STRAIGHTENING RELATIONSHIPS AND SETTLING DISPUTES IN HAWAI'I: HO'OPONOPONO AND MEDIATION

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A recent article in the *American Psychologist* began with the following statement: "Mediation is a form of conflict resolution with roots that can be traced to ancient Greek and Chinese traditions." It is reassuring to see the culturally diverse roots of mediation acknowledged. The example could also have cited examples from Africa, other Asian societies, native American groups or Pacific Islanders, since human beings have long approached conflicts with skillful intervention by third parties in divergent ways. The American alternative dispute resolution (ADR) movement has seemed to emphasize the similarities among the various processes. Perhaps more needs to be said about the differences, particularly the culturally embedded differences that give meaning and vitality to these processes.

In this paper, we would like to suggest a challenge to ADR proponents in the U.S., Asia, and the Pacific; a challenge to become clearer about the assumptions and values that underlie processes like "mediation." The challenge will be presented by comparing two forms of third party conflict resolution used in Hawai‘i: ho‘oponopono, a traditional Hawaiian family process, and mediation, as practiced at the Honolulu Neighborhood Justice Center (NJC). The focus on ho‘oponopono will include a look at the Hawaiian cultural constructs...
that frame its use, as well as a description and example of the process. The section on NJC mediation will be more limited, with emphasis on a description of the basic mediation model as detailed in materials published by the Justice Center. This lack of balance in "data" is unfortunate but understandable. There has been much less written about the cultural context of mediation than about ho'oponopono. Merry has written about this problem in the American mediation field.

"We think of the practice of mediation as the application of techniques that mediators learn as they are trained. Yet these techniques are embedded within a surrounding cultural framework of unrecognized and taken for granted conceptions of the social world. This cultural framework consists of ideas about when to fight and when to compromise, notions of the self in relation to others, and theories about which third parties are entitled to intervene in problems and in what ways. To those who share this implicit framework, it is simply the natural and sensible way of doing things" (1987: 1).

This lack of self-consciousness is not limited to Western ADR proponents. A similar ethnocentric bias is evident in the legal arena. Victor Hao Li, President of the East-West Center, spoke candidly in Hawai'i to an Asia-Pacific conference on disputing about the kind of dissonance his western legal training caused him.

"For the fifteen years prior to coming to the East-West Center, I taught in law schools and did the usual things--trained lawyers, tried to use the case method, wrote about dispute and conflict resolution, and so on. Even while fully engaged in all that, I felt a certain discomfort. The discomfort was not about legal rules, or the legal process, but about something more fun-
damental concerning our underlying approach to the entire area of laws and disputes.

The first semester of law school was a mystery to me. I learned interesting legal rules and had fun with the new legal jargon, but I had little idea of what the entire enterprise of being trained to be a lawyer was about. Gradually it all dawned on me. The legal method dealt with how to simplify the vastly complex subject of human relationships into more manageable form. The idea is to reduce the number of issues, limit the number of variables in each issue, exclude the "irrelevant", so that--ideally--some fairly simply choices can be made. That was fine, and success in law school was assured.

But this methodological approach also has some profound philosophical underpinnings. The approach suggests that one can identify the few causes and their effects in an Aristotlean, almost Newtonian, manner. In that sense, the legal method is very "Western." It is quite un-Buddhist and very un-Taoist, moderately un-Confucian and un-Shinto, though possibly closer to Islam. While I obviously am getting in over my head, those of us who are concerned about cultural factors in conflict resolution must ask ourselves whether the very basis of our own formal legal system is tightly cultural-bound" (Li 1987: 1-3).

Later in the presentation Li gave an example that illustrates how traditional disputing processes can be trivialized when approached from a Western legal perspective.
"Part of the analytical problem Western legal scholars have had with traditional Chinese law was (and is) that they could not fit China into the standard Western legal vocabulary and Aristotelian framework. The traditional Chinese legal system, for example, did not handle one-shot transactions very well, but was quite effective in managing the ongoing bundle of relationships. We called the Chinese system "informal law," "mediation," "arbitration," etc., with a suggestion that it was exotic and quaint, but not "real law" (6).

This quote also suggests another problem in comparative analysis and research: the researcher's frame of reference colors how he or she perceives and describes the phenomena, especially when looking across cultures. In other words, cross-cultural observations can be strongly biased. So our proposal to compare ho'oponopono with mediation seems to have a number of possible pitfalls: the ethnographic "data" are not equivalent, and, cross-cultural comparisons seem to have built-in biases that reflect the observer's point of reference. In addition, it is not yet clear, given the relationship of the processes to their cultural contexts, whether or not ho'oponopono and mediation are similar enough to make comparison useful. We hope to use these difficulties as opportunities.

The first two sections will feature each process individually. That will be followed by a section comparing the two and highlighting the differences rather than the similarities. Since more culturally contextual information is presented on ho'oponopono, we will take the stance of a ho'oponopono researcher/practitioner eyeing mediation. The features that seem most striking from this particular point of view will be stressed. It is our hope that this juxtaposition will reflect mediation in a way that brings its cultural framework out of the shadows.
HO'OPONOPONO: STRAIGHTENING RELATIONSHIPS

Ho'oponopono, which means "setting to right," refers to the process used by Hawaiian families to restore harmonious family relationships through prayer, discussion, apology and forgiveness (see Pūku'i et. al. 1972). It is a process guided by a third party, the haku, who is not usually involved in the conflict, but is intimately known to the parties and often a respected elder family member. In this brief definition of ho'oponopono many key cultural underpinnings of the process are suggested, such as the importance of family relationships, spiritual influences and the role of elders. In a recent book exploring traditional and contemporary Hawaiian values, Kanahele (1986: 19-20) lists the following values as most important to Hawaiians today: aloha, humility, spirituality, generosity, graciousness, keeping promises, intelligence, cleanliness and helpfulness. These attributes also suggest a pattern that emphasizes a relational view of the world; a world view that rests firmly on a spiritual foundation.

A Hawaiian View: The Web of Relationships

Before the coming of Westerners to Hawai'i there was not a specific word for religion. Spirituality was not separate from life, but permeated all aspects of it. Why name it? As in many other Pacific societies the Hawaiians perceived the cosmos as sacred. All things were related in a web of life and possessed mana. About mana Kanahele (1986: 74) says: "Basically it represents the most primordial force in the universe that animates or gives life or power to all things." It was important for a person to know how to relate to the varieties of life force, whether of rocks, fellow humans, animals, or the gods in a beneficent way. Wrongful or disrespectful actions could have negative reverberations
throughout the web. Mossman and Wahilani (1975) illustrate this relationship as a triad of the major forces: gods, nature and man. Many contemporary examples can be given that testify to the continued understanding that spiritual concerns pervade the social order.¹

One example illustrates the triad relationship clearly. In a recent and continuing land use dispute on the island of Hawai‘i over geothermal energy development, Hawaiian activists were opposed because of violations to the ‘āina (land). The development site on the Kīlauea volcano is believed to be the home of Pele, a Hawaiian goddess.

"Some individuals believe that the area of active volcanism is, in fact, Pele's body and therefore any exploration and development would remove her energy. This, in turn, would threaten the continuance of ritual practices and therefore inhibit the training of ritual practices and of young in traditional practices and beliefs" (Edmunds, 1987: 109).

The Nexus in the Web: The ‘Ohana

The triad of relationships between humans, nature and the gods is primary, but the family, or ‘ohana, is the nexus of the relationships. According to Piiku'i et. al. (1972: 166), the word ‘ohana is derived from one of the root words for a stalk of taro, ‘oha. The taro plant (kalo) is linked with myths about the origin of people as well as being a staple food. Metaphorically, family members are like taro: many shoots arise from a single root.

Puku'i has described the qualities of the ‘ohana as:

"_____ a sense of unity, shared involvement and shared responsibility. It is mutual interdependence and mutual help. It is emotional support given and
received. It is solidarity and cohesiveness. It is love - often; it is loyalty - always. It is all this, encompassed by the joined links of blood relationship" (Pūku'i et. al. 1972: 171).

The family is made up of multiple generations: parents and children, grandparents, aunts, uncles, cousins and so forth. The family also extends to the past and to the spiritual world through its ancestors. The 'aumakua were the ancestor spirits.

"The concept of 'aumākua was a nearly ideal one. The Hawaiians lived within the close relationships of the 'ohana (family or family clan); the 'aumākua remained members of the clan. The 'ohana invested family authority in its senior members; the 'aumākua as spiritual ancestors were certainly seniors. With one's 'aumakua, a human-to-spirit communication was possible" (Pūku'i et. al. 1972: 35).5

Thus the family's structure is hierarchical with guidance and authority residing in the seniors, or kūpuna. The kūpuna are respected for their wisdom and experience and as teachers of younger family members. Many Hawaiian proverbs, like the following, extol the values of the elders.

"E mālama i ka makua, he mea laha 'ole; o ke kāne he loa'a i ka tā ho'okahi.
Take care of parents for they are choice, a husband can be found in a day.

Parents should be cared for, for when they are gone, there are none to replace them. One can marry again and again" (Pūku'i 1983: 42).
Traditionally, the *kūpuna* have also had a key role in resolving conflicts in the family and are frequently the leaders of *ho'oponopono* sessions.

Children also have an important role in the family and are highly desired. Infants are generally indulged and are often the focus of attention in the family. A shift occurs as an infant becomes a toddler. The child is no longer indulged and is expected to begin assuming family responsibilities (Gallimore et. al. 1974). Older siblings are involved in caring for the younger children. The child development process fosters interdependence and increased opportunity to exercise adult-type roles by working and contributing to the family's economic and social welfare.

Children learn family tasks through observation and experience. They learn to be unobtrusive. If they do otherwise they risk rebuff and punishment. Children may seek help and approval from adults, but in a subtle, non-intrusive manner. Rewards and punishments in the family are often meted out to a group rather than to an individual. Gallimore, Boggs and Jordan (1974) suggest that this fosters one of the two primary strategies used by children to get along in the family: sibling cooperation. The other strategy they list is avoidance of conflict with adults. As we shall see in a later example, *ho'oponopono* provides an outlet for children to express conflicts in ways that do not violate the general family norms.

These socialization practices underscore a predominant value pattern of affiliation. Many writers have emphasized the affiliative nature of Hawaiian social order (Whitney 1987, Ito 1985b, Howard 1974; Gallimore et. al. 1974). This value is expressed in local Hawaiian social interaction as characterized by concepts such as *laulima* (cooperation) and *kōkua* (help); words that reinforce cooperation and interdependence.
The successful maturation of a person in the Hawaiian culture thus requires that an individual cultivate an accurate ability to perceive and attend to other people's needs, often without being asked.

An Extended Concept of "Self"

The concept of "person" or "self" is one that is relational. Ito (1985a: 320) points out that in the Hawaiian culture "self is a socially interactive concept tied to correct social behavior (hana pono) between self and other." She also describes the self as extending genealogically to ancestors, ancestor gods ('aumākua) and major gods. This self-in-relationship can be seen in daily life through manifestations of kino lau, the various natural forms of gods and goddesses.

"Pele, the volcano goddess, had kino lau of not only volcanic activity and lava flow but of a young, beautiful girl, an old hag, red-colored earth, fire, and tiny lava pebbles called Pele's tears. Belief in Pele's kino lau is much alive on the Big Island of Hawai'i where volcanic activity remains vigorous. Adults and children tell of encountering Pele as an old woman on the road and children explain that Pele is still in the lava rocks they pick up on the ground (see also Ciborowski and Price-Williams 1982). In Honolulu, Hawaiians frequently cite Pele as an ancestor because they have a hot temper: a type of personality kino lau (Ito 1985a: 305)."

An expanded version of the triad model would now show a self embedded in family relationships that include manifestations and relationships in the spiritual and natural world.

The key operating principle in the network is reciprocity.
"Reciprocity...may be compared with a gigantic spider web whose threads represent the mutual obligations that each society bears toward others" (Kanahele 1985: 80).

The Entangling Nature of Conflict

Conflict is perceived as a disturbance that reverberates throughout the system, and if serious and unresolved may be the cause of a multitude of consequences including natural disturbances, physical illness or misfortune in the family, as well as diminished interpersonal and intrapersonal functioning.  

Another way that interpersonal conflict is perceived is as a blocked pathway. People are connected via emotional channels and conflict blocks the flow of affection. A colloquial expression for this condition is the exclamation that a relationship is "all jam up!" The web, or channel, or "conduit" (Ito 1985a: 307) metaphors are apparent in the Hawaiian concept of *hukihuki*, which literally means "pull, pull."

"*Hukihuki* describes a total, damaging situation that exists when opposing individuals or groups tug, pull and pressure to gain emotional ascendancy over another individual or group. Often it affects children. Mother and father are rivals for their children's affections. Divorced parents battle for child custody...

When the one-in-the-middle becomes involved in the struggle, *hukihuki* becomes harmful. Adults who are forewarned, experienced or naturally wise can escape such involvement. Others cannot. Children are almost always caught.
Conflicts, or negative blocks in the pathways, can be present even when individuals are unaware of them. The lack of awareness does not keep negative repercussions from occurring. The following example shows how one could explain misfortune or unexpected occurrences as an indication that the way had not been clear; how forces in the larger field could impinge on human activity. Recently, one of the authors (Shook) was scheduled to do a presentation on *ho'oponopono* to a group of inmates at a local correctional facility. The presentation was to be co-led with a Hawaiian woman who was a counselor. We met together a few times to plan the presentation and a date was set. Unforeseen events, including illness, conflicting work commitments and other scheduling problems resulted in cancelling and rescheduling the presentation several times. Finally when the presentation did take place and things went smoothly, my partner explained matter of factly, that "the way had not been clear" for us to do the presentation before.

It is also a common preventative practice to "clear the way" through prayer, fasting or "mental cleansing" before any significant undertaking, such as a first birthday feast (*lū'au*), surgery, purchasing a home, a birth or many other events. Some *ho'oponopono* practitioners, including the Hawaiian counselor mentioned above, regularly "clear the way" before leading a session. She explains it as a mental self examination, or "purification" of thoughts and attitudes. This preparation helps to focus the leader's mind on the work at hand and to generally maximize the potentially beneficial outcomes.

One last conflict metaphor that is central to *ho'oponopono* is *hihia*, or negative entanglement. In family conflicts unresolved problems between two members have a tendency to pull others in, and the *hihia* multiply. This tends to further complicate the situation, often
leading to a tangled knot of issues that abide in an atmosphere of unpleasant thoughts, feelings and actions. It may be necessary to secure someone outside of the tangle to patiently assist the family in unravelling the problem.

All these expressions about conflict reinforce the need to find ways to straighten things out; to restore and maintain harmony or lōkahi. Ho'oponopono is a most elegant cultural metaphor for achieving this aim in the family.

**Ho'oponopono Described**

The general definition of *ho'oponopono* is "setting to right". Although many variations exist, it has been difficult to determine how prevalent the use of *ho'oponopono* is today. It is likely that it has remained a family practice throughout the islands in some form. Pūku'i reported that the practice had fallen off dramatically by the mid nineteenth century with the rise of the Christian missionary influence (1972: 69). Her version of *ho'oponopono* published in *Nānā I Ke Kumu* codified the process for contemporary practitioners. In another publication Boggs and Chun (1987: 143) reported that an Alu Like survey of Hawaiian and part-Hawaiian households revealed that 38% said they engaged in the practice.

Writers have specified different purposes for variations of the practice. Mays (1973: 2) described two: "to solve interpersonal disputes, and to resolve conflicts and bad feelings; and to restructure the family, reintegrate members, and to foster individual role socialization performance." Boggs and Chun (1987: 146-7) reviewed a number of descriptions and came up with four common elements in all the variations:
"1) Discovering the cause of the trouble; 2) curing or preventing physical illness, depression or anxiety by means of 1); 3) resolving interpersonal problems...; and 4) untangling or freeing agents from transgressions against spirits and gods as well as humans."

Furthermore, Boggs and Chun concluded that apology and forgiveness are central elements in all the variations.

The form of ho'oponopono described here is one based on Mary Kawena Pūku'i's accounts published in Nānā I Ke Kumu (1972). This is the form that is most widely described and written about; it is also the form the authors are most familiar with as researchers, educators and practitioners. A few Hawaiians, who are trained social workers, also teach others this model of ho'oponopono for use in social service agency settings.

Traditionally ho'oponopono has been a family conference to straighten out problems, although it is also used today with other kinds of groups. In the past the sessions were led by a respected senior family member, or if necessary by a respected outsider, often a traditional healer. Today the leader may be from outside of the family, for example a social service provider or minister. The process is a complex and potentially lengthy one that includes prayer, statement of the problem, discussion, confession of wrongdoing, restitution determined when necessary, forgiveness and release of the problem. An outline of the conditions and steps of ho'oponopono, and an abbreviated example of a staged ho'oponopono session follow.

The Steps
Ho'oponopono is opened with *pule wehe*, which is prayer conducted to ask God, and/or the *ʻaumākua* for assistance and blessing in the problem-solving endeavor. Pule is usually led by the senior person conducting the session who is known as the *haku*. Prayer creates a shift to the serious family work ahead and reminds everyone of the sincerity and truthfulness that are necessary conditions to be maintained throughout the process.

In the beginning phase there is a period of identifying the general problem, known as *kūkulu kumuhana*. (This term has two additional meanings that are a part of *ho'oponopono*. *Kūkulu kumuhana* is the pooling of strengths for a shared purpose, such as solving the family's problem. It also refers to the leader's effort to reach out to a person who is resisting the *ho'oponopono* process to enable that person to participate fully.) During this initial phase the *haku* outlines the whole problem-solving sequence in order to reacquaint all participants with it.

Once the proper climate is set, the leader begins the discussion phase. This is usually the most lengthy part of the process because it involves all the talk necessary to uncover the core problem. This process of working through the many layers of the problem is called the *mahiki* and may be repeated a number of times if there are more than one problems to solved. During this time the various *hihia*, or negative entanglements, are examined. Clear understanding of what created the negative repercussions in the family network should lead to the identification of the *hala*, or initial transgression.

The leader's role is to skillfully question the participants, to monitor the nonverbal as well as verbal content of messages and to use whatever insights she or he has about family members that might help them understand what led to the present set of concerns. The leader prods the family members to gain both a cognitive and emotional understanding of the
problem. The leader may also use his or her role as an authority in the family to remind members about correct behavior.

All discussion of the problem is led and channelled by the leader. This indirect communication design keeps individuals from confronting one another, a situation thought likely to provoke further emotional outbursts and misunderstandings. Traditionally, the Hawaiians felt such outbursts would only escalate the problems and hinder resolution. Each participant who has been affected by the problem in some way - directly or indirectly - is asked to share his or her feelings, or mana'o. The emphasis is on self-scrutiny, and when participants share they are encouraged to do so honestly, openly and in a way that avoids blame and recrimination. An attitude of humility, or ha'aha'a is expected. If in the course of the discussion tempers do flare or other strong emotions surface, the leader may declare a ho'omalu, a cooling-off period of silence. Participants then are directed to consider what prompted the outburst and are encouraged to reflect on the original intention of the process: to restore the family harmony and goodwill.

Once the discussion has led to a clear understanding of the hihia and hala the leader checks to see if the group is ready to move on to resolution. If anyone is not ready, the leader has a number of alternatives. A ho'omalu can be called on that particular problem until the individual has eliminated whatever residual resistance is left. In the meantime the rest of the group may proceed with discussion of another layer of the problem. An unwillingness to move on to the forgiveness stage can also indicate that the issue has not been fully discussed. In this case the leader could return to a refined statement of the problem, kūkulu kumuhana, and resume the discussion. Traditionally, holding a grudge or failing to engage in mutual forgiveness was a grievous offense which could threaten the spiritual, physical and emotional health of the family. This condition, ho'omauhala,
(holding fast to the fault) if serious and persistent could be dealt with by mō ka piko, or severing the family's relationship with that person. In contemporary times this practice is not usually used.

In some situations the group may come to an impasse that makes resolution unlikely or impossible. The ho'oponopono may have to be concluded with a summary of what had been uncovered -- the entanglements and problems -- and then a prayer. Although ideally, ho'oponopono is considered complete when resolution is achieved, it can be useful as an assessment of problems.

After a thorough discussion, when all family members are prepared to proceed, the resolution stage of ho'oponopono begins. This is the time for confession, mutual forgiveness, release of the negative emotional bonds and laying the problem to rest. If appropriate, restitution may be discussed and its terms arranged. The interlocking steps of resolution are called mihi, kala and 'oki. During this time leaders often encourage the participants to speak directly to one another, since the forgiveness is likely to reinforce positive emotional bonding.

Mihi is the sincere confession of wrongdoing and the seeking of forgiveness. It is expected that forgiveness be given whenever asked. Mihi is followed by kala, or loosening of the negative entanglements. Both the person who has confessed and the person who has forgiven are expected to kala the problem. This mutual release is an essential part of the process and true ho'oponopono is not complete without it. The kala indicates that the conflicts and hurts have been released and are 'oki (cut-off). The leader declares that the problem is now finished, or pau. The family is instructed to avoid any future discussion of the problem that might rekindle negative reactions.
If the group has other problems to be resolved then the kūkulu kumuhana and mahiki resume. If it is time for the particular session to close, or if all the problems are worked out the group proceeds to the closing phase, or pani.

The structure of the closing is the same whether for a single session or series of sessions in the resolution process. The content of the ritual summarizes what has occurred and reaffirms family member's affection for one another. The pule ho'opau, or closing prayer, is one of thanks for the resolution that has occurred place and is a reaffirmation of the family's strengths and enduring bonds. The problems that have been worked out are declared closed, never to be brought up again. This prayer may also include a mihi, kala and 'oki of the problems with the spiritual forces. If other layers of the problem need to be worked out, arrangements are made for other sessions. Sometimes ho'oponopono takes many sessions. Traditionally, after the session the family and leader share a meal to which all have contributed. This is a transition time for the group to reenter more normal daily routines and to relax and enjoy one another. As one leader aptly put it "Food is important...when you have a full stomach, you feel a lot better. So I think it lends to the process!"13

In summary, ho'oponopono is a highly structured process with four distinct phases: an opening phase that includes the prayer and a statement of the problem; a discussion phase in which all members involved share their thoughts and feelings in a calm manner and listen to all the others as they speak; a resolution phase that enables the exchange of confession, forgiveness, and release; and a closing phase to summarize what has transpired and to give spiritual and individual thanks for sincere participation. Figure 1, which follows, is a simplified flow chart model that represents how these elements fit together.
Figure 1. Simplified Flow Chart of a Ho'oponopono Session

START  (family agrees to do ho'oponopono)

PULE  (opening prayer)

KUKULU KUMUHANA  (problem identification)

MAHIKI  (discussion)

MAHIKI, KALA, AND OKI?  (mutual confession, forgiveness and release)

Y  

Y  (closing prayer)

PULE HO'OOPAU (includes ho'omalu)

Y  (declaration of confidentiality and end of the problem)

FINISH  (family resumes normal activities)

PANI  (closing snack or meal)

HO'OIMALU  (cooling-off time)

IS THERE TIME AND DESIRE TO PROCEED?  (Cooling-off time)

N  

N  ARE ALL PROBLEMS RESOLVED?

N  IS THERE TIME AND DESIRE TO PROCEED?

Y  

Y  

N  Y

READY FOR MAHIKI, KALA, AND OKI?

IS THERE TIME AND DESIRE TO PROCEED?

N  

N
Ho'oponopono With a Hawaiian Family

This abbreviated example of a ho'oponopono session is based on a demonstration of the process that was videotaped for use by the Sub-Regional Child Welfare Training Center, School of Social Work, at the University of Hawai'i. The cast consists of family members who, for the purpose of the demonstration, conceived and planned a problem, which they then acted out for the videotape. The ho'oponopono session that followed, however, was un­rehearsed and seemed to tap genuine expressions of emotion. In the following account emphasis is given to dialogue examples and interaction patterns illustrating some of the more distinctive features of ho'oponopono. Other parts of the session are summarized. The family chose the pseudonym "Kealoha." The family members include Mr. Kealoha; Mrs. Kealoha; Kalau and Kili, their two teenage daughters; Ka'ai'ai, their pre-teen daughter; and Kekumu, their young son.

Setting

The problem emerges on a Sunday morning during an argument among family members about whose turn it is to cook breakfast. Based on his understanding of an earlier agreement, Mr. Kealoha tells Kalau it is her turn to cook. Kalau becomes angry, since she cooked the day before. She says she will do it, but that it is unfair. Once in the kitchen, Kalau noisily bangs the dishes around and is visibly angry. When Kili and Mr. Kealoha come into the kitchen, Kalau speaks sharply to each of them and they in turn argue back. Later at the breakfast table with the whole family gathered, the tension mounts. Kili calls Kalau a "grump." Kalau scolds Kekumu for using his hands, rather than a spoon to eat. Ka'ai'ai and Kalau exchange sharp remarks and looks. Finally, Mr. Kealoha intervenes, questioning what is happening. Frustrated, he suggests, "Well, it's about time we stop it for now and after breakfast we'll go ho'oponopono, O.K.?" The family members nod or grumble agreement.
and quietly finish breakfast.

**The Ho'oponopono Session**

The family gathers in the formal living room. Everyone is seated in a circle on the floor. Mr. Kealoha is the leader of the session. He first reminds them that they are there because of the things that happened that morning.

Mr. Kealoha: I think we need to resolve some of the differences that we have among ourselves. O.K.? Are you folks ready for this?

Others: Yeah.

They all join hands and bow their heads.

Mr. Kealoha: Let's join our hands and pray. Dear Heavenly Father, Creator of heaven and earth and to His only Son Iesu Kristo; Dear Lord, we thank thee for this opportunity to get together as an 'ohana, a family. It was obvious during this morning that many things were happening to our family. People were getting at one another and things weren't right. As You know, we need to restore harmony within our family in order for us to continue on. Dear Lord, as we get together in this ho'oponopono, give us the strength and wisdom and understanding to be able to lay the problems out and identify what the problems are. Give us also the understanding and the know-how to be able to discuss things freely without hurting one another, and to say things in a way that makes for understanding. And, dear Lord, give us the opportunity, so that as one is talking about the problem, that the others will sit quietly and listen with an open ear, so that they can understand as to how the other one perceives what is happening. And, dear Lord, after we've identified it all, may
we be able to open our hearts to one another, to forgive each other, so that we can then carry on. Always, we ask in Thy holy name. Amen.

The family members release their held hands and raise their heads. Mr. Kealoha asks Mrs. Kealoha to begin with her side. She begins "As I saw it this morning...," and continues to describe her understanding of the cooking agreement. Originally, she says that she was pleased with the arrangement, but today she feels "disgusted" at Kalau's attitude and behavior. It further upsets her to see Kalau taking her anger out on her sisters and brother during breakfast.

Mr. Kealoha asks Mrs. Kealoha for clarification about the actual agreement by asking if each family member was present when it was made. She recalls that they were, although Kalau had gone in and out of the room during the discussions.

Mr. Kealoha then turns to Kili to discern her involvement. Kili admits that when she heard Mrs. Kealoha and Kalau arguing in the kitchen curiosity got the best of her and she entered the kitchen.

At this point Mrs. Kealoha begins to protest and Mr. Kealoha reminds her with gestures and words not to interrupt -- that she has had her chance and that in ho'oponopono everyone has the chance to talk in peace and the others listen.

Kili admits that she had been maha'oi (bold, inquisitive) but says that Kalau did not have to shout at her. Mr. Kealoha asks her to explain more about the shouting episode. Kili does so. Mr. Kealoha then paraphrases and summarizes Kili's account.
Mr. Kealoha: So you recognize that the timing you went in was probably not correct?

Kili: Yeah.

Mr. Kealoha again paraphrases, this time recognizing that Kili's motives had been inquisitive but that she nevertheless did not like Kalau shouting at her.

Mr. Kealoha: What did you do after she shouted?

Kili: I snapped back at her.

Mr. Kealoha: But you did get back at her in a nasty way and created further hihia for the entanglement?

Kili: Yeah.

Mr. Kealoha then attempts to corroborate the account by asking Mrs. Kealoha, who had been present. Mrs. Kealoha says that she actually had asked Kili to come into the kitchen twice, once to set the table and later to ask her opinion about the terms of the cooking agreement. She also says that she recalls that Kili had seemed overeager to get involved.

Mr. Kealoha: Maha'oi?

Mrs. Kealoha: Yes.

Mr. Kealoha: Did Mommie state this correctly?

Kili: Yeah.
Kalau now has her opportunity to speak. She describes the events of the morning and admits that she was upset at Mrs. Kealoha when Kili came into the kitchen. Kalau says that she "exploded" at Kili because she felt that Kili was defending Mrs. Kealoha.

Mr. Kealoha: You felt your sister was ganging up on you?

Kalau: Yeah.

Mr. Kealoha: So what did you say to her?

Kalau: "Get out of the kitchen!"

Mr. Kealoha: Is that normally the way you talk to each other?

Kalau: When I'm mad at her, yeah.

Mr. Kealoha: And then you argue back and forth?

Kalau: Yeah.

Mr. Kealoha: But that doesn't make for resolution. Am I correct?

Kalau: Yeah.

Mr. Kealoha then asks Kalau to explain more about what occurred at the breakfast table.
Kalau complies, admits that she had snapped at the others "for revenge," then laughs.

Mr. Kealoha: Is that all? What about you and Mommie?

Kalau turns toward Mrs. Kealoha and gives her a dirty look and says, "Oh." Mr. Kealoha reminds Kalau to look at and speak to him. Kalau explains that she knew Mrs. Kealoha was disgusted with her, and she was angry in return. Mr. Kealoha asks Kalau to examine her actions at the time.

Mr. Kealoha: In ho'oponopono, we need to look at ourselves. Can you look at yourself and see how you contributed to the problem?

Kalau: Yeah.

The discussion goes on to reveal a basic misunderstanding about the cooking agreement. Kalau thought the agreement was that she was to cook one day out of the weekend. Since she had cooked the day before, she believed that she had fulfilled her responsibilities. Mr. Kealoha then asks Kalau if she had gone in and out of the room when the agreement was being made. She says that she had because she "didn't want to stay and listen." Mr. Kealoha admonishes Kalau that this behavior was not very wise since a decision had been made that affected her. He then paraphrases Kalau's story thus far and turns to Mrs. Kealoha for comments. Mrs. Kealoha begins but is interrupted when Mr. Kealoha speaks sharply to Kekumu who has been slouching and not paying much attention to the discussion. He reminds Kekumu that they are working on a family problem and that Kekumu is a part of that problem and that he needs to be involved. Kekumu agrees and straightens up. Mrs. Kealoha defers discussing her side of the problems with Kalau because she thinks it is important to clear
up the *hihia* between Kili and Kalau first.

Mr. Kealoha then summarizes this *hihia*, as it was discussed earlier and proceeds.

Mr. Kealoha: Now are you folks ready to undo this with each other?

Kili and Kalau: Yeah.

Mr. Kealoha: Are you ready to *mihi*? Are you sure now?

They agree. He speaks to Kili.

Mr. Kealoha: Are you sure you understand what *mihi* is in terms of your interference with her?

Kili: Yeah.

Mr. Kealoha: O.K., can we start with Kili-Kili first? Kili, are you ready to *mihi*

Kili: Yes.

At this point, Kalau and Kili face and speak directly to one another. Mrs. Kealoha is seated next to Kalau pats her leg reassuringly during the *mihi*. Both girls are a bit teary as they speak.

Kili: Kalau, do you forgive me for putting my nose where it's not supposed to belong?
Kalau: Yes. Will you forgive me for snapping at you, because my anger was misplaced -- it belonged to somebody else? And for giving you a double dosage at the table? (She wipe a tear from her cheek.)

Kili: Yeah. And me, for also barking at you -- do you forgive me?

Kalau: Yeah. Do you forgive me too?

Kili: Yeah.

Both girls move across the circle towards one another and embrace. As they hug, they both cry and laugh a bit, then return to their places.

Mr. Kealoha turns to Kekumu next to clear up the difficulties between him and Kalau. Kekumu says he was angry at Kalau for snapping at him when he used his fingers instead of a spoon to eat, saying "She uses her fingers sometimes too!" Mr. Kealoha interpreted that perhaps Kekumu objected not so much to what Kalau had said but to the way she said it. Also suggested that Kalau may have misdirected her anger. Mr. Kealoha asks Kalau for her side and she agrees that she did bark at Kekumu and recognizes that he didn’t like it.

Mr. Kealoha: What are you going to do about it?

Kalau: Ask him for forgiveness.

Mr. Kealoha: Are you ready for that?

Kalau: Yeah.
Mr. Kealoha asks Kekumu if he is ready and he says he is. Kalau asks Kekumu for his forgiveness for her "barking." Kekumu forgives her, they lean toward one another and hug.

A very similar short discussion follows to unravel the hihia between Kalau and Ka'ai'ai. The problem was caused by Kalau misplacing her anger and speaking sharply to Ka'ai'ai. Since Ka'ai'ai responded in kind at the table, each had to ask the other for forgiveness.

The atmosphere in the session becomes quiet and serious, since it is now time to attend to the major problem between Mrs. Kealoha and Kalau. Mrs. Kealoha starts to speak, but then quietly begins to cry.

Mrs. Kealoha: Let me pull myself together.

Mr. Kealoha: Mommie needs to pull herself together because she feels --

Kekumu: Sad!

Mr. Kealoha: But also so that she can say things in a way that doesn't create more pilikia (trouble). O.K.?

Tissues are passed around to Kalau, Kili and Mrs. Kealoha, and then Mrs. Kealoha begins to speak. She says that while listening today she realized that Kalau has a hard time talking to her. Also, in reflecting on past problems, she realizes that she often "digs in on" the kids when they do something wrong, and this treatment might be hard for Kalau to accept. She says that although Kalau had been going in and out of the room during the agreement, it
is the parent's responsibility to make sure that the children clearly understand the agreement.

Mrs. Kealoha: And Kalau, I didn't check it out with you, and this pilikia might have been avoided. I have contributed by my failure -- to not follow through to make sure that the communication was clearly understood.

Mr. Kealoha then paraphrases to Kalau two major points: Mrs. Kealoha gets after her when she thinks Kalau has done something wrong, and Mrs. Kealoha failed to check out the agreement because she assumed it was understood. Mr. Kealoha asks Kalau if she wants to share her thoughts.

Kalau: No, I think Mom said it all.

Mr. Kealoha: Well, what is this problem between you and Mommie?

Kalau explains that Mrs. Kealoha does not listen to her and that they argue back and forth. Mr. Kealoha suggests that perhaps when Kalau argues back that Mrs. Kealoha also feels that Kalau has not heard what she had to say. Kalau agrees and Mr. Kealoha goes on to remind her about the importance of keeping "our big mouth shut" and listening to one another. He instructs her further:

Mr. Kealoha: After listening, and you still have a point to make -- say it. But not in a hostile way, but in a way that makes for better understanding. Do you understand?

Kalau: Yeah.
Mr. Kealoha asks Mrs. Kealoha and Kalau if they are ready to mihi. They both nod and turn to one another. Mrs. Kealoha asks Kalau to forgive her for being angry, snapping at her, and for not checking out the terms of the agreement with her. Kalau asks Mrs. Kealoha's forgiveness for banging around the kitchen and for taking her anger out on other family members.

Mr. Kealoha: Kalau, are you sure -- once you forgive that it's pau (finished) already? Never a need to come up again?

Kalau: Yeah.

Mr. Kealoha turns to his wife.

Mr. Kealoha: Do you accept her forgiveness?

Mrs. Kealoha: Yes.

Kalau and Mrs. Kealoha embrace for a few moments. After they settle back into the circle Mr. Kealoha announces that he realizes that he needs to ask for forgiveness and asks if it is all right to turn over the ho'oponopono to Mrs. Kealoha. The family assents, and he admits fault for assuming that all the children understood the cooking agreement. He agrees that it is his responsibility as a parent to check things out. He also admits fault for getting angry at Kalau and for insisting that she cook, even though she had told him that she had already done her share. Kalau and Mr. Kealoha then mihi one another.
The family joins hands. Mrs. Kealoha summarizes some of the important lessons from the ho'oponopono. One lesson is that parents make mistakes and need to admit them, discuss them and put them to rest. Mrs. Kealoha then asks forgiveness of each child in turn for assuming the agreement was understood. Mr. Kealoha repeats this mihi with each child also.

Mr. Kealoha asks if there are any further problems. Kalau makes an aside about a cramp in her leg from sitting so long. Everyone laughs, dispelling a lot of tension. Mr. Kealoha reminds the family that after mihi and kala there is ‘oki. "Problems are laid to rest, not to be brought up again." He also reminds them that when they hurt one another, they hurt and disrupt the harmonious relationship with the "powers that be" and therefore they must ask forgiveness from them also.

Mr. Kealoha: Are you folks ready for that?

Family: Yes.

They bow their heads.

Mr. Kealoha: Dear heavenly Father, Creator of heaven and earth, and to His only Son Iesu Kristo, we thank Thee for this opportunity in this ho'oponopono, to work out our family problems and difficulties; To identify the hihia -- all the personal entanglements one with the other; to help us to discuss it in a way that does not create further hurts, but in a way that will lead to resolution of our problems. We also thank Thee for giving us the opportunity to listen so that we can understand how we ourselves have impacted on others, to examine ourselves, and in the communication one with the other, to be able to understand that possibly we may have contributed to the problems ourselves, whether by
commission or whether by omission. And, dear Lord, we thank Thee for the opportunity for the ‘ohana, the family, to be here and to ask for forgiveness one from the other, to release and to let go, never more to come. And as we ask of you that as we hurt one another among ourselves, that we also hurt You, and we ask for Your forgiveness. Please forgive us. Please release and please set into the depths of the ocean our pilikia, never more to rise. All this we ask in Thy holy name. Amen.

The family members hug and kiss each other and rise.

This completes the examination of ho'oponopono and its cultural roots. In the next section the focus shifts to another form of dispute resolution used in Hawai'i: mediation. As mentioned earlier, the treatment of mediation is different than the one of ho'oponopono: it lacks elaboration of how it is embedded in cultural assumptions. It also lacks a case example similar to the Kealoha family session that would illustrate the tone of mediation more clearly. Another difference is that the materials on Hawaiian culture and ho'oponopono were derived from a variety of sources ranging from academic research to more traditional culture resources, like proverbs and myths. The writers of the material were both Hawaiian and non-Hawaiian. The result is a fairly diverse and rich body of work. In contrast, the material used to describe mediation is limited to self descriptions by the NJC itself. Little has been written on the cultural underpinnings of American mediation and nothing that examines Hawai'i's particular form. Despite these limitations, the description of NJC mediation that follows should provide the reader with enough information to set the stage for contrasting the two processes in a later section of the paper.
Conceptions of Conflict and Mediation

The Honolulu NJC was founded in 1979 as a community dispute resolution center that utilized trained volunteers to mediate a variety of disputes. It presently has four project areas: 1) neighborhood mediation (for neighbor-neighbor, landlord-tenant, consumer-merchant and other community-type disputes, including cases mediated at the small claims courts); 2) family mediation (for domestic conflict, mostly divorce related custody, visitation and property settlement); 3) juvenile restitution (in conjunction with Family Court to provide victims and juvenile offenders the opportunity to work out restitution); and 4) conflict management (for land use, environmental and other public disputes). The first three programs largely use the basic mediation model that follows, while the conflict management program uses mediation and a number of other problem-solving and conflict resolution strategies.

The following is taken from NJC's expressed statement of philosophy:

"The Center exists to help people resolve their own disputes in non-adversarial ways. It hopes to provide a constructive channel for conflict and to serve as an advocate for the use of alternative dispute resolution in a wide variety of individual and group conflicts. In a broad sense the Justice Center is an expression of a commitment by many members of this community to seek a more just society and to build our collective capacity to resolve conflict without violence, suppression, or unnecessary litigation" (NJC Annual Report 1986-7: 1).
The center's view is that conflict is a universal and normal occurrence and that conflict resolution can serve positive functions. It can be "the vehicle for personal, social, and political change. It is, likewise, one of the natural outcomes of diversity." Another key belief is that conflict provides people with the opportunity "to learn... the meaning of personal responsibility."

These favorable outcomes of conflict are most likely to occur when people are "empowered" to resolve their own disputes. "Empowerment" becomes a key feature that proponents use to distinguish mediation from other dispute resolution processes like litigation.

Mediation is a term that means different things to different programs. NJC defines it as:

"An approach to conflict resolution in which an impartial third party intervenes in a dispute with the consent of the parties to assist them in reaching a mutually satisfactory settlement to the issues in disputes... the goal of any mediation process is an agreement or set of agreements that is fair, efficient, durable and equitable."

Mediation is distinguished from both litigation and arbitration since the mediator in no way judges or decides the outcome. It is also distinguished from therapy and counselling, since mediation does not attempt to understand or resolve underlying psychological issues. However, NJC trainers do assert that mediation is "closely related to the ideas of both the legal system and therapy". Like the legal system mediation is a forum for airing grievances and resolving disputes. Like therapy, mediation may provide relief from some of the
stressful elements inherent in interpersonal conflict, although this is not the expressed aim. The mediator’s role is to "help people communicate, negotiate, solve problems and arrive at agreements."

Other clues to the underlying values of NJC are the key ethical concepts of mediation taught to mediators in their training. The first is mediator neutrality, operationalized as "no prior or potential relationships or conflicts of interest with any of the disputants that would prejudice the mediator's performance." In practice mediators are asked to withdraw if they know any of the parties. Second is mediator impartiality, meaning a lack of favoritism. The third is confidentiality, which assures that the mediation is essentially a private process. The fourth concept supports the ideal of self determination: that the responsibility for and the terms of the resolution ultimately rests with the disputants. Mediators help them examine all the relevant needs, issues and consequences, and then help them fashion the terms of the agreement. The final agreement belongs to the disputants. No advice-giving is the fifth guide. Mediators can only "encourage and assist participants to obtain independent expert information and advice when needed." Finally, mediators make sure that there is an adequate power balance between the parties. "The mediator has the duty to assure balanced negotiations and should not permit manipulative or intimidating negotiation techniques." This also suggests that the integrity of the process is more important than reaching an agreement that may not be fair and equitable.

The Basic Mediation Process

The NJC has both paid and volunteer staff who do intake, or setting up mediation cases. Once a case is set the staff arranges for one or two mediators to take the case. All of the Justice Center's mediators, about 150 currently active, are volunteers. All have received between 40 and 60 hours of training. There is an effort to recruit a range of
people to reflect diversity in age, sex, ethnicity, language and employment experience. Professionals with legal or mental health backgrounds are often attracted to become mediators, but many other backgrounds are recruited and trained.

The mediations take place at the NJC offices. Typically, the two mediators assigned to the case, arrive early to review the case file, prepare the room arrangements and decide initial strategies. When the disputants arrive they are welcomed and seated around a table. The formal process has two stages: forum and negotiation.

The purpose of the forum stage is to "fully expose all of the issues in the dispute and for the disputants to have full expression of their feelings." This is accomplished through a series of meetings. The first is the opening statement by the mediator, when the mediation process is described. Next, the disputants are asked to take turns giving their initial statements. A number of private meetings, or caucuses, are then held. The mediators meet with each disputant separately to gain more information about the "hidden agendas" or underlying issues. If disputants wish to reveal information to the mediators that they want to have kept in confidence, the mediator will keep the confidence. After the first round of private sessions with the disputants the mediators meet with one another to compare their understanding of the issues, discuss approaches and check how they are working as a team.

The three basic skills that mediators are taught to use throughout the process are called "listening," "asking" and "moving." Listening skills included both "passive" modes (nonverbal cues and silence) and "active" modes (paraphrasing and reflecting both feelings and content). "Asking" skills are for questioning. Open-ended questions are used to understand disputants' view of the issues. Closed-ended questions are used to get needed
detail. "Moving" strategies are mediator statements that summarize or reframe the issues; the kind of statements that tend to "move" the process along to the next stage. The "listen-ask-move" strategies are used by the mediator throughout the session to further the goals of the particular stage of the process.

The second stage, negotiation, usually begins after the first mediator caucus. The mediator becomes a more active manager of a negotiation process that includes "helping disputants give up 'positional bargaining'...and adopt a potentially more constructive principled negotiation approach." If disputants are reluctant to move in this direction mediators are encouraged to be, what the NJC calls, "agents of reality;" that is to help disputants see the consequences of their positions, or of not settling the dispute. For example, a mediator might ask, "What might happen if you and your wife are not able to decide on a visitation schedule for your child today?"

The negotiation begins with a second series of private meetings designed to help the disputants generate alternative ways to meet each other's stated needs. The aim is movement toward compromise and settlement. After these meetings the mediators meet again privately to plan how to bring the disputants together for face-to-face negotiations that will, optimally, lead to an agreement. In the reconvened joint meeting the disputants are encouraged to negotiate directly with one another. If this session is successful then the final stage is agreement writing. Agreements are to be balanced, complete, practical and in the disputants' words. They should be written in a way that avoids placing blame or indicates guilt. A training handout gives the following examples of agreements. The first is an example of a poor agreement (i.e. indicates guilt and is unbalanced):

"John agrees to pay $50.00 to George for the window
he broke."

A better way (i.e. balanced and no blame attached) would be:

"John agrees to pay $50.00 to George. George agrees to accept the $50.00 to help restore the window."

Usually the agreements are signed by the disputants and mediators and copies given to each. After the agreements are signed the disputants leave and the mediators "debrief" by filling out report forms and discussing their feelings and thoughts about how the mediation went.

This is the conclusion of the basic model of mediation. Depending upon the type of case, this model is adapted and different emphasis can be placed on the stages. Family cases typically take multiple sessions.

REFLECTIONS: SEEING MEDIATION FROM THE PERSPECTIVE OF HO'OPONOPONO

Comparisons always have a purpose and a frame of reference. Sometimes both remain obscure. In the disputing fields this can lead to problems of the sort alluded to earlier by Victor Li and Sally Merry. Here, in our comparison of ho'oponopono and mediation, we have tried to be fairly clear about our aim and point of view. The aim is to put an emphasis on the differences rather than the similarities between the two practices. Differences provoke critical examination of underlying structures. We hope that this will lead, in particular, to a crisper understanding of the cultural assumptions of U.S. style mediation. The
contrast of differences will be made from the ho'oponopono frame of reference; that is, we will point out what strikes us as significant from the perspective of ho'oponopono researchers and practitioners.

Typically the point of reference for distinguishing mediation has been the legal system.¹⁷ One of the results has been that the language of mediation seems legalistic in tone. Mediation has also been contrasted with therapy, but not as frequently. Unfortunately both these contrasts often neglect to clarify the more fundamental cultural assumptions, of law, therapy and mediation, so the resulting portraits still leave a lot unsaid. One advantage of doing a cross-cultural comparison is that the differences in fundamental "world view" are not so easily ignored. It is hoped that the comparison of ho'oponopono with mediation will suggest new insights about mediation as a socially constructed phenomenon.

The outline of contrasts that follows is not exhaustive. It is meant to be suggestive; to stimulate questions about underlying frameworks. Generally the comparisons fall under two broad headings: contextual issues and process issues. The first group will include notions about what conflict is and how it is resolved. The second group will examine more detail of the processes themselves: the setting, the roles of the participants the kinds of interactional rules, and the stages of each.
I. Context Issues

Concepts Related to Understanding Conflict

<table>
<thead>
<tr>
<th>Ho'oponopono</th>
<th>Mediation</th>
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<tbody>
<tr>
<td>Conflict is disruptive to harmonious relationships.</td>
<td>Conflict is normative; potentially positive; can lead to personal growth.</td>
</tr>
<tr>
<td>Boundaries of conflict extensive; they extend beyond family to spiritual and natural world; repercussions also extend in time.</td>
<td>Boundaries of conflict narrow; defined by those directly involved at the present time.</td>
</tr>
<tr>
<td>View of self as relational; in conflict, focus is on the effects of individual behavior on group; &quot;Security&quot; and self worth achieved through relationships.</td>
<td>Self as autonomous, individuated; can speak of &quot;self-interests&quot; in conflict; &quot;Security&quot; of self comes with individual achievements; (like economic success).</td>
</tr>
<tr>
<td>Conflict binds people tightly through hihia.</td>
<td>Conflict is divisive and separates people.</td>
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</table>
### Concepts About Resolving Conflict

<table>
<thead>
<tr>
<th><strong>Ho'oponopono</strong></th>
<th><strong>Mediation</strong></th>
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</thead>
<tbody>
<tr>
<td>Problems are dealt with holistically; no limits on scope of resolution possible by family.</td>
<td>Problems/conflicts can be compartmentalized; some issues are &quot;mediatable&quot;, some should be taken care of by other specialists.</td>
</tr>
<tr>
<td>Traditionally, island societies were &quot;no-exit&quot; ones, therefore entangled, conflicted relationships need to be straightened out.</td>
<td>Urban societies are mobile; &quot;exits&quot; are easier if conflicts are unresolved. It is also possible to settle the issues in conflict without creating or destroying good relationships.</td>
</tr>
<tr>
<td>Purpose of <em>ho'oponopono</em> is to &quot;clear the way;&quot; restore harmonious relationships; &quot;straighten&quot; things out.</td>
<td>Purpose of mediation is to make agreements.</td>
</tr>
<tr>
<td>Family process to restore harmony, maintain family integrity.</td>
<td>&quot;Family mediation&quot; at NJC right now is almost synonymous with &quot;divorce mediation;&quot; mediation</td>
</tr>
</tbody>
</table>
**Ho'oponopono**

- Spiritually embedded practice.

**II. Process Issues**

**The Setting**

**Ho'oponopono**

Done in family home; intimate setting, familiar to family and leader.

Private - "all in the family".

Timing is extended, marathon-like; can go hours or days; multiple sessions also possible; sessions held close to time of problem.

**Mediation**

- Helps the family "re-structure" as rationally as possible.

Secular practice.

Done at an agency office; site unfamiliar to disputants.

Public - includes "outsiders" in central roles (e.g. mediator) and peripheral roles (lawyers, accountants, counsellors, etc.).

Timing ranges from 2-4 hours; multiple sessions possible; time lapse between grievance and settlement (time constraints and deadlines of agencies).
<table>
<thead>
<tr>
<th>Ho'oponopono</th>
<th>Mediation</th>
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</thead>
<tbody>
<tr>
<td>Participants share cultural assumptions; traditionally everyone familiar with the process and ritual.</td>
<td>Participants don’t necessarily share ethnocultural background.</td>
</tr>
<tr>
<td>All parties connected to one another; the family system is the focus.</td>
<td>Parties segmented; individuals are the focus (e.g. Disputant/Party #1 and Disputant/Party #2).</td>
</tr>
<tr>
<td>Family members deal with all aspects of problem; no need for outside assistance.</td>
<td>Disputants make their own decisions, but may need expert advice for details in agreement (and approval by lawyers and court in family cases).</td>
</tr>
<tr>
<td>Hierarchical structure. <em>Haku</em> has special status in relation to family (although within the family the relationships between parents and children</td>
<td>Egalitarian structure (non-status oriented); mediator has no ascribed status.</td>
</tr>
</tbody>
</table>
Ho'oponopono

are more egalitarian than
normal).

_Haku_ is known to family (is
respected elder; has intimate
knowledge of parties).

_Haku's_ authority is based on
substantive knowledge (wisdom),
skill and status as elder.

_Haku's_ power is direct; can
influence, counsel, advise.
Spiritual power also available.

Mediation

Mediator has no prior knowledge
of or acquaintance with parties.

Mediator authority gained
through credentials and skill
(via training). Procedural
knowledge.

Mediator's power is indirect
and procedural; can plan
communication strategies; can
invoke leverage of "state" to
boost influence (i.e. "What
happens if you don't agree?").

Interactional Rules

Ho'oponopono

Oral tradition (receptivity to

Mediation

Written tradition (reliance on
**Ho'oponopono**

the power of the word; general intentions can cover broad range of matters; no need to spell out details.

Talk about emotions and quality of relationships essential to understanding problems and resolving them.

Direct emotional expression, particularly anger, discouraged.

Indirect communication among family members; leader controls

No secrets; discussion with all members present.

---

**Mediation**

written documentation: files and notes; agreements need to be written down with details spelled out).

Talk about emotions necessary at first, but is peripheral to main focus: negotiating concrete agreements. (Exploration of emotional issues is referred to counselling).

Emotional expression allowed; In forum stage people often expected to "ventilate" their feelings.

Direct communication encouraged. Indirect communication (i.e., mediator controlled) used only if necessary.

Secrets allowed in caucus.
### Ho'oponopono vs. Mediation

<table>
<thead>
<tr>
<th><strong>Ho'oponopono</strong></th>
<th><strong>Mediation</strong></th>
</tr>
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<tbody>
<tr>
<td>Self scrutiny by individual is key (&quot;How have I transgressed?...Will you forgive me?&quot;).</td>
<td>Naming, blaming and claiming of grievances by individuals (&quot;This is what you did... This is what I want you to do for me.&quot;).</td>
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### Stages of the Process

<table>
<thead>
<tr>
<th><strong>Ho'oponopono</strong></th>
<th><strong>Mediation</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Opening with prayer and statement of problem by <em>haku</em>.</td>
<td>Opening with mediator statement and parties' first joint statements.</td>
</tr>
<tr>
<td>Discussion (<em>mahiki</em>) seen as &quot;peeling away layers;&quot; takes place with whole family.</td>
<td>Discussions &quot;get at the issues&quot; by encouraging parties to move from positions to interests. Takes place in both joint and private sessions.</td>
</tr>
<tr>
<td>Discussion focuses on past; uncovers thoughts, feelings and actions that led to conflict.</td>
<td>Forum focuses some on past actions, but only as it helps negotiate future actions.</td>
</tr>
<tr>
<td>Through discussion there is</td>
<td>Discussion furthers negotiation</td>
</tr>
</tbody>
</table>
**Ho'oponopono**

understanding of *hihia*, which makes moving toward resolution possible.

Resolution comes from mutual apology and forgiveness; admission of guilt or contribution to *hihia* and *hala* important.

Session ends with prayer and socializing (meal).

---

**Mediation**

by "reducing bargaining range" and "expanding the agreement zone" between parties.

Resolution comes through negotiations that lead to a written agreement. Agreements avoid admitting guilt or attributing to blame.

Session ends with getting copy of agreement. Parties disperse.

---

**CONCLUSION: LOOKING AHEAD**

After looking over the charts above it is apparent that there are fundamental distinctions between *ho'oponopono* and mediation. Some practitioners from either tradition may feel slighted that the similarities between the two, of which there are undoubtedly many, have not been given equal treatment. But that was not the aim of this comparison. The emphasis was on highlighting differences as they might appear to a *ho'oponopono* practitioner or researcher so that the culturally relative features of both forms become clearer. Much work remains to be done to understand "mediation" and other disputing practices in Hawai'i, the U.S. and throughout Asia and the Pacific. The works of Adler et. al. (1987), Goldstein (1986), Merry (1987) and other contributors to this volume have made a good
One specific recommendation that might be drawn from this paper is that the ADR field need to have more precise language to describe dispute related activities. How useful are terms like "conflict resolution" or "mediation" when applied to both ho'oponopono and NJC mediation? Watson-Gegeo and White (1987) use the word "disentangling" to describe what occurs in many Pacific Island cultures, including the Hawaiian. The following quote is taken from their manuscript called The Discourse of Disentangling: Conflict, Person and Emotion in the Pacific:

"We prefer the label "disentangling" over "conflict resolution" or "dispute management" because disentangling points to elements of local meaning that seem to organize and guide the activities we examine. To begin with, the notion of disentangling signals a process rather than an end product, indicating that management in moral negotiation itself may be more significant than specific decisions or outcomes. Secondly, the image of a tangled net or a knotted line suggests a blockage of purposeful activity, reminding the members of a community that the problem at hand requires attention lest it impede "normal" social life. It is in this sense that many of the activities examined in the following chapters are considered therapeutic for individuals and collectivities alike. Finally, disentangling presumes a conception of an unmarked, background state-of-affairs in which the strands of people's lives do not become snarled and ineffective. Whether spoken or implied, models of 'straight' or correct relations may themselves be transfigured in the disentangling process."
Perhaps in the future, when we speak to one another about "transcultural issues in mediation" we should be more articulate about our local meanings and explain our reference points, or stance. "Mediation" looks very different when it is compared to *ho'oponopono* instead of litigation. How much more different is "mediation" in Hawai‘i when compared with "mediation" in the Philippines or China or Thailand? We suspect that often when we have used this word across cultural lines it has obscured a lot; that we have talked past one another. "Dispute resolution" and "mediation" encompass a broad range of phenomena. We need to find better terms that express more of the culturally specific meanings. At the same time we must realize that even with improved terms more remains hidden than we can ever explain.

The parable of the three blind men who have unexpectedly come upon a large elephant illustrates this point. Each man alone is trying to figure out what this object is. One man feels the trunk and declares "It is a snake!" Another feels the leg and asserts "It is a tree!" The third, sliding his hands across the elephant's side states "It is a wall!" How does this relate to our problem? In the story, all the men are blind and have limited ability to perceive. We are "blind" also. Our human perception is always limited and selective. Furthermore, culture acts as yet another filter. How then do we proceed? Knowing both the nature of our "blindness" and how what we are perceiving (trunk, side, leg) relates to other features can help us describe our experiences more contextually, provisionally, humbly, and therefore more accurately.
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NOTES

1Taken from an article, "Divorce Mediation" by Emery and Wyer (1987: 472).

2Some writers have begun to explore the assumptions underlying mediation. See Merry (1987) for her contributions to understanding the different epistemologies of U.S. mediation and Pacific and Asia disputing. Adler, Lovaas and Milner (1987) have also begun to look more closely at the various ideologies present within the U.S. ADR community. See also Goldstein (1986) for a literature review on culture and mediation.

3Aloha means love; is a greeting of hello or good-bye; compassion; often summons up a gestalt of many Hawaiian values that are difficult to pin down in a definition.
The recent popularity of traditional forms of hula has brought back a strong spiritual element to dance. Blessings of work endeavors, social gatherings, opening and closing ceremonies are commonplace.

The love of nature is demonstrated in various ways. A popular phrase aloha ʻāina (love of the land) is used to support many Hawaiian concerns, including highly political development issues. There has also been a resurgence of Makahiki festivals in recent years. These yearly celebrations, traditionally held in the fall, were a time for sports and religious activities and were a tribute to Lono, the Hawaiian god of agriculture. Today's festivities usually combine the spiritual tribute with an opportunity to build community strength and conduct community fundraising activities.

Dreams, visions, portentous symbols, and precognitive messages (extrasensory perception) are also experienced by many Hawaiians and accorded prominent value in providing interpretations of past events and for giving guidance regarding future actions. See Pūku'i et. al. 1979, chapters 4 and 7 for rewarding reading on this subject.

These values have application to many areas of endeavor, including work. For example, ukupau is still used by some businesses in Hawai'i. The word literally refers to "piece work," or paying someone by the job rather than by time. In collective jobs the inference is that everyone will pitch in and work fast so they can finish early and commence other activities. In one example, trash collectors in Honolulu help each other finish their routes. Workers then have more time for hobbies, social activities, or to take second jobs to help support their families. This contrasts with the predominant American work pattern of adhering to a strict time clock system and requiring workers to be on the job for a
specified period of time regardless of task completion.

7See Ito (1978) for a fascinating study of Hawaiian women's beliefs regarding the "retributive" nature and consequences of negative thoughts, feelings and acts toward others.

8See Shook (1985: 7-10) for a description of how Pūku'i's model became resurrected and later used by a number of practitioners, mostly in social service settings.

9In pre-Christian times the pule would be offered to the akua (major gods) and 'aumākua (family gods). Today the prayer is addressed in various ways: to the "powers that be," the Christian God, the 'aumākua, or in combination to fit the families' beliefs.

10This is an interesting contrast to conflict resolution or therapeutic situations in other cultures where emotional catharsis is believed to be beneficial and is therefore encouraged as a means of "letting go" of the hurt, anger or resentment.

11Puku'i et. al. 1972: 74 report that retribution from the 'aumākua would befall an individual who did not forgive when asked.

12Mō ka piko literally means to sever the umbilical cord; the umbilical cord being an obvious metaphor for life and family connectedness.


14This example has appeared in a number of publications (Shook 1983; Shook 1985 and Boggs and Chun 1987). Unfortunately this is the only available sample of dialogue of a family
session that can give the reader a fairly good picture of the process. See Boggs and Chun’s work for a more linguistic analysis and Shook (1983) for expansion of the cultural concepts in the example that relate to social work with Hawaiians.

16 The source of the information and quoted material on the NJC views and models of mediation are taken from NJC training handouts or the NJC Annual Report from 1986-87.

16 Co-mediation is preferred for most cases. It is considered very important in family cases to have both a male and female mediator.

17 Perhaps U.S. mediation can be seen as having "legal system parents." Whether or not mediation is seen as a rebellious or a competent child may depend on what type of mediation program it is. For example court-annexed mediation programs could be seen as being more compliant, whereas community justice programs who see their role as changing the nature of community life and taking back some of the power of the courts could be seen as more the rebellious sort. The Honolulu NJC seems to be somewhere in-between; perhaps still evolving its identity. They respond to the courts’ interests (e.g. in supporting the court’s move towards presumptive mediation in contested divorce cases) but also maintain autonomy from the courts as a community non-profit organization.

18 Thanks to Merry (1987) for pointing out this contrast.

19 This is a contrast suggested by Ito (1985: 315). Interestingly enough an NJC handout called "Mediator Mind Food," lists a few aphorisms including the following Hawaiian proverb: "Love and conflict are binding."
In fact it can be inferred, based on data from NJC for 1986, that the majority of cases are cross-cultural (i.e. more than one ethnic group is represented by disputants and/or mediators. This is not surprising given the characteristics of Hawai'i's population. See Goldstein and Chandler (1987) for more on case data.

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