

## Chapter 12

### SOVEREIGNTY

One of the unforeseen offshoots of the boom in tourism was an increasing value placed upon Hawaiian art, dance, and music. Visitors view this culture as exotic and this provides a commercial impetus for Hawaiians to revive their culture. Hawaiian culture was now suddenly in high demand. The ensuing Hawaiian renaissance did not stop at mere reenactments to create photo opportunities for tourists. Getting in touch with their roots is a legitimate interest of many native Hawaiians. It should not be surprising that one of the results of this revival is a renewed demand for increased autonomy.

Along with the tourists came the deluge of new residents. Inevitably the demands for land for development from these groups would lead to the displacement of even more Hawaiians from the land. On O`ahu a group called Kokua Kalama was formed in the early 1970's to protest yet one more eviction. The group sparked a rise in activism that has continued to grow since that time. A group with an apt acronym A.L.O.H.A.- Aboriginal Lands of Hawaiian Ancestry- was formed in 1972, with the goal of protesting the overthrow of the monarchy nearly a century earlier.

One of the models that native Hawaiians examined in pressing their claims was the Alaska Native Claims Settlement Act created in 1970. This act had been drafted in the new state to deal with the rights of native Alaskans and resulted in large cash as well as land settlements to the original inhabitants. It is ironic that the much earlier Hawaiian Homelands Act of 1920 had served as a model for the Alaskans during their deliberations.

The Hawaiian Homelands were established with 188,000 acres to create opportunities for homesteading by Native Hawaiians. Unfortunately, much of the acreage that was put into the program was too arid for agriculture. And many of the best acres were leased out rather than made available for homesteads. By 1992 only 40,000 of the acres were being utilized for their original purpose. At that time there was still a waiting list of almost 25,000 Hawaiians seeking land. In order for much of the land to be usable, major expenditures needed to be made for reliable water supplies and utilities.

The Office of Hawaiian Affairs was created in 1978 by an amendment to the state constitution. Its purpose was to hold title to the land given to the state from

the federal government at statehood. At annexation in 1898 the United States had taken possession of the former crown and government lands of the monarchy. This land was established as a trust for native Hawaiians. In the midst of growing internal pressure a commission was created by the federal government in 1983 to study the issue of reparations to native Hawaiians. The commission examined little evidence beyond blatantly pro-American accounts of early Hawaiian history, and ruled against reparations. This announcement was greeted by a storm of indignation from a broad spectrum of Hawaiians including the now powerful Senator Dan Inouye.

Incidents with homeless Hawaiians who moved into tent cities on beaches throughout the islands grabbed a great deal of media attention during the early 1990's. Rents were sky-rocketing at this time and people were being evicted in large numbers. These individuals, who were referred to as the "beach people", brought the issue of the plight of native Hawaiians to the attention of all in a manner that could not be ignored.

As sovereignty groups with various agendas proliferated, a Constitutional Convention for a Hawaiian Nation was called in 1987. Representatives from all of the islands came together and drafted a constitution. They also elected Mililani Trask to the position of president of Ka Lahui Hawai'i, The Hawaiian Nation.

As the 100<sup>th</sup> anniversary of the overthrow of the monarchy approached in 1993 many groups thought that the time was right for a major push for sovereignty. The federal government gave these groups a great deal of ammunition with the passage of Public Law 103-150. This law, which President Clinton signed in November of 1993, was a formal apology to native Hawaiians from the government of the United States for the overthrow of the monarchy 100 years earlier. The law had extensive quotes from the report of President Cleveland to Congress, included in an earlier chapter of this book.

With all of these demands for change, the previously mentioned Office of Hawaiian Affairs has joined the battle to empower the native people of Hawai'i. However, since the OHA is funded by the state legislature and is in fact an agency of the state of Hawai'i it is viewed by some of the sovereignty activists as having an inherent conflict of interest with efforts to free Hawaiians from state and federal control.

The Hawaiian Sovereignty Advisory Commission, an off-shoot of the OHA, called for a vote in 1996 to determine if delegates should be elected to a convention to plan the course of sovereignty. Ka Lahui called for a boycott of the election as it was controlled by the state of Hawai'i. Of the over 75,000 ballots

mailed out to native Hawaiians throughout the world only 30,000 were returned. Of the thirty thousand who voted, 75% voted to create the convention. The commission has now disbanded and the state says that it will not pay for further elections or a convention. Presently a non-profit group called HA Hawai`i has formed to raise the estimated \$8 million needed for elections and a convention. In an election staged by Ha Hawai`i on January 17, 1999 to choose delegates to a sovereignty convention less than 9% of Hawaiians who were eligible to vote cast a ballot. Many Hawaiian sovereignty activists boycotted the election. They stated that the whole process was still too closely tied to the state. Even with the low turnout, which left eight of the 93 delegate positions unfilled, Ha Hawai`i intends to proceed with plans for a convention in the summer of 1999. They attributed the poor turnout to a lack of education of the Hawaiian people which led to confusion about the issues involved in the election. Still plagued by a lack of funding, Ha Hawai`i may have to postpone the convention to a later date in order to raise the needed funds. They estimate the cost of the convention at \$1.5 million. They have requested \$1.9 million from the state Office of Hawaiian Affairs to finance the convention and public relations needed to get the word out to the Hawaiian people. In any case it is their feeling that once the convention gets underway it will arouse the interest of all Hawaiians and people will begin to become more involved in the whole process. The Office of Hawaiian Affairs has countered that the low voter turnout is evidence that a convention is premature at this time. The OHA is calling for a large town hall style meeting in the Fall of 1999. They would like this meeting to be open to all Hawaiians regardless of ethnicity. They feel that this forum would spark a great deal of interest and awareness in sovereignty issues.

A very different election is being called for by another group of Hawaiians. These elections, slated for late 1999 by the sovereignty group called Kanoa, would be to elect the rightful government of Hawai`i. They feel that the "Bayonet Constitution" that was forced on King Kalakaua in 1887 is the rightful constitution of the Islands since the government of the United States has already admitted the 1893 revolution was not lawful in Public Law 103-150 which passed in 1993. The group is calling for the election of 24 members to the House of Nobles, and the election of a king or queen to head the government. Their plan would allow non-native Hawaiians to vote in the election as long as they pledge their allegiance to this "lawful government" of Hawai`i.

One of the major points of disagreement between the various groups working for Hawaiian sovereignty is the form that sovereignty should take if it is in

fact enacted. There are three major forms that could be taken and an infinite number of variables that could be implemented within any one of the three.

The first form would be modeled on the system most common in tribes of American Indians. Sovereignty is limited to specific areas with the federal government maintaining ultimate control. Almost all of these treaties were established over 100 years ago. With the present legal resources available to them, native Hawaiians could undoubtedly draft an agreement that would be more favorable to their interests than the treaties drafted during the 1800's and earlier by native tribes in the continental U.S.

The second option is quite a bit more complicated. Under this format native Hawaiians would be granted autonomous units within the state of Hawai'i. These units would be self-governing including the right of taxation. This would provide the revenue source to establish successful communities without the need for government handouts and the strings which typically accompany them. Present lands controlled by the OHA would be the obvious starting point to decide where these units might be located. The island of Kaho`olawe would be another definite source of land for Hawaiian occupation, once all of the unexploded ordinance is removed from this former Naval bombing range. How these units would interact with the state and federal government would require a lot of detailed negotiations. Ka Lahui has estimated that between Hawaiian Homelands and Crown Lands, that were taken by the U.S. at annexation, almost one and three-quarters million acres should be available.

The third and most intimidating of the options for non-natives is complete independence from the United States. While some dismiss this option as unattainable, it would not necessarily be as catastrophic a change as one might imagine. The U.S. Navy could still lease Pearl Harbor as they did in the time before territorial status. The tourist infrastructure would not be dismantled as the new government would recognize this major source of income. In the age of expanding democracy, it is unlikely that the islands would return to a traditional monarchy. Issues such as who would be eligible for citizenship would warrant careful examination. There is no reason to assume that total independence would result in the creation of a system that would be unpalatable to all non-native Hawaiians.

The process of attaining sovereignty is a slow one. All of the groups have made their proposals in intentionally vague terms so regardless of which system is chosen there will still be plenty of room for compromise. Whatever form sovereignty may finally take there are still a multitude of decisions to be made. At

some point these proposals will need to be examined by the federal and state governments, and all current residents of the islands who are not native Hawaiians. This will begin a process of negotiation that hopefully will not lead to violence against person or property. Good faith and patience will be attributes that will be required of all for a satisfactory resolution to issues unresolved since 1893.

These are exciting times in Hawai`i. The issue of environmental protection vs. development is nowhere more critical than in Hawai`i. But the fact that development is contingent on peoples' fantasies of a tropical paradise means that environmental concerns can't be ignored. Diversification of the economy is a topic that is widely debated everywhere in the islands. While transportation cost rule against traditional manufacturing, the high-tech revolution has the potential of creating a large number of high paying jobs in the software industry. These jobs require an excellent system of public education and better schools would be advantageous for everyone. In the words of Mark Twain, the promise of the new millennium can be realized in "the loveliest fleet of islands that lies anchored in any ocean".