

# “Restoratively Speaking”

Guest Speakers: Rita Czarny, C.Med, and Samy Czarny, Q.Med

By Mary Korica

The ADR Institute of Ontario (“ADRIO”) presented a live program and webinar titled “Non-Violent Communication” that was delivered by accredited family mediators Rita and Samy Czarny at the ADRIO office on January 20, 2015.

Mr. and Ms. Czarny took an experiential approach to introducing the audience to Non-Violent Communication (NVC), acting out role-plays or asking the audience questions to prompt self-reflection about attendees’ own experiences. The couple launched the session with a role-play of raw interpersonal conflict. “You’re stupid! I can’t believe you messed up again. This is all your fault!” It is effective — the unpleasantness of the words hung in the room given they were unexpected and it was not yet clear how much a contrast with the couple’s natural manner: Mr. and Ms. Czarny otherwise trade off between his quiet, avuncular style and her good-natured effervescence.

Ms. Czarny followed up the role-play by verbalizing a number of ways her character could potentially think about the encounter, and the point was made: there are always choices available in how to respond to a given experience, as unpleasant as it may be. First she voiced her internal thoughts as harsh judgments of the other character; then as harsh judgments of herself; then her inner dialogue centred around her own hurt feelings; and in a final perspective she focused on

the other character’s sense of hurt. The Czarnys described NVC as an empathy-based approach to oneself and others that involves



Rita Czarny, C.Med, and Samy Czarny, Q.Med, are actively involved with NonViolent Communication [NVC] and Restorative Circles [RC]. They are Accredited Family Mediators (OAFM) and work together on cases related to the OMMP and family courts. Rita is a DRO with the Ombudservice for Life & Health Insurance and Samy works as a bilingual IRC and Mediator at Family Courts.

registering speech and actions first and foremost in terms of what meaning those contain related to the person’s needs. The approach requires taking on two primary assumptions: first, that all speech and action comes from positive intent and, secondly, that it is the strategies people use to achieve their needs which can come into conflict, never the needs themselves.

The technique of NVC, according to the Czarnys, begins with becoming aware of our own thoughts, which leads us to notice

our feelings, which in turn provides a window onto our own needs. Empathy begins with our ability to have this kind of compassionate awareness of ourselves. Derived from the deep awareness of ourselves both in challenging and in good times, empathy helps achieve decision-making that meets our needs. And, as the Czarnys attest, it is of immense benefit in improving mediations when it is transferred into the dynamic of a conflict situation.

Ms. Czarny emphasized the importance of learning the vocabulary of needs, to be able to name our feelings when they are met and when they are not. To give people a sense of this, Ms. Czarny encouraged the audience to recall moments of conflict in their own lives and volunteer the bodily sensations they experienced at the time. “Drop of acid.” “Clenched stomach.” “Closed down, shut down.” Ms. Czarny reciprocated by listing off emotions, for participants to choose those that

best matched their experience. She asked them to try to identify the need that was unmet and that had generated those feelings. Ms. Czarny assured that it may take time, “just sit with it.” Mr. Czarny added “because we are able to do this, we are stronger. When you begin to apply empathy to yourself and try to understand the real reasons behind your behaviour, it makes it easier to understand the other person.” Otherwise, in a stressful interaction we can act aggressively and resort to violence, verbal or other-

wise, added Ms. Czarny.

An online audience member was interested to know how the Czarnys have applied NVC to their work. Mr. Czarny recounted that, as co-mediators, they ask themselves before each mediation if they "have a fixed idea about themselves, the process or the other participants that diminishes their ability to focus on the humanity of everyone involved". Mr. Czarny readily acknowledged that NVC expertise does not inoculate people from having biases and making judgments. "Just admitting to it," he said, "is a way to balance before the mediation. That's why the question is so important. It makes it easier to go in with an open mind."

Ms. Czarny described the NVC technique of "translating", putting into words the feelings behind what a party says. An audience member noted how the examples Ms. Czarny provided uncovered a difference between "translating" and the more traditional mediation technique of "reframing". Rather than just rephrasing the party's words in a less judgmental way, "translating" is reframing in a way that also uncovers the unmet need behind the party's judgmental words. Ms. Czarny reminded how valuable this is — once you hear about someone's needs you are more likely to become empathetic — and added that "translating" also slows down the conversation making that shift more likely.

The Czarnys provided an example of NVC sensibility in using nonjudgmental words by describing how the terms "victim" and "offender", "applicant" and "respondent" are replaced in NVC by the "receiver" of an "act" and the "author" of the "act", the "act" being a verbalization or an action that is significant to the conflict. This takes away the sometimes heavy social weight

attached to the more commonly used terms. Also, since both parties often see themselves as victims, it removes a perceived disadvantage on the part of one side.

The Czarnys maintained that NVC is a language and that, like mediation, it takes practice. If you can open the eyes of the parties to see that their needs are not in conflict, to see the humanity of the other side, and that the betterment of both is the goal, eventually they will talk. Mr. Czarny added that once dialogue has started, most of the time it will persist and start again if it breaks down. But, said Mr. Czarny, "we can't succeed every time ...sometimes we are like tightrope walkers." Ms. Czarny continued

"and we have no other responsibility — it's just about helping them express and hear each other." Mr. Czarny agreed that it is not the job of the NVC mediator to ensure that there is an agreement at the end of the day. "You just have to make sure both parties have a say, that they recognize each other and, most importantly, that they talk to each other." To which Ms. Czarny added "but once they've heard each other, they are more likely to find a resolution. And that's thrilling."

For more information on NVC, Ms. and Mr. Czarny recommend visiting the website of the Non-Violent Communication Centre: [www.cnvc.org](http://www.cnvc.org).

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