

5-1-2001

# Eldership and wisdom in Native conflict processing

Polly Walker

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## Recommended Citation

Walker, Polly (2001) "Eldership and wisdom in Native conflict processing," *ADR Bulletin*: Vol. 3: No. 9, Article 1.  
Available at: <http://epublications.bond.edu.au/adr/vol3/iss9/1>

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# The ADR Bulletin

The monthly newsletter on dispute resolution



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## Indigenous mediation

# Eldership and wisdom in Native conflict processing

*Polly Walker*

In Native American and Native Hawaiian societies, elders are an integral part of mediation and dispute resolution. By sharing their wisdom through such processes, Native elders sustain and rebuild the web of relationships that characterise indigenous societies. In the first section of this article, I describe Native American and Native Hawaiian elders' roles of reinforcing traditional beliefs and values through peacemaking processes. These processes are designed to restore harmony and prevent the escalation of conflict, thus promoting sustainable, long term positive change. In the final section of this article, I contrast the Native elders' role in peacemaking with Western mediation and dispute resolution.

### Reinforcing traditional beliefs and values

Within Native societies, elders are the keepers and disseminators of wisdom, both within the wider community and in dispute resolution. In Native societies, an elder is not merely someone who is older. An elder has demonstrated their wisdom through their 'spirituality, good works, and personal achievements'.<sup>1</sup> Furthermore, an elder is one who knows, demonstrates and is able to speak well regarding traditional beliefs and values, thus maintaining the respect of the community. Elders are able to give advice in ways that sustain both civic and spiritual values.<sup>2</sup>

Navajos call such an elder a *naat'aanii*, someone who speaks strongly, wisely and well.<sup>3</sup> In Native Hawaiian society, such

elders are called *kupuna*, and are highly valued for their contributions in peacemaking sessions. In Hawaiian *Ho'oponopono* — conflict processing designed to untangle conflict and 'straighten the way' — the leader of the session is a respected elder chosen because of *mana*, or personal power.<sup>4</sup>

Rather than selecting facilitators based on perceived impartiality and unbiasedness, which is a major consideration in most Western mediation and dispute resolution, Native peacemaking involves facilitators who are well known to the participants and who are well versed in community beliefs, values and history.

In many Native approaches to consensual conflict processing, elders play a critical role as facilitators or peace-makers.<sup>5</sup> In her research into Native American 'mediation', Diane LeResche describes the role of peacemakers:

The peacemaker is not someone with school-based or workshop-based training. Peacemakers have learned by observation and listening in natural settings throughout their lives. A traditional peacemaker has the respect and trust of tribal communities.<sup>6</sup>

In many Native approaches to peacemaking, one of the main roles of Native elders is strengthening traditional beliefs and values.<sup>7</sup> Such approaches contrast starkly with Western mediation and dispute resolution in which facilitators seldom teach or guide people regarding traditional beliefs and values. ➤



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➤ During peacemaking processes, Native elders reinforce traditional values in order to heal and maintain the web of relationships that characterise indigenous communities. In Native communities, an individual is conceptualised as self-in-other.<sup>8</sup> To be human in these societies is to be understood within a complex web of relationships. In the Navajo justice and harmony ceremony, for example, elders describe a person who is behaving disrespectfully as behaving as 'one who has no relations',<sup>9</sup> as one who is not fulfilling the responsibilities of a proper human being. In such a worldview based on relationships, one of the main purposes of the wise elder's role in the Navajo justice and harmony ceremony is to remind those involved of their responsibilities to the community as a whole. Indeed, one of the central phases of the Navajo justice and harmony ceremony is the 'lecture' in which the traditional wisdom of the Navajo people is applied to the conflict under consideration. These lectures are not stern warnings; rather, they consist of 'stories, prayers, traditions and ceremonies' that allow the participants to discuss the conflict within the network of relationships that sustain the community.

In many Native approaches to peacemaking, elders use stories to disseminate traditional teachings. Elders' stories illuminate the interconnectedness of all things, including the connections between individuals who are in conflict with each other. By illuminating the connectedness of all humans, the story serves as a kind of conflict transformation in and of itself by rekindling 'a sense of common humanity'.<sup>10</sup>

Elders' role in the reinforcement of traditional values is not restricted to verbal teachings. Sometimes their participation consists of long periods of silence, maintained to move the proceedings in a positive direction. Within many Native societies, silence on the part of the elders is a way of allowing participants to demonstrate their growth and responsibility.<sup>11</sup> In many forms of indigenous peacemaking, silence is considered to be one way of responding respectfully in order to maintain relationships. For example, reflective silence is encouraged in the Cherokee 'talking circle'.<sup>12</sup> In the Native

Hawaiian *Ho'oponopono*, silence is also considered a natural and necessary part of successful and effective untangling of conflict. Participants are encouraged to engage in silence while considering their responses in regard to traditional teachings and relationship obligations.<sup>13</sup>

Elders' use of silence contrasts with Western justice proceedings, during which silence is often regarded as refusal to cooperate.<sup>14</sup> In many indigenous cultures, silence is seen to lessen conflict, and participants do not consider it obligatory to answer direct questions.<sup>15</sup> In many such methods of processing conflict, solutions arise naturally during silent reflection. During such silences, participants consider what they might have to say about a matter as well as the most respectful way to express their point of view.<sup>16</sup> Native American elders' use of silence also supports traditional Native values of *non-interference*, of allowing the participants to learn from the process and to demonstrate their growth and responsibility.<sup>17</sup>

Native elders also establish connections between future generations and the outcomes of current disputes.<sup>18</sup> In many Native peacemaking approaches, participants are reminded to think of the effects of their actions upon generations yet to come. For example, in Haudenosaunee processes, participants are admonished to consider the effect of their decisions upon 'the next seven generations'.<sup>19</sup>

The role of elders in reinforcing traditional beliefs contrasts sharply with Western conceptualisations of mediator impartiality.<sup>20</sup> Elders' guidance is based on traditional beliefs and values, and in that sense is not impartial. Their role is not to support individual needs and interests, as is the case in much of Western mediation and dispute resolution; their role is the re-establishment of communal balance and harmony.

In peacemaking processes, elders may be present as facilitators or as participants. In both roles, elders serve to sustain the spiritual beliefs of the participants, both by their visual presence and by their support during highly emotionally charged moments.<sup>21</sup> Elders are often asked to lead the prayers that open and close the Native peacemaking processes.<sup>22</sup>





➤ Native elders' presence also increases indigenous participants' perceptions of the safety of formal mediation processes. Many Native peoples are threatened by Western processes, carrying this mistrust into dispute resolution settings even when the processes have been developed to support traditional teachings and values. In these instances, the presence of Native elders and their support of traditional teachings and values have been shown to increase participants' perceptions of the safety of such proceedings.<sup>23</sup>

### Impact of colonisation

Not only has colonisation of Native peoples limited their opportunities to openly practice their peacemaking processes,<sup>24</sup> it has also affected the elders, who have been shaped through their experiences of Western education, religion and justice systems. Native elders explain that fulfilling the role of facilitator in mediation processes requires working on their own healing before they begin to assist other Native peoples.<sup>25</sup>

When approaching Native elders for assistance in dispute resolution proceedings, Western researchers must be aware of the stresses that colonisation has already placed on many elders.<sup>26</sup> Requests for elders to be involved in Western dispute resolution processes, for example, must be carefully scrutinised to ascertain whether the procedures honour an indigenous worldview and methodology, or whether they perpetuate the structural violence of Westernisation by denying indigenous realities and processes. Particular care must be taken in regard to whether the roles elders are being asked to fill support their traditional processes, or whether participation in Western mediation will further estrange them from their Native communities. In developing contemporary approaches for resolving disputes, Native elders should have a role in defining conflict processing procedures, not just in fitting into Western roles and processes.<sup>27</sup>

### Implications for Western dispute resolution

There are many contrasts between the role of elder in Native peacemaking and

that of mediator in Western dispute resolution. Two of the most striking differences relate to Native elders' roles as teachers of traditional beliefs and their role as spiritual leaders within peacemaking.

The sacred aspects of human experience form the foundation of Native peacemaking and shape elders' roles within those processes. In her research into Native processes of resolving disputes, Diane LeResche describes Native processes as sacred approaches:

Sacred justice is going beyond the techniques for handling conflicts; it involves going to the heart. It includes speaking from the heart, from one's feelings. It is giving advice, reminding

'Elders' guidance is based on traditional beliefs and values, and in that sense is not impartial. Their role is not to support individual needs and interests ... [it] is the re-establishment of communal balance and harmony.'

people of their responsibilities to one another. It is helping them reconnect with the higher spirits, or seeing the conflict in relation to the higher purposes. It is helping people ease, move beyond, transform the intense hurtful emotions like anger into re-orienting and re-uniting with that which is more important than the issues of the conflict. Sacred justice is found when the importance of restoring understanding and balance to relationships has been acknowledged. It almost always includes apologies and forgiveness. It is people working together, looking for mutual benefits for all in their widest circle.<sup>28</sup>

In the Navajo justice and harmony ceremony, for example, elders' roles involve many spiritual aspects of processing conflict. The elder chosen as peacemaker initiates prayer and ritual that honour Navajo spiritual beliefs and thus increase the receptiveness of the people involved. In describing the importance of the spiritual aspects of peacemaking ceremonies, Chief Justice Yazzie explains:

The Indian world is not solely a material world. There is a spiritual dimension to life. Many Indian groups are not secular societies; they do not separate spirituality from everyday life. In general Indian belief, the people of the spirit world are very much a part of daily life; they actively participate in it.<sup>29</sup>

Emphasis on the spiritual aspects of Native peacemaking may be seen in the extended role of elders as mediators. In many Native societies, elders' roles as peacemakers do not end when they die; they continue on as ancestors who can be called to assist in the transformation of conflict. In Native Hawaiian *Ho'oponopono*, for example, deceased ancestors are named *amakua*, and are called on to assist in restoring the web of relationships that form the foundation of their worldview. Likewise, ancestors are often invoked in the Cherokee talking circle,<sup>30</sup> the Navajo justice and harmony ceremony<sup>31</sup> and the Haudenosaunee Grand Council.<sup>32</sup>

The roles that Native elders play in consensual conflict processing are not easily transferable to Western dispute resolution. Wholesale adoption of their practices would represent cultural appropriation; furthermore, indigenous peacemaking is based on a worldview starkly different from the dominant Western worldview.<sup>33</sup> However, a consideration of similar parameters within Western dispute resolution might prove beneficial in evaluating the effectiveness of Western mediation procedures.

For example, clearly articulating the values upon which Western dispute resolution is based would allow more accurate evaluation of the ways in which techniques support cultural values and beliefs. Within that framework, creative ways of supporting the traditional teachings of Western societies could be explored. In Western culture, ageism often silences traditional wisdom that might strengthen the potential of dispute resolution mechanisms to sustain resolution over the long term, as well as to prevent escalation or repetition of the conflict. ●

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'In developing contemporary approaches for resolving disputes, Native elders should have a role in defining conflict processing procedures, not just in fitting into Western roles and processes.'

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## Contributions

### 2001

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