
Kluwer Mediation Blog

The View from Here: Notes from a Road Trip

Ian Macduff (NZ Centre for ICT Law & School of Law, Auckland University) · Saturday, September 26th, 2020

“As we plan our recovery from the coronavirus pandemic, we have a profound opportunity to steer our world on a more sustainable and inclusive path - a path that tackles climate change, protects the environment, reverses biodiversity loss and ensures the long-term health and security of humankind.”

António Guterres, Remarks to Petersberg Climate Dialogue, [28 April 2020]

I write this blog entry from our off-grid, WiFi-free cabin in the [Rangitikei](#) countryside, following four days of a road trip to mark a recent change in Covid ‘settings’ across the nation. After at least a couple of months of no new community cases, we experienced a new and rapidly spreading - and rapidly contained - cluster in South Auckland, as a result of which Auckland was moved to [level 3](#) lockdown while the rest of New Zealand was moved to level 2. Once the cluster seemed contained, Auckland was moved to level 2.5 (a slight easing of restrictions on access to businesses, for example) and the rest remained at level 2. Under those levels, we were able to move around the country, though Aucklanders were required to take their level 2.5 with them - that is, to continue to act as though we were under the same expectations of mask wearing and social distancing as we might at home.

As of this week, Auckland is at level 2, and the rest of the country at level 1. As we moved out of Auckland, and especially as we stopped off in small towns on our way to the [Taranaki](#) region on the west coast of the North Island, we were vigilant about our own distance and aware that there remained a strong level of compliance and co-operation with the Government’s and Ministry of Health’s guidelines. It is as though the larger part of the population has taken heed of the Prime Minister’s reference, from the earliest days of the pandemic, to the “team of 5 million” who will see us through this time.

That is not to say that there has not been dissent and discontent, nor have we been without the conspiracy theories about the covert role of the Government in introducing the virus just to be able to impose greater “communist” controls, or the alleged role of Bill Gates in conspiring to control the population. Those voices are, thankfully, marginal, though at least one minor (and fringe) political party seems to have adopted them as its platform for the forthcoming and Covid-delayed election.

Much of the understandable concern about ongoing limitations on social distancing and public gatherings has come from those businesses that depend on public access – cafes, restaurants, bars and the like. But even from those quarters, and to a lesser degree from political voices on the economic right, there has been a recognition that we have a better chance of recovery on this current path. Predictably, however, in the current election campaigns, such differences as there are, especially about re-opening the economy or protecting public health, are presented as dire divisions, despite the recognition that these are not opposing aims.

In thinking about the conversation that's part of our response to the pandemic, I'm reminded of a comment by Professor Michael Sandel in his book, *What Money Can't Buy: The Moral Limits of Markets*, to the effect that we have been at risk in recent decades of forgetting that we live in a society that has a functioning and fair economy rather than living in an economy, to which "society" is incidental or, at worst, irrelevant. If anything, the varied responses to, and conversations about, the global pandemic have turned on variations in that distinction.

There have also been some surprising, unexpected developments. In the early phase of the pandemic, one well-regarded economist referred to the post-Covid risk of there being "zombie" towns – towns from which people and money had evaporated because of the impact of restrictions on businesses. While it remains the case that many businesses – especially in the cities – have struggled and will continue to do so, it also appears that those "zombie" towns are anything but that. The determination of New Zealanders to see their own country has brought life and income to the smaller towns; and reports on real estate websites indicate another unintended consequence: some of those NZers, now able to work from home and away from offices, and also seeking an alternative life to one in the city, are buying property in the provinces. A recent report has suggested that coastal towns around New Zealand are likely to become "Zoom towns" post-pandemic as more people discover that working from home, via one or more of the conferencing platforms, is effective.

Without there being an explicit conversation on what New Zealand might look like post-Covid, it begins to look as though some of that re-imagining is taking place. This is in no way to downplay the genuine struggles that many will have, especially those less economically or socially mobile. But it does lay the groundwork – I hope – for the kinds of conversations that we might have in the coming months. Our experience, too, is that – at least for some – the post-Covid conversations are also intimately linked with climate change concerns, especially as we rethink international air travel and former patterns of consumption.

This, too, might be where mediators come in. Good friends and long-time mediators in one of the larger provincial towns have spent their professional lives building conversations about difficult issues in communities – and as we discussed over a long dinner recently, they could well see how such a role might be needed as we look to emerge from this pandemic. All the more so as their joint reputation as mediators and facilitators was built on assisting with tricky questions that go to the heart of social solidarity.

"If we came out of this pandemic a little stronger in that sense of solidarity with each

other, that would be a good thing.”

Bill McKibben: “How to Fix Unemployment While Fighting the Climate Crisis”

To make sure you do not miss out on regular updates from the Kluwer Mediation Blog, please subscribe [here](#).

Kluwer Arbitration Practice Plus now offers an enhanced Arbitrator Tool with 4,100+ data-driven Arbitrator Profiles and a new Relationship Indicator exploring relationships of 12,500+ arbitration practitioners and experts.

Learn how **Kluwer Arbitration Practice Plus** can support you.

Kluwer Arbitration Practice Plus

Offers an enhanced **Arbitrator Tool** with 4,100+ data-driven Arbitrator Profiles and a new **Relationship Indicator** exploring relationships of 12,500+ arbitration practitioners and experts

The image shows a promotional graphic for Kluwer Arbitration Practice Plus. On the left, there is a blue background with the text 'Explore Practice Plus' and a checkmark icon. On the right, there is a screenshot of the software interface. The interface displays a profile for 'Gary B. Barr' with a photo and contact information. Below the profile, there is a 'Relationship Indicator' section featuring three donut charts and a list of related practitioners. The bottom of the graphic has a dark blue bar with the text 'Kluwer Arbitration' on the left and the 'Wolters Kluwer' logo on the right.

This entry was posted on Saturday, September 26th, 2020 at 8:00 am and is filed under [COVID-19](#), [Dialogue](#), [Mediation and Society](#)

You can follow any responses to this entry through the [Comments \(RSS\)](#) feed. You can leave a response, or [trackback](#) from your own site.