

Native Hawaiian Peacemaking Concepts

Cecelia Chang: At the Center for ADR, it's our mission to make alternative dispute resolution processes broadly available to Hawai'i residents and state and local government agencies. And that's why we are especially so pleased to be able to have this wonderful presentation today on native Hawaiian peacemaking concepts and practices. We are honored to have our Chief Justice Mark Recktenwald with us here today and I would like to ask Chief Justice Recktenwald to introduce today's very special speaker. CJ.

Chief Justice Recktenwald: And I want to thank Ann, Cecelia, and our Center for Alternative Dispute Resolution as well as all the other organizations and individuals who worked so hard to organize this event today, once more can you join me in thanking all of them.

We have a unique legal and historical legacy in Hawai'i stretching back to the time of the Kingdom of Hawai'i. As Chief Justice Richardson recognized, we can draw upon that legacy as we address the challenges that currently face our community. And one traditional Native Hawaiian practice that we can draw upon is ho'oponopono. Long before our present-day systems of dispute resolution, ho'oponopono was used to keep the peace and resolve disputes in Hawai'i.

Today we are privileged to learn more about ho'oponopono from one of Hawaii's living treasures, Beadie Kanahale Dawson. This is a unique opportunity to understand how individuals can benefit from the practice of ho'oponopono and to discuss how we can more effectively meet the needs of our community by developing and offering a wide range of methods to resolve disputes.

Ms. Dawson is well known as an outstanding attorney and community leader and an advocate for the Native Hawaiian community. She has generously shared her time and expertise to advance many important issues and causes. She's a graduate of the William S. Richardson School of Law and she currently practices with the law firm of Settle Meyer Law. And I'd like to share with you a little bit about her background in dispute resolution and Native Hawaiian peacemaking practices.

Ms. Dawson was trained and certified as a ho'oponopono haku by the late Malia Craver, a well-known expert in ho'oponopono at the Queen Lili'uokalani Trust and Children's Center. She's recognized as a haku and experienced mediator in Hawai'i and the continental United States. She has served as a lecturer and advocate for ho'oponopono for the Native Dispute Resolution Network of the U.S. Institute of Environmental Conflict Resolution in Tucson, Arizona and she's received many awards during her distinguished career and as you heard was recognized just last month by the Honpa Hongwanji Mission as a living treasure of Hawai'i.

Beadie, thank you so much for sharing your mana'o with us today.

Can you all please join me in welcoming a living treasure of Hawai'i, Beadie Dawson.

Beadie Dawson: Thank you for that welcome. Thank you everyone who is here. Thank you for those of you who are on the neighbor islands, we appreciate your interest.

One of the things that we are most proud of in our Hawaiian culture is this beautiful system of ho'oponopono, which I will refer to from time to time as pono. I'm trying to minimize the number

of Hawaiian words that I throw at you today simply because I don't want you to get caught up on those. What I do want you to get caught up on is the concepts of ho'oponopono. And I want you, I will take you to class today and I will help you to understand. I felt this was the easiest way to help you to understand how ho'oponopono works and how it has survived so many centuries of use in the southern continents, in the islands of the Pacific, certainly in, in Hawai'i where arriving Polynesians brought this wonderful dispute resolution process. It was used primarily, and I am grateful for the CJ's reference to the historical background, but as I take you through to your "class", hopefully you will understand it better.

Before I do that I would like to say aloha to you all. Aloha CJ. Aloha to the justices, Sabrina and Mike. I'm so happy that you are here. Aloha to the judges who are joining us on the neighbor islands and aloha to the attorneys, to the mediators who are joining us today. To the arbitrators joining us. To all of you, to every one of you, my sincerest aloha. I appreciate your interest in this incredible, remarkable process called ho'oponopono.

Our goal today is to explore ho'oponopono and as I have mentioned I'm going to take you to, treat you like you are participants and take you through some of the processes which I think will be most helpful in understanding just what ho'oponopono is. Ho'oponopono is a highly effective and highly structured dispute resolution process. Centuries old and new to many of us. New to most of you who have not used it. New to people who have never even heard of it, but this is your opportunity to understand the components of ho'oponopono.

As CJ mentioned, I had the honor of being trained by Auntie Malia Craver from the Lili'uokalani trust, and it was through her marvelous guidance that I have been trained and certified along with my daughter Donne, who had the same privilege of knowing and training with Auntie Malia. She's gone now but she's left a wonderful legacy with us.

Not too long ago, she was invited to speak before the United Nations, prior to her passing, and in doing so she brought out the fact that she felt that the world needed to know about the Hawaiian culture and that is what she took to them. She also felt that the world needed to know about this remarkable dispute resolution system called ho'oponopono.

For many years after the missionaries and the Westerners arrived in Hawai'i, ho'oponopono was frowned upon and banned. Hawaiians have many gods and had many practices that involved these many gods, so some of the missionaries felt that ho'oponopono was a pagan practice and this is why initially they discouraged it enormously and they discouraged the language as well.

Missionaries brought with them their wonderful books, their marvelous printing presses without which we would still have an oral language. They took the Hawaiian language and put it in writing. And this is why Hawai'i, in the 19th century, was known as one of the most literate nations in the world. It's kind of a heavy thought to think about. In the world. It was in our own language, but we were known for this and we were known in Europe, we were known in Asia, we were known throughout the Pacific. And we're very grateful for the opportunity that the missionaries brought to us. There are many jokes about the missionaries. None of them give proper kudos and thanksgiving to these wonderful people who brought Christianity to the islands and who brought so many wonderful things that we have profited from ever since.

So I grew up in a family that appreciated the missionaries and I grew up realizing the many benefits that they have brought to us, all from our culture. I think most of us think of our culture

as something that is connected to tourism and it is. I'm not sure that that's the only thing that they should know about our culture because we have so much more to offer.

What I would like to do is to take you through several of the stages of ho'oponopono that occur, when and if you are selected, you or your clients are selected, for this dispute resolution process. It is very important that you understand that ho'oponopono is not for everyone and I urge you to research it yourself to look at the Internet but I also would caution you that in the hundred years that ho'oponopono was banned, there were many unusual people who came forward, some of them claiming to be haku or leaders. Some of them putting forward theories that were their own. Some of them with theories that were very close to yoga or other methods of healing, certainly not with a traditional ho'oponopono practice, so when you see some of these on the internet I would urge that you study them but accept them for what they are. They were fillers, if you will, during the period where ho'oponopono was not practiced.

During the same long, long years of non-practice for ho'oponopono, I was privileged to be in a family, both of my parents were part Hawaiian, and both of them knew ho'oponopono. Ho'oponopono after it became banned was practiced very avidly, many times with different names like 'ohana gatherings, family meetings. They gave, they never called it ho'oponopono they called it by these various names. My mother was one of the people who practiced ho'oponopono and she practiced as a school teacher and used ho'oponopono to visit families and to help families of students who were falling back, underperforming, truant, sometimes getting into violent activities and I can remember going with her to, up the stairs in Kalihi to visit various families. I was always relegated to the steps outside because ho'oponopono is not a public process, but I listened a lot and I eavesdropped a lot as much as I possibly could because I found it very, very interesting.

But I was very proud of my mother for continuing the use of pono even though under a different name and to this day she has many of her students come up to her and remember her as a teacher. People like George Ariyoshi, who was one of her students and who dearly loved her and she him. There were so many of her students that have, remember her for this wonderful personal attention that she gave each and every one of them.

Today if a student is truant or non-performing or having, having problems, we send them to a counselor. That counselor may or may not be familiar with any of the cultural ways of solving problems but we have expanded as a population and there's so many students here, so many our population has grown so that it is not possible for the teachers to give the kind of personal attention that they did 50 years ago. We're in a different paradigm now.

What I want you to understand about ho'oponopono is that while it is a dispute resolution process, it follows a completely different paradigm. Different paradigm from arbitration. Different paradigm from mediation. A completely different paradigm from litigation. And this is one of the reasons why I am going to try and take you through the process a little bit. To help you realize and not confuse ho'oponopono with the other means of dispute resolution that we have. Having said that I would like to show you some of the areas where ho'oponopono has been used in a much broader sense, historically and on up through the years.

Historically, Sam Kamakau who is the very noted historian that has written Ruling Chiefs filled with Hawaiian names very difficult to read, hard for me, so I'm sure it's hard for a lot of other people, but he is a very accurate and imaginative storyteller of what went on in our, in our history. He tells the story of many of the battles. Two battles in particular, on the island of Oahu where the principles of pono were used in those battles.

This is a battle between chiefs. This is a battle of great violence. And I like to tell the story of a gentleman called Nāli'i, who was a very wise counselor and called upon during one of the wars to use his wisdom to make sense out of the vicious battles that were being fought. Nāli'i took his place independently and separately, with each of the chiefs of the two warring sides. In these visits with him, which were private, he helped them to recall their successes, their contributions to the land, their contributions to their people. Most importantly he asked them to remember their genealogy and to remember their relationships.

Indeed, what he did find in these, two of these battles, the differing sides were actually cousins and when they realized they had this relationship to each other, they realized they could not war against each other. And so, the battles that Sam Kamakau describes, ended. And they ended because people realized that they had relationships which they still needed to honor and which they did not wish to put aside in any way shape or form.

Earlier, under ali'i rule, we have Hawai'i existing under very, very strict rules. There were no gray areas in them. These edicts or kapus, as they were called, were very clear and very precise and they applied to small and large situations. Under ali'i rule, we have the story of a young Kamehameha, who was walking along the beach came across what I would call thugs or some marauding people, fishermen what-have-you, who chased him because they wanted whatever it was he had and he ran to get away from them.

In the course of running away from them, his foot caught in some stones and he could not run so he was trapped. He therefore couldn't run and these individuals beat him badly. Not too long after this, this young chief became Kamehameha the First, and the first law that he passed was Kānāwai Māmalahoa. Some of you may know this. It is this wonderful law, first law of Hawai'i where he says, and I will paraphrase: all my people, honor your parents. Honor who you come from. Remember who you are. Remember and honor all men and the rights of all men. This is Kamehameha speaking, remember the great men. Remember the small, humble men. Remember them all and see to it that all of our aged, our infirm, and our children may lie down in the roadside and sleep without fear of harm. This is Kamehameha the first speaking. The edict goes on: this is my edict, disobey and you die.

There's no ho'oponopono. There's no court case, there's no appeal. You die if you disobey. But this was a climate that Hawai'i lived in for centuries and Kamehameha was certainly at the helm of strict laws.

Later come, come the Christian, the Christianity and the missionaries and here as I have mentioned, they brought their wonderful tools of education from which the entire population of Hawai'i benefited from. Knowing how to read and write their language for the very first time. Up until this time our history was told in oli, in songs, in poetry, in chants. But when it became written, through the printed presses, our people benefited from the literate, incredible beginning of an Age of Enlightenment and we can certainly be proud of that. They were considered the most literate people in the world in their own language and I would like to think that that same pride still exists today.

I think what I would like to do now is to take you through the ho'oponopono process and give you some of the, the workings of this so that you might see, it's the easiest way to, to understand what ho'oponopono is. [Inaudible] say that there many people have written about ho'oponopono and while it was banned there were many variations. Some of them raised eyebrows with true ho'oponopono practitioners, but nevertheless, like everything else in our society, they were present, we accepted them, and they seemed to make a bit of headway. But

ho'oponopono was theirs because, and it was effective, because of what they had learned from their own language, learned from their own culture, learned in, in books, in reading and writing. And to this day I think Hawaiians are very grateful for this.

Unfortunately, many of the more zealous missionaries, felt that it was also necessary to discourage the language, which they did. And so not until the 70s did we have an era where people, where the resurgence of our, of our language was finally coming back. This is, was thanks to the Hawaiian immersion schools among other things. Thanks to my teacher, Malia Craver. But Hawaiian immersion schools which taught the language, starting when the kids were very, very young and as you may know that the system that the immersion schools used is they involved the parents. You didn't send your children off to school and forget about them and go do your own thing. The immersion schools require that the parents have a great deal, to walk in lockstep with their children, to learn the language with them, to learn the culture with them, to learn all of the indicia of how we do things in different ways when we are getting along with each other, when we are not getting along with each other. So it is, we are very grateful to the immersion schools for, for what they have done.

And they have indeed brought the Hawaiian language back from the brink of extinction. For there was a time, when the language was so hardly known, hardly spoken, that it was in danger of extinction.

I think it is important to realize that today in dispute resolution, all manner of dispute resolution is something that we want to look at.

We attorneys have this wonderful rule 11, which encourages us in the strongest possible words, to encourage our clients to look at alternative resolution. To look at the possibility of settlement. To look at the different manner of systems that are available to us. To understand, to know and understand mediation, arbitration, and the pros and cons of litigation.

This is something that we attorneys, this is a mandate for us. That we advise our clients and we encourage them along these lines. Sometimes I think we all don't do enough of this. I'm not sure of the reasons why, whether people get too busy. But it is not simply opening up the litigation process and full speed ahead with litigation.

Going back a ways to 2000, the year 2000, we had a situation where there was a great proliferation of litigation that was flooding the federal courts and everyone was concerned about it. Not only flooding the federal courts, but flooding them with major issues. And virtually every one of them with multiple parties involved, multiple departments, multiple agencies, many corporations. So it was the kind of complex litigation that was threatening to sink the ship.

The Congress at that point funded a wonderful organization called the U.S. Institute of Conflict Resolution, of which I am a member, located in Phoenix, Arizona, and their job is to master dispute resolution and to use all means possible, to bring to a conclusion before they get to the courts, whatever disputes were involved.

And what I'm thinking of right now in 2000, was when President Clinton became aware that there were tremendous protections that should have been in place, to safeguard the reefs, the coral, the marine life, and all of the parts of the northwestern Hawaiian Islands in the Hawaiian archipelago. And so he directed the U.S. Institute to find a way, didn't tell them how, find a way to bring all of the varying opinions on how this should be done competing opinions, if you will, and that is exactly what he did.

The institute called on two individuals. One was Peter Adler, some of you may know who was with the finance Institute. And Kem Lowry, who was with the University of Hawai'i Department of Conflict Resolution. These two gentlemen took charge of a task that had been put before them, and brought together, in 90 days, 450 participants and over a thousand different positions and comments that they gathered from all of the departments and the agencies and the private corporations that had something to say about the Northwest Hawaiian Islands.

Having gathered these using principles of ho'oponopono, these two gentlemen synthesized them all and presented their recommendations to President Clinton.

Today, we have Papahānaumokuākea which is a world, an international refuge, of which we are very proud. It is not without problems, but it is a recognition of how people can work together in a system of conflict resolution that can come up with an event summarized in an action that would have buy-in from everyone because all of the different parties had been given an opportunity to have their say on what their position was.

I am very proud to say that it was this centuries-old system of dispute resolution, pono, ho'oponopono, which brought about this international refuge. I think some of you may even have been to the northwestern islands.

May understand the magnitude of this event of forming this refuge.

But the bottom line is people, agencies, departments of differing opinions should be given and do have an opportunity to come together under the proper kind of leadership and make their wishes known, in a civil way, in a very courteous way, something which is often missing in current day meetings, but they were able to come together and so the result is this incredible refuge that we have today.

There are two parts to ho'oponopono: One is the preparation, which sometimes takes even longer than the actual session. When ho'oponopono is deemed appropriate for a party, a leader must be chosen. They call that leader a haku. That leader must be trained, qualified, unbiased, trusted, and accepted by all of the parties. In ho'oponopono, if all parties to a dispute are not willing to sit down and work with it, a'ole pono. You do not have ho'oponopono. You cannot have ho'oponopono with some of the parties. You must have every everyone involved, which is one of the things that the leader is challenged with is to convince everyone that it is in their best interests, everyone's best interests, to be a part of this dispute resolution. In this preparation process, where a leader, a haku is chosen, this haku has to guide and explain the entire process. Because they need a buy-in, they need a commitment from every member, every participant, before they can begin. And that commitment means that they understand what they are getting into.

Among other things one of the most is the matter of Prayer, which sometimes people object to. But this is handled by ho'oponopono experts in a very, very graceful way by combining or eliminating prayer and substituting instead meditation or silence.

And every preparation for ho'oponopono begins this way, every session begins this way, with prayer, meditation, or with silence. Listening to one's self not anybody else, listening to one's, self to your inner self.

The other thing that the haku must do, is to inform, in this preparation model, must meet with each of the participants separately, independently, in private.

Now I know you're thinking "wow, this takes a lot of time". Yes, it may. If there are many participants, it does take a lot of time. But every single one of them is given the opportunity to meet with the haku. And in this meeting, they are given instructions on what the rules are and ho'oponopono. One of the first one is, no attorneys. We do not have attorneys in ho'oponopono.

Every participant speaks for himself. So in the beginning process where there is preparation going on, in the later process when the session is going on, and even afterwards. Attorneys are not involved at all unless under very special circumstances, which I will describe in a minute.

The haku, or the leader, is then required to take the participants individually, separately, and in private. I cannot emphasize that enough. And explain to them what self-introspection is. Because it is this self-introspection, looking within, that is the heart of ho'oponopono.

It is not looking at others. It is not looking for a cause. What caused an event or who caused it.

It is looking within. It is your leader, or your haku, needs to explain this, in this preparation model, so that each individual that is sharing in this conversation, understands that in this meeting they will not have legal representation. They will speak for themselves. And they will speak only to the leader. They will never speak to each other during the session, unless they have particular, they have permission to do so.

They ask and receive permission to do so for a very special reason. This is explained in preparation. By your leader. Imagine you or your clients going through this. You can ask all the questions that you want at that point. You will be asked to frame the problem or the dispute in your own words. And that will be taken into consideration. By just you and the haku. No one else is present.

The other principle that the leader must bring to the fore in this preparation stage is something called truth and 'oia'i'o in Hawaiian. Try to remember that one word, 'oia'i'o, because it's very different from the truth that we sometimes know. 'Oia means truth in Hawaiian. 'i'o means, the meat or substance. So 'oia'i'o means the substance of the truth. The inner workings of the truth. The truth that is known to just you and your higher power. You and your God. The truth that is known only to you and your conscience. The truth that is known in unembellished words of what your role was in the particular dispute. And you will be required to understand what your role was. Not what anybody else did. What you did. It's not, I did this because I was drunk. I did it because I was tired. I did it because they stole something from me. They, they took my song composition from me. It is this kind of introspection that is so important, that the individual, the participant look only for their own role in the dispute. I did this and the facts have to be very clear. Not why, not because and with none of the excuses that we often hear. None. I did this. And it is at this point, that your leader, often brings to the fore, remember he's meeting with an individually, with a participant. The need for perhaps to express that. Your leader will ask them to express their version of what they did. Not what the others did, what they did. To express it without any embellishment, without any emotion, what they did. I shot him. Not because he hit me. Not because I was bleeding. Not because I thought I was dying. Whatever. I shot him. And it is this kind of admission that is a telling point in ho'oponopono, because it is an admission of what the participant has done. This is what I did. This is what I did not do that made the situation worse. And it is a telling of this role that allows an individual to look within themselves and say "I'm responsible for that. I'm fully responsible for that."

And that leader, your leader, helps them to realize that that is what they are doing. They are giving their version of what they did without any varnishing. Without any adjectives. Without any

suggestion of somebody else who may have caused it. It is what you did. It is what I as a participant did. And I stand fully responsible for it.

As I have mentioned, in ho'oponopono, this preparation is very, very important and everyone has to understand it. Fully.

The other concept that your leader has to explain to each participant in this preparation process is they have to understand confidentiality. Confidentiality before, during, and after the pono process. Way after. And as you will see, that when you're through with ho'oponopono, there's no need to reference any of this ever again. For anyone. The concept of confidentiality is critical in ho'oponopono.

Nothing that is said or indicated by any of the participants, can ever be used later for them or against them. Most people understand confidentiality. You don't say okay that's confidential and then you talk about it later. You don't do that. It is sealed forever. Stays only in the pono process and never to leave there.

And because people are so protected in this way and they realize that they can be as honest and as sincere in articulating, exactly what they did without fear of something happening to them and without somebody using it against them. Or using it for them, perhaps. So this concept of confidentiality is critical in this preparation stage. Your leader must get from each individual, a buy-in, a commitment. In triplicate, if you will. That whatever takes place in the pono process, ho'oponopono process, is never going to go out of that room.

Even when there are ho'oma'o. Timeouts called. Go to the restroom, for lunches or dinners, for meals or just if everyone is exhausted sometimes. Ho'oponopono guarantees that with confidentiality, nothing will be discussed between the parties. Ever. Outside of that room.

And it is important that everyone buy-in on this. If they do not, a'ole ho'oponopono. You cannot have one individual who will not guarantee or commit to confidentiality. Who will not commit to the truth. You cannot have even one individual who is a major part of this dispute. If you have this kind of holdout, there is no ho'oponopono. It has been destroyed. And that's the job, of your haku, of your leader. If they understand these principles so thoroughly that they will commit to it without exception, they will commit to it forever.

Following this preparation process, there is what we call the session process, and this is where your leader has met individually with every participant. Where they have had all of the principles and rules of ho'oponopono, explained to them explicitly. Questions asked and answered and everyone has met individually and everyone has said: "Yes, I will abide by these rules. Yes, I want to participate. Yes, I want to have ho'oponopono to resolve whatever the terrible dispute is that is bothering everyone the leader will also explain that while each of the participants can only speak to the haku, even during preparation, of course it's a private session, but in the session itself, can only speak to the leader.

And the leader will explain that if at any point the individual feels, the participant feels, that they must, they're feeling, they have a feeling of guilt, and they want to apologize for what they have done or what they did not do. They cannot talk to another party without the permission of the leader and they have to request it and it has to be given.

They will speak only to that party with the permission of the leader. And that is what we call a confession or an admission of what an individual's part in the dispute, not what anybody else did, what you did. This is a confession of what you did. May be small, it may be huge, but it is

what you did, and you're standing fully responsible for it. Your leader, in bringing people together ultimately is going to have to synthesize what he has learned from all of the different people that are in the group. And has learned individually from them. And has learned even when the session is called. Once the session is called, once again no attorneys are present, and everyone is expressing themselves with the guidance of your leader.

They are explaining their own self-introspection. They are explaining what they see in themselves. They're seeing, they are explaining the event. I did this. I did not do this. I forgot to do this. And it caused terrible embarrassment. It caused tremendous pilikia for everyone because of something I did and something I didn't. And subsequently I have to be responsible for that.

This admission, which is part of the confession that goes out in the session, is tremendously important. In litigation or in mediation and in arbitration it's very hard for us to reach the point where we admit something that we have done.

Even attorneys who are wonderful wordsmiths have to hold themselves back because they are very used to telling the facts or the truth, choosing the best words which will be in the best light for their client, which will be most favorable for their client. And so attorneys have to be at the forefront of telling exactly what transpired in an unembellished way. Unflavored, no emotion to it. And this is very hard for attorneys. We're used to zealously representing our clients. We know that we have to show some way to get to the judge or to the jury to show them in the best possible light.

So we have to be very careful about this. And we are asking the participants in ho'oponopono, who are not in court, that this same rule applies. Now I should mention here that if a dispute happens to be in court, and the leader has interviewed everyone and it has been determined that everyone wants to participate they have all committed to this system. Your leader then has to go to the attorney and ask to have that particular case dismissed without prejudice. And there's a reason for that. Because in the process of resolving a dispute, it may be that some kind of follow-up is necessary. Maybe there was an injury that will shadow that person for the rest of their lives. Or that they will have to pay dearly for with medical care or whatnot. There are experts that have to be brought in.

Neither the participant nor the leader are expected to have this expertise. And so that particular aspect of ho'oponopono must be reserved for the courts later on to have a hearing held, to hear from the expert, to determine what kind of resolution is going to make that, whoever the person is, the wronged person, to make them whole again.

I think that perhaps what is most difficult for the participants and for the, the leader themselves, is the matter of emotions that arise in the case of a dispute. Ho'oponopono takes that into consideration. This is why the parties do not talk with each other. This is why they talk only to the leader. This is why they talk only if they have something to confess and they have been given permission to speak to a certain person. They never speak to someone else in the room, but everyone else is listening. In the long run, it is very possible for people to hear what other people have said and are saying and to perhaps have an awakening in themselves of their own introspection. Of the own truths that they have been avoiding. Of their own guilt. Of their own misinterpreting. Of what has happened. And so the process both in the preparation and in the session itself, this is the opportunity for the individuals, not to talk to each other, but to hear what other people are saying. Very honestly and very sincerely expressing themselves. It is the act of apologizing.

Once again, it's not something that we do in court. We rarely do it in arbitration. Almost never do it in mediation. But apologizing, is a very real part of ho'oponopono. If you have been looking at yourself and realize that what you have done has aggravated a situation so badly that it may have repercussions on many, many other people.

Because of this, it is necessary for this rule that says you do not talk to anyone without the permission of your leader when you're in session. And that it is something that cannot be violated. If there is, there's usually a timeout that is called. And people are called to task and reminded that they cannot go down that road. Ho'oponopono, in the apology process is an opportunity for someone to show their regret sincerely and honestly. To show that they have, they have great nightmares about what they have done. They wish they hadn't done it, but they need to apologize. So the apology process is very necessary to the peace of mind of the individual.

And so your apology is critically heard and between the person asking for, giving the apology and the person receiving it. In this process the participant usually is asking for forgiveness.

Mary Pukui was very, had a wonderful saying about forgiveness. She said if someone comes to you and they very sincerely and honestly apologize and they ask you for your, for forgiveness, you cannot refuse. You have to give them your forgiveness. And, says Mary, if you don't, when you ask for forgiveness, from your conscience or your god, your 'aumakua will turn their back on you. And I love this story because it is so typical of Mary Pukui and her way of expressing things and saying don't try that, it's not going to work and you will pay for it later on.

Finally, in the forgiving process, it's important that both people forgive. You have the person apologizing, asking for forgiveness and you have the recipient who is giving their full and complete acceptance of that and giving the forgiveness. Both of these parties must remove any feelings of grudge, doubt, ongoing feelings or whatnot. This is pau.

When you forgive someone, you have forgiven them completely. And this is one of the great benefits of ho'oponopono. It's not partial. It is full and permanent. And that is forgiveness.

A few years back I was giving a lecture on ho'oponopono at the Ala Moana hotel, I think. For one of the ADR organizations. And I was giving a lecture on ho'oponopono. And way down at the other end of the hotel, there was another speaker that was giving a lecture on dispute resolution. When it was over, we got together for lunch, introduced ourselves and to my amazement, I found that the other lecturer, who was Dana Curtis, a professor from Stanford University, and their center of dispute resolution. Her entire presentation had been on apology, forgiveness, and anger. And I was amazed by this because up until that time I thought, OK, ho'oponopono has got these wonderful attributes to it. This is this great system that has come down to us through this through the centuries. We have used it in large disputes like the Papahānaumokuākea, the northwest islands disputes. It's been used in in battles in ancient times. And here it is at Stanford University, they're talking about apology, confession, and forgiveness.

This was very humbling for me as I thought, hey they're wonderful people all over the world. We need to get on the same page, all of us. Particularly those that are in the business of resolving disputes, resolving conflicts. We don't hold the license on how best to do it. But we do have an understood, when we have an understanding we know when something is appropriate.

We don't suggest arbitration and mediation where it is not appropriate. When we know that our clients are going to go into litigation, we know that there are the pluses and minuses and our rule 11 says, you make them aware of those. You make them aware of the consequences.

I'm sorry. I don't see anybody getting up for a break. If you do have to leave the room it's, perfectly all right. Please do so, I won't be offended. We have more that we are going to be talking about in this next little while, so if you need to get up and stretch your legs, please do so.

If not, I would like to continue on with the ho'oponopono process. What I have not done, don't wait for me, if you have to leave even momentarily, go ahead and do so.

If you have been through the process, the settlement process of ho'oponopono, and you come to the end where everyone has had their say. Everyone has had their session with the with a leader. Everyone has an important opportunity to frame the dispute. And that dispute will be framed in words that are collectively taken from everyone, as they have expressed it to the haku. At that point, the leader will know that everyone has had the opportunity to meet with a haku. Everyone has had the opportunity to give their role, articulate their role in the dispute. Everyone has had an opportunity to apologize. Everyone has had the opportunity to confess. Everyone has had the opportunity, if they feel it is necessary, to ask for forgiveness and it has been done.

Once all of these stages have been done, in the process of preparation and in the process of the session itself, it is very important that the leader at that point, summarize everything.

Remember, the individual participants are the ones who decide what should be done. Not the leader. There is no judge. There is no jury. Each individual has had an opportunity to express themselves, to confess, to apologize, to forgive or be forgiven. Everyone has had that opportunity. And at that point, your leader will call an end to the ho'oponopono process.

Usually there's a wonderful celebration of a meal thereafter. And it's well deserved. Because everyone is exhausted at that time. Ho'oponopono can take two hours, two months, occasionally it's very drawn-out and could it take as long as two years. But it's a long time for it to go on, so rarely does it go on that long.

And your leader knows that there there's no timetable. Whatever is correct and appropriate for the dispute that is there, will be what is handled in the ho'oponopono.

Cecelia: Thank you very much. Beadie what I'll do is, if it's all right with you, I'll pose a few questions, I'll pose a few questions that I think are common questions.

You had mentioned that it's a self-introspective process where one looks at and asks him or herself: "How did I contribute to a problem?" Now, I'm sure that there are people here who are litigators, who are our attorneys and they've heard you say that attorneys don't participate in this process. Well, Beadie, is pono, you're saying it's non-adversarial. Is it the opposite of litigation?

Beadie: Ho'oponopono is adversarial in that it is each person, being the opponent to themselves. Being, struggling with themselves, but not with someone else. Each person is responsible for their part of the dispute, not for what somebody else has done. We are not looking for blame. We are not looking for justification. Each person is only required to know, to have their own admission of what they have done. What their part in it was, but not what anyone else has done.

Cecelia: We have, I think it's supposed to be one question, but it's really three questions, and it appears to be from someone who's probably a very strong civil litigation advocate. We'll take them in order, ok? But I'll give everyone these questions. Why dismiss a case without prejudice? Couldn't you have a stay of proceedings? How would you deal with the statute of limitations issues?

Beadie: Okay, try that again one-by-one.

Cecelia: One-by-one: Why dismiss a case without prejudice? Why dismiss a case without prejudice? This is how people live. They earn their livings by having cases thrive in court. Why dismiss it, Beadie?

Beadie: Well. Without prejudice. Without prejudice, is for one reason: It may be that an expert is needed in the resolution of what kind of restitution is required and the parties are not, do not have that expertise. It may be that a hearing must be called with the appropriate experts available to tell you what their expenses will be. What exactly restitution will consist of. And it is not something that is expected of the participants. So for that reason, the case is usually asked to be dismissed without prejudice, and often the case goes back into court, simply for an affirmation, that they are in agreement.

Sometimes the parties will ask: "I want to go to court and I want to hear the judge say that I'm finished with this. I know I am, but I want to know that the court is finished with it as well."

Cecelia: And then, in terms of staying the proceedings, how do you think about, if a case were still to have been filed, how do you feel staying the proceedings might affect the ho'oponopono process?

Beadie: The participants have already agreed that if it is necessary to call a halt, for whatever reason, people are exhausted, people need to sleep, people need to eat. Perhaps there needs to be a hearing in court that has to take place to determine what kind of restitution needs to take place. Everyone is under the same commitment and promise of confidentiality. No one speaks of anything that goes on.

You know, while I was training, Donnie and I were training for ho'oponopono, people would often ask: "Well can we come and sit in on a session? Can we come and listen and take notes?" And the answer is very clear, absolutely not. Because confidentiality is destroyed if you have any stranger in the room. And the parties themselves have committed to confidentiality, they're not going to talk to anyone other than the haku and other than what is asked of them in ho'oponopono.

Cecelia: So Beadie are you saying that, all you litigators out there, are you saying that ho'oponopono absolutely cannot be used as part of a discovery process?

Beadie: Absolutely. And rule 11 makes this very clear. Most attorneys know this. You cannot use ho'oponopono or mediation or arbitration as a means of discovery. Those are not discovery methods. They are not appropriate and they're never allowed and usually are challenged if they are.

Cecelia: The third question, and we have more here. How would you deal with the statute of limitations issues? Is there a statute of limitations for peacemaking?

Beadie: My answer to that is everyone has agreed that they are going to participate in ho'oponopono. They have agreed that collectively they are going to be making a decision. They

don't need the court's affirmation on that, they've already taken care of the dispute. Because it's out of court so the statute of limitations no longer applies. If it takes two years, then it's two years for you to have your session, to have your discussions with your leader. The statute of limitations is a non-issue.

Cecelia: In fact, so there's true buy-in. Right? This is an alternative to court.

Beadie: Yes. It is an alternative to court and it's a wonderful one. I think this is the reason that organizations like the U.S. Institute and other and attorneys realize that if settlement is a truly possible outcome and is a very likely outcome, they're not interested in going back into court unless there is some other disagreement that arises in but not very likely and it, it just doesn't happen.

Cecelia: What is, right here what are, you touched on this earlier when you discussed ho'oponopono being used to settle a battle. Being used to settle all of the various agency and individual groups for the marine life preservation area. And it being used in the schools. A teacher going into the home.

What are some of the remedies, what are some of the remedies that ho'oponopono offers that one might not find in the court setting? Where it would be appropriate to advise a client, try ho'oponopono. In other words, when a problem is not solvable in court.

Beadie: In most instances, I think from the description that I have given thus far, it is very clear that by letting each of the individual concerned parties, this is not outside parties, each of the concerned parties has had their opportunity to express themselves in terms of what they have done, what they, it is their admission and they have been able to apologize for it. Once it is forgiven, it no longer exists as a problem anymore. Once it is forgiven, whatever that issue is, it has become a non-issue.

In the case of Papahānaumokuākea, where the two facilitators took testimony from 450 participants in it, this is a heavy responsibility, every one of those gave their position and their reasons for doing what they were doing. They wanted to be proposed or what might be proposed because they didn't know at that point, but every one of those comments and participants in the that Kem Lowry and Peter Adler work took. All of those comments, were taken into consideration and synthesized in the bottom line recommendation that went to president Clinton in the formation of the refuge.

There were no left over issues, except perhaps if somebody had changed their minds and then they would have an international court that they would have to deal with for violations. But as far as the refuge was concerned it was a settled matter.

Cecelia: How are the, how are the confidentiality preserved? Do all of the parties write a written agreement? How is it enforced? Is it used in the commercial context? In every context? What kinds of commercial disputes?

And if I may Beadie, and we're just responding to a fraction of these questions, if I could remind you of a question I had asked you earlier. When you talked about the practical, legal benefits of using pono in resolving disputes you were talking about other, the non-legal benefits.

So when you talk about, you were talking about sometimes the legal remedy is worse than the problem. Like when you're going to get a boycott or marches through your property.

Beadie: Every one of those problems would have been discussed individually. Not as a group, but individually. And they would have been resolved, first in the preparation stage, where it is known to the leader, that there are problems that may come up later. And there is a discussion at that point in time of what may be done. And whether or not the individuals are willing to accept a collective decision. A collective decision. Because everyone will have participated at that point. And in synthesizing all of the different positions, collectively nobody makes us the decision except the participants themselves.

The haku doesn't make it, the leader does not make the decision. One-by-one, the decision is made by each participant. The haku merely guides them through the process of speaking for their part of it and not falling into the trap of trying to find a blame. But only to looking within, looking into themselves. What did you do? Doesn't matter if someone else did something. What did you? And so these are the issues that are resolved in the preparation stage and in the session stage. Between the participant expressing themselves to the haku. The haku's not telling them what to do. They are telling, they know right, they know wrong. They know honest, they know dishonest.

Cecelia: So Beadie, correct me if I'm wrong, but what you're saying is through the self-introspection, self-reflection on what did I do to contribute to a problem and the haku guiding me through this, I am interested in seeking the truth and honestly confessing to what I've done and when everybody has agreed to and buys into that process the solution collectively emerges.

Beadie: Yes. And I think actually the north-western refuge is a good example of how you have differing opinions of different things that people, everyone has a different idea of how it, how something should be resolved and once synthesized with all of these together, that we find out what is compatible what is not compatible.

Many of those positions will be negated because they are either wrong from a legal point of view or wrong from an international point of view. And so they will be eliminated.

But when I say that your facilitator needs to synthesize those things and come up with a collective idea: Here's how we're going to preserve this refuge. Here is how, here are the rules that we're going to apply. You want to continue to fish in this area, this will not be possible. Because everyone has agreed collectively, that this is ho-, that this area needs to be preserved and they have agreed that the downside of that is a very disastrous outcome in the entire area.

Cecelia: So Beadie, again please correct me if I'm wrong, you're saying that the individuals or agencies or organizations participating in this are looking inwardly at what's right.

Beadie: Yes. They're looking at, okay what do I want out of this? We want to be able to fish in the area. We want to be able to go and take tours in the area. We want to be able to maybe even put in some earth build up one of the islands and build in the area. There's going to be a lot of self-interest in every, in a case like the refuge, or in legal disputes between people. They're not all going to want to do exactly the same thing. Somebody that has been wronged by another person is going to have very strong feelings about what they do need to make them whole.

Many things you cannot undo in a legal situation so there it has to be an inner what will I be satisfied with? If the doctors say I need ten million dollars to get me through this and that appears through all through all of the experts that is the testimony I'm going to be, I will be willing to accept that.

Self-interest is very clearly and succinctly disapproved and eliminated, both in the process of ho'oponopono, and in the larger processes where elements of ho'oponopono have been used to solve a larger problem.

Cecelia: So ho'oponopono is looking at my own personal responsibility and accountability. It's not about, okay, it's not about getting a judgement against someone else

Beadie: Exactly. That's not, that is not what ho'oponopono is all about. It's what you are responsible for and what you are, you may decide what your own restitution is going to be. I'm going to work for 10 years to pay back what I stole. And you commit to that. Or I, I'm going to give back what I took. If I stole someone's copyright, I'm going to take millions that I earned and I'm going to give it back to the person. That person is going to decide what they are willing to do. And collectively each one in the group is going to have opinion, not about what you're saying, but what their role has been.

Cecelia: Right. So the other participants or organizations won't be blaming me they'll just be coming to the table and saying how they contributed to this problem.

Beadie: And what their restitution will be. Not what yours should be.

Cecelia: So does the concept of, the principle and practices of ho'oponopono do they embrace restitution in that respect?

Beadie: Absolutely. Restitution is something that if it is apparent that restitution has been made, it must be immediate. The only time that it is put off for a hearing, is when experts are involved and the individuals are not capable of, do not have that expertise.

Cecelia: I see so if I were to cause a catastrophic injury to someone and I'm unable to rectify that throughout my lifetime then we need insurance. Then we need the expert to decide.

Beadie: To decide, this pers-, yes, this person is going to need 50 million dollars of medical treatment for the rest of their, during the course of the remainder of their lives. Or 100 million I have no idea what it might be, but experts will tell you what that restitution needs to be. now whether insurance covers it or whether it is something that an individual says alright I'll give up all of my property, I'll declare bankruptcy whatever, done, but if that's what the experts say I will agree to it.

When you go in to ho'oponopono, you agree that you're going to be responsible for your end and each person is going to be responsible for their part in the dispute. You are not going to be responsible what somebody else has done. They are going to be responsible for it.

Cecelia: So Beadie, just taking a look at a few of these cards, I'm going to have to mix a couple of these examples together because there's so many questions. Thank you very much everyone.

In the commercial context, in the land context, I'll mix them together as a hybrid. Let's just say I own a vast, I'm a commercial enterprise, I'm agriculture, I own a vast amount of land. They're [involved]? land-use issues that might affect, there's another question on social impact.

Let's just say all of that mixed into one, where what I want to do with my land or my client wants to do with his or her land and it involves neighboring properties, it involves the use of that land for future generations. What as an attorney might you advise that kind of a commercial land, land owner or land user to look at?

Beadie: Understand for one thing that in ho'oponopono, if this is being resolved in ho'oponopono, what the attorney thinks doesn't matter. Unless it goes into a hearing. It's what the individuals do. Let's talk about Zuckerberg.

Cecelia: Hypothetically.

Beadie: Hypothetically. When he goes to court and finds out that there are kuleana lands within his 700 acres, he has to decide was I misled by the people who sold me these 700 acres? If so, should I give this back to the original party that sold me the 700? I am going to be bound by the kuleana owners and therefore my, I'm thinking out loud what might be to what might transpire into thinking, I will not have the privacy that I had originally thought I would have. I may have to give up this property.

That may be the resolution. Maybe those kuleana people are not willing to accept a couple of million for the property. They want that property for their, for their children and their grandchildren and all of the, the children that come after that. They don't want the millions. Maybe that's what it is.

So Zuckerberg, or whoever this person is that has a big property with a problem in it, he has to decide. This is what he is willing and has to do for this particular, for this particular problem. Remember a hypothetical here is that I'm assuming that this individual is in ho'oponopono. The court's not going to make the decision. He's got to make his own decision.

You see the difference. Nobody is going to make that decision for him. He has to make that decision himself and frankly with the bad press that an individual gets on something like that it may be worth it for him to give up the whole thing.

Cecelia: Hypothetically, if I may. Hypothetically, in any kind of a land use situation where there might be negative press or adjacent landowners or, or land claims, a lawyer in lawyer mode might be thinking Land Court, Bureau of Conveyances with all of these real property transactions but ho'oponopono would be thinking about, would be, would be introspection and, and their nonlegal remedies that can resolve and get to the heart of a solution.

Beadie: Yes, and an individual can think in terms of legal or nonlegal remedies from a legal point of view they may say I'm going to take half of this and I will deed it to so-and-so. There's any number of ways that that individual who is being charged can come up with a solution. It doesn't, if he's in court that's a different matter, we're talking about ho'oponopono now. And he has to be willing to do that thinking: Do I value my privacy that much? It doesn't matter that these other parcels of land exist within what I thought was going to be my private property. Was I misled? If so, am I going to give it up or am I going to give half of it away? There's so many ways that an individual can decide on looking at himself, what he wants to do, what is the right thing to do, not what the legal thing to do necessarily because he's not in court.

Ho'oponopono is out of court and it's, you know it's like the U.S. Institute does when it takes things out of a federal court. You are in the hands of a facilitator you're going to consider all the ramifications and make those decisions. So it doesn't matter that you might have a different legal situation. Each person makes their own adjustment in terms of what am I willing to do to make it right. What am I responsible to do, not what somebody else is responsible to do.

Cecelia: Beadie if we if we may go through this because there's so many lawyers here saying: "How is the ho'oponopono agreement enforceable?" It's like a contract you see there, there it's

contract mode. "How can the haku enforce it later on if one participant, participant decides to renege on the agreement? Is it legally enforceable?"

If I may, let me just ask you this: adversarial or relationship building process, which is it?

Beadie: Definitely relationship building. It is not adversarial.

Cecelia: Is it compulsory or voluntary?

Beadie: It is voluntary.

Cecelia: Law based or spirituality and truth-seeking based?

Beadie: Definitely spiritually based, individually based from one's own inner self on what is right and wrong, not what a law says.

Cecelia: No law, no contracts, just doing the right thing, right?

Beadie: Yes.

Cecelia: This is a very different way of thinking.

Beadie: Yeah. Remember in ho'oponopono you have left the court. The only issue that may be done, may be taken, taken up with a separate hearing will be a hearing as to the amount of restitution.

But you have already agreed in the preparation stage. You have agreed that you are going to abide by confidentiality, you are going to abide by the collective decision of everyone on what the right thing to do is going to be.

Remember that in ho'oponopono, the translation is making things right. That's what ho'oponopono is. It's not looking after one individual and making them a millionaire, but making things right.

Ho'oponopono means to correct things and it's very important that these translations of the word ho'oponopono make things right. Guide the individual in their, in their own self-introspection. And in their agreement to say "Yes I will keep this confidential, yes I'm going to talk only to the haku, yes I will agree to listen to everyone have, articulate their own role and their own remedy for the problem. Their remedy, not mine, theirs."

Cecelia: So Beadie, you can see there are a lot of questions here, but I think what you're saying and correct me if I'm wrong is, ho'oponopono is relying on integrity, doing right, and people doing the work of self-introspection to come to a pono solution.

Beadie: To make it right. To correct a wrong.

Cecelia: And so just to answer a few of these questions, there is no forced discovery because it's voluntary introspection. There are no motions to compel or motions in limine...

Beadie: No.

Cecelia: to get to the truth because people...

Beadie: have already pledged to the truth. They understand the truth that it's not, there's no wiggle room in it they understand the absolute truth.

You know, we are all familiar with, this is the truth, the whole truth, and nothing but the truth. Everybody can say the mantra by heart. However, the truth in 'oia'i'o is far deeper than that. It is truth as it's known in your conscience. It's truth that you know, it's the truth between you and your God. It is truth as it exists between you and your conscience and nobody else. That is truth and you have pledged to that.

Cecelia: You had talked earlier about self-disclosure, apology, confession. You're talking about intangible values. Right, that an attorney can advise a client on. That there is an intangible value.

Beadie: Well, remember the attorney is not going to be in the ho'oponopono process. Absolutely not going to be in the process. So what the attorney thinks about it is going to be of no importance in coming to a resolution here. You may have an entirely different view of the dispute, but he's not going to be involved in it.

This is something that your client has agreed to. He has agreed to abide by the rules. He has agreed to, to live with what is his role, his truth, and what he is going to be fully and completely responsible for. The attorney is out of it.

To be very candid, I have a feeling that some attorneys would have a hard time with ho'oponopono. Because, because they are thinking: "I can win this case. I can win this case and I can have billable hours up the yin-yang for it. I can win it."

Now, rule 11 says if you know that settlement can come as a very likely possibility, you're gonna have to put that aside, and I would, I would put that before you. That you cannot let the monetary value of a case have in any way, shape, or form, affect the advice that you give to your client. You still have to go through the means of mediation and arbitration. You still have to go through the means of ho'oponopono and say and, and each one of you right now and you will know as you study this further, you know that your client is going to have to commit to truth. You know they're gonna have to commit to confidentiality. You know these well ahead of time and you're thinking this is appropriate for this guy or this guy is a liar and he'll never be able to keep that. You might know that as an attorney, and so the last thing in the world you want to do is to refer that guy to ho'oponopono.

Cecelia: Does ho'oponopono resolve complaints by community groups against a business?

Beadie: It has been done.

Cecelia: And can it provide the non-, what are the non-legal benefits to both business and community groups? For example, if there is a protest or a boycott or a march. What, what kind of benefits can the, can both sides...

Beadie: Actually there is a monetary benefit when you know that something can be resolved in the community by the community coming together. Some people will set aside their interests, other people will set aside a portion of their interests, every, you know that this is possible. In recommending ho'oponopono, it is, you cannot make the decision for them, they make the decision.

Cecelia: So the decision, or this collective resolution, is not something agreed upon at the outset, it is at the end of the process.

Beadie: Yes, because you don't know what the, what the other parties are going to do. Remember in the preparation stage, your leader meets with each one of the participants alone and in private.

It is not a collective discussion. But that, that leader is responsible after they have heard everybody's, have they received everybody's input, they are responsible for synthesizing all of the different points of view just as they did, Lowry and Adler did when they were synthesizing all of from 450 different agencies and departments and putting that all together. You're not going to come up with something that is identical to what everybody thinks.

Synthesizing means you're going to take that, portions of that and put that forward in a recommendation.

Cecelia: This one says how difficult, well actually this person has many questions. How difficult is it to get participants to state the unvarnished truth in their statement of the situation and their role in it? It may require lots of time and drilling down to get to the truth, correct?

Beadie: Yes. And this is one of the reasons that we talk about 'oia'i'o or the truth. It is so important that an individual be, query himself. Query himself. Look within himself. Not trying to satisfy a, you know another person or an attorney. He's looking to himself and that's who he's trying to satisfy. His conscience. His God. Whatever his faith if he has a faith. And it is that looking within, that each, that the ho'oponopono participant has to do. He has committed to it in the preparation process. He has committed to looking within himself. Not looking at the other people. Not looking at the law. Looking within himself to make it right. To correct a situation.

Cecelia: So you said it's not looking to the law, it's not looking necessarily to the subject matter of the dispute, it's internal examination.

Beadie: Yes. Well put.

Cecelia: Another question: Before going into ho'oponopono, and I think you might have already answered this, before going into ho'oponopono all participants need to agree that they will accept whatever the outcome is, and this was underlined, no matter if it is not in their favor, is that correct?

Beadie: That is correct. If it is the right thing, you agree ahead of time you're going to accept the right thing. You don't know what it is, but if it turns out to be the right thing, you agree ahead of time you're going to accept the right thing. If it is something that needs to be corrected, you don't know what the correction is, you agree ahead of time you're going to agree to the correction of that.

So that kind of agreement is made ahead of time and even when it is collectively considered with everybody's point, with everybody's restitution, everybody's idea of what they are going to do, what they are going to be responsible for. All of that in mind you accept the part, each one of the participants agree ahead of time. Yes, I'm going to agree to what is right, I'm going to agree to correct a situation.

Cecelia: I think that gets to this next question, when we're talking about what's right. Does the haku need to be an expert regarding the question and the solution? Can the haku consult outside sources?

Beadie: Only in a hearing. A haku is not expected to be an expert on anything. If something needs to go to a hearing and needs to be held in order to determine what only the experts can,

can decide, then that is usually done at the conclusion of the session. After everything else has been agreed upon, there are points that are left out that have to go to hearing because, they have, you need the input of experts, that is when that will happen.

Cecelia: And so, it's just those few situations where the parties then decide that they need to consult an expert or return to court on what, on a particular issue.

Beadie: Yeah and, and the parties, once you establish that a hearing is necessary then you have experts that are, you're going to be presenting and possibly others will have their experts. This is how we use experts in court anyway and it certainly is appropriate at a hearing on what the outcome would be.

Cecelia: So the goal if I were to participate in the process, it's not a legal goal, it doesn't have to do with the subject, it has to do with repairing an important relationship to me, and doing what's right.

Beadie: Yeah and this is one of the reasons why ho'oponopono has been so successful. Because individually you have solved the relationship for every one of the parties. Individually. You have solved those relationships. You have admitted to a party that has been wronged, you are admitting that wrong. Sincerely, honestly; you're asking for forgiveness. If there is some restitu-, and the forgiveness is given, if there is some restitution that is involved, this is where you do have to involve, I believe the courts has always shown to be the correct party. In the courts to deal with what the actual assistance will be.

Cecelia: I'm gonna tie two questions together Beadie just because there's so many of them. One person had asked: "Has ho'oponopono ever been used in the criminal cases? If yes, is there a resulting conviction, a judgment, on a person's record?"

Another person asks: "So does the haku confront the parties with information disclosed by the offender that the offender refuses to admit to?"

Beadie: My own thinking is that on criminal matters, that they are rarely appropriate for ho'oponopono. The law is in charge of their, that you, certain things that you're going to be criminally responsible for and no amount of agreement can make it okay. It's okay that you killed this person because everybody said so. It doesn't happen.

So criminal matters are rarely solvable in the ho'oponopono process.

Cecelia: I think with respect to the second question, in your earlier presentation, does a haku confront the parties with information that the injured party discloses but the offending party refuses to admit to? Do they do that?

Beadie: I'm not sure I understand the question.

Cecelia: So if one person, let's say hit another person and the, the person who, the offender who did the hitting doesn't admit to it, does the haku confront the person who?

Beadie: No. But the, that person who has, who did the hitting is going to be a party. And that person will have to go through the self-introspection. They will have to answer to their actions, to their hitting, not somebody else thinks what they think of it.

Cecelia: Without excuse.

Beadie: Without any excuse, without blaming someone, "Oh, he did something to me, so I did to him".

There's no cause and no blame. It is what you are responsible for, what you did.

You pulled the trigger, you're responsible for it. It doesn't matter that someone else, unless somebody took your finger and pulled the tri-, pulled it for you. But you are responsible for everything in your part of that particular action.

And the leader will help that individual to see that they are fully responsible for it. Honestly responsible for it. Get them to the point where they realize that they are responsible for it.

No one is going to come to them and say you're responsible for this. You either did it or you didn't. And you're in ho'oponopono, that admission is yours and no one else.

There's no finger pointing in ho'oponopono. Finger pointing goes this way, you don't do finger pointing this way. You did this, you did this. Finger pointing is this way in ho'oponopono. What did I do? And that's the only way. Blame goes this way.

Cecelia: I'm gonna ask a question that has to do with a hypothetical: in a certain situation where the person says I didn't do anything wrong. I didn't, I didn't know this was not what the people wanted and decides to throw a million their way. What if the people don't want a million?

What if they want use of the stream or they want use of the land or to traverse? Are solutions as variable as the situation?

Beadie: Yes, I'm sure they are and someone to ease their own guilt is, and their own confession, confession of guilt, is willing to throw some monetary amount to it and the individual is not willing to accept that, your leader would help those two individuals to find out what they do want to do, whether it is give that amount to a charity, if they won't accept it. If an individual, if that's the only way an individual feels that his own personal restitution will be to give away that money and the other person is not willing to accept it, your leader is responsible for finding a solution between those two people. The event is between them. The admission is between them. The apology is between them and no one else. The solution is between them.

I think earlier there was a question about do you, how do you hold somebody who violates the, the confidentiality promise. This is where leadership is very important. Your leader has to do his own, his or her own situation as to whether or not this person has properly examined the question and is truly going to adhere to, whether it's the confidentiality or accepting what somebody has, has done to them and accepting an apology, whether they are going to do it.

Your leader is a key person and that's why the leader needs to be trusted, needs to be unbiased, but needs to be well informed. And only then where is your leader going to be able to take those two individuals and find the right way to make it correct, the right way to make it right.

Cecelia: Beadie, we've had, I'm sorry, you've had many, many years of training to become a haku and I think some of these questions suggest that it's not like the three years of law school.

One asked if, what if someone continues to hold a grudge and reveals that after resolution? How is that handled?

Beadie: Then they have not properly made, they have not properly forgiven, they have not properly apologized, and that's up to your leader to take those two individuals and, and adjust their apology, their confession and their, and their forgiveness and they have to be in concert

with each other. This is why we say in ho'oponopono, two people: one who is asking for forgiveness, the other who is doing forgiving, must work together. They must forgive each other and that is part of this release of guilt. This release that comes to them because they have both agreed to it.

Understand that these concepts have been well explained to them by the haku before the session begins, so this is not news to them. And the Haku, their, your, your leader has to work with those two to help them with the self-introspection that is necessary to know what did I do that I am now, what am I responsible for. I know, yeah I know what wrong I did.

Cecelia: And so what you're saying is when it's genuine, the solution is carried through.

Beadie: Yes.

Cecelia: As lawyers, as lawyers who come in contact with clients who are under tremendous emotional challenges, especially in family and probate matters, where, I'm sorry, where their IQ and EQ are impaired, should lawyers be held to higher ethical standards in advising their clients to proceed with litigation without exploring more vigorously, more appropriate dispute resolution.

Beadie: If I understand the question, if someone is intellectually impaired, is that part of the question?

Cecelia: And emotionally.

Beadie: That person isn't, it's inappropriate to speak for themselves and could not speak for themselves and is not an appropriate person to act as a responsible party. In all likelihood that would not be appropriate for ho'oponopono.

Cecelia: This is an interesting question: "Is it appropriate or even possible for an individual to apologize for a group, political entity, agency, corporations, for things they, that they were not themselves directly involved in and how would one select the representative of a complex organization?"

Beadie: Well, that's a good question. I think it would be, the answer to that would be that it would take a great deal of internal discussion and investigation in that organization to determine whether everyone was on board with a particular issue on the cause or on how to make it correct or to what extent it needs to be done. I think there would have to be a great deal, this is way before your ho'oponopono begins, you could not be a party unless you, you cannot speak for an entire group unless you know that that group is on board with what you have. So you would be responsible to do, have your own internal meetings to determine whether or not you were truly speaking for the, for the group or for the organization.

Cecelia: Here. A practical, couple practical ones: "What is the cost of pono?" It says: "What are, and what are the remedies for breaching confidentiality of a pono agreement?" The question was death.

Beadie: There's two different questions. True ho'oponopono is a voluntary event; it is a voluntary procedure. Parties are not expected, there is no fee for it. What, where a fee usually is involved in the training of a haku or a leader. As I may or may not have mentioned earlier ho'oponopono is not widely used because there's many misconceptions about it.

Many people think ho'oponopono is only for an individual, only for a family, only for Hawaiians. All of those are wrong. As I have tried to give examples where ho'oponopono involves people

that are not Hawaiian. Ho'oponopono involves larger entities than, than individuals that are involved, so one size does not fit all. The misconception has been that it is only for families, it is only for Hawaiians. And that misconception does exist and hopefully as experts in ho'oponopono are able to put out the proper training and the proper explanations of ho'oponopono that will no longer exist.

And rule 11, I mean ho'oponopono truly belongs in rule 11 where it is the responsibility, not just of the lawyers, it's a responsibility of anyone in medi-, in dispute resolution. Any, a mediator and a, an arbitrator should have the same responsibilities that the lawyer does to advise their client where there is another dispute resolution available that has very likely to succeed.

And this is where the judgment of an attorney is very, very important, because they are probably in charge of the entry door to recommend to their client - you can settle this case by going through mediation; it's very solvable. You can settle this case by going through a process of ho'oponopono; it's very solvable.

Each one of you as a professional has the obligation to make that evaluation and to make that recommendation to your client. And the la-, the, the rules are very clear on that.

Cecelia: So Beadie in response to this one last question which was: How can ho'oponopono concepts be applied in different legal venues? Is it fair to say it can be applied wherever there's an important relationship that needs to be preserved.

Beadie: Yes. My first answer would be that ho'oponopono is not a legal matter. That's the first thing I would say, however as I have, you've seen from the examples that I have given, principles in ho'oponopono such as the ability to, of truth, to maintain truth such as the ability to, to be polite and courteous to each other these are all things that, though these are concepts of ho'oponopono that don't just belong to ho'oponopono they belong to all of us and everything that we do and so I look upon rule 11 as a means of having a better, kinder, more responsible society.

And I read that in many states reported in the New York Times they are conversations just of this nature are going on. People are looking for more courteous and polite ways and civil ways to deal with each other. This is something that supposedly we learn when we were kids. Often parents are so busy working that these are concepts that aren't passed on to their kids. So young people and older people are looking at themselves now and saying: "All right if we didn't learn how to be courteous, if we didn't learn not to interrupt a meeting and call out, call out names of, call people names that are unacceptable. If we never learned that in our growing up, there's no reason why we can't learn it now."

So civility and courtesy is not something that is limited to lawyers, it's not limited to ho'oponopono. It is for, it is really something that our society needs to focus in on and I'm very pleased to read in the various news reports that it is happening in groups and individuals and in states and in legislatures all over the country. We are seeing rudeness. We are seeing incivility. We are seeing discourteous behavior. It's reported every day and we don't like it.

Fortunately, I believe that we can correct this. It's never too late, too late to learn to be courteous. It's never too late to teach our children courtesy. It's never too late to teach adults to be courteous. I don't believe it is a given that they have to remain that way. I think our society needs it and I would commend it to every one of you. Teach yourselves, teach those around you. Courteousness and civility are not only appropriate, they belong in our democracy, they belong in keeping our country the beautiful country that we want it to be. Civility and

courteousness that is why, my thought on it and I have a feeling that every one of you have that same point of view.