

Native Hawaiian Claims, 1974 - 1984: Hawaiian Native Claims Settlement Study Commission, Draft

Senator Daniel K. Inouye Papers
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HAWAIIAN NATIVE CLAIMS STUDY COMMISSION ACT

Mr. President , I wish to take this opportunity to join my distinguished colleague, Mr. Matsuanga, in expressing my strongest personal support for the joint resolution we are introducing today, the Hawaiian Native Claims Study Commission Act. While this is not a measure which ranks high on the national scene, it is an issue which has long concerned the people of Hawaii, both those of Native Hawaiian and non-Hawaiian blood, and is one which I am convinced merits the attention and concern of the United States Congress and the American people as a whole.

The context of the resolution is not of undue complexity -- it purports to accomplish three goals. First it will provide a clear statement by the Congress that, in 1893, a wrong was committed by representative of the United States Government against the sovereign government of the Hawaiian Kingdom and her subjects. Second, it will clearly set forth that this wrong has never been redressed. Third, it will provide a vehicle, the Hawaiian Native Claims Study Commission, which will recommend the extent of the Federal obligation which is outstanding and the means by which that obligation can be met.

Neither are these issues and goals unfamiliar to my colleagues in the Senate.

Since becoming a Member of Congress, I, along with the other members of the Hawaii Delegation, have worked with dedication to educate and sensitize our fellow ^{Senators &} ~~Congressmen~~ and ~~representatives~~ to the unique conditions and needs of this important segment of constituency and to the federal government's moral and legal obligation to attempt to address these needs. It boads well for this

body that these efforts have~~-for-the-most-part-been-~~, for the most part, been responded to with fairness and compassion.

The issue of Native Hawaiian claims is one that has arrested the Hawaiian Congressional Delegation's attention for the past five years. In 1975, Senator Matsunaga and I introduced Senate Joint Resolution 155, legislation similar to that which is presently before you. Though SJ 155 was favorably reported by the Senate Interior and Insular Affairs Committee, ~~too-little-time~~ insufficient time remained in the 94th Congress to achieve full Senate approval. An effort was again launched during the 95th Congress and met with success when Senate Joint Resolution 4 was favorably reported to the ~~Senate-floor~~ ^{by the Senate Energy Comm.} and subsequently unanimously passed by the Senate in October of 1978. Unfortunately, we were unable to sufficiently persuade the House of Representative of the ~~great-merit-of-~~ importance and merit of the measure and it was defeated the following year.

Over the past months, I have continued to meet with Hawaiian leaders individually and in groups to discuss and consider alternatives to the Native Claims study commission bill. However, out of these discussions has grown and even stronger conviction that this is a legitimate-just cause. While legitimate disagreement exists over the extent and nature of the proper redress there can be few who investigate the relevant past who in all honesty can doubt that a genuine grievance exists.

History sadly records that the United States did not choose a peaceful, responsibly negotiated route to annexation of the Hawaiian Islands. Instead, by an act of war in January, 1893, official representative of the United States participated significantly in the wrongful and illegal conspiracy and subsequent overthrow of ^{an} officially recognized and friendly government that had

enjoyed amicable relations with the Government of the United States. That friendly government was the constitutional monarchy of Queen Liliu'okalani of the independent and sovereign Kingdom of Hawaii- a kingdom which had prevailed for over 100 years and which was invested with ~~sophisticated culture, social organization, and political and legal systems~~ social, cultural, economic, political, and legal organization but which was militarily weak.

The coming of the white man, *almost a century before,* ~~and the ravages of the diseases he brought~~ which began over a and the ravages of the diseases he brought served to drastically weaken the Hawaiian people and their traditional laws and customs. By the late 1880's the increasing westernization of Hawaiian society and government under pressure from Western religious and business interests was breaking down the traditional forms of the monarchy. Queen Liliu'okalani's attempt to regain some of the powers and rights of the Hawaiian monarchy and people in 1892 triggered a well-planned conspiracy by a small but influential foreign elite. ~~Deeply~~, many of whom were American citizens. Deeply involved in this conspiracy was the U.S. Representative to Hawaii Mr. John L. Stevens who arranged to have Marines from a United States ship docked in Honolulu Harbor, land and enforce the overthrow.

Despite numerous attempts by the Queen and loyal royalists to regain the throne, the conspirators prevailed with continued U.S. protection. A provisional government was soon established. It later transformed itself into the independent Republic of Hawaii and waited for annexation to the United States, which was finally consummated in 1898. ~~Without and public~~ Constitution of the Republic expropriated the crown lands ~~without and public~~ lands without compensation and made them available for

purchase by private western interests. Lands held in the public domain were also appropriated and ~~later~~ transferred to the United States Government upon annexation.

Perhaps the most tragic consequence of the overthrow has been the serious aggravation of a trend toward demoralization and alienation of the Native Hawaiian people from their former national, cultural, and individual identity. Though they currently comprise 18% of the Hawaii state population, Native Hawaiians almost across the board occupy the bottom most rungs of every possible socio-economic indicator. In many ways they have become strangers in their own homeland and now face what I consider to be a severe crisis in economic, social and cultural survival, a situation somewhat similar to that of the American Indian.

The Senate report on the ~~initial-Senate-Native~~ original Senate Native Hawaiian Claims ~~resolution~~ Study Commission ^{Act} resolution contained the following statement: " The Committee has examined the record of this historic, well-documented affair. The overthrow of the Hawaiian Kingdom is a dark chapter in American diplomatic and military history, made darker still by the long failure of the Congress to ~~recongize~~ recognize the wrong that was done and to fashion a means for making reparations. The case for recognition of the validity of the Hawaiian Native claims is compelling. It is time for the Congress to vindicate the honor and sense of justice of the United States."

Mr. President, the full repair of the injury suffered by the Hawaiian people is still unfinished business of this government. Though the legislation we are introducing today represents but one small step toward the final resolution of this ^A issue, I believe it is a fair and responsible approach ~~to the problem~~.

Though I do not know what the specific results of the Study Commission's investigation will be or what forms of compensation will be recommended, I do believe that our government has an obligation to ~~determine~~ objectively determine the validity of the Hawaiian's claim and to seek a responsible means of amending our govern- Nation's past transgressions. I urge my colleagues to once again recognize the long standing ~~responsibilities~~ relationships, ~~existing-between-the-United-S-~~ and the responsibilities attached to ~~these~~ relationships, existing between the United States Government and the Native Hawaiian people and to once again ^{express} the ~~United States~~ ^{U.S.} Senate's ¹ commitment to seek ^a just and equitable solution to this long-standing problem. I am ^{most} hopeful that this joint resolution will meet the fast approval of the appropriate Senate committee, the full House of Representatives, the United State Senate, and the President.