

Washington, D.C.: Public Relations: Newsletters: Hawaiian Sovereignty

Senator Daniel K. Inouye Papers

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Dan Inouye

U.S. SENATOR FROM HAWAII



STATEMENT OF SENATOR DANIEL K. INOUE ON NATIVE HAWAIIAN SOVEREIGNTY

Almost every day there is an article in one of our newspapers on Native Hawaiian sovereignty. In addition, there are various journal articles, academic treatises, opinion and editorial pieces, letters to the editor, judicial rulings, demonstrations, and protests - which affect the discussion of sovereignty. And yet, sovereignty may well be one of the most misunderstood issues facing us today.

While I do not consider myself an expert on principles of international law, certainly sovereignty is the foundation upon which our Constitution and our laws, and indeed, our existence as a nation is constructed.

First and foremost, sovereignty is inherent in the people. A government derives whatever authority and powers it may exercise from the people, or put another way, a government cannot have an existence which is independent of the people.

In the United States, the national government derives its authority from the states, and the states in turn, derive their authority from the citizenry of each state. However, there are many other forms of sovereignty in our country. There are political subdivisions of the states, such as counties, cities, and other local governmental entities.

Not part of the system of states, but nonetheless recognized by the U.S. Constitution as sovereigns are the governments of the Indian nations. Some of the earliest rulings of the U.S. Supreme Court instruct us that the tribal governments are considered to be domestic, dependent sovereigns - in other words, viewed from a Federal

perspective, the native governments exercise their sovereignty in the domestic arena, and for some purposes, such as the conduct of relations with foreign countries, they are dependent upon the sovereignty of the United States.

It is because the United States recognized the sovereignty of the Indian nations from the earliest days in our history, that treaties were entered into with the tribes - just as the United States enters into treaties with foreign governments. Treaties are the typical form in which sovereign governments enter into agreements with one another, and our Constitution recognizes treaties as the supreme law of the land.

Each U.S. President since President Nixon first articulated the Federal policy of Indian self-determination in 1970 has recognized the right of the indigenous people of the United States to self-governance. It is well-established that tribal governments have a government-to-government relationship with the United States.

Applying these principles to the native people of Hawaii, it is clear that Native Hawaiians have the right to self-determination. Like other sovereigns, the government that represented the people of Hawaii prior to the illegal overthrow in 1893 of the Hawaiian government derived its authority from the people. And it is well-established that the sovereignty of the Hawaiian government was recognized not only by the United States but by other foreign governments. It has long been my view that while the overthrow may have toppled the government, it did not extinguish the inherent sovereignty of the people. That sovereignty still exists, although some would say that it is a dormant sovereignty, until it is once again exercised or given expression in the form of a government entity in which the people vest certain powers and authorities.

This is the challenge that has prompted so many in the Hawaiian community to become part of the discussion, but as the letter to the editors columns illustrate, the interest and the desire to understand how Native Hawaiian sovereignty may manifest itself in the future is shared by many citizens of Hawaii.

Just as governments do not exist independently of the people, in our global society, it is also often the case that governments do not exist independently of one another,

and certainly this is true when governments must exercise their sovereign powers and authorities within close geographic proximity to one another. Add to this the fact that almost all governments insist upon a clear delineation of not only their respective powers and authorities, but the geographic area over which they exercise the powers and responsibilities of government. That is why some commentators have observed that while the discussion of Native Hawaiian sovereignty must logically proceed first in the Native Hawaiian community, it is inevitable that consideration will have to be given to relations with other governments and the people from which those governments derive their authority.

For instance, it is highly unlikely that the government of the United States would allow a domestic sovereign to organize an army and a navy, or declare war on a foreign nation. It is also unlikely that the people of Hawaii would divest the state government of its sovereignty, or that those who have immigrated to Hawaii over the course of our history would voluntarily relinquish their homes and their property and leave the State. So there are some parameters to the discussions on Native Hawaiian sovereignty that must, in all likelihood, comport with contemporary realities.

In the last analysis, I support the expression of sovereignty by the native people of Hawaii, and I truly hope that within my lifetime, a consensus is reached on the form of government and its relationships with other governments. As a senator who is elected to represent all of the people of Hawaii, I stand ready to assist both Hawaiians and non-Hawaiians in any manner that may be considered to be helpful to those who want to be part of the discussions on Native Hawaiian sovereignty.

This is an exciting time in our history -- we need only harken back to the debates of the Continental Congress and the writings of our Founding Fathers to understand that the determination of the manner in which sovereignty will be manifested and expressed is an undertaking of monumental proportions.

What is decided today and in the years to come will literally shape the future of every citizen of the State of Hawaii for many generations to come. -I wish all of those who may elect to involve themselves in this great debate godspeed.

Native Hawaiians look to Maori as model of self-determination

By Yasmin Anwar
Advertiser Staff Writer

The New Zealand Maori are becoming the top role model for Native Hawaiians on everything from sovereignty to saving indigenous culture from commercial exploitation.

They have land, cash and even intellectual property rights to their tribal tattoos.

"They have control over things that we have no control over," said Lilikala Kame'elei-

hiwa, director of the Center for Hawaiian Studies at the University of Hawaii-Manoa.

Here in the Islands, a mounting infatuation with the Maori has manifested itself at educational institutions from UH, where Maori activists and artists regularly give guest presentations, to Waianae Coast schools, where youths emulate fierce Maori warriors.

At Windward Community College in Kaneohe, there are plans

to model part of a new campus center after a Maori community center known as a *marae*.

"The Maori are astute, articulate and visionary," said Fred Kalani Meinecke, head of Windward's department of Hawaiian studies.

Some of the most radical ceded land commercial ventures proposed last year by Office of Hawaiian Affairs

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trustee Clayton Hee were inspired by his New Zealand visit with Sir Tipene O'Regan, leader of the powerful Maori Ngai Tahu Tribe.

Among Hee's Maori-inspired ideas was a plan in which OHA would offer weddings, tours and refreshments on Diamond Head.

Economic sovereignty 7

Although the Maori don't have national sovereignty, they say they are ahead of Native Hawaiians in terms of economic sovereignty.

The key to Maori progress is the 1840 Treaty of Waitangi, by which Maori ancestors ceded sovereignty to Britain in return for exclusive and undisturbed possession of their lands.

Since the 1975 establishment of the Waitangi Tribunal to hear claims of treaty violations, leading Maori tribes have been awarded hundreds of millions of dollars in cash and thousands of acres of forest lands, and now control 50 percent of offshore fishing quotas, among other entitlements.

"What's lacking in Hawaii is that, despite President Clinton's apology, there has been no economic redress," said Morris Te Whiti Love, director of the government-appointed Waitangi Tribunal, which deals with Maori lands claims. He spoke this week at the UH Center for Hawaiian Studies.

Instead of using blood quantum to claim benefits as indigenous people, as do Native Hawaiians, the Maori simply must show they are descended

from a Maori, no matter how distant the connection.

Price of autonomy

But while Hawaii's Polynesian cousins have made enviable strides in claiming lands seized by the British crown, autonomy has a price.

"It's not a panacea. It requires a lot of responsibility," said Love, who is working with UH's Matsunaga Institute for Peace on a conflict resolution program that would blend western democracy and traditional Maori protocol in helping tribes negotiate land claims.

According to Maori oral history, their ancestors hail from the Hawaiian Islands and set out on voyages to the South Pacific islands of Aotearoa, now known as New Zealand.

Rights of New Zealand's Maori

■ Major Maori tribes control their own lands and trusts and have launched corporate ventures that funnel profits into jobs, social and educational programs.

■ Instead of using blood quantum to identify themselves as a tribe member, the Maori need only show they are descended from a Maori who belongs to that tribe, no matter how distant the link.

■ The Maori can file land claims with the Waitangi Tribunal, a government-appointed body that hears claims and makes recommendations to the Crown. The tribunal addresses violations of the 1840 Treaty of Waitangi, by which Maori ancestors ceded sovereignty to Britain in return for exclusive and undisturbed possession of their lands.

■ As part of a settlement, the Maori people control 50 percent of Sealords, New Zealand's largest fishery, which generates more than \$350 million a year.

■ The Maori have intellectual property rights to protect their indigenous culture and art forms from commercial exploitation.

Today, the Maori make up 15 percent of New Zealand's 3.2 million population and have substantial representation in the commonwealth nation's 120-member parliament.

Unlike Native Hawaiians, who have no autonomous control of lands seized after the 1893 overthrow of the monarchy, the Maori have clearly defined rights to land confiscated by the British crown.

About half of a \$1 billion fund set up by the New Zealand government to settle Maori land claims has been spent so far.

"Our treaties do not spell out our rights concerning land jurisdiction," said Millani Trask, governor of Ka Lahui Hawaii, which advocates a nation-within-a-nation model of sovereignty. The group has

sought the counsel of the Maori on land and fishing claims.

Land held in trust

Although more than half the total acreage of the Islands is held in trust for Native Hawaiians, local sovereignty leaders contend the trusts are administered by the state.

They complain the state is dragging its feet in negotiations with OHA over a ceded land revenue debt that could bring Native Hawaiians between \$500 million and \$1.2 billion.

Meanwhile, there are some 30,000 Native Hawaiians on the Department of Hawaiian Home Lands waiting list for homestead lots.

The Maori, on the other hand, control their own trusts, and have launched corporate ventures that funnel profits into jobs and social and educational programs.

"The people now have a pathway to a tribal destiny and national destiny. They can con-

tribute to the general well-being of the country on their own terms," said Toby Curtis, a Maori who is vice president of the Auckland Institute of Technology.

Kame'eleihiwa has made several trips to New Zealand during her studies of the Maori. She said Hawaiians have followed their lead on language immersion programs, and are impressed with how the Maori have secured intellectual property rights to protect their indigenous culture from commercial exploitation.

Social problems

Of course, not all is harmonious with the Maori.

Like Native Hawaiians, the Maori suffer from a multitude of social ills including alcoholism, drug addiction and domestic violence.

While they make up 15 percent of the general population, they represent 50 percent of the nation's prison population and 18 percent of the jobless.

Hundreds of claims for the return of confiscated land are still outstanding, and not everyone in New Zealand supports their claims.

There are also disagreements among the Maori people over what form their sovereignty should take. While some Maoris want to live separately from the *pakeha*, or haole, others support integration. Disputes within tribal leadership are adding to confusion.

"What is happening is that traditional leadership is not able to cope in the modern situation," Love said.

But in this area of the Pacific, there is no indication that Native Hawaii's love affair with the Maori will fade.

"We have always been enamored with our Maori cousins and I expect that to grow," said Kamehameha Schools performing arts director Randie Fong, who regularly takes students on voyager canoes to meet with the Maori in New Zealand. "We have a link."

HAWAIIAN SOVEREIGNTY: DO THE FACTS MATTER? AN ATTEMPT TO UNTANGLE REVISIONISM

By Thurston Twigg-Smith
Goodale Publishing, paper, \$13.95

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By Samuel P. King

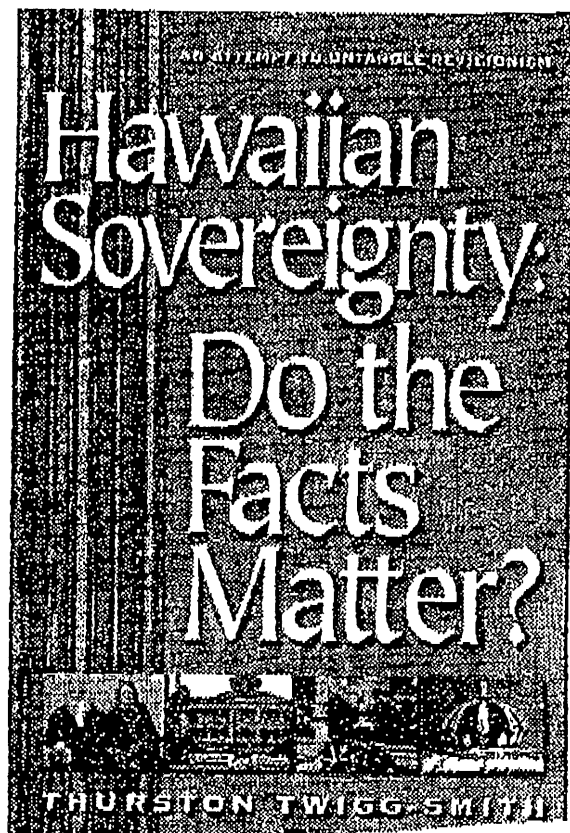
Thurston Twigg-Smith has now produced his promised brief of the defendants in the case of Hawaiian Sovereignty Activist vs. Lorrin Andrews Thurston and others. His objective is to "untangle revisionism" in the history of the Hawaiian Islands, especially concerning the overthrow of the monarchy in 1893.

In the course of that goal, he touches upon everything that happened from the days of the menehune to the end of 1997.

More than half of the book is devoted to the events just before, during and after the overthrow of the Hawaiian monarchy, from disaffection to annexation. His authorities are mainly L.A. Thurston's own "Memoirs of the Hawaiian Revolution," and supporting statements by others involved in accomplishing the revolution.

His thesis is that those of American ancestry have received a bum deal from latter-day historical revisionists. He devotes a whole chapter to a discussion of the fictions being promulgated by these revisionists; each "fiction" is followed by his synthesis of the "facts."

L.A. Thurston, the author's grandfather, was undoubtedly the leading mover and shaker in the overthrow of Queen Lill'uokalani and the subsequent annexation of Hawaii by the United States. However, there were others, many others, including my own grandfather, who supported democracy over monarchy, especially when that monarchy became irresponsible. Whether called a revolution, a counter-revolution or an overthrow, the fact is that it succeeded.



Why revolution succeeded

The shift to democracy succeeded because of several factors, but principally because there were not enough supporters of the queen. Her brother, Kalakaua, had left her a damaged monarchy that was deeply in debt. The Hawaiians were already a minority in their own country. The ali'i did not rally around as the queen had expected. Her husband, who had acted as a brake on her naturally haughty personality, had died.

Twigg-Smith alludes to these factors and argues that to blame Minister Stevens and the American bluejackets from the ship Boston, as the revisionists do, is simplistic at best. He notes that the U.S. troops had landed twice before with results that favored the

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monarchy.

Blaming the loss of the monarchy on the missionaries is equally simplistic, as Twigg-Smith spells out more than once. There were actually no missionaries involved in the overthrow and only a small number of missionary descendants,

On the other hand, Twigg-Smith's characterization of the missionaries as heroic and benign is reaching too far. There was a good deal of condemnation of the heathen ways of the Hawaiians, which had nevertheless stood the Hawaiians in good stead over several centuries.

The Rev. Hiram Bingham, who led the first group of missionaries to Hawaii and wrote the first history of Hawaii and the Hawaiians, spread the word that the Hawaiians were helpless children who needed the firm guidance of good Christian teachers to keep them from idolatry, vice and idleness. This attitude was hardly either heroic or benign.

Twigg-Smith's sources are extensive, available to any interested researcher and quoted accurately, although all of them are perhaps not entitled to the same deference. For example, the quotes from Twigg-Smith's contemporary Sammy Amalu, Hawaii's — if not the country's — premier confidence man, should be taken with several grains of salt.

Hawaiians' sense of loss

Further, while Twigg-Smith does mention the contentions and arguments of the revisionists, he does not document the sense of loss felt by the Hawaiian community at the time, and which continued even into the drive

for statehood.

The effect of the "land revolution" is noted but not fully appreciated. Many will quarrel with Twigg-Smith's analysis of the Great Mahele as an effort to get land ownership into the hands of the common people. Jon Chinen has read the same materials and has documented in his recent work on The Kuleana Act that the biggest losers were the *hoa'aina* and *maka'aina*, that is, those who actually occupied and worked the land.

While Twigg-Smith credits William Lee with the major role of bringing the Great Mahele about, there is substantial evidence that the impetus came from the king's wish to complicate any attempt by a foreign power to seize the kingdom, and also the desires of the important *ali'i* to secure their own tenancies.

Twigg-Smith's chapter on the 1993 Congressional Apology is, as we used to say, right on. This was essentially a cynical action by an uninterested Congress, equivalent to apologizing to George III for the American Revolution. The mischief caused by this ill-considered resolution, based in large part on the flawed Blount Report, will

plague us for many more years.

The most important question is dealt with by Twigg-Smith in his last chapter, "Where Do We Go From Here?" Twigg-Smith concludes that the participants in the sovereignty discussions must give up unrealistic expectations and must stop talking and acting in ways that are divisive. Presumably, this admonition does not include Thurston Twigg-Smith.

Many special touches

A word about style: The influence of years in the newspaper business and in stamp-collecting comes through in Twigg-Smith's use of marginal notes, replicas of Hawaiian stamps at chapter beginnings, and a series of timeline-boxed events from 1778 to 1959. These, together with user-friendly footnotes, bibliography, index, list of historical figures, and photographs from old Hawaii, lend the work a charm that is irresistible to a confirmed bookworm, whether insect or human.

This book is a must read for those who wish to further the sovereignty dialogue.

Samuel P. King is a senior U.S. District Court judge.

Author shows 'contempt' for sovereignty quest

By Mahealani Kama'u

"Lili'uokalani was a ruthless political tactician, not above bribery and deceit" . . .

"She was an inadequate monarch, one who was treacherous and deceitful" . . .

"The Queen was not above altering facts to fit her story" . . .

Four hundred pages of put-downs, snide insults, misinformation and a dishonest rendering of facts concerning Hawaiian sovereignty and its historical basis.

That's what the reader can expect from "Hawaiian Sovereignty: Do the Facts Matter?" by Thurston Twigg-Smith. One feels the author's contempt for Hawaiian sovereignty as he relentlessly pursues an ostensible goal of "debunking revisionist history."

His Annexationist viewpoint is incendiary indeed, blithe and unapologetic in its summation of wholly immoral acts:

" . . . following the time-honored practice of revolt . . . control of the Islands was seized from the Queen . . . they created a Republican leadership whose leadership was not Hawaiian . . . they took over administration of the government lands. . . . The Senate, made up of a majority of Caucasians . . . voted unanimously for Annexation . . . The House, with a majority of Native Hawaiians, did not have to act on the proposed treaty, but undoubtedly would have voted the same way."

Undoubtedly.

Twigg-Smith suggests that Annexationists were actually following the moral high ground when they did what they did.

That's because the queen was trying to pull a fast one by putting Hawaiians in control of their own government.

She took an oath of office to uphold the Constitution that kept haoles in control of her people's government, after all.

So the queen committed treason when she attempted to change the Constitution:

"Having found the queen in revolution, the counter revolution was not really a treasonous act."

Not really.

Twigg-Smith's argument against Hawaiian land claims goes like this:

Hawaiians never owned land set aside for the government.

Nothing changed as it passed through successive governments — Hawaiians "benefited" in the same way.

With this book, Twigg-Smith attempts to resuscitate long discredited, soundly refuted, thoroughly racist and moribund lines of reasoning.

He relies upon moldy memoirs of grandpa and his Annexationist cohorts, self-servingly written decades after actual events occurred.

He makes dire prognostications of future violence, all the while admitting *"the various Hawaiian groups are making their claims in a peaceful if occasionally strident manner."*

Queen Lili'uokalani named her Nu'uano garden "Uluhaimalama."

The *kaona*, or meaning of that name is that as plants grow up out of the dark into the light, so shall light come to the Hawaiian nation.

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The *kaona*, or meaning of that name is that as plants grow up out of the dark into the light, so shall light come to the Hawaiian nation.

In short, the truth shall set us free.

The hallmarks of their sovereignty movement are self-determination and personal responsibility; they neither promote victimhood nor choose to be victims.

They do not contrive, as Twigg-Smith alleges, to orchestrate what in truth is a century-old populist movement: They are not orchestrating a diabolical "game plan" that places future generations at risk by fomenting dangerous unrest.

They do not believe, as he suggests, that their historic claims are extravagant or building unrealistic expectations; they agree these claims must ultimately be worked out among all of Hawaii's people.

In this regard, they know they cannot divide themselves from their families, neighbors and community; instead they seek justice and true accord in the light of truth.

They seek at last, at long last, to be faithful to their story.

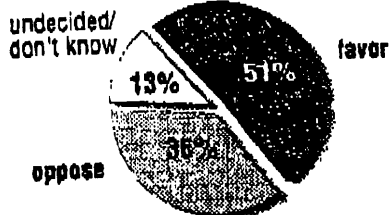
Mahealani Kamau'u is executive director of the Native Hawaiian Legal Corp., a nonprofit law firm.

Hawaiian sovereignty?

In general, do you favor or oppose the idea of granting some form of sovereignty to Hawaiians?

The Advertiser
Channel 2
News

HAWAII
Poll



Source: Random telephone survey by Ward Research Inc. of 271 Oahu resident adults Oct. 13-19. Margin of error, plus or minus 6 percentage points.

Advertiser graphic

Residents

^{13/27}
Results of poll
provided insight
on state issues

By **Robbie Dingeman**
Advertiser Capitol Bureau

Hawaii residents are concerned about money, economy and crime, passionate about the natural environment and optimistic about our unique ethnic mix and aloha spirit.

We're increasingly open-minded about sovereignty for Hawaiians, although we're not

sure what that will mean. We're down on government and our elected officials, but we've developed greater trust in churches and community groups.

And while we're worried about the future, most of us — particularly those who grew up here — hope that Hawaii will remain the kind of place our children will want to live.

That's the overall picture that emerges after a week of plumbing the thoughts of 601 Islanders earlier this month in a statewide telephone poll conducted by Ward Research Inc.

The highlights:

worried yet hopeful

■ Our politicians are not in particularly good favor. Honolulu Prosecutor Peter Carlisle has the highest ratings, with the hot-button issue of crime, but no one is wildly popular.

■ Politicians' ratings echo feelings about local leadership institutions, which received relatively low marks — with government bringing up the rear. Churches and nonprofit groups were rated highest in leadership abilities. But public worker unions were cited as having "too much power."

■ The economy, whether measured in jobs, cost of living or housing, remains at the top

of most worry lists. But crime and drugs make their way to the top when the question is where the most immediate "improvement" is needed.

■ Emotional qualities such as our ability to get along, the aloha spirit and Hawaii's unique quality of life remain highly important. Residents value such things to the point of being willing to put up with economic problems. And the poll suggests the longer residents have

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lived here, the more they value those qualities.

■ Protecting Hawaii's natural environment is also quite important to residents, but they do not see environmental issues as needing the same immediate improvement as our economy and school system.

■ Slightly more than half of those polled said they favor granting some form of sovereignty to Hawaiians, while 36 percent were opposed and 13 percent said they didn't know.

Those who were polled remain anonymous to the Advertiser, but residents interviewed at a local shopping center reflect many of the trends and concerns revealed by the figures.

Albert Oh, a 32-year-old accountant from Hawaii Kai, said there is too much red tape in government. "They got to make things more simple," he said. "They should try to centralize everything so you don't have to go running around for permits and stuff."

Dexter Ahn, a 48-year-old golf course starter from Makiki, said taxes are too high.

"I feel like they (the state) take out more to get them out of the hole they're in, and it's affecting all these people. It affected businesses a lot to where

they had to shut down, and people lost jobs."

About one in four said they or a member of their family had lost a job, pay or benefits over the last year because of economic conditions. And close to a third said someone in the family had been forced to take on another job.

Improving the state's economy was naturally more important to those who had lost a job or were suffering worse economic conditions.

But those same people also tended to feel slightly more strongly about the importance of preserving the aloha spirit.

By contrast, people who were optimistic about the future tended to have stronger feelings about ethnic cooperation.

Bradley Pulice, a 37-year-old attorney from Diamond Head, called sovereignty "appropriate and a worthwhile concept for the Hawaiian community."

The issue is a complex one, and no consensus has emerged on what form Hawaiian sovereignty should take. Ideas run the gamut from creating a nation within a nation to creating a separate nation.

Yet, compared with previous years, the number who favor some move toward sovereignty appears to be increasing.

Staff writer Lynda Arakawa contributed to this report.

Sovereignty and how it affects you

The overthrow of the Hawaiian monarchy in 1893 resulted in Hawaiians losing their status as citizens of an independent Hawaiian nation. It also robbed them of 1.8 million acres of ceded land.

Today, Hawaiians are re-staking their claim to the land and to their right for self-determination. Here are answers to some questions surrounding this effort:

Q: *What is the difference between sovereignty and decolonization?*

A: Sovereignty in the United States traditionally involves the federal government granting a sovereign relationship. With Native American tribes, this has meant "domestic dependent nations" status, giving Native Americans land where they govern themselves and their resources — with strings attached to state and federal laws, much like city or county governments.

A decolonized, independent Hawaiian government would be established through international law, and would require America relinquishing its 104-year-old ties to the Hawaiian Islands.

Q: *Didn't Hawaii's 1959 vote for statehood establish self-determination?*

A: No. The vote to become America's 50th state was for all of Hawaii's people. Indigenous people have a separate right to self-determination through international law. Also, the

option for complete independence was not a choice on the ballot.

Q: *What did last fall's Native Hawaiian Vote mean to efforts for self-determination?*

A: According to the mail-in plebiscite, 22,294 Hawaiians — less than 10 percent of Hawaiians living in the state, 28 percent of the 79,400 Hawaiians who received ballots, and 73 percent of those who voted — want to elect Hawaiian delegates to a Hawaiian Constitutional Convention.

This plan calls for 100 to 200 delegates to convene sometime before the end of 1999 and agree on an appropriate model of self-government for Hawaiians. Some Hawaiians distrust the vote and its mandate because state money is being used.

Q: *Will the delegates' decision be final?*

A: Not necessarily. Whatever model of sovereignty is eventually chosen must be approved by the U.S. Congress, says Sen. Daniel Inouye. Some sovereignty activists, however, say that once the Hawaiian population makes its wishes known, the international community could pressure the United States to comply.

Q: *If I'm a non-Hawaiian homeowner living in Hawaii, how will this affect me?*

A: It probably won't. No sovereignty activist is proposing the eviction of non-Hawaiian homeowners. Simply, you would go on living your life as you do now and Hawaiians would have full control over ceded lands and their revenue.

Advertiser Staff Writer Greg Barrett covers Hawaiian affairs.

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Debate over sovereignty looks beyond Islands

By Greg Barrett

Advertiser Staff Writer

State lawmakers studied a bill last week that could provide a blank check and added momentum for the election of delegates to a Native Hawaiian constitutional convention, the mandate of last fall's controversial Native Hawaiian Vote.

The House Judiciary Committee and the Committee on Hawaiian Affairs have approved amended versions of the bill, which seeks one-third of the money for a two-year process intended to build Hawaiian consensus on sovereignty — and could cost \$8 mil-

lion, more or less.

But after all the debate, effort and money, where would this path toward Hawaiian self-determination lead?

And if it goes to Washington, D.C., where Sen. Dan Inouye insists it must, who will ultimately define it?

According to Inouye, the U.S.

Congress.

"Any sort of sovereignty status would have to be recognized by Congress," he said from his D.C. office. "Otherwise it would just be on paper."

Models of sovereignty approved by Congress are historically limited. In short, Congress would likely grant Hawaiians only "nation-within-a-nation"

status, Inouye said, similar to "domestic dependent nation" models that Native Americans have on tribal lands throughout the Mainland and Alaska.

No independent Hawaiian nation free to negotiate alliances with foreign governments — as some sovereignty activists pro-

pose — will likely be supported in Washington, Inouye said.

"I cannot envision any Congress approving an act that would propose the seceding of, say, a segment of the state of Hawaii or the (entire) state of Hawaii from the union," he

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Sovereignty: Rest of world

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said.

"We had a civil war over that. I think that was very clearly articulated with blood."

Limits on what shape sovereignty can take are premature and "terribly unfair," said Allen Hoe, president of Ha Hawaii, an offshoot from the Hawaiian Sovereignty Elections Council, which facilitated last fall's Native Hawaiian Vote.

Even if it means repaying the state for a Hawaiian convention, Hoe said Hawaiians could take their sovereignty model to the international community, bypassing Congress.

"If we set out on this process with the thought or idea that it will end at the State Capitol or in Washington, D.C., then we are selling ourselves short," he said.

However, the bill now in the state Legislature specifically says that nothing arising from it is legally binding or can be used to supersede the U.S. Constitution, which forbids states from entering into foreign policy.

In effect, the bill gives state and federal governments a tight leash on the sovereignty process, said Hawaiian activist Kekuni Blaisdell of the sovereignty coalition Ka Pakaukau.

"We are so colonized that we turn our backs on our brothers and sisters (in the Pacific) and face only the United States," he said. "We've got to reverse that and turn our backs to the United States."

Blaisdell, like Hoe, said he believes the purest form for Hawaiian sovereignty, or decol-

onization, lies with the possibility of international governments pressuring the United States to relinquish control.

"No one honestly believes that the state or the federal government are going to, of their own good will, give back to the Hawaiian people what was illegally taken," said Hoe, a Honolulu attorney.

But "I think once the Hawaiian community rises up and expresses its will, there will be a powerful alliance of governments within the international community that will compel that justice be done for Hawaiians."

The election of delegates to a Hawaiian constitutional convention, he said, is needed only for Hawaiians to elect a model of sovereignty and present a united front — whether it's to the U.S. Congress or the United Nations.

"It may very well be that at some point in time the state would have to be reimbursed for its contribution," Hoe said. "This thing is not going to come easy at the state and federal level."

Convention costs

In the bill that's before state lawmakers — it goes next to the House Finance Committee — Ha Hawaii would raise one-third of the multimillion-dollar expense to elect delegates and convene a convention.

The Office of Hawaiian Affairs would pay another third and state taxpayers would pay the rest.

Ha Hawaii, meanwhile, would take primary responsibility for finding consensus on a model of sovereignty for the state's

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may hear issue

Hawaiians, who number about 200,000, less than 20 percent of Hawaii's population.

It's no small task: Sovereignty activists are proposing everything from the extreme (independent nation status with all of Hawaii's land returned to its indigenous people) to the modest (autonomy with dual U.S. and Hawaii citizenships on ceded lands — the 1.8 million acres, about 43 percent of Hawaii's land, taken from the Hawaiian crown during the 1893 overthrow and held in trust by the state).

But before any agreements are bridged, said Kina'u Kamali'i, a former OHA trustee, "we must sit down with this Legislature and this governor and settle our land claims, because without land we will have a hollow nation and a paper nation."

Circuit Judge Daniel Heely ruled in July that the state owes OHA unpaid revenues from various uses of ceded land. Debt estimates range from \$300 million to \$1.2 billion.

Also, all models of sovereignty being discussed include the return of ceded lands.

"The land (revenue) claims and the ceded land claims must be settled now," Kamali'i said. "Then we are forever out of their hair."

Native Hawaiian rights

The 1993 Apology Bill, which acknowledged United States participation in the illegal 1893 overthrow of the Hawaiian monarchy, was signed into law

by President Clinton.

But, in effect, it doesn't force Congress to reconcile the past.

"It is very clear that it was just an apology," Inouye said recently. "It doesn't confer any substantive rights to the Native Hawaiian people."

Yet, Hawaiians, one of the largest groups of native people in the United States, are the only "substantial native group (in the nation) that has not had the right to manage their own affairs and control their resources," said Jon Van Dyke, a professor of international law at University of Hawaii at Manoa.

Hawaii's 1959 vote for statehood gave Hawaii residents, as a whole, their right for self-governance. But, Van Dyke said, a second, separate right exists for Hawaii's indigenous people.

International law gives Hawaiians "the right to self-determination and recovery of their land and resources," he said. "But it is not a right to secede. It is a right to be autonomous."

Blaisdell, a Honolulu physician, said Hawaiians aren't asking to secede. Rather, he said, they want decolonization: "It is not for us to secede; it is for the United States to withdraw."

Great Britain withdrew from India in 1947, and now the British are withdrawing from Hong Kong, Blaisdell said.

"It's a matter of public education and world pressure being brought to shame the United States," he said. "It's important to understand we are talking about a process . . . above the level of the U.S. Congress."

"It's at the international level."

Dan Inouye

U.S. SENATOR FROM HAWAII



SENATOR DANIEL K. INOUE RESPONDS TO THE RESULT OF THE NATIVE HAWAIIAN SOVEREIGNTY VOTE

Friday, September 13, 1996

FOR IMMEDIATE RELEASE

WASHINGTON, D.C. -- "Our Native Hawaiian neighbors have asked for the opportunity to express themselves on this critical step towards sovereignty. Like the results of voting in every American community, the Native Hawaiian participation in this balloting was not 100 percent. Although this is unfortunate, under our system, no one is forced to vote.

Notwithstanding the less than perfect turnout, our Native Hawaiian neighbors have spoken and I am prepared to support their decision, and if called upon, will work with them towards their goal for sovereignty."

-- 30 --

Sovereignty effort wins 3-to-1 support

By Walter Wright
Advertiser Staff Writer

3/12

Hawaii will be a nation again within the decade, Hawaiian leaders forecast yesterday on the strength of a 3-to-1 vote in favor of sovereignty.

"When I am dead and gone," a woman told her daughter in front of the Kamehameha statue, "tell your grandchildren that you were here today when we took our first step."

She disappeared into the crowd fronting Ali'iolani Hale as officials read out the results of the first Native Hawaiian Vote to restore some form of the nation wrested from Queen Lili'uokalani on that spot 103 years ago.

Much remains to be done, however, and some Hawaiian groups refuse to recognize this vote. Also, officials said it's unlikely the state alone will pay for building a new Hawaiian government. Nonetheless, yesterday's announcement encouraged those who saw the much-debated vote as an essential move toward self-determination.

Sovereignty options discussed so far range from complete independence to nation-within-

nation status similar to that of some Native American tribes on the Mainland.

Results showed that 22,294 people, or 73 percent of those returning valid mail-in ballots, voted yes to the question: "Shall the Hawaiian People elect delegates to propose a Native Hawaiian government?"

About 27 percent — 8,129 — voted no. Another 2,600 ballots were spoiled, usually for lack of signature on the return envelope, officials said.

And 49,000 ballots were not returned.

It boiled down to a "yes" vote by 27 percent of the Hawaiians eligible to vote.

Backers of the process took the result as a mandate and said they would start planning for a convention within two years to create some form of sovereignty.

"We'll have our nation within six years, if not sooner," said Kina'u Kamali'i, a member of the Hawaiian Sovereignty Elections Council, the group of representatives from a broad range of Hawaiian organizations that held the election.

But Haunani-Kay Trask of the rival sovereignty group Ka Lahui Hawai'i, which urged a boycott of the balloting, also claimed victory.

Ka Lahui says state sponsorship of the voting makes the elections council a pawn of state government and invalidates the election.

The results

Ballots mailed

82,000

Ballots returned

33,000

'Yes' votes

22,294

'No' votes

8,129

Trask, who contends Hawaii already has a sovereign government, of which her sister Milliani is prime minister, said Hawaiians "were not fooled" by election council advertising.

The results mirrored an 1894 vote held to elect delegates to form a legislature for the Republic of Hawaii, Trask said. In that election, only 3,000 of an eligible 17,000 Hawaiians cast votes, she said.

"That's nearly the same turnout as now," Trask said. "Hawaiians know their history."

A passer-by on King Street yesterday, Dan Santiago of Kauai, in town to see his doctor, ignored the pageantry in front of Ali'iolani Hale and said he had thrown away his own ballot.

"I didn't want to be bothered," said Santiago, one-quarter Hawaiian. "Hawaiian nation? No more. That's over. *No mas.*"

"It's a better turnout and percentage vote than that which elected our mayor, governor or president," said H.K. Bruss Keppeler, another elections council member and head of the Association of Hawaiian Civic Clubs.

Asked where the "no" votes came from, Keppeler said: "There's still a lot of people for whom the whole idea of Hawaiian indigenous sovereignty is frightening, scary."

"It's a very high return for a mail-in ballot," said Office of Hawaiian Affairs Chairman Clayton Hee, "and it's a clear mandate from those who did vote."

Hee said he agrees with Gov. Ben Cayetano that OHA and other, private, sources should help pay for the process by which Hawaiians will now elect delegates to a convention to draw up a form of government.

He said the costs of such a convention, estimated by some to reach \$12 million, need to be studied carefully.

Rep. Dennis Arakaki, chairman of the House Hawaiian Affairs Committee, suggested that the state, OHA and private sources might equally provide funds for a sovereignty convention.

"There's an undercurrent that perhaps the Native Hawaiian people are getting too much in terms of entitlements. There's going to be a lot of resistance (to the state alone paying for a convention)," Arakaki said.

The elections council is scheduled to go out of business Dec. 31, but members have formed a nonprofit group, Ha Hawai'i, to raise funds and continue planning for election of delegates and a constitutional convention.

Meanwhile, the council will continue its work, with a daylong meeting Saturday, and will make a full report to the Legislature and OHA.

Release of the vote results was twice delayed by lawsuits challenging the Hawaiians-only nature of an election paid for with state funds. But on Tuesday, a federal appellate court cleared the way for the tally to be released yesterday.

The results were read first in Hawaiian, then in English, in a ceremony that celebrants said closed a circle of pain and loss for Hawaii.

"My great-grandfather was inside this building (the seat of Hawaiian government) at the time of the overthrow. . . .," said Rep. Quentin Kawananakoa, a descendant of royalty.

Sol Kaho'ohalahala, chairman of the elections council, recalled that afternoon of Jan. 17, 1893,

when the mostly American "Committee for Public Safety" proclaimed the abolition of the Hawaiian monarchy.

"The conspirators sneaked back to the back steps of this building, intentionally avoiding the general Hawaiian public," Kaho'ohalahala said.

There, the group declared itself the "provisional government" formed to annex Hawaii to the United States.

An American official recognized the new government, which transformed itself into the Republic of Hawaii "and subsequently ceded Hawaii into the willing hands of the United States of America," Kaho'ohalahala said.

"Today, 103 years, seven months and 24 days after the overthrow, we are at the dawn of a new age," he said.

He called for Hawaiians to put their differences aside, join hands, and stand together.

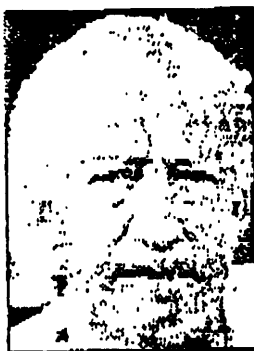
"The path to rebuilding a sovereign Hawaiian nation is before us," Kaho'ohalahala said.

"This is our time in history."

4/16

The reactions

Prominent leaders speak out on the results of the Native Hawaiian Vote:



Mal Kalahiki

"I think this is a great day for all Hawaiians, especially for those who understand our history. The cries of Queen Lili'uokalani have been heard. It finally came full circle."

**President,
Council of
Hawaiian Orgs.**



Kekuni Blaisdell

"This is not an overwhelming vote for sovereignty; it's a vote for the state process ... to give the state more control. ... This is not an initiative of the *kanaka maoli* (true Hawaiians); it's a violation of our rights."

**Pro Hawaiian
Sovereignty
Working Group**



Haunani Trask

"This is a victory for Ka Lahui because so many Hawaiians chose to boycott the plebiscite, and it's very telling that they don't say how many ballots actually went out. They also don't say what was on all the spoiled ballots."

**Ka Lahui
Hawai'i
spokeswoman**

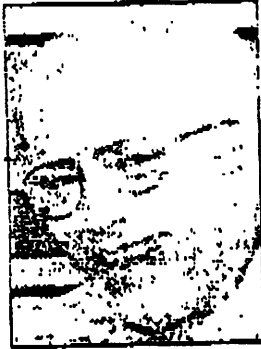


Dennis Kanahale

"We have a consensus ... of our people saying ... we want to take the next step. ... I voted, and I voted yes. ... I still disagree with some, but the table is important, so that our disagreements can be solved on that table."

**Nation
of
Hawaii**

6/16



Walter Heen

"This augurs well for the unification of the Hawaiian community ... to improve the overall station of Hawaiians in the general community and re-establish a cultural base for them. ..."

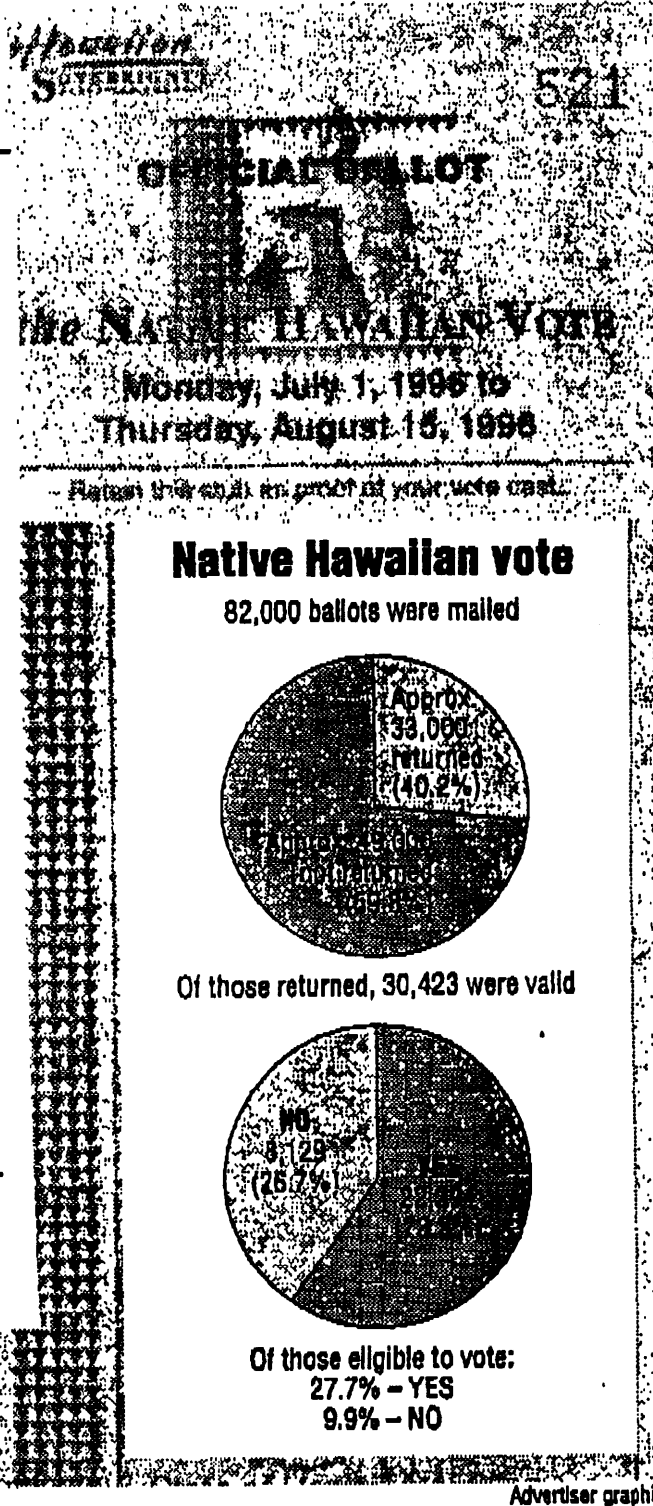
Former judge,
Intermediate Court
of Appeals



Dennis Arakaki

"I have no doubt it's going to lead to some type of sovereign entity for the Hawaiian people. I hope this will be a clarion call to all the leaders and all the people to work towards that end, to put their personal differences aside."

State Legislature,
House Hawaiian
Affairs Committee



In calling for a "realistic, verifiable and binding medium-term emissions

Hawaiians Vote To Start Process For Sovereignty

WASHINGTON POST 9/13/96

Reuter

HONOLULU—Hawaiians have voted overwhelmingly in favor of starting a movement to form their own sovereign government, according to the government-appointed group that organized the election.

The vote was viewed as the cautious first step toward establishing Hawaii as a sovereign nation, but was not likely to result in any immediate changes. There was no consensus on what type of government might emerge from the process, or what sort of relationship it would have with the United States. But supporters of the movement cheered the vote as an important first step.

"This is a victory for Hawaiians," said Sol Kaho'ohalahala, chairman of the Hawaiian Sovereignty Elections Council, which held the month-long election. Of the 30,423 votes ruled eligible to be counted, 22,294, or about 73 percent, were in favor of sovereignty.

The next step is to elect delegates to a convention to propose establishing a Hawaiian government.

Within the sovereignty movement, there is disagreement over how much independence is desirable. Some have called for complete secession from the United States, while others want to pursue a more limited return of lands, restoration of culture, or the formation of a nation within the United States with dual citizenship for residents.

About 200,000 people, or roughly 18 percent of the state's population, are recognized as descendants of native Hawaiians.

Much of the argument for sovereignty focuses on the 1893 overthrow of Queen Lili'uokalani, Hawaii's last reigning monarch. Hawaii became a U.S.

state in 1959.

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Offer good September 14th only. Offer not valid on gift certificates, etc.



THE NATIVE HAWAIIAN SOVEREIGNTY VOTE

2/13

Conflicting opinions and information cloud native Hawaiians' upcoming plebiscite. Here's a look at the vote and what those on both sides of the issue say

Lydia Kamakaeha Kaolamali Liliuokalani, known as Queen Liliuokalani, was the last ruler of the Hawaiian kingdom when she was deposed from her throne on Jan. 17, 1893.

On Sept. 2 — Liliuokalani's 157th birthday — Hawaii's native people will learn the results of a controversial vote being overseen by the Hawaiian Sovereignty Elections Council.

If a majority of the ballots returned say "Ae," — yes — native Hawaiians will choose delegates to propose a sovereign native government.

It will be a historic step toward restoring a nation that was last free under Liliuokalani's reign more than 103 years ago.



Queen Liliuokalani

More on A-6

TIMELINE

- July 1: Plebiscite ballots mailed.
- July 15: Deadline to register to vote.
- Aug. 15: Ballots must be returned to the Hawaiian Sovereignty Election Council.
- Sept. 2: Results announced.

If most ballots returned by Aug. 15 say "Yes," the following steps would occur:

- September: A research group begins studying sovereignty models.
- May 1997: 100 to 200 delegates elected by native Hawaiians from the respective islands.
- June 1997: Delegates meet in a constitutional convention, and draft a proposed form of government and constitution.
- October 1997 to April 1998: Public hearings.
- May to June 1998: Native Hawaiians asked to vote on the form of government proposed.

If approved, the newly formed government will seek formal recognition of its nationhood from the State of Hawaii, the United States, the United Nations and other countries.

"I think it's the most significant, historic event in over 100 years," said Lulani McKenzie, the council's executive director.

"I think that native Hawaiians need to get together and vote on this because this is the only valid, open and fair process that can accomplish what needs to be done at this point in time for us to take the next step toward some kind of sovereignty nation."

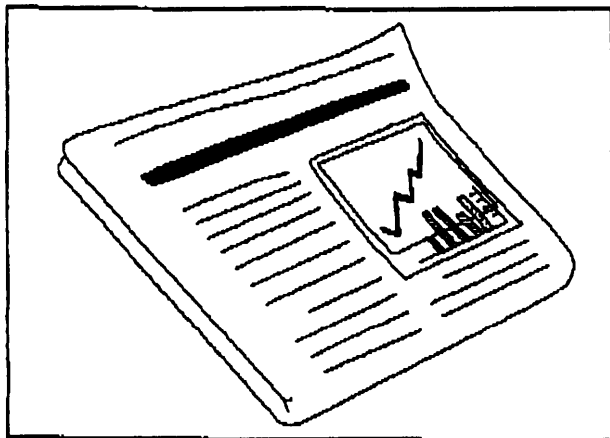
In 1994-95, the state and the Office of Hawaiian Affairs gave the council \$1.8 million for the balloting. So far, it has spent \$542,220 on the plebiscite campaign. The council dissolves on Dec. 31 of this year.

For the 85,000 Hawaiians receiving mail-in ballots this month, deciding whether to return the yellow "yes" ballot or the salmon-colored "no" ballot depends on what they think of the plebiscite itself.

Leading sovereignty groups such as Ka Lahui

PLEASE SEE VOTE, A-6

Story by Pat Omandam ■ Illustrations by Bryant Fukutomi and Kevin Hand



AFTERNOON NEWS REPORT
HONOLULU OFFICE
prepared by Jinny Okubo

1/13

HONOLULU CIRCULATION:

Barbara	Lum
Bob	Sara
George	Sheila
Mary Lou	Waude

BULLETIN
WEDNESDAY, JULY 10, 1996

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Ex-Dole aide admits funneling contributions

BOSTON — A former vice chairman of Bob Dole's presidential campaign finance committee has agreed to pay a fine of \$1 million, while his company would pay \$5 million, for funneling illegal political contributions through employees and sales representatives.

The U.S. Attorney's office here, which announced the plea agreement, said the funds from Simon C. Fireman, owner of Aqua-Leisure Industries, were given to Dole's current presidential campaign, the 1992 Bush-Quayle campaign, the Republican National Committee and a group supporting Democratic U.S. Rep. Joseph P. Kennedy II.

Prosecutors said Fireman reimbursed employees for making campaign contributions to the Dole campaign and giving gifts to other political campaigns.

.. . . .

FROM A-1

Hawaii and Ka Pakaukau are among 30 groups comprising a "Stop the State-Sponsored Plebiscite" coalition. The group has denounced the state, the elections council and OHA for holding the vote and have staged protests, workshops and rallies to stop the effort.

Ka Lahui — which McKenzie called the "engine of the opposition" to the plebiscite — recently stepped up its campaign with cable programs to counter plebiscite ads. One of Ka Lahui's concerns is that the vote will deprive Hawaiians of a plebiscite overseen by the United Nations.

What one expert says

Francis A. Boyle, professor of international law at the University of Illinois at Urbana-Champaign, has warned the coalition that if Hawaiians go forward with the vote, they may have no further right to a plebiscite under international law.

He reasons that President Clinton's 1993 apology to Hawaiians for the 1893 overthrow of the monarchy acknowledges that Hawaiians never relinquished their claim to sovereignty. By participating in the plebiscite, he said, Hawaiians would relinquish that claim.

"That's why this is so dangerous," said Lillkala Kame'eleihiwa, associate professor of Hawaiian Studies at the University of Hawaii.

Kame'eleihiwa said the plebiscite will bar Hawaiians from asking the U.N. to put them back on its list of in-

digenous peoples colonized by another country because they are working with the U.S. to achieve sovereignty.

If Hawaiians had remained on the list — they were removed in 1959 at statehood — they could have used the U.N. decolonization process to regain control over their land and government, the coalition says.

The bottom line, Kame'eleihiwa said, is the vote will mean Hawaiians have accepted help from the U.S. and do not want the international community to intervene.

"And of course, in the international arena and in the world's eyes, America has to be seen to deal correctly with the Hawaiian people," she said. "I mean, look at us, we're charming, we sing, we dance, we're friendly, we have Aloha all over the world. . . . If America is not treating us right, then America is in the wrong," Kame'eleihiwa said.

The coalition wants voters to void their ballots and mail them to Ka Lahui, where members will present them, along with petitions favoring the U.N. decolonization process, to a U.N. commission this November in Geneva, Switzerland. Meanwhile, the coalition is promoting a series of puwalu, or public gatherings, where decisions are made through consensus as an alternative to the vote. The next puwalu is to be in early September on Oahu.

Group's goals questioned

McKenzie said Ka Lahui and the coalition are trying to confuse people so they will not vote. She said a suc-

3/13



**Billie
Beamer**

cessful plebiscite would thwart Ka Lahui's goal to be recognized as the sovereign government.

"It's not pulling the wool over our eyes or many other Hawaiians' eyes. Most people understand what's

going on as far as that's concerned," McKenzie said.

The council has distributed a handout that disputes arguments that Hawaiians should boycott the vote. For example, McKenzie said, Hawaiians would not forfeit their opportunity to hold an internationally sanctioned plebiscite.

Kanahele backs the vote

And while some Hawaiian groups oppose the plebiscite, others support it, most notably OHA and the Nation of Hawaii, headed by Dennis "Bumpy" Kanahele.

Kanahele was one of the first commissioners chosen by Gov. John Waihee in 1993 to serve on the Sovereignty Advisory Commission — the precursor to the council — before he resigned to form the Nation. Today, the Nation sees opposition to the council as a drain of time and energy, and supports the agency as a way to unify Hawaiians.

"The more the Hawaiian people are pitted against each other and divided over the issues such as this, the

longer it will take to restore sovereignty and the narrower our window of opportunity grows," read a statement posted on the Nation's Internet web site.

A'o Pohaku Rodenhurst, a council member and Nation of Ku leader, was out last week promoting the vote with a band of sign-wavers, saying: "We encourage you that if you have one drop of Hawaiian blood, please register to vote."

But some are confused. Billie Beamer, speaking on behalf of herself and not as an OHA trustee, told the Unrepresented Nations and Peoples Organization at public hearings here last week that she's in a Catch-22. If she votes "no," she may be seen as voting against sovereignty instead of against this plebiscite. A "yes" may be construed as a vote for a model of sovereignty that calls for secession from the U.S. instead of the state-within-a-state model favored by OHA.

The only alternative, she says, is to file an injunction to stop this vote until more education can be done. The Unrepresented Nations group is in Hawaii reviewing the status of Hawaiians at Ka Lahui's request. Initially, it found the plebiscite process confusing but will issue a report and recommendations on it this summer.

But McKenzie sees no need for confusion.

"It's a very straightforward question," she said. "All this question means is, 'Do you as a Hawaiian want to elect Hawaiian representatives from your district to come together at a convention to gather and discuss all the sovereignty options?'"

4/3



'AE or 'A'OLE

SOVEREIGNTY VOTE SAMPLE BALLOTS

Hawaiian
SOVEREIGNTY

TOP

SAMPLE BALLOT

the NATIVE HAWAIIAN VOTE

Monday, July 1, 1996 to
Thursday, August 15, 1996

Retain this stub as proof of your vote cast.

*He pono inā koho nā Hawai'i
i nā 'elele no ka noi 'ana i
kekahi aupuni Hawai'i
maoli?*

Shall the Hawaiian people
elect delegates to propose a
Native Hawaiian govern-
ment?

'AE YES

*The Native Hawaiian Vote
does not surrender any
claim against the United
States of America or the
State of Hawai'i including
but not limited to lands,
historical social-economic-
cultural injury, sovereignty
or any right of self-determi-
nation.*

Hawaiian
SOVEREIGNTY

TOP

SAMPLE BALLOT

the NATIVE HAWAIIAN VOTE

Monday, July 1, 1996 to
Thursday, August 15, 1996

Retain this stub as proof of your vote cast.

*He pono inā koho nā Hawai'i
i nā 'elele no ka noi 'ana i
kekahi aupuni Hawai'i
maoli?*

Shall the Hawaiian people
elect delegates to propose a
Native Hawaiian govern-
ment?

A'OLE NO

*The Native Hawaiian Vote
does not surrender any
claim against the United
States of America or the
State of Hawai'i including
but not limited to lands,
historical social-economic-
cultural injury, sovereignty
or any right of self-determi-
nation.*

Senators call Cayetano criticism irresponsible

BY MIKE YUEN
Star-Bulletin

Senate President Norman Mizuguchi and Sen. Robert Bunda said yesterday it is unfair and irresponsible for Gov. Ben Cayetano to blame the Senate for a lawsuit by the Office of Hawaiian Affairs that could cost taxpayers at least \$170 million.

Cayetano's finger-pointing occurred Monday after Circuit Judge Daniel Heely ruled that the state's payments to OHA for use of ceded lands should also include revenue from housing sales, low-income rentals, Hilo Hospital patient services, the Duty Free Shoppers operation and interest income.

During this year's legislative session, a Cayetano-backed bill died that would have clarified that the state's payments of 20 percent of ceded land revenue should be calculated off the raw land, not off improvements placed on the land.

Cayetano said a lack of leadership in the Senate, a theme he has sounded in recent weeks, killed his bill.

Cayetano praised House Finance Chairman Calvin Say for backing the measure, which sparked massive protests by OHA supporters.

Bunda, Senate Housing Committee chairman, countered that Cayetano's bill was prospective only and would have had no bearing on OHA's lawsuit, which only covered the period from 1981 to 1990.

Mizuguchi and Bunda said they agreed with Cayetano that Heely's interpretation wrongly expands the definition of ceded land revenues.

The state will appeal Heely's

ruling, Cayetano said.

Also yesterday, during ceremonies commemorating the 75th anniversary of the federal Hawaiian Homes Commission Act, Cayetano said his administration is moving quickly to get native Hawaiians on homestead land.

"It cannot be denied that some Hawaiians have benefited from the Hawaiian Homes Commission Act," Cayetano said.

"It is also a fact that many more have not."

Letters **2/3**

Congress isn't planning to disrupt process toward Hawaiian sovereignty

I have been called upon to address and clarify a number of rumors that have apparently been circulating in the Native Hawaiian community in recent days.

I am advised that some people have reported that there is federal legislation pending in the Congress that would confer federal recognition upon the Office of Hawaiian Affairs, and/or the Department of Hawaiian Home Lands, as a Native Hawaiian sovereign entity.

These reports also allege that representatives of OHA and DHHL have traveled to Washington, D.C. to assist in the formulation of such legislation. It has also apparently been asserted that this legislation would render meaningless any effort by Native Hawaiians, through the Native Hawaiian vote scheduled to commence on July 1, to exercise their rights to self-determination and self-governance, on the grounds that this alleged federal legislation would have already preempted the proposed plebiscite.

In addition, there are assertions that the state and federal governments are somehow involved in manipulating the plebiscite.

Finally, there has also been some confusion with regard to legislation in the Congress that would reform the current federal acknowledgment process for Indian tribal groups that are petitioning for federal recognition.

First, I know of no legislation pending in the federal Congress that seeks to extend federal recognition to the Office of Hawaiian Affairs, or any other Native Hawaiian entity, including the Department of Hawaiian Home Lands nor, to my knowledge, has any such legislation been drafted.

Secondly, I have not met with representatives of OHA or DHHL, either in Washington or Hawaii, to discuss the development of such legislation.

Third, in my capacity as a member of the U.S. Senate, I have not seen any evidence of the federal government's involvement or even interest in the outcome of the Native Hawaiian vote, or any subsequent process that may occur.

Lastly, the sponsors of legislation to reform the federal acknowledgment process affecting Indian tribes have advised me that any reference to Native Hawaiians that may have erroneously been included in federal Indian legislation either has been or will be deleted from those legislative proposals.

I have long maintained that decisions regarding Native Hawaiian sovereignty must be made, first and foremost, by the Hawaiian community itself. While the upcoming Native Hawaiian vote could represent an important step in the process of establishing a government that would represent the Native Hawaiian people, I am aware that members of the Native Hawaiian community are not of one mind on the plebiscite. Those members of the Native Hawaiian community who elect not to participate in the plebiscite are clearly within their rights not to do so.

For my part, I will continue to be available to offer what assistance I can, when and if I am called upon to do so, as the Native Hawaiian people collectively embark upon a common path toward sovereignty and nationhood. It is with great sincerity that I wish them well in these endeavors.

DANIEL K. INOUE
U.S. Senator, Hawaii

1/31

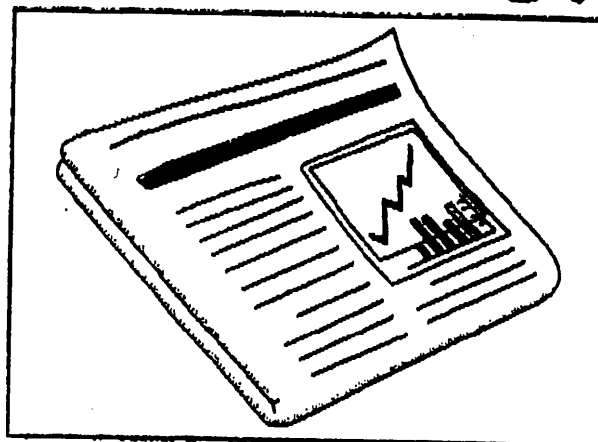
MORNING NEWS REPORT
HONOLULU OFFICE
prepared by Jinny Okubo

HONOLULU CIRCULATION:

___ Barbara	___ Lum
___ Bob	___ Sara
___ George	___ Sheila
___ Mary Lou	___ Waude

ADVERTISER

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By Ann Botticelli

Advertiser Capitol Bureau

Former Bishop Estate trustee Myron "Pinky" Thompson has no need for a separate Hawaiian nation.

"Hell, no. I fought for this country. I almost got killed. It's that basic," Thompson said.

Former Judge Walter Heen of the state appeals court says the sovereignty movement won't improve his lifestyle — and he's not sure it will lift the circumstances of Hawaiians in general — but it might pre-

Advertiser this past week.

Former Office of Hawaiian Affairs trustee Tommy Kaulukui Sr. worries about confusion caused by the number of different sovereignty factions.

But when it comes to the issue of Hawaiian self-determination, this group of Hawaiians voiced opinions as diverse as any of the most outspoken sovereignty advocates.

SOVEREIGNTY:



serve the culture.

"I don't need any more sovereignty than I have. I've got status. I've got a piece of land," he said. "And so, I support the concept because I know that somewhere out there, this culture ... will be preserved for my grandchildren."

Both men are Hawaiians who have prospered under the current system. And when asked about Hawaiian self-determination, both mentioned alternatives to the three models — nation within a nation, state within a state, and independence — examined in The

talk of government models and strengthen what is already in place — the Office of Hawaiian Affairs.

OHA, which was established by a constitutional amendment in 1978 and enacted by the Legislature in 1980, administers 20 percent of the revenue generated from



Stender

former government and crown lands placed under state trusteeship in 1959.

The office "has a constituency" and "an economic base,"

Stender said.

"Build on it. Don't start over. You know, it's true, OHA's got a lot of operational problems internally, but fix that."

The nation-within-a-nation model can't work unless the federal government accepts it, Stender said. "And I think

that's a steeper hill to climb than to work with what you have now."

Stender also believes the many sovereignty groups should find a common ground, or they will not be able to win reparations from Congress that will lead to a self-sufficient nation. "As long as you get this mass of divergence, you are not going to get anyone to work with you," Stender said.

■ Ahi Logan, owner of Ahi's Restaurant in Kahuku.

Ahi Logan, a child of Laie, supports sovereignty as a way to re-establish Hawaiian culture and tradition as a model for other island nations throughout the Pacific.

"I think we owe our Polynesian cousins," Logan said. "We need to reassert our leadership, our culture and their culture."

But he also feels it's premature to talk about different models of government. That

decision will be made by Congress, on the basis of how much the U.S. government is willing to give, Logan said.

"I don't think we have a choice. If they give us all the freedom, fine, we have a basis to work with," Logan said. "I don't think we can start reaching for the moon, or reaching all over the place. We don't know what we're going to get."



Logan

But when the time comes, Logan said, the Hawaiians will be ready.

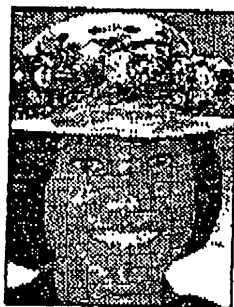
"We do have the people. We do have the Hawaiians that are educated enough and knowledgeable enough to put together a government and I think we have that opportunity," Logan said.

8/20

■ **Lei Kihoi**, state deputy attorney general.

Lei Kihoi says there is "no question" that sovereignty is due.

"I really feel that the state owes a responsibility to native Hawaiians. At least a chance to make them whole," Kihoi said.



Kihoi

She believes sovereignty must be accomplished in steps, starting with the nation-within-a-nation model, but she doesn't rule out the possibility of an independent Hawaiian nation in the future.

Kihoi and others are already attempting to assemble small pieces of a future Hawaiian nation, by working to establish the Hawaiian system of dispute reso-

they won't have to depend on the "Western adversarial judicial system," she said.

But she also believes that the Hawaiian nation — no matter what the model — will have to include everyone.

"I just feel that there's such wonderful people out there and there's a lot of help that the Hawaiians can utilize," Kihoi said. "I've always had the approach that we only have between 100,000 and 300,000 Hawaiians. You've got to establish a lot of friendships."

■ **Oswald Stender**, Bishop Estate trustee.

Oswald Stender believes the Hawaiians should cast aside

The series at a glance

SUNDAY

The lessons of the Native American experience.

MONDAY

The Cherokee of Oklahoma and their "nation within a nation." Federal money, limited sovereignty.

TUESDAY

The Onondaga of New York. Independent, but poor.

WEDNESDAY

The Pamunkey and Mattaponi of Virginia, "states within a state." Living in limbo.

THURSDAY

The Lummi of Washington state. Who owns the water?

FRIDAY

The Mashantucket Pequots of Connecticut. A gambling fairy tale.

TODAY

"Established" Hawaiians and their concerns about sovereignty.

lution — *ho'oponopono* — within the state judiciary system.

When Hawaiians are ready to put their nation in place,

By Ann Botticelli
Advertiser Capitol Bureau

Many models for Hawaiian sovereignty. Many voices on what the future should hold.

During the past week, The Advertiser reported on different forms of sovereignty pursued by American Indian tribes on the Mainland. Hawaii's course could be one of those, a combination of several, or something uniquely Hawaiian.

Here is how several prominent Hawaiians see the future of the sovereignty movement here:

■ **Walter Heen, attorney and former judge of the Hawaii Intermediate Court of Appeals.**

He supports the concept of sovereignty as a way to preserve the Hawaiian culture and tradition, but Walter Heen isn't sure sovereignty will benefit Hawaiians, who suffer from poor health and make up 40 percent of Hawaii's prison population.

"Looking down the road I find it difficult to perceive that many, many things are going to change. Is it really going to reduce the crime rate, for instance, or the incidence of crime on the part of Hawaiians?"



Heen

Heen also wonders about how much control is offered in the nation-within-a-nation system, which grants limited sovereignty to a Hawaiian nation but keeps it part of the United States.

"The whole thing is anomalous anyway, because whenever a people have to go to another people to gain self-determination, that's not really sovereignty," Heen said.

The former judge said Hawaiians might explore "subject matter sovereignty," which would give them control over specific issues, such as immigration.

"One of the most serious problems we have here is overpopulation," Heen said. "The reason we have overpopulation is we have no control whatsoever about how many people come here."

That would have to be negotiated with the U.S. government, unless a Hawaiian nation was completely independent. But Heen doubts the United States would allow secession. "They fought a war over that."

■ **Myron Thompson, former Bishop Estate trustee.**

Myron "Pinky" Thompson doesn't believe that a separate nation is needed.

"Simplistically, I see the Hawaiians in the future being able to take care of themselves, their families and their communities in the nation in which we're living," he said.

Thompson believes that the first step is to win some form of repayment for the U.S. government's role in the overthrow of Queen Lili'uokalani, either in the form of land assets, cash or government bonds.



Thompson

The next step is to establish a trust — established

by Congress with input from Hawaiians — that uses money from the repayment for health and educational benefits that will help Hawaiians "become much more productive for themselves and for the people around them than they are now."

The trust could fund preventive health programs, early childhood development and prenatal care, or scholarships allowing Hawaiians students to complete high school and college.

Trustees would be selected by the U.S. Supreme Court, in consultation with Hawaiians and Congress, Thompson said. They would build up the trust fund through investments, and all of Hawaii's citizens would benefit, he said, because any money spent by the trust would ripple throughout the Islands' economy.

■ **Tommy Kaulukukui Sr., former Office of Hawaiian Affairs trustee.**

Kaulukukui's biggest concern about the ongoing sovereignty debate is the number of different factions. "It confuses everybody," he said.

He backs the upcoming plebiscite, scheduled for next summer, as a way for Hawaiians to explore all options.

But given his choice, "I would go with the nation within a nation," Kaulukukui said.

"I wouldn't go with one that divorces ourselves from the United States government."

To Kaulukukui, independence is impossible. He also fears it



Kaulukukui

would exclude non-Hawaiians.

"To me, (race) shouldn't matter. Because I'm married to a full-blooded Chinese," Kaulukukui said.

"I couldn't tell her 'I'm sorry, but I'm from a different nation. You belong to the United States. I don't belong to the United States.'" He's not sure how a nation within a nation will work. "But I think it can be done if we sit down and everybody puts their minds to

work in one direction," Kaulukukui said.

■ **Marilyn Moniz-Kahoochano, women's athletic director, University of Hawaii.**

Marilyn Moniz-Kahoochano is a firm believer in Hawaiian sovereignty.

"I think it's very delicate and very complex in exactly how we would accomplish that," she said, "but I really believe with the injustices done to the Hawaiian people many years ago, that that has to be corrected."

11/30

THE ROAD AHEAD

12/20

"I may have been one who has prospered — I think that comes from God," says Moniz, whose UH title includes the term "senior woman administrator."

Moniz said, "But there are many Hawaiians who have not prospered."

Moniz wants the disenfranchised Hawaiians to have land under their own control and be able to determine their own future. But she also believes that the debate should involve everyone in the state of Hawaii, and

the Hawaiian nation should remain part of the United States.

"There are many good things about the culture and the government we have now," she said. "I don't think to be separate would create unity within the state of Hawaii."



Moniz

She's not sure how the separate nation will work, but she's sure it will.

"I know it can work," she said. "It's just working out exactly how it can work (that) is going to be the challenge ahead of us now."

The Hawaiian "sovereignty" movement, long the property of a handful of philosophers and activists, has taken a turn toward reality.

A plurality of Hawaiians believes some form of a sovereign Hawaiian nation "will happen," according to The Hawaii Poll.

And a cautious majority support the movement.

Yet there are substantial doubts. Some critics say it is a misguided use of energies that should be devoted to more practical efforts to help the Hawaiian people.

Others say it is a political pipe dream; that the sovereignty of Hawaiians will never be recognized.

That debate will go on for time to come. And, indeed, even Hawaiians say they're in no rush to push this thing along. A full 81 percent told the Hawaii Poll they want more time, more information, before deciding on self-determination.

That translates into education. One excellent source of that education is The Advertiser series this past week on how the self-determination movement has played out among Native American groups on the Mainland.

Advertiser reporter Ann Botticelli and photographer Bruce Asato visited tribes from the Pacific Northwest to the far East Coast. They visited groups who have asserted total independence from the United

States, tribes that are established as an Indian "nation" within the United States and others that are, in effect, states-within-states.

They visited wealthy tribes and poor tribes. They encountered tribal governments struggling over issues of water rights, cultural renewal and gambling. In short, they offered at least a partial glimpse of the future that may await Hawaii as the sovereignty movement goes forward.

What lessons can we draw from their research?

■ Every form of sovereign "nation" has benefits and drawbacks.

The Onondaga of New York consider themselves an independent nation, refusing all non-treaty aid or benefits from

the government. That has created great pride but has deprived the tribe of many material benefits.

Other tribes, such as the Oklahoma Cherokee, consider themselves a "nation-within-a-nation." That means their sovereignty depends on constant lobbying in Washington to protect hard-won rights from erosion.

■ Gambling, seen by some as the cure-all for Hawaiian economic woes, is no sure bet. The Mashantucket Pequots of Connecticut have made huge gains from gambling, but other tribes have not.

SOVEREIGNTY:





■ Culture.
The poll
makes it
clear that
many
Hawaiians

see sovereignty first as a way to preserve and enhance the culture and language. That can happen. But Botticelli and Asato visited some long-established tribal "nations," such as the Cherokee, who struggle daily to maintain even minimum levels of culture and community.

■ Land and water. Asserting sovereignty is no cure for longstanding land and water problems. Some tribes have been forced to buy back lands that have slipped into private ownership.

And as the Lummi Nation in Washington state discovered, ownership of tribal lands doesn't automatically guarantee control of underlying water rights. That's a lesson that must be watched carefully in Hawaii where water rights and Hawaiian sovereignty issues intertwine.

Hawaii's situation cannot and should not be compared with that facing Native American tribes on the Mainland. None has a political history that involves a coup d'etat against an established monarchy.

So, it would be a mistake to assume that the American Indian experience offers all the answers to the sovereignty movement. But they've been there; a great deal can be learned. As Hawaii's sovereignty movement goes forward, Hawaiians and non-Hawaiians alike should use that education to take the best of what they see and reject the rest.

By Mark Matsunaga
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Whatever form sovereignty might take, Hawaiians don't like the idea of retreating to their own lands and living apart from the rest of Island society, The Advertiser's Hawaii Poll has found.

But the first random sampling of 400 Hawaiian

No consensus on use of sovereign lands. **Page A3.**

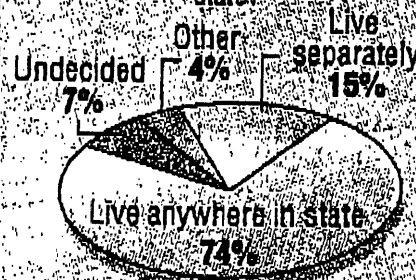
or part-Hawaiian households in the state found a slim majority would want to limit citizenship in the sovereign body to only those with Hawaiian blood.

The poll found that 74 percent of those who had heard of the sovereignty movement said they would want to be able to live anywhere in the state even if a Hawaiian nation is established. Only 15 percent said they would want to live separately.

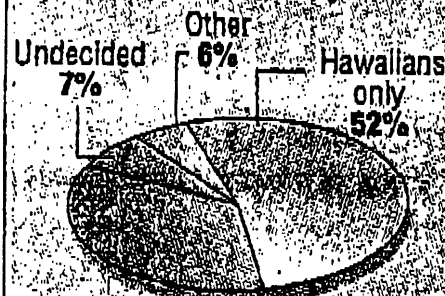
But the poll also found that 52 percent prefer to limit citizenship in a sovereign nation to Hawaiians only. More than one-

No reservation for Hawaiians — only nationhood

Under a sovereign nation, should Hawaiians live on a separate land base, or should they live alongside other citizens, anywhere in the state?



Should the sovereign nation allow anyone to be a citizen, or should citizenship be allowed only for those of Hawaiian ancestry?



Anyone can be a citizen 35%

Source: Telephone survey of 400 Hawaiian households statewide Oct. 12-31 by SMS Research & Marketing Services, Inc. Margin of error: 5%.

Percentages are based on the 345 who said they have heard of sovereignty.

first wave of patients at 2:40 p.m., eventually treating and releasing 15 people.

A patient who had a pre-existing asthma condition and was having difficulty breathing had the worst symptoms reported, said Shawn Nakamoto, public relations director.

Hospital workers stripped clothes off the victims and washed the patients down in showers to remove the noxious agent from their skin, she said.

Respiratory therapists then hooked the patients up to oxygen masks through which they

administered medication to relieve their breathing symptoms, Nakamoto said.

All were treated at St. Francis and released by 8:30 p.m.

Eight other people went to Pali Momi Hospital in Pearl City and six were sent to Wahiawa General Hospital.

The nausea that caused some to vomit was a reaction not to the chemical but to the smell of it, said Pali Momi emergency response coordinator Annie Ching.

It was the worst case of hazardous materials contamination treated at Pali Momi since Feb. 9 when 71 children from Wahiawa Intermediate School were treated at several hospitals for exposure to tear gas from a nearby Army training exercise at Schofield Barracks.

"The worst effects were headache and upper respiratory symptoms," Ching said.

At Wahiawa General Hospital, six adult male employees from the Simmons Beautyrest

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plant had all essentially recovered by the time they arrived at 3:30 p.m., said Helen Ontai, nursing supervisor.

"We told them to remove their clothes at home and wash them separately to remove any of the contaminant," Ontai said.

BHP promised a full investigation and issued an apology, offering to compensate anyone for medical expenses incurred, spokesman Stafford Kiguchi said.

"We regret this incident happened, and we want to apologize to the community and to our neighbors in Campbell Industrial Park," he said.

Mauricio said he never worried about working so close to the refinery before.

"Now I do. What if next week or next month it happens again?" he asked.

Kiguchi said it was the first such incident in the 23-year history of the refinery.

An automatic safety system shut down the unit within seconds, Kiguchi said. But operators were focused on fixing the problem, and others inside a control room did not realize the plume was drifting toward other businesses, Kiguchi said.

"They were unaware that the plume was settling in other areas of the park," he said.

"They thought they had a release and it would dissipate, (but) weather conditions contributed to the problem."

FROM PAGE ONE

third — 35 percent — would open citizenship to anyone, the poll found.

The results suggest that while Hawaiians aren't inclined to share sovereignty with non-Hawaiians, they're not about to give up being neighbors with them.

"What, are we going on reservations? I don't know about other Hawaiians, but I don't particularly care to live on a reservation," said Daisy Houghtailing, a 49-year-old businesswoman from Kailua.

Jackie Beckman of Waianae grew up near a homestead and has no problems with living separately. She said Hawaiian homesteads — for which only Native Hawaiians of 50 percent or more Hawaiian ancestry are eligible — are already like reservations.

Houghtailing said, "Homestead is like that, but you can move out."

Beckman, a 24-year-old legal secretary, said: "I cannot see someone else from a different ethnic background" holding citizenship in the Hawaiian sovereign nation. "Resources

ABOUT THIS POLL

This Advertiser Hawaii Poll is based on responses from 400 adult Hawaiians or part-Hawaiians.

The polling was done Oct. 12-31 by SMS Research and Marketing Services Inc.

The random scientific survey is the most inclusive ever conducted among the state's estimated 200,000 Hawaiians and part-Hawaiians, who make up an estimated 50,000 households. Only those without homes or telephones or who live outside the islands were excluded.

Randomly chosen residential telephone numbers were called, scientifically weighted to sample more heavily in areas where more Hawaiians live.

The poll's margin of error is plus or minus 5 percent. That means there is only a slight chance that the results would differ by more than that amount if every such household in the state had been polled.

are scarce enough already."

John Mathias, a 76-year-old Mililani retiree who, like Beckman, is half-Hawaiian,

disagreed.

"I hope that whatever happens, takes place down the road in the future, would really be not for only the Hawaiian people, but for all the people who call Hawaii their home," he said.

Eric Po'ohina, who envisions an independent, sovereign Hawaii, would extend citizenship to those who can trace their roots to Hawaii before the 1893 overthrow of the kingdom.

"I have two Japanese neighbors living right next to me. I wouldn't want them to move out," said Po'ohina, 49, a Kailua prop-

erty manager. But newcomers would not be granted citizenship in the independent republic he foresees.

Po'ohina envisions a bicameral legislature, with a house of nobles consisting of Hawaiians and a lower house made up of other citizens.

He said he wouldn't want Hawaiians to have to live apart from non-Hawaiians.

But, he said, they should have a separate land base, the former crown lands.

Hawaiians' sovereignty land views widely split

By Mark Matsunaga
Advertiser Staff Writer

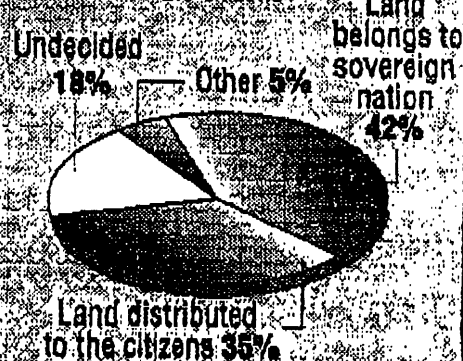
If a Hawaiian nation emerges with its own land base, expect lots of debate over what to do with that land. The Advertiser's Hawaii Poll has found.

The poll, the first random scientific sampling of 400 Hawaiian and part-Hawaiian households, found no consensus on the land issue.

Some sovereignty proponents want Hawaiians to have control over as many as 2 million acres of land, including Hawaiian home lands and "ceded" lands and those held by large estates dating back to the monarchy. The 2 million acres would be equal to half the land in the Islands.

No consensus on use of land

Should the land that belongs to the sovereign nation be distributed among the citizens, or should the land be controlled and developed by the sovereign nation, with the income being used for the benefit of the citizens?



Source: Telephone survey of 400 Hawaiian households statewide Oct. 12-31 by SMS Research & Marketing Services Inc. Margin of error: 5%.

Percentages are based on the 345 who said they have heard of sovereignty.

Advertiser graphic

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The Advertiser's Hawaii Poll found that, of those surveyed who had heard of the sovereignty movement,

42 percent would want the land used and developed by the nation itself, with proceeds going to the citizens.

A slightly smaller number — 35 percent — said they'd like to see the land divided up and distributed among citizens of the nation.

Daisy Houghtailing, a Kailua businesswoman who's 62.5 percent Hawaiian, said, "I'd like to say, 'Put it up for development,' but how much more can we develop?"

"It depends on how they're going to distribute the land.

"There are people who want to take the land and resell it. In that case, distribution would not be a good idea," she said. "Leasing would be good. They could distribute the money.

"They should form a corporation, with every Hawaiian citizen being a shareholder. And these people that are running the joint had better be responsible."

Eric Po'ohina, a Kailua property manager, also favors collective control and benefit from the sovereign land base, although he envisions sovereignty in the form of an independent republic.

Most of the land would be held in common by the citizens, said Po'ohina, who won a lengthy court battle to reclaim ownership of eight acres of family land in Hana.

John Mathias, a retiree who's half Hawaiian, owns his home in Mililani and doesn't need any more land: "It would be just another headache as far as I'm concerned."

A high priest in the Mormon church, Mathias strongly opposes handouts. "We work for what we're going to get. Nothing comes free in this life."

Proceeds from Hawaiian land, he said, could best be used to improve education for all of Hawaii's children.

He said that if land were doled out to Hawaiians individually, "I have a feeling that those Hawaiians who can use the money now will opt to sell it: 'Here's the cash and I'm going to get rid of it.'"

Ticket broker sues Hawaiian Airlines

By Stu Glauberman
Advertiser Tourism Writer

8/2



A Maui ticket broker is suing Hawaiian Airlines for allegedly reneging on a deal involving \$15.5 million worth of airline coupons.

Brokerage Maui Ltd. (BML) says Hawaiian agreed on Sept. 27 to sell the brokerage, at a discount, \$3.5 million worth of coupons for resale in October and another \$1 million worth of coupons every month for 12 months.

BML says it paid Hawaiian Airlines \$3.5 million cash and got \$2.4 million worth of coupons to distribute through Regal Travel and other agencies.

The coupons — priced to sell for \$32.50 each way for inter-island travel and \$299 for round-trip travel to the West Coast and Las Vegas — also were offered through Unity House. Unity House is a non-profit organization that serves active and retired members of the Teamsters Union and Local 5 of the Hotel and Restaurant Employees Union.

BML said it asked Hawaiian last month to provide the rest of the coupons it had paid for and \$500,000 more worth of coupons from its November allotment.

But Hawaiian refused to pro-

vide the coupons and it refused to return the \$1.1 million already deposited, BML alleged in a suit filed in Cir-

cuit Court in Honolulu.

Keoni Wagner, a spokesman for Hawaiian Airlines Inc., said: "The company believes the suit has no merit, and we will simply defend ourselves in court if necessary."

The suit comes at a time when cash-strapped Hawaiian is wooing private investors, who have agreed to put \$20 million into the airline in exchange for a controlling interest if certain conditions can be met before Dec. 8.

BML President Charles Russell, of Pukalani, Maui, started the ticket brokerage in July. The company borrowed the \$3.5 million it gave to Hawaiian, Russell said.

The lawsuit also alleges that Hawaiian Airlines and a John Doe Corp. — believed to be a Honolulu travel agency — are conspiring to stop the Maui broker from selling coupons at discounted prices.

BML is seeking unspecified damages for the "loss of business and credibility."

83% believe some form of reparations are due them

By Mark Matsumoto

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Most Hawaiians today believe they deserve some form of repayment for the 1893 overthrow of the Hawaiian monarchy, The Advertiser's Hawaii Poll has found.

The first random sampling of 400 Hawaiian or part-Hawaiian households in the state found that,

Hawaiians don't want to be ruled by monarchy.
See story, Page A2.

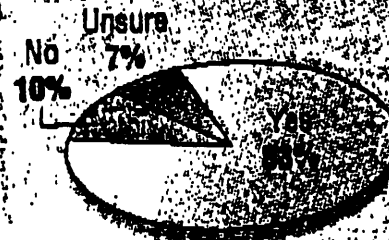
whether they favor sovereignty or not, 83 percent believe Hawaiians deserve reparations in land or money for the overthrow.

But there was far less agreement when respondents were asked whether they believe Hawaiians would be better off today if Queen Lili'uokalani hadn't been forced from the throne.

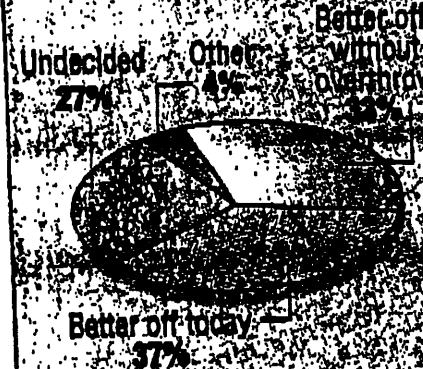
Thirty-three percent felt Hawaiians would be better off if the monarchy hadn't been overthrown; 37 percent said Hawaiians are better off today.

Hawaiians want redress for overthrow

Q Whether or not you believe sovereignty is right for Hawaiians, do you think they deserve some kind of reparations in land or money to make up for the overthrow of the monarchy?



Q Do you think that Hawaiians are better off today, or that they would be better off if the monarchy had not been overthrown?



Source: Telephone survey of 400 Hawaiian households statewide Oct. 12-17 by S&S Research & Marketing Services Inc. Margin of error: 5%.

Advertiser graphic

That seems to suggest that Hawaiians might feel better if the monarchy had continued, but they like conditions today.

Jackie Beckman, a 24-year-old legal secretary from Waianae, favors reparations, saying

Hawaiians: 83% think they are due reparations

FROM PAGE ONE

Hawaiians are "entitled to benefit. They're indigenous and this is Hawaii."

Beckman says she's "half-haole, half-Hawaiian"; proud to be American and proud to be Hawaiian.

The Hawaii poll also found that support for sovereignty increases greatly — from about half to almost three-quarters of Hawaiians — if sovereignty helps correct the wrong that was done by the overthrow.

The United States formally apologized in 1993 for its role in the overthrow of the queen by forces led by a group of Caucasian businessmen.

John Mathias, a Mililani retiree who opposes sovereignty and reparations, says, "The United States has already admitted we made a mistake. I think that's sufficient."

While Beckman favors reparations, she said, without the

ABOUT THIS POLL

The Honolulu Advertiser Hawaii Poll is based on responses from 1,000 adult Hawaiians or part-Hawaiians.

The poll was done Oct. 7-21 by SMC Research and Marketing Services Inc., Honolulu.

The margin of error is 3.5% — the most precise ever conducted among Hawaii's ethnic groups.

20,000 Hawaiians and part-Hawaiians were mailed an invitation to participate in the poll.

The poll was conducted by SMC Research and Marketing Services Inc., Honolulu.

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The poll was conducted by SMC Research and Marketing Services Inc., Honolulu.

overthrow, "I wouldn't be where I am today. I'm Hawaiian, but I have a lot of rights, too."

"If I was back in old Hawaii, I probably wouldn't have the good life I have so far."

Most Hawaiians say: No kings need apply

By Mark Matsunaga

• 1995 The Honolulu Advertiser

While most Hawaiians feel the 1893 overthrow of the monarchy was wrong, only a fifth of them would want a new monarchy. The Advertiser's Hawaii Poll has found.

More than half (61 percent) favor some other form of government for a new Hawaiian sovereign nation, the poll showed.

"When you say sovereignty, in my mind I see people thinking about being king and queen. We had so many kings and queens," said Daisy Houghtailing, 49, of Kailua.

"You had the monarch and the lower class. That's it. Nobody found their way to the top."

Houghtailing, a credit account representative, believes Hawaiians deserve reparations for the overthrow of the monarchy 102 years ago, "as long as we're not going to squander it."

To help ensure against that, she envisions sovereignty in the form of a Hawaiian corporation rather than a government.

Even among those few who

Don't restore
the monarchy

Other form of
government 61%

favor sovereignty under a monarchy, there is disagreement over what role the royalty would have.

More than half favor a monarchy with governing power; a third favor a ceremonial position only; and the rest were undecided.

But they're
in no hurry
to toss out
status quo

By Mark Matsumoto
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Hawaiians like the idea of sovereignty — the less radical the better, but they're not about to rush into it, The Advertiser's Hawaii Poll has found.

This first random sample among Hawaiian households throughout the Islands found that Hawaiians differ widely on what sovereignty means and what it should involve.

Sovereignty, as an idea, is popular. More than half of those surveyed (53 percent) are ready to say they favor all or parts of Hawaiian sovereignty "in general."

Nearly a quarter (23 percent) however, oppose sovereignty and another quarter (24 percent) haven't decided or don't care, the poll found.

And a surprise: Fourteen percent of those contacted said they had not heard of the sovereignty or self-determination movement.

In conducting this survey, The Advertiser's Hawaii Poll did not use any specific definition of "sovereignty," an idea that's been the subject of much debate, many proposals and no clear consensus.

Instead, to help identify what shape that sovereignty might take, the poll asked a series of questions including:

■ Do Hawaiians deserve reparations in land or money to make up for the overthrow of the monarchy? Eighty-three percent said yes.

■ To which sovereignty and Hawaiian organizations do they belong? Seventy-two percent said none.

 FROM PAGE ONE

■ Should the sovereign nation be completely independent of the United States? Fifty-four percent said no.

■ Should Hawaiians live on separate lands or anywhere in Hawaii? Seventy-four percent said anywhere in the state.

■ Attitudes toward Hawaiian leaders. Ninety percent of those who've heard of master navigator Nainoa Thompson have a favorable opinion of him. Sixty-three percent of those who recognized former Gov. John Waihee's name had an unfavorable opinion of him.

■ Should the sovereign nation still be governed by state and federal laws? Fifty-two percent said yes.

■ Should the sovereign nation be governed by a monarchy? Sixty-one percent said no.

Initial support for the idea of sovereignty is found among slightly more than half the Hawaiians (38 percent favor it, 15 percent favor "parts of it").

But that support grows when sovereignty is seen as promoting Hawaiian culture (to 84 percent) or ethnic pride (to 78 percent).

On the other hand, a majority oppose sovereignty, the poll indicates, if:

■ It comes at the expense of existing U.S. benefits (58 percent).

■ It damages ties between Hawaiians and their non-Hawaiian neighbors (57 percent).

■ It hurts tourism (56 per-

cent).

And one thing is clear, the poll found.

The overwhelming majority, a persuasive 81 percent, said more time is needed before any decisions are made on sovereignty.

"My concern is, are we the Hawaiian people aware of what's going to happen? I have many questions," said Mililani retiree John Mathias. "Nobody has said, 'Well, here is the program....'"

But Alapaki Poi Nahale'a III said, "Clearly, Hawaiians are entitled to some version of sovereignty."

All people "have a moral right to live to some extent the way they choose. That's what sovereignty is all about," said Nahale'a, a 27-year-old legislative auditor with the Hawaii County Council.

The poll backs up both sentiments: Sovereignty is a right,

but before Hawaiians move ahead, they must understand better what it means.

In the past three years, Hawaii marked the centennial of the 1893 overthrow of Hawaii's monarchy; the U.S. government apologized for its role in the coup, and the state government moved to let Hawaiians decide if they want a greater voice in their own affairs. Activist groups, each claiming to be the true way to sovereignty, have proliferated to vie for Hawaiian hearts and minds.

To find out how Hawaiians feel about all of this, The Advertiser commissioned the Honolulu firm of SMS Research and Marketing Services, Inc. to contact 400 Hawaiian households statewide last month to ask about sovereignty and its ramifications.

Wider polling base used

This is not the first time Hawaiians have been surveyed about sovereignty. But previously published polls used bases such as the list of registered Office of Hawaiian Affairs voters. This is the first poll ever to use participants chosen at random from among all adult Hawaiians and part-Hawaiians in the Islands.

Using scientific survey methods, The Advertiser's Hawaii Poll had a margin of error of 5 percent. That means there is only a slight chance that the results would differ by more than 5 percent if each of the roughly 50,000 Hawaiian households (representing roughly 200,000 Hawaiians) in the state had been polled.

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In his household, Mathias said his family opposes sovereignty.

"I don't want it to happen because right now, most of them feel and I feel, we have got the best government in the world," said Mathias, a 76-year-old retired carpenter who's also retired from the Air Force.

Nahale'a, the Big Island auditor who grew up on a Hawaiian homestead, said, "Hawaiians are already sovereign to a large extent" because of the many programs and resources that are available only to them.

"People have this misinterpretation that sovereignty equals independence and that's not true," he said. "Sovereignty already exists. It's a matter of Hawaiians choosing what to do."

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More education indicated

The poll results pleased Lulani McKenzie, executive director of the state's Hawaiian Sovereignty Elections Council, which is working on the first steps toward creation of a sovereign Hawaiian government.

"This just sort of confirms in my mind that people are becoming more aware of the sovereignty issue," McKenzie said.

She was pleased by the poll's finding that, despite reservations about rushing into sovereignty, 66 percent of those surveyed would vote yes if the council's plebiscite were held today. The question would be "Shall the Hawaiian people elect delegates to propose a Native Hawaiian government?" The plebiscite, a very preliminary step toward sovereignty, is now planned for next summer.

Still, there was that sizable minority that said it had not heard of the sovereignty movement.

"It's definitely a sign that more education is needed," said McKenzie. She cited budget cuts that have hampered public education efforts by the council and by Hui Na'auao, a consortium of 50 sovereignty organizations.

The number of Hawaiians who haven't heard of sovereignty, she said, "is reflective of the fact there's a lot more work, more outreach to be done."

RESPONSE OF U.S. SENATOR DANIEL K. INOUE
TO QUERIES FROM "THE NATION" MAGAZINE

QUESTION: Were the outcome of a Native Hawaiian Constitutional Convention following the Plebescite to be the establishment of a Native Hawaiian governmental entity, independent of the United States, would you support the recognition of such an entity?

RESPONSE: This Nation fought a long, bloody, and painful battle to ensure that the Southern states would not withdraw from this Union. Were such a Native Hawaiian sovereign entity to seek a similar separation from the United States, I could not, and would not support such an action, as such cessation would be inconsistent with the laws and the Constitution of the United States.

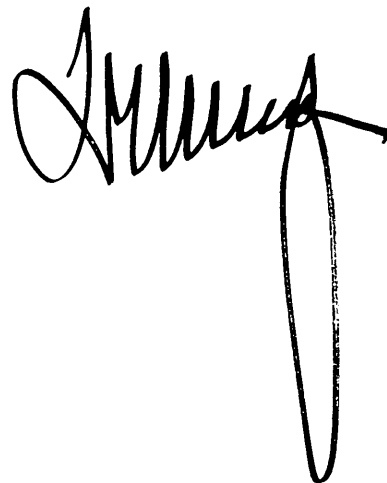
QUESTION: Would you support the outcome of a Native Hawaiian Constitutional Convention following the Plebescite even if those voting for the establishment of a Native Hawaiian sovereign entity represented less than a majority of eligible Native Hawaiian voters, as a result of voter boycotts initiated by organizations such as Ka Lahui?

RESPONSE: I am assuming that the Constitutional Convention would be duly convened and that the outcome of such a convention would be consistent with the laws and Constitution of the United States. If so, and if, of all those who choose to vote on the outcome of the Convention, that a majority of those voters opted in favor of the establishment of a particular model of sovereignty, then I believe such a vote would be sufficient indication of Native Hawaiian consensus on the matter.

Our last United States President was duly elected even though less than 25% of the eligible voter population voted for him. This is the fundamental nature of our Democratic process. While individuals and organizations have the choice of opting out of this process, they must nonetheless live with the results.

QUESTION: Do you agree with Native Hawaiians who are calling for the eviction of the military from ceded lands?

RESPONSE: At my request, the General Services Administration conducted an inventory of all real property within the State of Hawaii which was owned or controlled by the United States, including the identification of all lands occupied by the Department of Defense. I made this request, because I have long supported the return of excess federal lands, with the expectation that such lands, where appropriate, would be returned to the Department of Hawaiian Home Lands, or which ever Native Hawaiian entity was most appropriate. Kaho'olawe is a prime example of this process. However, the return of any lands, included ceded lands, must be preceded by a determination that these lands are excess property.

A handwritten signature in black ink, appearing to be "J. M. ...", with a long, vertical, oval-shaped flourish extending downwards from the end of the signature.