



# DOES IT MATTER *WHERE* WE RESOLVE OUR DISPUTE?

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The Impact of Communication  
Channels on Mediation Outcomes

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# OUTLINE

01

The importance of  
communication  
modes

02

What research  
tells us

03

Recent findings  
from a study

04

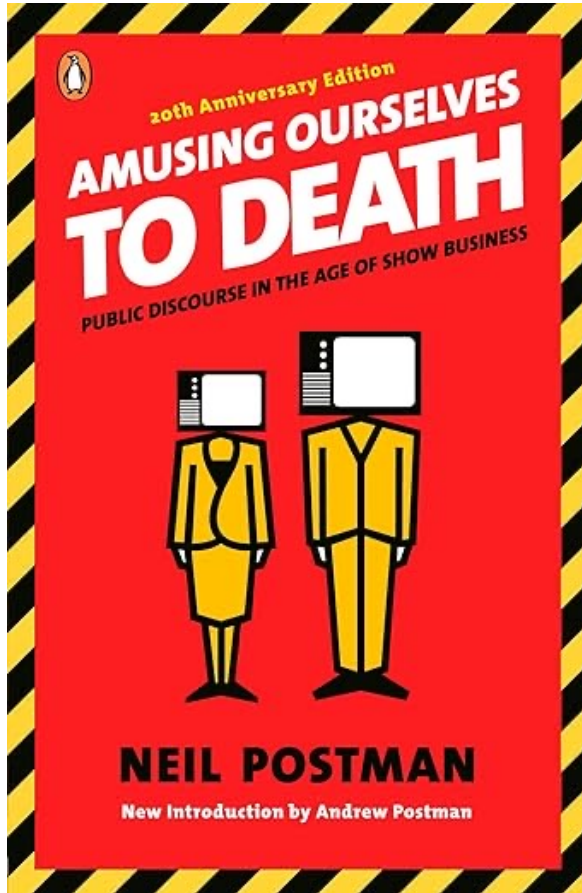
Practical  
implications

01

# THE IMPORTANCE OF COMMUNICATION MODES



# The Medium Matters?



The Medium is the Metaphor...

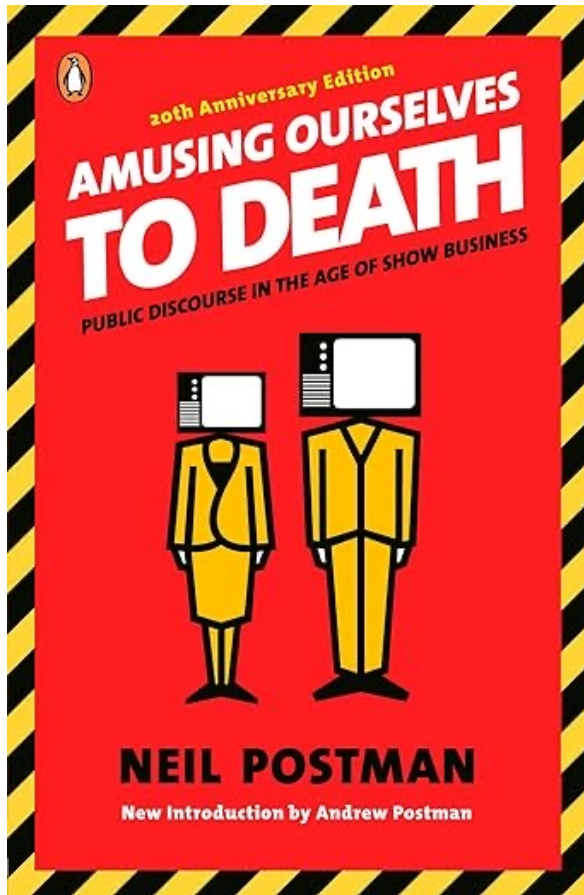
Each medium...makes possible a unique mode of **discourse** by providing a new orientation for thought, for expression

...

Whether we are experiencing the world through the lens of speech or the printed word or the television camera **our media-metaphors classify the world for us, sequence it, frame it, enlarge it, reduce it, color it, argue a case for what the world is like.**

Neil Postman, Amusing Ourselves to Death (1985) chapter 1

# The Medium Matters?



The Medium is the Metaphor...

**In understanding their metaphorical function,** we must take into account the symbolic forms of their information, the source of their information, **the quantity and speed of their information, the context in which information is experienced.**

Neil Postman, Amusing Ourselves to Death (1985) chapter 1

..mediations have shifted dramatically from face-to-face settings to the virtual realm, resulting in the widespread acceptance of using virtual communication channels, including videoconferencing, audio calls, and text messaging.

...mediators and parties presently face a plethora of choices in fitting their mediation to the appropriate communication channel.

Thus, **having an accurate, evidence-based understanding of different communication modes' impact on mediation is necessary to design an optimal mediation process.**



Dorcas Quek Anderson, 'Fitting the Communication Forum to the Mediation Fuss: Choosing the Appropriate Communication Mode for Mediation in the Post-Pandemic World' (2024) 24 *Pepperdine Dispute Resolution Law Journal* 115 – 177, 117.

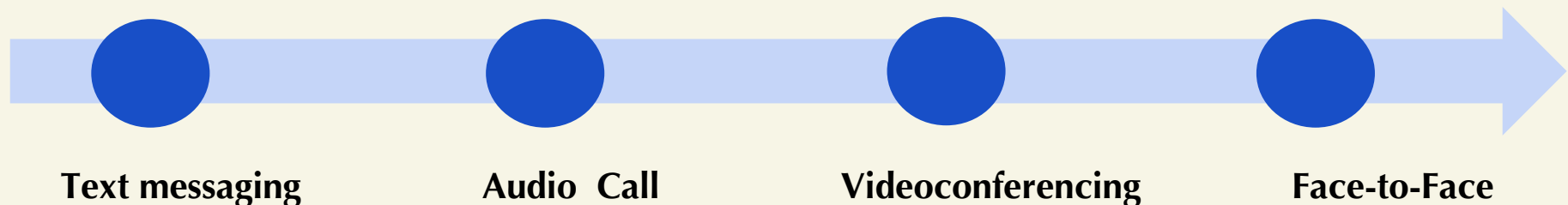
## Media Attributes

### Media Richness

Degree to which the medium supports the conveying of multiple verbal & non-verbal cues (Daft & Lengal, 1984)

### Media Synchronicity

Extent communicators are enabled to achieve a shared pattern of coordinated synchronous behaviour with a common focus  
(Dennis et al, 2008)



## Socio-Psychological Research

### Social Presence

Different media have varying capacities to transmit classes of nonverbal content.

The fewer the number of cue systems supported by the media, the less one may experience the warmth of the other person.

### Visual Cues

Lack of visual cues → more self-focused or more cooperative behavior?

### Social Info Processing

Communicators will adapt interpersonal communication to limited cues and over time



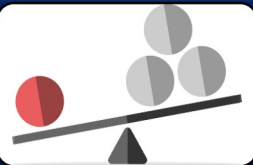
## Suggested Goals of Mediation



Building rapport & trust



Facilitating mutual understanding of interests & perspectives



Managing power imbalances & safety concerns



Encourage creative & collaborative problem-solving

02

## WHAT RESEARCH TELLS US

Impact of communication channels on mediation outcomes





## Building rapport & trust

- **Text-based negotiations**

- Rapport levels have been found to be lower in text-based negotiations than face-to-face negotiations.
- Lower trust levels have also been observed in text-based than video and in-person negotiations.

The lack of visual access in text-based and email modes has been found to result in more hostile behavior than in-person negotiations (Stuhlmacher and Citera 2005) and decreased feelings of understanding (Van Der Toorn et al. 2015).

Negotiators using text messaging perceived their counterparts as less credible than face-to-face negotiators and were also more likely to be dishonest themselves (Citera et al. 2005, 172).

Trust levels in text negotiations are also more fragile than audio, video and face-to-face negotiations in terms of susceptibility to opportunistic defection (Bos et al. 2002, 138).



## Building rapport & trust

- **Uncertainty about videoconferencing**

- *Compared with audio calls:*

- More difficult to have smooth conversations using video because of less equal turn-taking (Tomprou et al. 2021)
    - Addition of video channel to audio communication did not improve rapport but seemed to distract negotiators from focusing on task (Yuan et al. 2003)



## Building rapport & trust

- **Uncertainty about videoconferencing**

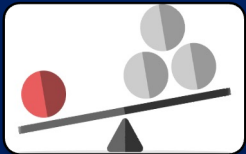
- *Compared with face-to-face interaction*

- Recent research on Zoom fatigue strongly suggests that there is reduced focus in videoconferencing because of fears concerning self-presentation and managing impressions (Balter et al. 2023; Shockley et al. 2021).
    - Lower rates of conversational turn-taking in Zoom videoconferencing compared to in-person interactions were associated with lower ratings of cooperation (Balters et al. 2023)
    - Video negotiations compared to in-person negotiations decreased trust through lower perceived social presence (Sondern & Hertel 2023)



## Facilitating mutual understanding of interests & perspectives

- **More hostile behaviour and negative emotions when using non face-to-face modes?**
  - In-person negotiations less hostile than virtual ones (Stuhlmacher & Citera, 2005)
- **It depends on communication orientation** (orientation in managing conflict)
  - Communicators with uncooperative mindsets will not benefit from having richer modes because their competitive behaviour may intensify and decrease likelihood of reaching integrative outcomes
  - Richer mode did not affect negotiation outcomes for cooperative negotiators (Swaab et al. 2012)



## Managing power imbalances & safety concerns

- **Videoconferencing compared to in-person communication may reduce perceived power disparities**
  - Equalising effect of seeing all images of the same size in Zoom platform (Heath & Grannemann 2007)
  - Leaner medium may diminish intimidating communication and assuage concerns about physical violence (Rossi et al 2017)
- **However, mediator's ability to effectively manage power imbalances may concurrently be limited**
  - Constraints in "reading the room" or grasping non-verbal cues
  - Limited ways to intervene when urging parties to exercise restraint or to cease multi-tasking / exiting from session



Encourage creative & collaborative  
problem-solving

- **Creativity**

- Will Zoom fatigue compromise capacity to think creatively?
- Videoconferencing found to hamper creative idea generation because of narrower cognitive focus on screen compared to in-person interaction (Brucks & Levav 2020)



03

## FINDINGS FROM A SINGAPORE STUDY





# The Study

- 400 Singapore undergraduate students (majority 20-24 years) randomly assigned to negotiate in pairs using either of 4 modes:
  - a. **Face-to-face**
  - b. Zoom **videoconferencing**
  - c. Zoom **audio** call (no video)
  - d. WhatsApp **text** messaging
- Negotiation simulation on a relational dispute to simulate disputes
- Quantitative analysis: mixed linear regression model controlling for dyadic effects
- Note that the findings shared in the presentation have yet to be published and should not be disseminated.



# Notable Findings

- **Text-based (synchronous) negotiations have worse outcomes than audio, video and face-to-face negotiations**
- Economic outcomes: Joint value creation worse than video & audio negotiations
- Non-economic outcomes: have less time efficiency, lower communication effectiveness, and lower rapport & trust levels



# Notable Findings

- **Between in-person, video & audio negotiations**
  - No clear trends as to best mode for economic or non-economic performance
  - Surprising findings
    - Joint value creation in audio significantly higher than in-person negotiations
    - Differences likely accountable to individual negotiator traits



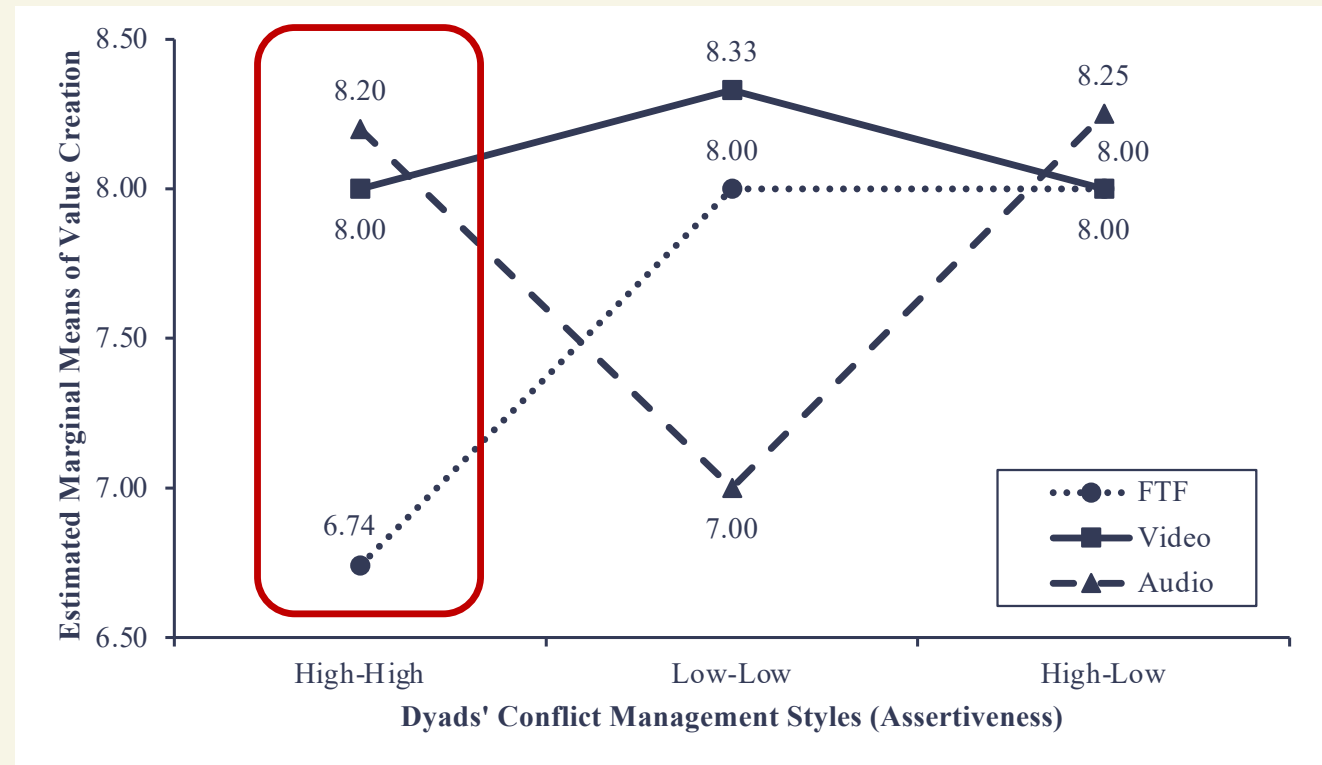
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# Notable Findings

- **Individual negotiation characteristics likely account for differences in negotiation outcomes** more communication channels
- Default conflict management approach
- Extraversion
- Indirect interpretation
- Indirect production

# Conflict Management Style

Negotiator dyads that are **both assertive** in conflict management style have significantly lower joint value creation in face-to-face than audio negotiations





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# Indirect Communication Style

- **Indirectness in Interpretation**

- Refers to propensity to look for indirect, non-verbal cues from the counterpart
- The more predisposed negotiators are to perceive indirect cues, the more likely they distrust their counterparts in the supposedly richer modes of in-person and videoconferencing than audio mode.
- Curiously, the visual non-verbal cues afforded by these richer modes seem to compromise rather than enhance trust levels for such negotiators.
- Why?
  - the negotiation took place in the context of an existing dispute involving heightened emotions. In this context, the indirect negotiator may more inclined to ascribe negative intentions to the counterpart's cues and to distrust the counterpart.

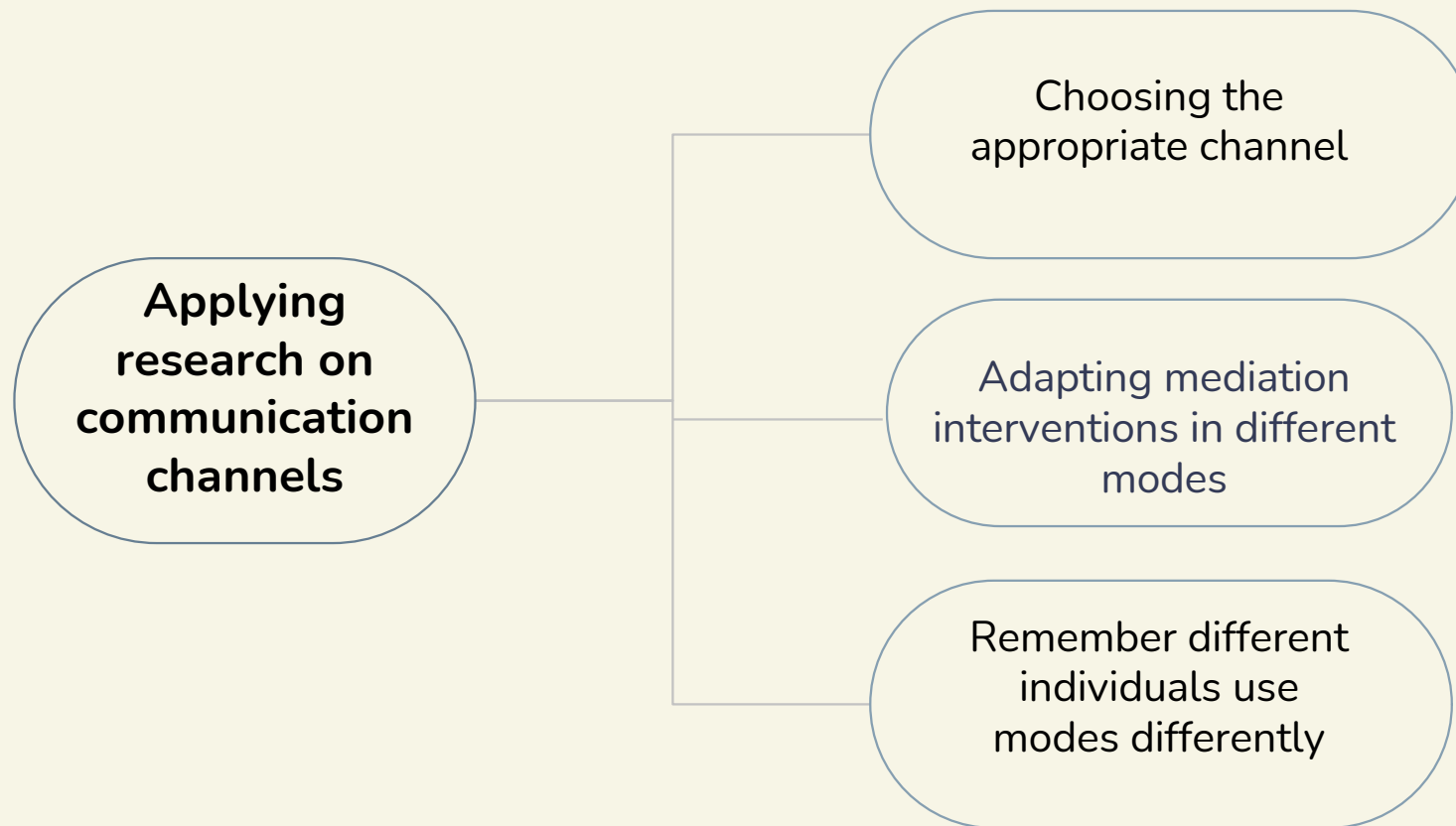
04

# PRACTICAL IMPLICATIONS





# IMPLICATIONS



# CHOOSING THE APPROPRIATE MODE

## Consider:

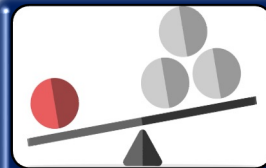
- What are **primary mediation goals** in light of disputants' goals, likely obstacles to settlement & mediation model?
- **Impact of mode** on these goals



Building rapport & trust



Facilitating mutual understanding of interests & perspectives



Managing power imbalances & safety concerns



Encourage creative & collaborative problem-solving

# References

Dorcas Quek Anderson, 'Fitting the Communication Forum to the Mediation Fuss: Choosing the Appropriate Communication Mode for Mediation in the Post-Pandemic World' (2024) 24 *Pepperdine Dispute Resolution Law Journal* 115 – 177

- Article: [bit.ly/fitfussart](https://bit.ly/fitfussart)
- Podcast: [bit.ly/fittingfuss](https://bit.ly/fittingfuss)

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