

Kluwer Mediation Blog

Why Time Pressure Increases Conflict and Hinders Mediation: How to Create an 'Air-Bubble in Time' During Mediation

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We live in an age when we all seem to try to get more out of our time. We try to expand time by doing things more quickly and more efficiently than we could before we had airplanes, computers, and all our other electronic devices. We have, however, also created more and more time pressure in our relationships inside and outside the work place by expecting everyone to use his or her time in the same way – by communicating, for example, incessantly and immediately via email, twitter, linked-in, etc. We also seem to need to sample life experiences at a dazzling speed in our free time, and this need becomes more and more a part of our lives. I read this week in the paper that young people today spend 20 hours per week on the use of social media. As a consequence of this modern reality, most people have no free time during work or in their personal lives and hence no time for real reflection, let alone self-reflection. These conditions produce business for mediators and for trainers in mindfulness.

Lack of time and impatience is one of the five top causes of conflict (identified by Edelman and Crain in 'The Tao of negotiation: How to resolve conflict in all areas of your life', 1994) For the curious among you, the other four top causes are (as you may have experienced): miscommunication, lack of mutual respect and recognition, ego clashes, and uncertainty.

My experience as a mediator in commercial and labour conflicts has taught me that lack of time and the inherent impatience of the person who lacks time is a very significant factor in the development of conflict and is often a barrier parties in conflict cannot get over by themselves. When we talk in mediation about the causes of conflict or of the inability of the disputing parties to resolve the conflict themselves, the answers very often are lack of time or time pressure. For example, I have heard parties say: 'He took no time to really listen to me', 'He was always outside the company and never took time to talk with his collaborators or partners', 'My contribution to the work seemed to have no priority for her'.

This is not really new but sometimes is not spotted as an issue to be addressed during mediation. It is well known that managers responsible for the work of many people spend about 35% of their time on resolving or ending conflicts. I suggest that if they spent half of this time on preventing conflicts they would have more time left for their other (real) business. Time is a scarce resource and its scarcity provokes many conflicts that would not happen if there were more time to really listen and talk with each other. For people in an escalating conflict, someone – whether a manager, friend, family member, or ultimately a mediator – should help them create an air-bubble in time and seek a place to talk in calmness about the relevant issues. As Ken Cloke wrote in 'Resolving

conflicts at work', mediation can offer the stillness of the eye in the storm. I would like to add the metaphor of offering an 'air-bubble in time'. Mediation can offer that air-bubble, that calm place and suspension of time so necessary for reducing conflict.

Time pressure, however, can be a pitfall in mediation, too. It happens often that the use of time, or the perception of the use of time, in mediation can prevent the parties from really listening to each other or from having enough calmness in their minds and hearts to be able to sit and think and reflect about the future.

The mediator can be trapped as well in the pitfall of time pressure by the pace some parties want to use during mediation. Thus, I have formulated two 'natural laws' concerning the use of time in mediation and I would like to share them with you.

First law: The pace of the slowest determines the pace of the mediation.

Comment: Parties can have differences in intelligence or in their perceptions of the escalation of the conflict that affect their quickness of thinking and deciding. If there is an issue over the pace of mediation, I discuss it with the parties and point out that it is possible to make progress only if we recognize and abide by the law that the pace of the slowest determines the pace of the mediation. Of course this can sometimes better be done in caucus.

Second law: The length of time it took to build the conflict will determine the length of time to de-escalate the conflict to negotiable proportions.

Comment: Some parties try to time-pressure the mediator by asking him or her to help resolve the conflict in a few hours, even if the conflict has risen in a long-term relationship, such as a labour conflict, a commercial conflict between long-standing business partners, or in family settings. In that case it is very important to discuss the second law with the parties by asking them how long the conflict has been building and by asking them to be realistic about the time it will take to de-escalate the conflict.

In caucus I often discuss with people who seem to be really pressured by time that a preoccupation with time will hinder them from thinking freely and from helping the other party do the same. Time for reflection and self-reflection is essential in mediation. I often see that if I can slow down the pace in the beginning phase of the mediation, we can speed up considerably as soon as people have understood some of the causes of conflict and some of the interests and needs of the other party and as soon as they feel understood in the same way. My slogan therefore is do like the Romans did: *Festina lente* (hasten slowly).

Perhaps this is a good slogan to think over under the Christmas tree!

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The graphic features a black background with white text and a circular icon. The icon depicts a group of five stylized human figures, with a magnifying glass positioned over the central figure. The background is accented with horizontal lines in blue and green.

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