

Restorative Justice, Polynesian Style

by Robert Aitken Roshi

In May 1999, Jim Consedine, a New Zealand Catholic priest and longtime Catholic Worker and prison chaplain, visited Hawai'i and planted some important seeds.

Fr. Consedine is an advocate of a traditional Maori model of restorative justice which in a slightly modified form has been adopted into the juvenile criminal justice system of New Zealand, with remarkably positive, quantifiable effects (Consedine, *Restorative Justice: Healing the Effects of Crime*). During his brief stay in Hawai'i, his old friend Jim Albertini, a local Catholic Worker and veteran activist, arranged for him to meet with Hawaiians who were concerned about criminal justice. Bingo!

Maori of New Zealand and Kanaka Maoli (Native Hawaiians) share a common Polynesian culture, and the Kanaka Maoli recognized the Maori model as their own *ho'oponopono*, the Hawaiian way of reconciliation and redemption—still alive and well despite deprivations of Western influence on their culture.

Ho'oponopono, literally “to make things righteous,” is a family religious practice, often conducted at the new year, to bring forth disagreements and misunderstandings, and to process them through time-tested protocols, step by step, from sharing through confession, forgiveness, and redemption. It is also practiced between families when there is a disagreement over property, or when a courtship or marriage has gone wrong, or where there has been an actual crime in which one family is partisan to the offender, and the other to the victim.

It made sense to the Kanaka Maoli that their own traditional way of dealing with social disorganization and crime could be integrated into the Hawai'i state criminal justice system—a system that is in deep trouble. So many people in the state have been sentenced to prison that 1,200 offenders have no housing and must be confined in facilities in North America, mostly private prisons. Forty-two percent of all offenders are at least part Hawaiian ethnically, while their statewide numbers are closer to 20 percent. Moreover, the Hawai'i Department of Public Safety estimates that 60 percent of all inmates were originally found guilty of nonviolent crimes.

Imprisonment of a father or a mother often leads to family disorganization, and such troubles are compounded by deportation, which makes visitation impossible. Something, obviously, must be done. Inspired by Fr. Consedine's report of successes in New Zealand, a small group of Kanaka Maoli and friends

organized into a movement called *'Ohana Ho'opakele*, literally “Project Rescue,” which advocates a system that uses ho'oponopono, together with drug rehabilitation and occupational training, in *pu'uhonua*, or places of refuge. Parallel to this movement is a more secular kind of exploration of restorative justice among professionals in social welfare agencies and government departments of the state of Hawai'i.

The Hawai'i State Legislature recently defeated a bill to contract for private prisons, disguised as rehabilitation facilities, and passed a joint resolution co-sponsored by the *'Ohana Ho'opakele* calling for alternate forms of treatment for nonviolent offenders in secure places of refuge. This was encouraging. But a bill giving the governor a general kind of authority to negotiate contracts with private corporations for public services was also passed, and presumably this could include the service of incarceration. So the upshot of the last legislative session was mixed as far as advocates of alternatives to imprisonment are concerned, and much work remains to be done.

Like other old-timers in Hawai'i, I had known about ho'oponopono, but I had no exposure to the process itself. I knew about *pu'uhonua*, for the “City of Refuge” in the district of Kona is a popular tourist target, where visitors are shown replicas of humble temple buildings and wooden images of traditional deities. Offenders in precolonial Hawai'i could swim there, undergo extended purification ceremonies with the *kahuna* (priests, healers), and eventually be released back into the community without further prosecution. However, I had little sense of how this tradition might be used today.

The *'Ohana Ho'opakele* has organized training in ho'oponopono for its members and friends. A number of us took a workshop last year on successive Saturdays for a month, with teachers from Honolulu. The teachers have returned once a month since then to review cases with those who completed workshops, and also to lead another workshop—and still another is planned this year.

The participants in the workshop I attended were mostly Kanaka Maoli, with a sprinkling of folks of other ethnic extractions. A number of them were psychologists and social workers in the field of youth welfare. For lack of time and energy, I have not fol-



lowed through with the case-study sessions, though I have stayed in touch with the workshop teachers. The experience has given me a taste of the possibilities of ho'oponopono, and a new and profound appreciation for Hawaiian culture and religion generally.

One day, unexpectedly, during an 'Ohana Ho'opakele meeting, I became involved in an impromptu ho'oponopono session. A visitor, suffering from a severe compulsion to talk, dominated the meeting from the outset. We hadn't even opened the meeting with the usual prayer. On and on he raved about prison problems, of which he had had first-hand experience. Everyone sat patiently through this

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tirade, but not me. Not one to suffer fools gladly, I raised my hand after 15 minutes for a point of order. The compulsive one turned the full force of his energy on me, and things immediately got racial and very nasty. I was stealing his land, and stuff like that. One of our elders, Auntie Jessie Ke, said something in Hawaiian that abruptly shut off the rush of poison. (Afterwards she explained that she said I was a *kupuna*, an elder, and thus worthy of respect, though I wasn't Hawaiian.) In just a very few minutes, with Auntie Jessie facilitating, the two of us antagonists were apologizing to each other and embracing, and the meeting could begin.

Our ho'oponopono teachers, Lynette and Richard Paglinawan, would have enjoyed this brief example of the process. They are career masters in their field, who trained decades ago with Mary Kawena Pukui (1895–1986), perhaps the last of the great sages of Hawaiian culture. Ho'oponopono teachers who trained with Auntie Kawena are generally considered to be authoritative. Though other streams of the tradition have survived, it is her mode of practice that is set forth in *Nana I Ke Kumu (Look to the Source)*, a two-volume survey of Hawaiian cultural knowledge by Pukui and others, published in 1972 by the Queen Lili'uokalani Children's Center in Honolulu.

Hawaiians view the world in terms of interrelationships, a view akin to that found in Mahayana Buddhism. Any disturbance in part of the net of family or community will distort other parts. To set things right, a senior family member or a respected outsider will be invited to preside at ho'oponopono. The process is inevitably complex and potentially lengthy, and follows an agenda that is imprinted by tradition.

The sessions, like all important events for Kanaka Maoli, begin with a *pule* (prayer). (For this outline I

am relying on E. Victoria Shook, *Ho'oponopono: Contemporary Uses of a Hawaiian Problem-Solving Process*, a dissertation published in 1985 by the East-West Center in Honolulu.) The *pule* is never brief, and at ho'oponopono it can continue as long as 30 minutes, usually in the Hawaiian language, usually in Christian terms, though unspecified "powers that be" are sometimes called upon for guidance, and occasionally the traditional gods are invoked. In the prayer, the general problem is outlined in some detail, all the people involved are mentioned by name, and blessings and guidance are solicited.

Offenders and victims are present, together with their families, and perhaps close friends. After the *pule*, the presiding elder identifies the general problem. There is an appeal for full participation. All are encouraged to release any feelings of resistance they may have to the process. The procedure of ho'oponopono is outlined in detail to reacquaint all participants with the various steps. In this introductory interval, the manner of the elder helps to set the proper climate for healing.

The next step is the identification of the *hala*, the specific transgression—perhaps, say, the abuse of a family member. It is immediately clear that the *hala* has arisen from negative entanglements of offender and victim. The two are bound together in a difficult, complex relationship called *hihia*. (In the Hawaiian language, for "a, e, i, o, u," say "ah, eh, ee, oh, oo.")

There are inevitably many dimensions of *hihia*. The transgression has followed a series of misunderstandings and offenses, and is in turn followed by others, each problem with its own terms and causes. The *hihia* is a knot of difficulties.

The elder chooses one of the difficulties, and works through it with discussion among the participants. Under firm leadership, each speaker is given latitude, and interruption is not countenanced. The speakers address the elder and do not confront others. Each person who has been affected, directly or indirectly, is asked to share his or her feelings. It is understood by all that outbursts of emotion tend to escalate and this hampers problem-resolution. So if tempers begin to flare, the elder can announce a recess, a cooling-off period of silence and reflection.

As one level of the *hihia* is resolved, the discussion is led to the next level, and painstakingly and thoroughly, one layer at a time, the entire knot is disentangled and its many factors are clarified. When all are content with this resolution, the next step is *mihī*, a sincere confession of wrongdoing and a request for forgiveness. It is expected that at this point in the process, forgiveness will be granted when it is asked. If restitution is necessary, then terms are discussed and agreed upon.

Closely related to mihi is *kala*, or “loosening of negative entanglements.” The one who confesses and the one who forgives both acknowledge this loosening. This is a subtle step beyond confession and forgiveness, and true ho’oponopono is not complete without it. The *kala* indicates that all agree: the conflicts and hurts are dispelled, “buried in the ocean.” The elder declares them *oki*, “cut off.”

Closure is the *pani*, the elder’s review of what has taken place and a summary of the resolution of the problem. The problem is declared closed, never to be opened again. The session ends with a *pule ho’opau*, or prayer of completion, in which thanks for heavenly guidance is given, and the accomplishments in the process are acknowledged. Then the participants sit down together for a snack or a meal to which all have contributed. This provides a familiar means to move from the intense setting of problem-solving to normal daily routines, and is a further acknowledgment of reconciliation.

Ho’oponopono can remedy a broad range of human disorganization, from arguments over who should cook breakfast to a long history of family misunderstanding. Here is a young mother recounting a session prompted by her bedridden adoptive mother’s dream:

She dreamed that I was alongside a high cliff and was about to fall into the ocean. So she yelled out at me. I said, “Oh, I’m going.” And the second time and the third time, she called me, and I said, “I’m going.” And Mom said she thought this dream meant that because I was living in Honolulu I was [conceited] and didn’t take any interest in her...I thought, because of Mom’s age...she just wanted attention.

But This Lady [the elder during the *ho’oponopono*] thought the dream and Mom’s sickness meant that she was holding something back. Something she had not let me know.

So This Lady prayed again. And we all kept quiet for a while...trying to help Mom. And then Mom told us more. She said that before my grandmother died, she gave [Mom] a Hawaiian quilt [to give me] when I grew up.

But [Mom] kept it...and sold the quilt for \$300. And she had been living with this [guilt] all this time. This Lady told Mom she would never get well until she got my forgiveness. And Mom cried. She really cried!

Then [This Lady] said Mom should confess to me and to God...She did, she asked me to forgive her, and I did. I wasn’t angry...And later, Mom’s sickness left her. Of course she still had diabetes, but the rest—being so confused and miserable—all that left her...

During the *ho’oponopono* she said she would quilt another one for me. The others helped her. She got the quilt finished and gave it to me before she died...

And [This Lady] told me, “After this, you should write often. Your mother is old, and she

needs your letters...” And Mom cried again. And I felt, oh, so much love for her. (Pukui et. al, *Nana I Ke Kumu*, pp. 64–66.)

Ho’oponopono cases are private, religious, and quintessentially Hawaiian. One can understand how American-trained bureaucrats might be leery about utilizing the practice in the state or county criminal justice system. With the exception of elders like the Paglinawans, who are trained social workers, traditional practitioners might not easily bend their practice to processes required by the courts. One hopes that many other Kanaka Maoli who are already social workers will become ho’oponopono leaders, and thus provide a credible bridge to the world of conventional jurisprudence. It is a tribute to the people and culture of New Zealand that a similar procedure has been adopted there, though so far only in the juvenile justice system, where folks may be more willing to forgive and forget youthful mistakes.

Yet judges, social workers, Kanaka Maoli, and it seems, the general public all agree that something must be done. With the professionals interested in the ‘Ohana Ho’opakele, it remains for us to get our act together and establish a track record of work with offenders and potential offenders. We are moving into this phase as I write.

Grounded in the tradition, we also invent as we go along. During a brainstorming session of ‘Ohana Ho’opakele one afternoon, someone proposed expanding the notion of places of refuge to include churches, temples, synagogues, civic associations, canoe clubs, hula studios, and other community organizations, which might be induced to adopt one non-violent offender each. With proper controls and training, they could help to bring about the redemption of their wards. Well, why not? ❖

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