

What is NVC Mediation?

A Powerful Model for Healing and Reconciling Conflict

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With Julie Stiles

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To be a human being is to regularly be in conflict with oneself and others. Since we are biological beings, we are not able to be inside another person's experience, which means that each of us has our unique frame of reference on the world. Brain scientists tell us that our experience shapes how the mind perceives the world. We all know this intuitively. In a simple example, you and I can go to a movie together, and you might be impassioned while I might be bored. The difference lies in each of us, not in the movie. In a similar vein, scientists also suggest that, in ways that are not yet fully known, the brain in effect has several conversations happening simultaneously in the process of producing what we experience as a unified consciousness of a present situation. Thus, both inside our minds and with other people we are immersed in conversations that contain differing perspectives, and conflicts inherently arise.

I have found NVC mediation to be an effective means of reconciling these differing perspectives, so much so that I have taken it on as an all-encompassing life practice. The same skills apply whether I am working on a conflict within my own head, a conflict between myself and another person, or a conflict between two or more people, or whether I am seeking to return to presence in the process of the every day occurrences of my life. Taking on the practice of NVC mediation means to constantly hone and expand the capacity to contribute to the reconciliation and healing of conflict. In this article, I'll explain the basic premise and process of NVC mediation and where it came from, then go into detail on a number of characteristics of this form that I find make it a particularly potent model.

The Origin of NVC Mediation

NVC mediation has evolved out of the body of work referred to as Nonviolent Communication that was initially developed by Marshall Rosenberg, PhD, a clinical psychologist, out of his personal and professional experience. Marshall has spent the last few decades traveling around the world offering trainings.

Though the number of people who have been to NVC trainings is quite large, NVC mediation is still relatively unknown. Many people in the mediation community have heard about it because they've read Marshall's primary book, *Nonviolent Communication*. Nonetheless, at least among the mediators I have talked to, there is a large gap between reading the book and resonating with the ideas and then applying it in the actual mediation context that mediators experience on a daily basis. While Marshall has published a small pamphlet on resolving conflicts using NVC,¹ it is not comprehensive on learning how to mediate using his model. My own learning came as much from watching Marshall demonstrate in workshops and listening to audio recordings of him, along with much trial and error. A few of us in the NVC community, myself and my colleague John Kinyon included, are currently developing NVC mediation as a profession and training people to practice it (see below for more about our training).

The Premise and Process of NVC Mediation

The basic premise is that in a conflict there are at least two perspectives, or two conflicting points of view; the mediation process reconciles those points of view. This happens by uncovering the needs that those points of view represent. The way we use the term "needs" refers to underlying human needs that are shared by all people; these range from basic existence needs such as food, shelter, and safety, to more complex needs such as respect, love, autonomy, meaning, contribution, and understanding. These types of needs are not tied to a particular strategy to meet them; there are many ways to meet the need for food or respect. My preferred way of meeting the need for respect may be very different from yours, but when I know that your actions are motivated by your need for respect, I have a way to relate to those actions because I share the same need. Since there are many ways to meet a need, then, with two conflicting points of view once the needs of each perspective are known and understood, they are connected through shared needs and a strategy can be found to reconcile the points of view.

These two differing points of view might exist within your own head; NVC mediation skills can be used to support you to reconcile internal conflicts. For example, you might respond

¹ [We Can Work It Out: Resolving Conflicts Peacefully and Powerfully](#), available from PuddleDancer Press

to a colleague with impatience when they come to ask you a question and then later regret your reaction. This sets up an internal conflict, which typically people respond to by “beating themselves up” in hopes that they will learn to not repeat their mistake. Another way to handle it, however, is to realize that you were meeting certain needs with your response and then later realizing that that same response didn’t meet other needs. When you get in touch with all of these needs, it creates a kind of learning where you can find ways to respond that better meet all of your needs if you find yourself in a similar situation.

The two points of view also might be between yourself and another person. Again, you can utilize the NVC mediation skills on an interpersonal level to support you in understanding where the other person is coming from and in re-connecting to yourself so you can express your point of view in a way the other person can hear more easily.

If you are a mediator or in a position where you deal with conflict between other people, then you lend your NVC mediation skills to support reconciling points of view within others. The process is the same; helping each party connect with the needs that are motivating them in the conflict situation and communicate those to the other party. When both parties have been heard in the way they would like, they often begin to collaborate naturally to find strategies that work for both of them. You can lend your skills in both informal situations, when you see others in conflict and step in to help them without being asked, or formally, when you are asked to help resolve a conflict.

These different contexts in which you can use the NVC mediation skills are also embedded within one another. If you are supporting a conversation between two others, there are times when you enter into the same kind of conflict dynamic with one of the parties. You then use the same skills to re-establish connection with that person and then to help create connection between the two people.

For example, I recall mediating a conflict with five business partners who were dissolving their partnership. I must have had at least ten sessions with various combinations of the players involved. In sessions with the two key partners, Alan and Tim, we would get to a point when Tim would reveal what was really important to him in a way that was pretty vulnerable. Alan would take it personally and say something like “Well, if that’s the way you are going to talk about it this is impossible, there’s no reason for us to be doing any more of this mediation. This is a waste of time.” I won’t print exactly what he said as it tended to include a

fair amount of profanity.

My thoughts when I heard this from Alan were along these lines; “This guy is a jerk! He doesn’t realize that he’s just screwed things up. He doesn’t even have the good sense to see where we are and realize that we are moving towards a resolution that he’s going to like (since he doesn’t have to agree to anything he doesn’t like), and that when he expresses himself this way it pushes others away and this is exactly why the partnership is exploding. Screw him, if he’s going to be difficult I don’t want to continue working on this mediation.”

This kind of reaction within my own head is an internal conflict; part of me wants to withdraw yet I’ve committed to lending my skills to these folks to help them out. It also sets up a conflict dynamic between Alan and me, since I’m judging him for his behavior. Of course, it caused the mediation to fall apart in a certain sense as well, since Tim would then get upset and react to Alan’s statement.

First, I would do work with myself to mediate the voices within my own head, the ones saying that Alan’s a jerk, he isn’t helping me, he doesn’t see what I’m contributing, this is a waste of time, and he deserves what he gets by me quitting. When I do this internal work the conflict inside disappears because I connect with what is motivating me to think this way, and reconcile that with what motivated me to be in the mediator’s role to begin with. Only then can I be of service to Alan and Tim again through being able to communicate free from judgmental thoughts. When I reconnect to myself then the space would open to hear the message behind what Alan had said. At that point I can deal with the apparent conflict between myself and Alan by talking to him and hearing from him the needs behind what he was saying. When I understand those needs, the conflict between he and I disappears and I no longer want to leave; I want to support him.

Eventually, as I kept mediating all the different combinations—within myself, between myself and another individual, and between the parties—depending on what arose at each moment, the whole group moved towards resolution. In this particular case, the partnership chose to continue working together and reached an agreement that was satisfactory to all five partners. This was particularly satisfying, as there had been disagreements over things that were zero sum, that only one person could really have and there was no substitute. The agreements that were reached seemed to me to be an expression of mutual caring and fairness by the parties, instead of compromise, negotiation, and trading, where everyone goes away dissatisfied but relieved to

have an agreement.

I find it powerful to flow through life using this process. Whatever the apparent conflict is that is arising, whether internal, with personal or professional relationships, or in mediating conflicts, I move through time mediating all the different combinations moment by moment. There's a pattern to living this process. I notice something that appears to be a conflict when it first arises in my awareness. I lean into it and find out what needs are animating whatever it is that I'm interpreting as a conflict, whether within me or in another person. I reveal myself in an authentic way so that others are able to hear and really understand the needs that are motivating me. When I can do this, I find that the conflict melts—it just disappears. It no longer arises in my awareness as a conflict. The situation may not have changed, but it has changed in my consciousness; it no longer exists within me as a conflict.

Characteristics of NVC Mediation

I see a number of characteristics of NVC mediation that make it a model capable of deeply affecting the lives of all who come into contact with it, whether as mediators or disputants.

Scalability

The practice of NVC mediation is scalable. It works whether you are dealing only with yourself, with yourself and another person, or in mediation. A mediation might be between only two parties, or it might include any number of perspectives; perhaps you are mediating a partnership with six people, or within an organization with a management team and additional players who have a stake in the conflict. It is also scalable into a group decision making process that works with large numbers of people. I have utilized the skills and process of NVC mediation in all of these contexts and I have every confidence that it can be used with even greater numbers of people.

In a situation beyond the two-person mediation context where there may be many more than two points of view, you still deal with only two at a time. You work to reconcile the first two perspectives through connecting at the level of the underlying needs; once they are reconciled then there may be another point of view that presents itself as at odds, and you work

to reconcile those two, and so on. Thus, the process takes on a thesis/antithesis/synthesis structure. Once you have the synthesis between two points of view, that becomes the new thesis and another antithesis shows up, which you then reconcile, continuing until you are left with only a synthesis.

Thus, NVC mediation is like a fractal, those geometric figures that are self-similar at all scales; each piece is a copy of the whole. I use the same skills and basic process whether I am mediating a conflict in my own head or mediating a group decision among a hundred people.

Being Heard

The focus of NVC mediation is to support people to be heard as they would like to be heard. Now, many times in conflict we want to be heard as to our story, our judgments and diagnoses of the other person or the situation. Our perspective is couched in the metaphors that we have developed over a lifetime, including the judgments of ourselves and others, all of which makes it harder for the other person in the conflict to hear what we want them to hear. With NVC, however, we suggest that it is actually much more satisfying to get underneath our story to what is actually motivating us, to the universal human needs behind what we are doing or saying. Needs act as a universal translator, communicating across gender, age, culture, religion, class, and all other differences. When we can really hear each other at this level rather than at the level of story and judgment, it often leads to a deeper understanding of each other and a way of relating that is more fulfilling and rewarding.

I have yet to find, in my travels around the world teaching and training in different cultures and situations, any context in which needs are not able to translate. There is a debate in mediation literature about how the mediation mindset and models have been created in Western culture and therefore do not translate as well to non-western cultures.² In my experience, which is admittedly limited, the model of NVC does translate, as it is based fundamentally on this idea that all of humanity shares common requirements to live well. I have found needs able to translate across the huge gulf between me as a white male, privileged American communicating with people who have very different life experiences, whether Afghan elders in a refugee camp in Pakistan or same sex couples wanting support with conversations around child custody.

² See [Preparing for Peace: Conflict Transformation Across Cultures](#), by John Paul Lederach for more information.

Whether I am in Poland, Australia, Sri Lanka, Pakistan, or the United States training people from many more cultures and backgrounds, the feedback I get is that this model supports people to have the kind of conversations they want to have. It helps people find a way to connect and see how they are alike so that they are then inclined to collaborate in developing a strategy that works for everyone.

Outcomes Unknown

Mediators who use other mediation models tell me when they see NVC mediation demonstrated that it is more directive than they can imagine being. In the early stages of mediation this is true, the mediator is pretty directive with regards to the process; we try to slow down the conversation and conduct it in a particular way to try to ensure that each person is heard to their satisfaction. This entails first hearing person A's story and uncovering their needs, then turning to person B and asking if they would be willing to reflect the needs that the mediator has heard, then reversing the process. From the mediator's perspective, however, the process does not have a commitment to a particular outcome; thus, it is facilitative in that it supports people to have the conversation they want to have. The result is that the process creates an outcome that, in my experience, is typically not predicted by the participants or myself.

Since NVC mediation is not as well-known, often by the time people come to us it is as a last resort, they may well have tried two or even three other forms of mediation. I've done a number of mediations where I am the third mediator that people have come to over the history of their dispute, and they leave surprised to have not only a resolution but a resolution with a certain quality of connection and healing of the pain between the parties.

For example, I mediated a conflict between a father and a son that had to do with business; both had developed businesses in the same niche, and they were both using their last names, causing some confusion. They had been in conflict for a year and a half over how to be clearer about how they were conducting their businesses, and had already been to a psychologist for a series of mediations and to a lawyer mediator for another series of mediations. Both sides felt "lawyered up" and their associates were telling them that it was a waste of time to do any more mediation and they should just litigate. Due to the conflict the families were estranged; the son had young children and the father was not getting to see his grandchildren. The only reason they even came to me was because I had known them for decades. By then, they had little hope

of reconciliation, they just wanted some kind of agreement so they wouldn't have to litigate.

At the end of four sessions, we had a signed agreement that was subsequently implemented. It has now been several years since that time, and they have had no further disputes about their two businesses. In addition, the rift between the families has been healed; the father and the son and his family have had joint holidays since the end of the mediation. They have repeatedly told me how grateful they are not only for the business outcome but also for the outcome of bringing the family back together.

Of course, this does not always happen, yet time and again I have witnessed amazing and unforeseen outcomes that emerge when people connect with each other around their common humanity.

Based on Learnable Skills

The outcomes I have described thus far might all sound like magic, but NVC mediation is based on a set of learnable skills. For example, there are a set of skills around translating what someone says and does into universal needs and being able to communicate this new language to that person. It is a learnable skill to be able to hear and put into words what is motivating a person's conduct or what they are saying in a way that is true for them but does not include judgments. The idea is to help the person uncover what is animating them in a way that is not tied to any particular way of getting what they want, any particular strategy. Then, we want to offer this language in a way that the person does not feel like it is a therapy session or telling them what they are experiencing, but in a way that implies a joint exploration, where they feel open to accept only what feels true. When the person adopts the language, owning the needs and connecting to the motivation within themselves to make their life the way they want it to be, then they are in touch with what has been prompting them to act as they have in the conflict.

Often in mediation situations, people will have an immediate emotional response to something that tends to come with a lot of energy and language that may be difficult for others in the room to hear, including the mediator. Another learnable skill is how to be able to manage one's own reaction, meet the emotional response from the other person, and again translate and find out what is motivating them to respond in the way they did. These situations can be very intense at times, and the mediator can learn how to deal with that intensity. Also, due to their own life history, a mediator is bound to be triggered by things that happen during mediation, and

they can learn how to unlearn these triggers so as not to be affected to the same degree, and to recover more quickly when they are affected.

Once the mediator helps each party uncover what is motivating them and what it is at the core of what they want and people connect with each other around their needs, there is often a palpable shift in the room and people begin to collaborate with each other. At this point, another learnable skill is for the mediator to support the formulation of requests. Since we are not taught generally how to make requests that are clear, the mediator listens to what the parties want and helps shape the requests closer to agreements that will be more likely to be kept, and less likely to lead to further conflict in the future over differing interpretations.

Requests: Doable, Present Tense, Action Language

Another characteristic of NVC mediation is that it is based on making requests, and on a particular understanding of requests; that they are truly a request and not a demand, and that they follow certain principles in how they are formed. When we confuse our needs with our strategies, thinking that someone has to do something specific in order for our needs to be met, we come from a demand, not a request. Since we all have needs for autonomy and respect, we tend to resist when we sense that someone is making a demand of us. In addition, requests that are formulated to generally follow certain guidelines—that they are doable, present tense, and in action language—are more likely to lead to their fulfillment in a way that leaves everyone content.

When requests are doable, it means that they are not some kind of dream of what someone would like but a statement of specific actions that person wants in certain situations. For example, instead of “I’d like you to show me some respect,” a request would say what actions the person imagines might meet their need for respect, perhaps something like, “When I speak up in a meeting, would you be willing to listen to what I have to say and pause for three heart beats before responding?” If this becomes part of an agreement, both parties know whether it has been fulfilled.

We encourage people to think of requests as being in the present tense—what they can agree to now—as opposed to promising something specific is going to happen in the future. This criterion acknowledges that none of us know what the future holds; we might agree to go to dinner on Friday but all kinds of things might happen to prevent it. Nonetheless, we can agree

right now that we have the present intention to go to dinner on Friday. To use the above example, the request stated in present tense might be, "As you think about when I next speak up in a meeting, do you imagine being willing to listen to what I have to say and pause for three heart beats before responding?" And you might request a corollary agreement like, "and if you don't remember to pause, can you imagine it being OK for you if I were to remind you?" Requests do not always have to be stated this way, but it is helpful to reinforce for both parties that it is a present intention for future action; otherwise, it increases the likelihood of further disconnection in the future. Moreover, when making agreements about habitual ways of acting, it may take several iterations for both the parties to learn how to be with each other with ease.

Action language refers to requests stating what someone wants to have happen as opposed to what they do not want to happen. For example, the above request says what the person wants (to be allowed to finish speaking in meetings) instead of what they don't want (to be interrupted while they are speaking). There are rare exceptions to this principle; in some legal cases a person might just want something to cease and desist. For instance, if someone has been walking across another person's property and has a legal right to do so, the landowner might just want the person to stop walking across their property. There might be nothing in the agreement about how the person will get the need met that they were meeting by using the property. However, if the parties do connect in the course of the mediation through hearing each other's needs and begin to collaborate, there may well be time spent in the mediation discussing how that person will get their needs met, though it wouldn't be stated in the final agreement. In general, though, it is much more helpful for requests and agreements to be stated in terms of what a person wants instead of what they do not want.

Honoring Disputants' Life Experience

Since the mediator is not controlling or suggesting what direction the content of the mediation takes, this model honors that the people in the conflict have the answer to the conflict within themselves. Not being connected to what is truly motivating them is what blocks finding the solution or strategy that would be most satisfying. The mediator has a contribution to make around supporting people to have connecting and transformative conversations, but people bring a lot of life experience with them. NVC mediation respects the wisdom of the people in the room.

I have the sense that often when people come to me because they are in conflict that they are baffled, profoundly embarrassed, and even ashamed; they are an adult and have done significant things in the world, including raising a family or running a business, yet now they feel unable to deal with this conflict without some help. Perhaps they have been able to deal with other conflicts by simply not continuing to be involved with that person, but now they are in a situation where their usual ways of dealing with conflict are unavailable for whatever reason. Now they asking for help from a mediator to do something that in their mind they shouldn't need help doing—having a conversation to resolve the conflict.

Since I have the sense that this is going on for people sometimes, it is particularly important to me to work with a methodology that is open-ended and acknowledges the incredible wisdom that people already have. At a subtle level the method affirms for people that yes, they are asking for support (which is sometimes a barrier in and of itself), and as a mediator I am lending my skills so they can communicate in a certain way, yet their contribution is an indispensable part of the process. Once they have reconnected and they are able to communicate across what has been a gulf with the other person, they begin to collaborate with the other party to find a solution to the dispute, which validates their ability to own and resolve the conflict.

It is also important to me to be facilitative in the content and honor the knowledge of the disputants because they are the ones who are going to have to live with the strategies and agreements that result from the mediation. I don't want to be directive in what people agree to—I'm not the one who is going to live with it. Often, especially when we are looking at other people and think we can see their situation more clearly because we are not immersed in it, we think we know what is best for them. My experience is that, in fact, they know better than I do. I may have some experience regarding how agreements are structured or how the parties might do something, but generally when I make suggestions or name what I see might happen, it occurs as an ah-ha and the parties then own it. If that does not happen and I find myself advocating for a position, it's a cue for me to reconnect with myself; as soon as I encourage a particular point of view I find I'm no longer contributing to the kinds of outcomes that I like.

Pre-Mediation Sessions

A final characteristic of NVC mediation that I'd like to point out is the use of pre-mediation sessions. I conceive of the mediation beginning with the first telephone call, which is

generally when one of the parties calls me up wanting help with a conflict they are in. Every now and then, someone calls me to say that all the parties are willing to mediate and they just want to know when I am available, but that is fairly rare. More typical is what I call an accreted mediation,³ where I begin with coaching the person who calls me, and eventually the other party or parties are contacted and the mediation occurs. In one or more sessions with the first party who calls me, I help them gain clarity about their motivations in the conflict, and perhaps coach them on how to contact the other person and communicate in a way that increases the likelihood that they would be willing to have a mediated conversation. I generally also have one or more sessions with the other party to help them connect to what is animating them before we all meet together. If it is a multi-party mediation I may have sessions with key people, then construct groups, perhaps of two or three people and have sessions with them, all building toward the mediation session in which all the parties are in attendance.

The way I think about these pre-mediation sessions, I am mediating at multiple levels all the way through these conversations: I mediate the voices in my head, I mediate in the conversation with each person, and I mediate the conversations between the parties. I use the same skills I use within my head on a daily basis to support each person to identify the needs that have animated their conduct in relation to what they perceive as the conflict. This provides a clarity that when we get together with all the people necessary to the resolution of the dispute, it increases the ease with which people are able to connect with each other; in the pre-mediation sessions, they have already been able to connect with themselves, which carries over to when the parties are both in the discussion. In addition, in pre-mediation sessions people get both modeling and coaching of what to expect in the mediation; they experience the guessing of needs and understanding of their story. What happens in pre-mediation sessions contributes to a greater ease for people to be able to articulate their story in a way that is heard more easily and to hear each other's deeper motivations.

NVC Mediation Training: One Approach

Over the last seven years, John Kinyon and I have developed an approach to training

³ See Accreted Mediation: Building Clarity and Connection:
<http://www.mediate.com/articles/lasaterstiles2.cfm>

people in NVC mediation that reflects the characteristics I have discussed and, according to participants, offers a structure that quickly helps people ramp up on skills and integrate them into their lives. In our training we support people to learn NVC mediation in a way that they can incorporate it into whatever their existing mediation, conflict management or conflict coaching practice is, if they already have one, or give them the skills to develop into whatever role they can see themselves playing.

The training provides people with a progression of ever increasing levels of challenge that simulate actual mediations. Our training is based on an experiential model whereby we use role-playing so that people can sit in the mediator's chair from early on. The role-playing we do is not based on a script or fact pattern handed out to participants, but tends to be more of an improvisation role-play where people take on particular roles and relationships around a subject matter dispute, and they make it up from there. Because people are, in a sense, inhabiting the role as if it were real, these role plays often tend to become very real after the first couple of exchanges. During or after training, participants are encouraged to continue this type of practice by having weekly mediation triad training sessions with other participants.

In the role-plays, we provide a structure whereby people can progress through levels of challenge. We coach people to specific skills to be able to respond at each level of challenge, and give people the chance to practice these skills in a safe environment. When first beginning to mediate, people start with the lowest level of challenge and just work with the basic structure of mediation; however, as they become more confident and skilled, we encourage them to play with more difficulty through asking the disputants to play their roles more authentically, expressing intense emotions and interrupting when they feel moved to do so, as well as expanding on the basic structure through giving more options at choice points. As people work with these challenges, they become more versed in being able to return to presence in the face of intensity and the kinds of triggers that they find difficult to handle, and also become familiar with a wide range of circumstances that they might encounter in mediating. This type of training helps mediators be able to flow with whatever happens in a conversation; since in training they have practiced various responses and experienced the affect of those responses, they choose in each moment the response they think will lead towards connection, adjusting when necessary.

We also encourage people to bring their own interpersonal conflicts into the training and use the role-playing practice to work through these conflicts. When people do this it turns the

role-plays into both personal growth sessions as well as skill building. When people can gain insight into their own motivations in the conflict and experience for themselves the shifts that take place both internally and in the actual conflict, it helps integrate NVC mediation in a way nothing else can. The longer trainings offer the opportunity to practice using actual conflicts between participants or participants and facilitators.

In my experience of using NVC mediation in my personal life and my professional work as mediator and trainer, I find it to be a powerful model for shifting the way I relate to myself, others, and the world around me. As I watch these shifts in myself and witness them happening in people that I coach, train, and mediate, it gives me hope that we can learn to embrace conflict knowing that it is a doorway to connection. In this way we can work together to create a world we would all want for our children and all children.