

CHAPTER 41

SOVEREIGNTY

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“What might sovereignty look like?”

In less than a decade, the subject of Hawaiian sovereignty has evolved from a misunderstood and feared underground radicalism to a mainstream object of enlightened debate, the stuff of dinner table conversation. Has sovereignty changed or have we?

Proponents of Hawaiian sovereignty have deep philosophical differences among themselves, but one can more or less align them into three groupings: (1) those propounding complete *separation* from the United States and a return to status as an independent, internationally recognized Hawaiian nation; (2) those advocating *nation-within-a-nation* status with federal recognition as a new native American nation; and (3) those desirous of maintaining the *political status quo* while pressing for redress, reparations, and full control of Hawaiian trust assets by Hawaiians. All three views may prove important to the debate's outcome.

The separatists. The earliest, still-active advocate of separation is Poka Laenui, also known as Hayden Burgess, director of the Institute for the Advancement of Hawaiian Affairs.

Burgess's dream is for a decolonized Hawai'i, formed into an

independent nation, in which citizenship is available to those who pledge their allegiance to Hawai'i and to no other nation: "We cannot build a Hawaiian Nation on racism," says Burgess. "The Nation of Hawai'i in 1893 was composed of citizens of the indigenous Hawaiian race as well as people of many other races and cultures. The crucial determination for citizenship was not race but relationship to Hawai'i."

He warns, though, that the national history and indigenous cultural roots must continue to form the foundation of the Hawaiian nation. He urges that policies be changed with respect to foreign ownership of land (including American ownership), collective rights of ownership or use, and special uses by Hawaiians. He suggests that strong steps be taken to prevent further degradation of nonrenewable resources and he promotes self-sufficiency for Hawai'i. The Hawaiian nation would lessen its foreign dependence by increasing the number and diversity of its trade partners. As a nation, it would be able to do what the State of Hawai'i could never do: place limitations on immigration. "We cannot continue a policy of unlimited foreign infiltration into Hawai'i. We are islands with finite land resources."

The governmental form would be a matter for its citizens to decide. As with any nation, Hawai'i would control its own international relations, establish diplomatic posts around the world, and join regional and international forums. U.S. control of military bases in Hawai'i would end.

The territory of the reemerged Hawaiian nation would include all the lands and waters that form the present state, plus Kalama (Johnston), Midway, and Palmyra Islands. When asked if he'd be willing to settle for Kaho'olawe, plus the Hawaiian Homestead lands and the ceded lands, Burgess replied, "If someone stole eight of your children, would you be satisfied if he returned only one and bits and pieces of the other seven?"

Another separatist. Like the Institute for the Advancement of Hawaiian Affairs, Ka Pākaukau seeks ultimate independence and the reestablishment of the Hawaiian nation with complete U.S. withdrawal. Kekuni Blaisdell, spokesman for Ka Pākaukau, differs with Burgess, however, in that he suggests that nation-within-a-nation status could be a step along the path to complete independence:

To begin the transition toward the goal of *kū'oko'a* (independence), Ka Pākaukau proposes a series of treaties to be negotiated by representatives of the two nations as equals. . . .

The first treaty will clearly declare the long-range goal of *complete* kanaka maoli independence, with U.S. *withdrawal*. Meanwhile, as an initial, interim step, the first treaty will provide for us kanaka maoli, *all* of the measures now theoretically recognized by the U.S. for American Indian and Alaskan Native tribes and nations, namely, *return of our lands and recognition of our government, separate from the U.S. and state*.

Ka Pākaukau asserts that *all* acts that brought Hawai'i into its present status were illegal under both international law and the U.S. Constitution, and that the truth of this fact has been intentionally hidden or distorted as part of an official U.S. policy of colonialism, exploitation, coercive assimilation, and aggression. The *only* remedy is U.S. withdrawal and Hawai'i's complete independence.

Ka Pākaukau demands respect for the dignity and diversity of all people, including indigenous people, "rather than dominant Western homogenization and arrogant supremacy." It seeks reason, justice, peace, and nonviolence "in place of authoritarianism, racism, militarism and cynical legalism." It pledges itself to self-determination and independence with "taro roots, community-based, consensus democracy."

More separatists. A new proposal for independence surfaced at a Hawaiian Sovereignty Economic Symposium held on June 5, 1993. Michael Kioni Dudley, of Na Kane O Ka Malo, presented a model he called "Some Islands, Hawaiian Nation—Some Islands, State." This model calls for a dividing up of Hawai'i into three separate, temporary jurisdictions: a new Hawaiian nation, a U.S. state jurisdiction, and the Cooperative Zone in the Honolulu area. "The continuing existence of the State and the establishment of a Cooperative Zone both allow for a more gradual evolution to full nationhood for the entire island chain. But the ultimate goal is full decolonization."

Another goal of this model is to curtail immigration, with the expectation that the percentage of people with Hawaiian blood would steadily increase as a result of intermarriage.

There are other proponents of separation from the United States, notably the 'Ohana Council of the Hawaiian Kingdom. The 'Ohana Council adheres strongly to the precept that "those who maintain and assert their self-government, their freedom from outside domination, and their own economic, social and cultural development are most likely to eventually gain international recognition as people who have the right to self-determination, regardless of formal rules." Thus, the 'Ohana Council has taken steps to manifest its inherent right to self-governance by occupying and utilizing Hawaiian trust lands.

Other groups agree substantially with the main concepts embodied in the models proposed by Mr. Burgess's group, Ka Pākaukau, and the 'Ohana Council.

Nation-within-a-nation. The oldest group espousing the "nation-within-a-nation" model of Hawaiian sovereignty is Ka Lāhui Hawai'i. Headed by Kia'āina (Governor) Mililani Trask, Ka Lāhui was established in 1987 by 250 delegates who attended its first constitutional convention held in Keaukaha, Hawai'i. Ka Lāhui has had two additional constitutional conventions since then. Its approach is simple and direct:

Ka Lāhui seeks inclusion of the Hawaiian People in the existing U.S. federal policy which affords all Native Americans the right to self-government and provides access to federal courts for judicial review. . . . Precedents for America's native people to be self-determining and self-governing has already been set—hundreds of times; Hawaiians are a native people and are entitled to self-governance just as other native groups have been afforded.

To accomplish these objectives, Ka Lāhui has enacted a detailed constitution which establishes four branches of government, including legislative, executive, and judicial branches as well as an Ali'i Nui branch which is responsible for all matters relating to culture, traditions, and protocol.

Ka Lāhui boasts a citizenship of about 18,000 members, or approximately 7 percent of the total Hawaiian populace. Anyone of Hawaiian ancestry may enroll as a citizen of Ka Lāhui. Citizens 18 years or older

gain the right to vote in all elections after one year's enrollment. Non-Hawaiians can be granted honorary citizenship but are not entitled to vote.

Despite the rhetoric of some of its leaders, the approach Ka Lāhui has taken toward sovereignty is actually quite conservative. Under its model, Hawaiians will generally continue to live, work, and worship as they do today. Jobs, social security, retirement, or pension from the United States or the State of Hawai'i will not be affected. The primary change is that Hawaiian lands and assets will be managed and controlled by laws passed by a Hawaiian legislature. "Hawaiians would elect Hawaiians to represent Hawaiian interests and concerns."

Perhaps the largest group (30,000 members) formulating a plan for Hawaiian sovereignty is the State Council of Hawaiian Homestead Associations (SCHHA). Although established primarily to address the concerns of homesteaders and would-be homesteaders, SCHHA has turned its attention to the issue of sovereignty. This organization points out that its membership, already living on lands that in many ways resemble trust lands reserved for native Americans on the mainland, can bring a special insight into the battle for sovereignty. Many of its



"HAWAIIAN HOMESTEAD? OH, IT'S SOMETHING LIKE A LOTTERY MY FATHER KEPT BETTING ON..."

members believe, as do citizens of Ka Lāhui, that they have already achieved sovereignty, with the organization and structure in place to run it, and simply need federal recognition of these facts.

Political status quo. This approach to the redress of Hawaiian claims is not a sovereignty movement, but it must be discussed if we are to see a full landscape of the issues.

Many Hawaiians are reasonably happy with the existing forms of government but irate over past wrongs (see Chapter 30 of *The Price of Paradise*, Volume I). They stand forthright behind initiatives that would give Hawaiians as a class the right to sue the United States for reparations and redress. They believe it's high time that a formal and official apology be given by the U.S. government to the Hawaiian people for the wrongs committed. And they are watching eagerly to see the result of ongoing efforts to win further redress from the state for its breaches of trust as well as those of the predecessor territorial government.

These Hawaiians are keenly aware of the loss of water rights, the erosion of the Hawaiian private trust assets, and the sad health and social statistics of Hawaiians. And they want something done about it *now*. But they enjoy federal, state, and county services. They get federal, state, or county paychecks or pension checks. They are intrigued by all the talk and commotion and proud that Hawaiians are speaking out. But, when the cards are down, they can't see themselves taking that final step to sovereignty.

Moving ahead. A long and challenging path lies ahead for the Hawaiian sovereignty movement. There will be strenuous debate and pervasive disagreement. To comment on this process, one cannot improve on the following, which appeared in a Ka Lāhui publication:

The advantage of living in a democratic society is that people can embrace their own ideals. The Hawaiian community is moving ahead with sovereignty through its discussions and even through its differences. Some might call this "in-fighting," but remember that disagreement occurs only when you have commitment to an issue—people fight for things worth fighting for. No ethnic group agrees on everything—Hawaiians are no different.



"AUWE, I THOUGHT IT WOULD BE A NICE FAMILY THING TO DISCUSS SOVEREIGNTY..."