

Pre-Christian Hawaiian Concept of Justice: When Heaven, Earth, and Man Meet

Abstract: Why examine ancient Hawaiian religion for a concept of justice? There are at least three reasons:

First, the ancient Hawaiian concept of justice was diametrically different from European or American jurisprudence. Justice in this “primitive” polytheistic religion had its own definition of justice that reflected a completely contrasting philosophy and theology, based on myth, legend, chants, and oral tradition.

Second, the worldview of Hawaiian concepts and principles make salient the assumptions underlying Western definitions of justice.

Third, this ancient concept of justice and its associated religious principles are still relevant today in the modern, codified, and Christian era of Hawaii.

It is my thesis that balance and harmony are central to Hawaiian theology and therefore critical to justice theory.

Keywords: ancient religion, balance, harmony, Hawaii, Hawaiian, justice, kapu, mana, polytheism, pre-christian religion

Przedchrześcijańska hawajska koncepcja sprawiedliwości: Gdy spotykają się niebo, ziemia i człowiek

Streszczenie: Po co badać starożytną religię hawajską pod kątem koncepcji sprawiedliwości? Istnieją co najmniej trzy powody:

Po pierwsze, starożytna hawajska koncepcja sprawiedliwości diametralnie różniła się od europejskiej czy amerykańskiej jurysprudencji. Sprawiedliwość w tej „prymitywnej” religii politeistycznej miała swoją własną definicję, która odzwierciedlała całkowicie odmienną filozofię i teologię, opartą na micie, legendzie, pieśniach i tradycji ustnej.

Po drugie, światopogląd będący podstawą hawajskich koncepcji i zasad uwypukla założenia leżące u fundamentów zachodnich definicji sprawiedliwości.

Po trzecie, ta starożytna koncepcja sprawiedliwości i związane z nią zasady religijne są nadal aktualne w nowoczesnej, skodyfikowanej i chrześcijańskiej erze Hawajów.

Stawiam tezę, że równowaga i harmonia mają kluczowe znaczenie dla hawajskiej teologii, a tym samym dla teorii sprawiedliwości.

Słowa kluczowe: starożytna religia, równowaga, harmonia, Hawaje, hawajski, sprawiedliwość, kapu, mana, politeizm, religia przedchrześcijańska

1. Contrast in worldviews

The following represent accepted definitions of justice from *dictionary.com* (similar definitions can be found in *merriam-webster.com*):

- righteousness, equitableness, or moral rightness
- rightfulness or lawfulness, as of a claim or title; justness of ground or reason
- moral principle determining just conduct
- conformity to this moral principle, as manifested in conduct
- just treatment of all members of society with regard to a specified public issue
- the administering of deserved punishment or reward
- the maintenance or administration of what is just by law, as by judicial or other proceedings

The Hawaiian concept of justice in pre-European contact times did not reflect these descriptions.

Furthermore, the socio-cultural dimensions discussed in contemporary society (such as highlighted in the *Colloquia Gedanensia 16'*) regarding justice and environmental protection, social equality, fundamental rights, free expression of beliefs and values, economy, minority groups, and so on, cannot be easily addressed. There are several reasons for this.

First, ancient Hawaiian society was very hierarchical, consisting of royalty, commoners, and outcasts. Amongst the royalty and commoners there was also a differentiation within these categories. Consequently, equality or moral rightness were not the guiding principles: members of society were never treated alike.

Since land and possessions were administered by the chief (king), there were no individual titles or claims. Rightfulness of “ownership” was determined by the royalty.

The administration and punishment of lawless behavior by independent judicial or established proceedings did not exist. This was performed by the high chief or his advisors. In addition, the “fundamental rights” of freedom and security or individual expressions of belief and values had no meaning and therefore did not matter.

In addition, reason and logic did not underpin the main principles of the religion, such as “*kapu*”². The rules of *kapu* were determined by the chief’s advisors and priests (*kahuna*) based on tradition and myth involving the will of the gods.

The question becomes, what is the concept of justice in ancient Hawaiian society?

To answer this question, I will present the basic concepts of pre-Christian Hawaiian religion, upon which all laws were based. The challenge will be to understand these elements in terms of the Hawaiian worldview and contrast them with Western or Christian theology.

After presenting these concepts I will present the general Hawaiian theology, focusing

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² All Hawaiian words this study are italicized.

on the concept of harmony and balance. The ancient Hawaiian concept of justice is based on this harmony and balance.

I will briefly comment on how these concepts still apply to modern society and end with some final thoughts.

2. Background

Our sources for the old Hawaiian religion are primarily based on scholars from the nineteenth century who were able to preserve the oral histories (*mo'olelo*), chants (*mele*) and dances (*hula*). These authors were either native Hawaiians who converted to Christianity and were educated in Western universities (such as David Malo, Samuel Kamakau) or Westerners who remained and lived in Hawaii and adapted to its culture and language (such as Abraham Fornander, Nathaniel Emerson). As a result, our notions of ancient Hawaiian religion are tainted by Western influences, including accounts from mariners like Captain James Cook or missionaries like William Ellis. Modern scholars (such as George Hu'eū Sanford Kanahēle, Ross Cordy) attempt to infer the unbiased “native point of view” and in this presentation I will attempt to follow this methodology.

It is important also to review the basic historical chronology of Hawaii.

| | | |
|----------|---|---|
| 0 - 1100 | Arrivals from Polynesia | <= Exact dates are debated ³ |
| 0 - 1777 | Unrecorded | <= Historical period under discussion |
| 1778 | First Arrival of Captain James Cook | |
| 1819 | Abolishment of <i>Kapu</i> | <= Before introduction of Christianity |
| 1820 | First Arrival of Christian Missionaries | |
| 1848 | The Great <i>Mahele</i> | <= Introduction of land ownership |
| 1898 | Annexation to the United States | |
| 1959 | Statehood | |

3. Basic religious concepts

Kapu

The most well-known concept was “*kapu*”, also mentioned in other Polynesian dialects as “*tapu*”, or “taboo” in English and “*tabu*” in Polish. Currently this is usually translated to mean “forbidden”, but the old concept was more encompassing. Its primary meaning was

³ Cordy 2001, 109. More than just dates, the methods of travel are debated. Were these visits one-way or planned? Were there multiple waves of visits over time? From which islands did these arrivals occur?

“sacred” or “holy” and encompassed acts and beliefs which were not only prohibited but also required:

“We today would consider only a few things sacred, but in the old Hawai’i, a bewildering number of things could be held as *kapu*: stones, ancestors’ bones, trees, animals, images, altars, chants, names, places, canoes, priests, chiefs and their belongings, and so on. Also, the degree of *kapu* could differ from object to object, indeed, the *kapu*, or sanctity of an object, could be ended, at which it became *noa*, or free of *kapu*. Fortunately, by far the greatest amount of things were *noa*, or, in Western terms, “profane.” (Kanahele 1992, 38)

The whole system of *kapus* with its rules and penalties, was, in effect, an elaborate codification of laws and regulations. The chief’s edicts were *Kanawai Kapu* and were considered law. Breaking a *kapu* was considered a serious offense in ancient Hawaii, often resulting in severe punishments, including death, unless the violator found refuge in a city of refuge (*pu’uhonua*).

In Western terms breaking a *kapu* would be considered a crime. The key question is the following: are there crimes that do not involve a *kapu*? I argue the answer is no. More than a series of laws, *kapus* also represented a philosophy of life:

“Polynesian society devised very early on a ritual restrictive complex or *tapu* [*kapu*], often called ‘taboo’ in English but much more profound than the word’s conventional significance. Varying in its implications from island to island, the *tapu* [*kapu*] affected not only the use of land, crops, buildings, precincts and the sanctity of individuals but also the behavior, speech, diet, sexual practices, beliefs and attitudes. *Tapu* [*kapu*] was more than a mere rule. The *tapu* [*kapu*] set aside and elevated from the common domain some sacred function, station, its holder and his or her person, tools, prerogatives and possessions. It could obtain for generations. The *tapu* [*kapu*] complex embraced a way of thinking, a philosophy of life...” (Fischer 2013, 75).

There were countless types of *kapus*, some more severe than others. The *kapu* system in ancient Hawaii established rules and regulations that not only provided for living in harmony with others, but also dictated daily life. This was more than a theocratic state that is ruled by clergy based on religious law. The rules were internalized by all members of society and governed the priests (*kahuna*) as well.

Most important and well known were *kapus* involving chiefs:

“Everything that related to the gods and the spirit world or the hereafter was *kapu*... Touching a chief, eating his food, or anything similarly intrusive, could make the offender sick, possibly until death, because he became contaminated with supernatural power. The effect was not unlike Paul’s encounter on the way to Damascus with the light of God, which was so powerful that it blinded him.” (Kanahele 1992, 38-9)

“The *kapu* of a god was superior to the *kapu* of a chief, but the *kapus* of the ni’aupi’o and pi’o chiefs were equal to the gods” (Kamakau 1964).

Other *kapus* involved animals or plants (or nature):

“Some animals, such as important birds and fishes, could be regarded as *kapu* not only for any specific god-related reason but for practical economic reasons... Plants, as might be expected in an agricultural society, commanded a great deal of attention. The more useful the plant, the more attention it got. The hala, or pandanus, breadfruit, coconut, sweet potato, and taro were personified as *kino lau*, or body forms, of provident gods, and were featured in many myths and legends” (Kanahele 1992, 40).

Historically, one of the most prominent *kapus* was the ‘*Ai Kapu* involving “sacred eating”. Certain foods represented aspects of male gods that became sacred when specific meaning is attached to them. For example, pork was a symbol for the god Lono, coconut and the ulua fish were symbolic of Kū, and niuhi (white shark) was symbolic of Kāne. Because these and other foods symbolized the male gods, women were not only prohibited from eating these foods but were also prohibited from eating with men. The *kapu* system was used in Hawaii until 1819, when King Kamehameha II, acting with his mother Queen Keōpūolani, his father’s other queen Ka’ahumanu, and *Kahuna-nui* Hewahewa, abolished it by the symbolic act of sharing a meal of forbidden foods with the women of his court.

The opposite of *kapu* is *noa*, which has two primary meanings: profane or free of taboo. As ideological concepts *kapu* and *noa* were binary opposites. The concept of opposite forces appeared in many contexts. For example, in the *Kumulipo* (the Hawaiian creation chant), the elements are set up as a binary opposition of *Pō* (darkness, which is female) and *Ao* (light, which is male).

Places could also be *kapu* and were often symbolized by *Pahu Kapu*, two crossed staffs, each with a white ball atop.

Mana

Kapu often is coupled with *mana*. For one, *mana* is one of the critical components of Hawaiian belief. But more to the issue of justice, an offense against *kapu* was not just a potential crime, but denoted a threat to the chief’s spiritual power that emanated from the gods and was channeled through the *ali’i* (chiefs).

“From the chief’s point of view, he had to protect his sanctity from being defiled by a *noa* person, because that could cause him to lose his *mana*. The supernatural force in him would be drained away, at least in part, by such contact. Thus, the *kapu* was designed to protect not only the chief but the innocent retainer as well.” (Kanahele 1992, 39)

There was social stratification based on *mana*, or the relationship of each *ali'i* (chief) to the gods. There were four different ranks of *ali'i*: *pi'o*, *nī'aupi'o*, *naha*, and *wohi*. The higher the rank, the closer the relationship to the gods and the more strict the *kapu*.

Mana is defined as: Supernatural or divine power, miraculous power; a powerful nation, authority; to give *mana* to, to make powerful; to have *mana*, power, authority; authorization, privilege; miraculous, divinely powerful, spiritual; possessed of *mana*, power. (*Hawaiian Dictionary 1986*). It is often viewed as a type of energy. In a separate study it would be interesting to compare the concept of *mana* with that of “grace” in Christian theology.

'Aina

“*Āina*,” the Hawaiian word for “land,” means “that which feeds”. It encompasses the Hawaiian worldview of a reciprocal and familial relationship between people and land. Connection to *āina* is essential to the physical, emotional, and spiritual well-being of *Kanaka Maoli* (Native Hawaiians).

The *āina* (land) provides for its people. *Kanaka Maoli* were tied deeply to the *āina*, as a creator, provider, protector, caretaker, deity, ancestor, and family.

One cannot be responsible for the community without being responsible for the *āina*. This is also a common theme in contemporary Hawaiian society.

Kuleana

This notion was central to the native Hawaiian worldview and is often advocated in contemporary society. It is based on the care for the land that also provides for them. The community worked together to ensure everyone was cared for.

The term itself means “responsibility,” but in a deeper sense it covers a *reciprocal relationship* between the person who is responsible and the object that they are responsible for. Man is responsible for other men, for the land, and for the gods, who in turn are responsible to him.

Lokahi

Lokahi represents the concept of harmony. Together with harmony exists unity, agreement, and peace.

“Harmony found its expression in the *Kumulipo*, the creation chant of the Hawaiians which describes how everything arose from the *lipo*, the blue-black depth of the open ocean, an inaccessible region synonymous with the distant past...

The *Kumulipo* recounts **how the denizens of the sea were connected with the land, the land with the gods, the gods with the chiefs, and the chiefs with the people.** [*emphasis mine*]. Everyone and everything has a place in this universe and all was the way it should be” (Schweitzer 2005, 55).

Kino Lau

Kino lau are the many body forms of a god or demigod. *Kino* means “body” and *lau* means “many”. In Hawaiian tradition, each god and demigod has numerous *kino lau* that they can change into depending on their needs. Things in nature, plants, and animals are some of the different *kino lau* a god or demigod can have.

“Because of his belief in *kino lau*, the Hawaiian who today practices the traditional religion, when looking at a mountain, feels his relationship to his god *Ku* in that mountain form. Looking at the sun, he views a presence of his god, *Kane*, and experiences the god’s warmth on his body. The cloud forms are *Lono*. Many trees, plants, and animals are other *kino lau* of the gods, The presence of the gods around him give the Hawaiian a constant sense of religious encounter. Nature is not only conscious, much of it is divine. And as he interrelates and interacts with nature, he interrelates and interacts with the gods” (Dudley 1993, 82).

Pono

The concept of *pono* came closest to the Christian ideal of the moral person or perhaps even saint. *Pono* is still an important ideal in contemporary society but was less emphasized in ancient times, as I will argue below. The following represents the current dictionary definitions:

Goodness, uprightness, morality, moral qualities, correct or proper procedure, excellence, well-being, prosperity, welfare, benefit, behalf, equity, sake, true condition or nature, duty; moral, fitting, proper, righteous, right, upright, just, virtuous, fair, beneficial, successful, in perfect order, accurate, correct, eased, relieved; should, ought, must, necessary (Hawaiian Dictionary 1986).

4. Ancient Hawaiian theology

When heaven meets the earth what becomes to heaven and what becomes to earth? “In the dominant current of Western thought there is a fundamental separation between humanity and divinity... In many other cultures, however, such differences

between human and divine do not exist. Some peoples have no concept of a ‘Supreme Being’ or ‘Creator God’ who is by nature ‘other than’ his creation. They do, however, claim to experience a spirit world in which beings more powerful than they are concerned for them and can be called upon for help” (Dudley 1993, 32).

It is my proposition that if earth is heaven and heaven is earth, the distinction between heaven and earth becomes irrelevant and the dichotomy no longer exists.

The question then becomes what replaces this worldview? Lokahi, as described above, resolves this “Western” or Christian dichotomy.

One view of *lokahi* emphasizes the binary opposition between *kapu* and *noa* and the need to reconcile all binary opposition:

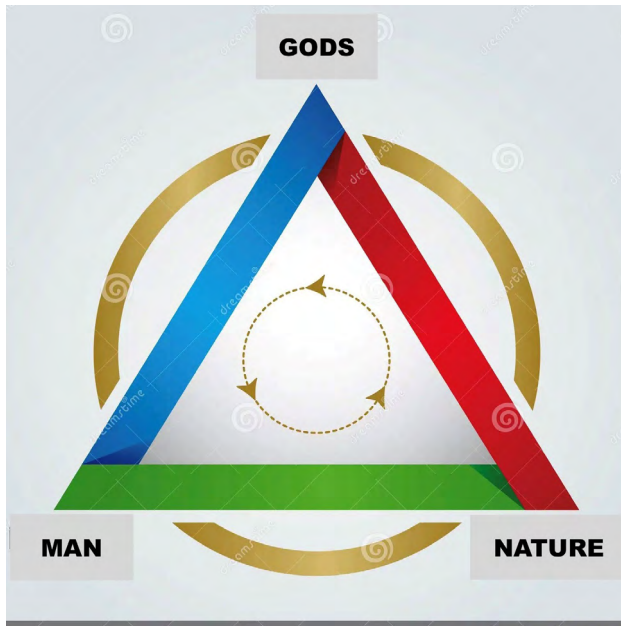
“The logic of dualism runs through Hawaiian religious thinking, as in the dichotomy between sacred, *kapu*, versus profane, *noa*; or through metaphysical thinking, as in the division of the spiritual and material realms; or through Hawaiian morality, as in *pono*, upright, righteous, versus shameful behavior, and so on... Yet, strictly speaking, dualism presents us with a world of polarities and dichotomies, of disunities and disconnections. How did they (Hawaiians) resolve it?

The answer seems to lie in the concept of *lokahi*, although we have no philosophical chants, no pertinent sayings and other such ‘documentary’ findings to tell us any more than this. But reason and consistency with the overall Hawaiian ‘scheme of things’ points to *lokahi*. In the Hawaiian context the thought means to bring like and unlike things together in unity and harmony” (Kanahele 1992, 154).

Another view of harmony (*lokahi*) emphasizes the need for *kapu* and *mana* to complement each other in order for *kapu* to be justified:

“Two fundamental concepts defined Polynesian socioreligious life: *manu* and *tapu* [*kapu*]. Only High-ranking individuals possessed *mana*, sociospiritual power, which ultimately derived from the ancestors but became evident through an individual’s remarkable deeds and successful undertakings. The creation of a confederation, the conquest of an enemy, the bountiful harvest - all of these things demonstrated a chief’s *mana*, which then also empowered those who supported him. The concept of *mana* maintained the hierarchy of authority, as it also channeled community efforts towards stratified remuneration, combining the secular and divine (a Western dichotomy)” (Fischer 2013, 75).

A third view is that this harmony or balance involves three forces, which, according to David Malo, are: Man, the Gods, and Nature. These forces can best be illustrated by a diagram, sometimes referred to as the *Lokahi* Triangle:



The three distinctions (*triangular points*) are known both in Christian and Hawaiian theology. In Christian theology, speaking in the most general terms, God created man and man is superior to nature. However, in Hawaiian theology, the gods, man, and nature have always coexisted together.

“In the genealogy called *Kumu-lipo* it is said that the land grew up of itself, not that it was begotten, nor that it was made by hand.” (Malo 1980, 3)

Man is dependent on the gods’ *mana*, but the gods are also created by man. Nature and land are dependent on man’s *malama* (care), but man is also dependent on nature. The gods exist in their own spiritual world but also reside in nature through *kino lau*.

The *outer circle* represents a reciprocal dependency (*kuleana*) of the three distinct elements of the triangle.

Examples of reciprocal dependency abound. Native Hawaiians recognized that every action they took affected the land, ocean, and air around them and much as they were affected by them. All levels of society, the gods, and all of nature have *mana*, which was divided amongst themselves:

“Underlying the political, social, and religious hierarchy was the *kapu* system which can be described as a complicated network of prohibitions, restrictions, and injunctions inextricably linked to *mana*, the supernatural as well as natural power emanating from the cosmos and embracing the entire creation.” (Schweitzer 2005, 56-57)

In this third view *lokahi* symbolizes the attempt to balance the harmony of these forces.

The *inner circle* represents dependencies within each of the three elements - gods, man, nature. Each of these elements will be examined separately.

5. Gods

Hawaiian religion was polytheistic. If god was not superior to man, then polytheism made logical sense since there was no single force of creation.

There are four major gods in the Hawaiian theology:

Kane was the father of living creatures. *Kane* is the highest of the four major gods. He represented the god of procreation and was worshipped as ancestor of chiefs and commoners. *Kane* is the creator and gives life associated with dawn, sun, and sky.

Ku was the god of war and prosperity. Human sacrifices were made to *Ku*, unlike any other god. He is known as the god of war.

Lono was the god of agriculture. Associated with fertility, rainfall, and music. *Lono* was also the god of peace. In his honor, the great annual festival of the *Makahiki* was held.

Kanaloa was god of the underworld and a teacher of magic. Ruler of the ocean. Complementary power and close companion of *Kane*. In ancient Hawaii, *Kanaloa* is represented by the squid or the octopus, and is also associated with *Kane*.

Other notable deities included *Laka*, *Haumea*, *Hina*, and, most famously, *Pele*. There were hundreds of gods, from ancestor gods to gods of nature. Each family had one or more guardian spirits known as *'aumakua* that protected family (*ohana*). The *ali'i* (chiefs) themselves were the descendants of gods.

Within this pantheon the Hawaiian gods were more ancestral than divine (David Malo). As a result, the distinction between the sublime and mundane blurred:

“The difference between Hawaiian and western perspectives on divinity sometimes cause unwarranted fear of, and disrespect for, the Hawaiian gods... Just as one mainstream of Christianity prays to its deceased who led holy lives, referring to them as “saints who have returned to their heavenly home”, Hawaiians similarly pray to their ancestral spirits who have returned to their home. Depicting where this home is located, the Hawaiian traditionally has spoken of it as beyond the horizon and below these islands” (Dudley 1993, 83).

More important was the dependency of man and the gods:

“The book of Genesis says that God created man in his own image but Hawaiians say that man created the gods in his own image... In either case, this **notion of**

man-made gods [emphasis mine] is undoubtedly the key to a greater understanding of how Hawaiians viewed not only the nature the gods but their own human nature as well” (Kanahele 1992, 73).

“Simply put, gods and people are interdependent: for better or for worse, they need each other. It is not a relationship in which one functions as the slave of the other, or lives at the expense of the other, or takes from the other without returning benefit or hurt. Rather, it is the perfect symbiotic relationship, in which both parties mutually benefit from living and working together. Underlying this relationship are two principles that are at the heart of the Hawaiian value system: reciprocity and mastery of one’s destiny. Reciprocity may be compared with a gigantic spider web, whose threads represent the mutual obligations that each member of society bears toward others” (Kanahele 1992, 80).

6. Man

Ancient Hawaii was socially stratified into groups with hierarchical class roles. There were three major groups: the *ali’i* (kings or chiefs), the *maka’āinana* (commoners) and the *kauwā* (outcasts or slaves). The *ali’i* derived their high status because they were direct descendants of the gods (*akua*). *Ali’i* possessed the most mana because of their relationship to the gods. The *kahuna* (priests) were part of the *ali’i* class.

The *maka’ainana* were also descended from the gods, although not directly like the *ali’i*, and were the workers of the subsistence economy. The *maka’āinana* were the farmers, fishermen, and craftsmen and were part of the Hawaiian subsistence economy.

The *maka’ainana* were obligated to give goods and services in the form of taxes in kind and labor. In return the *ali’i* confirmed their tenure rights to the land which they tilled and on which they resided. It was the duty of the *ali’i* to secure for the *maka’ainana* supernatural protection from natural calamities and to petition the gods for abundant harvest from the fields and the seas through temple rituals.

As a result, there existed an interdependency between the *ali’i* and *maka’ainana*.

7. Nature

It was believed that everything comes from the *‘āina* (land) and should be treated with reverence and respect:

“No one really owned the land in the past and none of it really belonged to an individual. The relationship was the other way around: a person belonged to the land.” (Kanahele 1992, 208)

In effect, man was neither superior to nor separate from nature.

Nature had its own hierarchy from stones to plants to living beings, all containing *mana*, and all depending on gods and man.

8. Ancient Hawaiian concept of justice

Today, linguistically speaking, the word “justice” translates succinctly in the accepted Hawaiian dictionaries. The common word is *kaulike*, but when *kaulike* is translated back to English it has additional meanings:

equality, equation, equity; impartial, mutual, parallel; evenly balanced; treat fairly and impartially (Hawaiian Dictionary 1986, Mamaka Kaiao 2003, Combined Hawaiian Dictionary 2020).

It is noteworthy that the quality of being “impartial” or “fair” is combined with the features of “balanced” and “equality”.

It has been my thesis that balance and harmony are central to ancient Hawaiian theology and therefore critical to justice theory.

“Crime” is an event that occurs when the “*lokahi* triangle” becomes unbalanced. Or, if one prefers, crime happens when the “*mana* circle” becomes disturbed (*kapu* and *mana* no longer complement each other). Or, crime occurs when *kapu* and *noa* become entangled.

For example, a bad king may have started an unjust war or sacrificed an innocent man, but if that happened, the “crime” was that the war was lost or that the sacrifice was in vain and decreased either the *mana* of the king or the benefits to the *maka’ainana*. If an *ali’i* did not perform religious duties accordingly, he could be replaced by another *ali’i* who could handle the religious responsibilities:

“Similar to the European religions that predated Christianity, ancient Polynesian belief focused not on righteousness, morality and goodness, but on success, strength and influence. The deified ancestors were not ideals, but tools to be used to benefit oneself and one’s descent group, and to guard from storm, drought and attack. Religion offered no scheme for personal power and wealth. Those who sacrificed to the gods, received in return. Ancient Polynesian ‘religion’ was thus the same as society itself, as nothing separated the two realms: ‘religion’ was merely the supernatural extension of the descent group’s lineage.” (Fischer 2013, 75)

Righteousness (*pono*) and moral responsibility (*kuleana*) were secondary to success and strength. The rules and regulations of *kapu* governed society:

“In effect, the whole *kapu* system, with its rules and penalties, was an elaborate codification of laws governing interpersonal relationships as well as those between gods and human beings... Even the remote gods and the living *akua* were not above the law of order implicit in the construction of this world of sacred. As we shall

see, gods could be done away with if they failed to fulfill their promises. Chiefs who were defeated in battle or who flagrantly violated the principles of *pono*, right conduct, could lose their *mana* and position. Priests, too, could lose their holiness by disobeying the rules of the ritual or of *pono*.

Thus, an unmistakable and ruthless efficiency entered into the way Hawaiians of old dealt with the world of the sacred. We note this, for example, in the close correspondence between the usefulness of an object and the degree of its sanctity. The plants, trees, animals, fishes, and other natural resources that were used the most were treated with the greatest amount of reverence. On the other hand, those that were less beneficial, were treated more casually” (Kanahele 1992, 43).

David Malo in his Hawaiian Antiquities stated this theme of “*kapu* versus sin or crime” explicitly:

“Wrong Conduct and Right Conduct (*Na Hewa Me Na Pono*)

The Ancient Idea of Morality

There are many kinds of wrong committed by men, if their number were all told...

- Covetousness, theft, robbery...
- Deceit, lying, slander...
- Defamation, treachery, malice...
- Anger, fault-finding, intimidation...
- Killing an innocent person...

“These were all sins, clearly understood to be very wrong, but those who did these things were not suitably punished in the old times. If any one killed another, nothing was done about it - there was no law. It was a rare thing for any one to be punished, as at the present time... The *lex talionis* was the rule. Friends often took up the matter and enacted something like a vendetta.”
[emphasis mine]

“What did the ancient Hawaiians seriously regard as wrong?”

First: any breach of *tabu* or of ceremonious observance.

Second: failure to fulfill a vow to the gods or to make good any religious obligation.

Third: and failure in duty towards an *alii*, especially an *alii kapu*.

Fourth: for the *kahu* (guardian) of any idol to have neglected any part of his duties, as feeding it or sacrificing to it. Under this same head should be put the duties of the keeper of the bones the dead king....

Fifth: I believe that the Hawaiian conscience would have been seriously troubled by any breach of the duties of hospitality” (Malo 1980, 72-76).

While Malo was a Christian convert and his list of “sins” parallels the Ten Commandments, it is interesting that he mentions the fifth point - “the duties of hospitality”. This is a topic worth more extensive discussion in another context.

9. Modern consequences

The idea how pre-Christian Hawaiian religion has affected today's culture is a subject that can easily fill a book and is worth pursuing. One main idea would be to examine why the *kapu* system collapsed, followed by what are the remnants, and why certain elements persisted. My view is that Christianization only played a partial role in this evolution.

In my research of impacts to modern Hawaiian culture and society I discovered on article on the internet with regard to rehabilitating current criminals from Hawaiian incarceration. This is written by a student who has clearly adopted many of the ancient ideas. All emphasis in bold is mine.

Essay: Kuleana, by Raymond Pintor

The Native Hawaiian people have a unique relationship with land and culture, deeply rooted in the concept of *Kuleana*. *Kuleana* is a Hawaiian word roughly translated as responsibility and privilege. It refers to the idea that each person has both responsibility and privilege to care for and **protect the land and the community** to which they belong.

This concept of *Kuleana* is a **reciprocal relationship**, central to the Native Hawaiian worldview, playing an essential role in shaping Hawaiian history and relationships with the criminal justice system. **As *kānaka* care for the land, the land also provides for them.** Each *kānaka* would have a function. The community would work together to ensure everyone was cared for.

Native Hawaiians have been disproportionately impacted by the criminal justice system in the United States. According to a Hawaii Department of Public Safety report, Native Hawaiians comprise about 20% of the state's population. Still, they account for over 40% of the state's prison population. This over-representation in the prison system reflects the historical and ongoing marginalization of the Native Hawaiian people, as well as the systemic racism and bias that permeate the criminal justice system. Even though Native Hawaiians that fulfill their *kuleana* by serving their sentence, **it seems that the Hawaii criminal justice system has not reciprocated in kind.**

Despite the challenges that Native Hawaiians face, many are deeply committed to the concept of *Kuleana*, even in the face of adversity. For many Native Hawaiians imprisoned, **incarceration is not just a punishment but an opportunity to reconnect with their culture and community.** They can see their time in prison as a chance to reflect on their past and learn from their experiences.

In some cases, Native Hawaiians have used their time incarcerated to engage in cultural and educational programs that help them reconnect with their heritage and sense of *Kuleana*. These programs have included traditional Hawaiian music and dance, language classes, or Hawaiian history and culture workshops.

By participating in these programs, they can gain a deeper understanding of their identity and place in the world and recommit themselves to the principles of *Kuleana*.

The challenges faced by Native Hawaiians imprisoned are not limited to their time behind bars. Once released from prison, they often face significant barriers to reentry and reintegration into their communities. These barriers might include employment, housing discrimination, limited healthcare, and access to social services. **Native Hawaiians need support from their families, communities, and the government to overcome these challenges.**

To address these issues, a few initiatives are underway to help Native Hawaiians reenter society and reclaim their sense of *Kuleana*. These include job training and placement programs, counseling and support services, and cultural and educational programs that help justice-involved folks **maintain their connection to their heritage and community**. By providing these resources, we can help Native Hawaiians who are justice-involved rebuild their lives, taking active roles in caring for their **families, communities, and land**.

In conclusion, the concept of *Kuleana* is central to the Native Hawaiian worldview, essentially shaping the history and experiences of Native Hawaiians. Despite many challenges, many remain deeply committed to the principles of *Kuleana*. **They see their time in prison as an opportunity to reflect and recommit themselves to their community and heritage**. By providing support and resources to Native Hawaiians, we can help them overcome the barriers to reentry and reclaim their sense of *Kuleana* as they build a better future for themselves and their communities.⁴

Noteworthy are the mentions of “land” in association with family and community. These two elements represent 2/3 thirds of our *lokahi* triangle. Belief in a Supreme God is not mentioned. These are very common themes. The concept of reciprocity of the community to the ex-prisoner is also emphasized. The community has a responsibility to the prisoner as much as the prisoner has to the community. Worthy of mention is the idea of seeing prison as an “opportunity” to reflect and reconnect.

10. Final thoughts

In this, our modern age, every inquiry should be assisted by artificial intelligence.

Grok (xAI) by Elon Musk

Can you please write a paragraph summarizing the ancient Hawaiian concept of justice?

⁴ Pintor 2022-2023. This is one example of many similar arguments and presentations.

“The ancient Hawaiian concept of justice was deeply intertwined with the cultural and spiritual life of the islands, encapsulated in the terms “*Kapu*” and “*Noa*”. *Kapu* can be understood as a system of prohibitions or laws that governed behavior, maintaining social order, and protecting sacred spaces and practices. It was a means to ensure harmony between the people, their leaders, and the gods. Violations of *Kapu* could lead to severe punishments, which were not only legal but also had spiritual consequences. On the other hand, “*Noa*” represents the state of being free from *Kapu*, where normalcy and daily activities could resume. Justice in this context was not just about punishment but about restoring balance and maintaining the spiritual and social equilibrium of the community. This system reflected a belief in the interconnectedness of all things, where justice served to realign any disturbances in this natural order, ensuring peace and prosperity for the community.”

Perhaps we should make more use of our time and leave our intellectual pursuits to computers?

I find it hard to argue with this conclusion, except for the fact that there are several ways to rebalance and the idea of “interconnectedness of all things” needs to be expanded. Also to be explained is why imbalances occur in the first place.

But who can answer the question why this culture developed on these Hawaiian Islands - so isolated - and why it was so successful for one thousand years? We can only be certain that the Hawaiian concept of justice diametrically differed from traditional Western or Christian concepts and at the same time provided harmony and balance for countless generations of Hawaiian life.

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