

B. Focus on the moot (from the article "The Kpelle Moot: A Therapeutic Model for the Informal Settlement of Disputes") and the court as we know it here in the U.S.. Compare and contrast how these two arenas for dispute resolution differ.

<u>Similarities</u>	<u>Differences</u>
	<p>C - unfamiliar, formal setting</p> <p>M - familiar</p> <hr/> <p>C - takes many months to take place</p> <p>M - takes place very soon after breach is committed</p> <hr/> <p>C - not therapeutic</p> <p>M - therapeutic can express many things be indialogue get support from kin + family re-educates the participants involved</p> <hr/> <p>C - Stresses individual</p> <p>M - " group</p>

Groups

B. Focus on the moot (from the article "The Kpelle Moot: A Therapeutic Model for the Informal Settlement of Disputes") and the court as we know it here in the U.S.. Compare and contrast how these two arenas for dispute resolution differ.

Similarities

wear best clothes to be presentable
moot like civil court
parties ask questions of each other
ie: cross examination
settle disputes
have transcripts

Differences

held in home instead of court building
no lawyers, people just talk
give a blessing before the start
they grieve
faster
punishment not severe
laws unwritten
spectators not separated in a moot but are
in court
no unilateral description of blame
solution is more consensual
cannot be held in jail for contempt
anyone can speak

Group 4

B. Focus on the moot (from the article "The Kpelle Moot: A Therapeutic Model for the Informal Settlement of Disputes") and the court as we know it here in the U.S.. Compare and contrast how these two arenas for dispute resolution differ.

Similarities

Most often Marriage is most common thing brought to court - Key
Complainant accuses, then defendant defends themselves
Dress up to go to court
The mediator takes inside and outside opinions to make the judgement that is most fair.

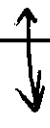
Differences

There is prayer involved in Kpelle community discusses the problem & more therapeutic
Punishments are temporary, not as harsh
Most often held on a Sunday
express any opinion
No one judge, everyone shares their feelings
The mediator knows the people involved, is a Kinsman to both involved
@ end, person who ^{lost} apologizes
No adjudicator, decided through consensus.
The guilty party brings in food and drink for a type of feast

6/17/16

B. Focus on the moot (from the article "The Kpelle Moot: A Therapeutic Model for the Informal Settlement of Disputes") and the court as we know it here in the U.S.. Compare and contrast how these two arenas for dispute resolution differ.

<u>Similarities</u>	<u>Differences</u>
<p>court = court room</p> <p>* court = solution is one-sided</p> <p>court = judge</p> <p>* court = sentence (jail, life imprisonment)</p> <p>court = judge must take control</p> <p>* court = judged by impartial / on familiar people</p> <p>court = coercive / serious setting</p>	<p>moot = informal mtg (house)</p> <p>* moot = solution beneficial for both parties - consensual</p> <p>moot = mediator</p> <p>* moot = no fines, jail</p> <p>moot/court = wear nice formal clothes</p> <p>moot = investigations reside in hands of both parties</p> <p>* moot = Settled by people who know them (kinsmen, neighbors)</p> <p>moot = therapeutic setting</p>



A. Focus on the dispute between the two brothers (in the excerpt from *The Forest People*, by Colin Turnbull) and the marital dispute (from the article "The Kpelle Moot: A Therapeutic Model for the Informal Settlement of Disputes"). Compare and contrast how these two disputes were settled.

Similarities

- dealt with within ~~target~~ community
- each person in dispute affected by decision of community
- informal
- no judge → discussion and collective decision
- stressed community over individual
- opportunities to air ~~emotions~~
- takes place in familiar setting
- takes place immediately

Differences

Forest People → spontaneous

- informal justice → violent
- ridicule
- loud public complaining
- ignore
- tried to rally villagers against each other

Kpelle Moot → community told them to stop fighting:

- individual opinions sought for collective decision
- more defined solution
- exchange of goods as apology
- more direct
- smaller group as opposed to larger
- all verbal, civil community.

more formal

Group 2

A. Focus on the dispute between the two brothers (in the excerpt from *The Forest People*, by Colin Turnbull) and the marital dispute (from the article "The Kpelle Moot: A Therapeutic Model for the Informal Settlement of Disputes"). Compare and contrast how these two disputes were settled.

Similarities

- informal methods of conflict resolution (no "formal" court)
- neither have judges in dispute
- no hard feelings after either dispute is settled.

Differences

- The Kpelle talk about their problems and air their grievances while the forest people just ignore the person, they don't discuss it.
- The Kpelle pay the person they offended with gifts and apology, but the forest people never apologize or pay in gifts.
- The brothers' dispute was resolved by forgetting about it altogether and becoming "friends again while the marriage dispute ended with apology and the payment of gifts

A. Focus on the dispute between the two brothers (in the excerpt from *The Forest People*, by Colin Turnbull) and the marital dispute (from the article "The Kpelle Moot: A Therapeutic Model for the Informal Settlement of Disputes"). Compare and contrast how these two disputes were settled.

<u>Similarities</u>	<u>Differences</u>
<p>Both groups' disputes merited apologies</p> <p>People intervene when disputes begin to affect the community</p> <p>Both involved parties in both societies "got over it," not holding grudges or any thing long-lasting</p> <p>very informal - no court</p> <p>Public</p> <p>opportunities to get stuff off one's chest</p> <p>* takes place in a familiar setting</p> <p>* takes place quickly</p>	<p>KM - dispute handled by "legal specialist"</p> <p>FP - dispute handled by everyone</p> <p>KM - relatives/kin involved in dispute</p> <p>FP - only people directly involved fought</p> <p>KM - dispute resolution more symbolic & relaxed</p> <p>FP - dispute resolution very physical sometimes violent</p> <p>KM - other people's faults & problems brought up</p> <p>* FP - disputes resolved with main intent of restoring peace to the community</p>

B. Focus on the moot (from the article "The Kpelle Moot: A Therapeutic Model for the Informal Settlement of Disputes") and the court as we know it here in the U.S.. Compare and contrast how these two arenas for dispute resolution differ.

<u>Similarities</u>	<u>Differences</u>
<p>Marriage ^{dispute} is commonly brought to court</p> <p>Both wear nice formal clothing</p> <p>Both involve a group that makes decisions</p>	<p>Jury ^{→ vote} is randomly selected ∴ impartial</p> <p>Moot participants = kin → discussion / consensus</p> <p>Moot - full expression</p> <p>Court - many constraints on what can be said</p> <p>Moot - involved parties can directly discuss things</p> <p>Court - no direct discussion</p> <p>Moot - benefits both parties</p> <p>Court - each party tries to win.</p> <p>Moot - laws are just there.</p> <p>Court - laws written, certified</p>