

Kluwer Mediation Blog

The power of the unexpected question

Ian Macduff (NZ Centre for ICT Law & School of Law, Auckland University) · Wednesday, August 24th, 2016

A week or so ago, on the train from Edinburgh to London, we were joined – across the table – by two women who got on at York. As is our wont, and probably theirs, we all offered brief greetings and prepared to return to our books. However, we were almost cajoled into a sotto voce conversation by the surprising intervention of another new arrival, across the aisle, who instructed – nay, commanded – our seat companions not to talk. Pointing to the “Quiet carriage” sign, she told them, and by extension us, that talking of any kind was not to be tolerated. Now, those who travel these train lines will know and appreciate the request to respect fellow travellers by not yakking loudly on mobile phones, and to turn all devices to silent mode. But this did not extend, we thought, to talking; and a brief inquiry of the chef du train confirmed that talking was not prohibited.

Thus emboldened, we embarked on a suitably quiet chat, less out of perversity than from a briefly shared experience. Introductions led to shared information about origins and, in the wonderful ways in which some conversations can work, to reflections on identity, home, belonging – given that one of our companions was an East African-born Brit of Indian ethnicity who surprised herself by feeling at “home” on a first trip to India while also describing herself as “English”; and the other was a Romanian, Diana, who had moved to the UK six years earlier, and at the age of 23, felt perfectly at home, but still yearned for the ease of language, shared understanding, landscape and so on of Romania.

If that were not enough – and these can be remarkably rich exchanges, even if in the space between York and London – our Romanian companion, out of the blue, asked if she might ask us a question. The question was, “Knowing what we now know (as persons of a certain age!), what advice would we give to our 23-year old selves?” This struck us as a wonderful question – all the more so as it seemed to come from nowhere, and was a question of genuine inquiry, not just a social conversational ‘filler’. It was a question worth taking seriously, as well as worth tossing back across the table.

Two or three things can be said of this kind of question. First, it had a surprise element. It certainly matched the tone of the conversation to this point, but it came sideways and unexpected. Second, it was an authentic inquiry – there was no challenge or rhetorical tone to it: Diana was engaged with that question and not merely tossing it across the table. At the same time, there’s a power in finding a question like that, that both fits the tone of the preceding conversation and gives it a nudge in a new direction, to see what happens when it lands.

As mediators, on our side of the train table, it was great to reflect on the challenge and the power of finding just the right question – usually one that can’t be planned, but one that reflects an intuition about what “tweaks” the conversation could withstand and what might just provide a new direction.

As it turned out, Diana was interested in studying psychology (currently she works in some aspect of the finance industry), and we’d guess that her intuitions are already pretty well-honed.

If that were not enough, once we’d given our 23-year old selves some sound advice (and reflected on paths not taken), she then asked “How many of your decisions, taken when you were young, do you think were based on fear?” I can leave readers to imagine how they might answer that question, while at the same time noting, as we did on the train, that fear is neither necessarily nor totally negative. Again, it was a question that innocently drilled down to a potentially rich vein of reflection. In the same way that the Public Conversations folks like to ask participants in their “difficult conversations” sessions what are the grey areas, the areas of doubt, in the things they’ve been discussing, this kind of question can loosen one’s grip on firmly held certainties.

In the week following that train ride, we’ve had occasion to talk more about those questions – in part, about the questions themselves as they did seem to be worth asking and answering, and in larger part about the intuitions that underpin judging what’s worth asking and when. It also matters that the tone of the questions was utterly authentic and seemed to come from a genuine inquiry, neither strategic nor rhetorical, neither competitive nor merely social. It’s a reminder that what powers a good conversation and an effective mediation is that kind of question.

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