern psychologists of mindfulness and presence, the aim has been to restore focus, attention, awareness.

Thus, as Willian James also suggested in the same work cited earlier, “My experience is what I agree to attend to. Only those items which I notice shape my mind.” What I think is valuable in this switch is that it restores one key component that has consistently been a part of mediation thinking: the autonomy and authenticity of each person. So, distracted though we may be, we know too that we can choose to restore attention.

“To pay attention, this is our endless and proper work.” [Mary Oliver]

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