



**MESSAGE**

your draft is 180 degrees off-wrong wrong wrong  
Hawaiians ripping off the Hawaiians Blaming it on the Haolles-Makes the Good Old Boy-Kam  
School Hawaiian Mafia Democratic Machine Fat Fat Fat  
Same old Same old

Phone: 809-735-5133, Fax:	
To: John Berry	Date: 9/18/00
From : Myron Berney	Pages: 5
Fax Number : 1-202-208-3230	



The problems noted in the report concerning education, health, economic status are not specific to "native Hawaiians" but are ubiquitous and cross cultural.

In fact, it is the "locals" who enjoy the "home advantage" and discriminate against persons of Haoli [aka, mainland or Caucasian].

The fact is that the public schools are falling down or termite eaten, the students don't have text books, the teachers are under paid and have to buy supplies from their own salary for the kids while the two big fat good old boy "Hawaiian" Educational Trusts-the scandalized \$10 billion dollar tax exempt public trust and the \$350+ million dollar "unconstitutional", [per Rice v. Cayetano] Office of Hawaiian Affairs State trust, both whose primary purpose is to fund education, instead of teaching the kids build up their own coffers and political influence.

Testimony Opposing Creation of Hawaiian Nation, Native Hawaiian Ancestral Land

As an American Citizen I strongly oppose the creation of a foreign state in the State of Hawaii or within the USA.

I support EQUALITY not segregation, racism, special class of citizenship or special citizenship rights based upon ethnicity.

The social and economic issues that you hope to resolve are cross cultural, cross ethnic lines are not race specific and do not result for any perceived wrong doing by either the State of Hawaii or the US government.

It is primary to US internal and foreign policy to support democracy, equality and basic human freedoms. The freedom of religion has been interpreted by the courts to prohibit any government giving special rights or privileges to any one religious or ethnic group.

According to the traditional concepts of native Hawaiians any child born in the Hawaiian Islands is a "*keki o ka aina*" a child of the land. This distinction is not based upon bloodlines or ancestry but upon birthrights.

The current racial atmosphere is due to the political agenda of the \$10 billion dollar educational trust Bishop Estate Kamehameha Schools and the Hawaiian Studies program at the University of Hawaii. The trustees of \$10 billion dollar plus educational trust have been scandalized due to their improper behavior. So far the State and Federal Government actions have made some superficial changes but there has been in substantial improvement or change in direction concerning delivering the benefits and primary trust responsibilities to the full class of beneficiaries.

Because the ethnic Hawaiian political machine [lead by the \$10 billion dollar educational trust and the power hungry and potentially unconstitutional Office of Hawaiian Affairs] has suffered adverse US Supreme Court decisions [Rice v. Cayetano] there has been a push by the Hawaiian Democratic Political Machine to move this unjust legislation

forward. You should recall that these "honorable" 4 had opposed federal trust reform legislation to protect the trustees of Bishop Estate instead of protecting the beneficiaries. Furthermore, OHA has used its funding for public education and public projects as a PAC to block a State Constitutional Convention. Why are Bishop Estate Kamehameha Schools and the Office of Hawaiian Affairs against Racial Equality, equal justice for all, and equal opportunity for all?

This legislation before you is based upon certain fundamental misunderstandings and untruths.

The USA was responsible for the overthrow of Native Hawaiian Lands. FALSE

The warlord Kamehameha with the help of the British Navy was responsible for the overthrow of Native Hawaiian Lands. This established the Kingdom of Hawaii. The British influence is still evidenced with the Union Jack contained within the Hawaii State Flag. The end of the Native Hawaiian Ancestral Land, if this concept ever actually existed prior to its modern coinage, ended with the establishment of the Kingdom of Hawaii.

Fascist dictatorship or exploitative fascist monarchy is preferred to Democratic Reform. FALSE

Racial and Economic Discrimination against Haoli's [local term used to describe Caucasians but often applied to both blacks and whites or anybody from the US mainland] is acceptable and justified, since "Fu#%'en Haoli stole our land!" FALSE

I never stole anybody's land. Most of these people ancestors never owned any land. The Royal Family owned all public lands.

Persons of Hawaiian ancestry are subject to discrimination. FALSE

Persons from the mainland USA are subject to racial and economic and political discrimination to protect local culture. Any public project or economic development project by non-locals are delayed, blocked or killed because it violates sacred land.

Native Hawaiians are protectors and stewards of the environment. FALSE

Bishop Estate continues to fight to build a golf course on Sandy Beach against any and all ecological concerns. Local Hawaiians claim their native right to hunt Green Sea Turtles. Hawaii has the greatest number and greatest concentration of endangered species of plants and animals both on land and in the sea. There is no Environmental Impact Statement this legislation would not pass environmental standards.

The ceded land documents guarantee benefits or proceeds of public lands go to native Hawaiians. FALSE

The ceded land documents require that proceeds be for local governments and the inhabitants of the Hawaiian Islands, not native Hawaiians.

The prior monarchy was opposed to "westernization" FALSE  
King Kamehameha V was a Mason. King David Kalakaua was a "party animal" who died as a result of a drunken binge in San Francisco.  
Many of the Royal Family married Caucasians; their children were given western names, e.g. Prince Albert.

The Queen resisted the overthrow of the Kingdom of Hawaii. FALSE  
The Queen told both her army, the Royal Guard, to stand down and her black magic Kahuna Spiritual Leaders to not resist.  
Bishop Museum, unbiased historians, states that the Queen sought the protection of the US Constitution as her kingdom was under constant threat by other foreign powers. She felt that the US Constitution would offer greater protection than the ongoing threats from Russia, Japan, China, Great Britain, and France etc.

The US government violated the rights of the ethnic class of Native Hawaiians. FALSE  
Under the US constitution protected the rights of everyone in the Territory of Hawaii and the State of Hawaii equally without prejudice. The US constitution allowed of all eligible persons the right to register to vote and express themselves.

Persons have been denied the right to self-determination. FALSE  
There is a right to vote but there isn't a right to self-determination.

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The formation of a foreign government to protect the native Hawaiians is unfair to everyone else. Exempting one ethnic class from laws protecting the health and safety and the environment is hazardous to all including native Hawaiians and especially to the fragile environment. Hawaiians have exploited prior public educational trusts [Bishop Estate Kamehameha Schools], Office of Hawaiian Affairs, and federal laws and programs. Federal Laws to benefit one ethnic or religious group are inappropriate. Laws and programs should be non-discriminatory based need not ethnicity or racism.

The federal government constitutionally is responsible for foreign policy but does not have the right to organize, create or recognize a foreign government that doesn't exist and carve out part of public land to benefit one ethnic or racial class.

If the Hawaiians did suffer some economic harm due to the overthrow of the monarchy, the Kingdom of Hawaii they may be entitled to economic recovery, not special citizenship rights or a special class of citizenship or a foreign nation carved out of public lands.

Formation of an "Indian" type of reservation, a foreign government, would benefit the aspiring power hungry local politicians and those who support actions currently illegal in the State of Hawaii and under various Federal Laws, but would have no benefit for the

majority of ethnic Hawaiians most of whom live on the mainland. Many, if not the majority of ethnic Hawaiians live on the mainland, do you expect to uproot their lives so that they can share in the perceived benefits of a Hawaiian Nation. The reservation system has not resolved many educational and poverty issues on the mainland. The educational issues could be immediately resolved by the Bishop Estate [the \$10+ billion dollar public educational trust previously used as a financial reward and political plum for the local political machine, as a political machine and "financial pocket liner" for the self interests of the trustees and their favored politicians, and as a source of racial divide and racial hatred and animosity], if they wanted to.

Economic restitution is appropriate for economic harm. Economic restitution would benefit all those harmed irrespective of their chosen location for their domicile without disruption of their personal and community relationships. Economic restitution would have an immediate economic enhancement effect of all persons in this ethnic class and for the communities where they reside. Economic restitution is fair to both the ethnic racial class as well as persons not in this ethnic racial class.

Establishing a foreign nation status will certainly be challenged in Court. The federal government has the power for international relations but not to establish foreign governments out of public lands or sovereign States. Non-Hawaiians will need economic restitution for their loss of benefits from public lands.

This plan is ill founded, based upon political greed and racial hatred. It's really a bad idea and wrong. This plan does is not compatible with equality or justice for all. This plan will not even benefit all those in the privileged ethnic or racial class nor would this plan provide equal or fair benefits to those in the privileged ethnic or racial class.

Economic restitution is appropriate for economic loss. Economic loss does not require a special privileged class of citizenship or a foreign nation status. Economic restitution will benefit all persons harmed irrespective of their chosen residence.

Best Wishes,

Dr. Myron Berney



To: John\_Berry@iso.cc.org, Karen\_Sprecher\_Keating@ios.doi.gov, Edward K. Thompson/OIA/OS/DOJ@DOI

CC:

Subject [Virus checked]

If you would actually read the will of Mrs. Bishop you would quickly recognize that she intended that the primary trust responsibility of Bishop Estate Kamehameha Schools is to provide an English education for the boys and girls in Hawaii. She clearly never intended her trust to be Hawaiian only. She never intended that her trust teach Hawaiians as a primary trust responsibility. She never intended that her trust be an advocate of Native Hawaiian Rights. She specifically wrote in her own hand that the primary trust responsibility was to provide a good English education for the boys and girls in Hawaii. She specifically wrote in her own hand that preference should be given to orphans and indigent persons of Hawaiian blood, but she never sought to make Bishop Estate Kamehameha Schools a Hawaiian only thing nor an advocate for Hawaiian affairs.

To use the illegal, inappropriate or unethical racist activities of BEKS as a support for your draft document conclusions and recommendations is totally ridiculous if not criminal in and of itself.

There never was a trust relationship between the United States and the Native Hawaiians. If you would read the controlling document of 1898 you would immediately recognize that the beneficiaries of public land revenues are the inhabitants of the Hawaiian Islands, not Native Hawaiians. The inhabitants of 1898 are all dead and gone; the current inhabitants are the named beneficiaries of any public land revenues. Any racist interpretation of this language is illegal in and of itself.

If you lived in Hawaii you would be aware of the anti-American, anti-Caucasian racist attitudes, hate crimes, economic suppression, racist governmental attitudes, decision and laws directed against Americans and American Corporations from the mainland.

Modern concepts of welfare reform supported on both sides of the aisle would not support any of the ineffective, and ultimately harmful and debilitating governmental programs you suggest. By your own admission prior racist welfare programs have not resulted in positive results. Future racist welfare programs based upon prior ineffective, and ultimately harmful and debilitating governmental programs certainly would neither be warranted nor desirable nor provide for the individual or general

welfare.

Teaching and requiring English language competency had greatly improved the overall scholastic performance of Spanish speaking children in California. The suggestion to use black ghetto language instruction in Oakland has been overwhelmingly rejected. Pigeon English is banned in public schools in Hawaii. You think that you are doing some good by handicapping Hawaiian Immersion Language Students who are deprived of an English Language education. This view is inconsistent with any intelligent/performance rated standard.

Your historical recounting agrees with the native Hawaiian separatist movement supported by the crooks at Bishop Estate Kamehameha Schools, which has fueled the hate race crimes against persons from the mainland America, but not with the historical perspective of the historians and scholars at Bishop Museum.

After the death of one Hawaiian King the septer passed to an evil Queen who breached the entirety of the existent Royal contracts in violation of local and international Law. This illegal act instigated the ensuing events. The evil queen died and was replaced by the good queen. There never was any war as the Queen had previously decided to seek protection under the American Constitution. She told her armies to stand down. She told her black magic Kahunas (priests) to not perform their black magic spiritual rituals and to cease and desist.

Evidently you have been talking to the Native Hawaiians too long. You have degenerated down to their illogical mental constructs. Anthropologically, tribal governments are different than monarchies and mutually exclusive. The native Hawaiian tribal communities were overthrown and replaced by the warlord King Kamehameha. Native Hawaiians became subjects of the King. Native Hawaiian Ancestral land became Crown land under the Kingdom. If you didn't agree, you die, over the Pal: you go. Kill all the men, rape the women, take over the land.

By your own admission racially biased programs for the Native Hawaiians have been ineffective. Throwing more money and resources into bad programs or dividing out a special class of citizens with special native rights denied other Americans is wrong. Racially based programs should be illegal. Programs should be non discriminatory based upon need and designed for rehabilitative results.

I'm very offended that the report from the Executive branch of the Federal government that seeks to degrade the validity or importance of the legally binding controlling documents. The Executive branch is required to enforce and uphold the existing laws. The authors within the Department of Justice would disparage the controlling legal documents by playing the word ceded in quotations. The Joint Resolution of 1898 annexing the Hawaiian Islands is the controlling legal document. Locally the Hawaiian separatist movement has put forth that the ceded lands are in trust for the Hawaiians only. This view is not supported by the language or intent of the controlling documents.

There isn't any suppression of Hawaiians as Hawaiians. Racist suppression is directed against mainland Americans.

Everybody has the right to vote, but self-determination is not a right. The majority rules respecting the rights of the minority. No race has more rights than others. Everyone should be treated equally under the law. The constitution prohibits the government from sponsoring or benefiting any one religion, native or non-native. Just because you were here longer doesn't give you more rights. Just because one is an immigrant doesn't deny them any rights under the law.

Hawaiian separatists want to form their own government and be outside federal, state and local laws. This has only been a shield for illegal activity from false IRS reports, harboring fugitives, false land deeds, driving with out registration or insurance, drug and vice crimes, killing endangered species, child abuse and incest, etc.

People are not suffering from economic deprivation, low educational attainment, poor health status, substandard housing and social dislocation because they are Hawaiian. These problems affect everybody in Hawaii. They are not class specific.

As far as educational attainment, I think that you need to talk to your friends at Bishop Estate Kamehameha Schools, the \$11 billion dollar + trust fund responsible for providing an English Education for the boys and girls in Hawaii. Earlier you use them to promote your and their Hawaiian agenda when in fact they are the crooks responsible for the problems. It has been the "m.o." of the prior trustees to promote the racial conflicts so that they can run away with the cash. The illegal activities of BEKS have not been fully corrected.

[Note: the IRS does not make civil rights decisions they are limited to making tax decisions. Obviously, their tax decisions did not support admission policies of BEKS. The IRS cannot adjudicate law outside of their jurisdiction.]

The supporters of these hearings state that the special status is needed due to the Rice v Cayetano decision that reaffirmed the principles of equality under the law. Hawaiians do not want to lose their unconstitutional special treatment that they enjoyed under their domination of state government. They seek special status under federal law. Racial laws are unconstitutional be they State or Federal.

Your biased report does a disservice to all Americans. Your biased report is based upon your Dec. 1999 meetings with Native Hawaiians and promotes a native Hawaiian agenda. Your report does not protect those who have been racially harmed but supports those who are doing the crime.

Strongly oppose any attempt to organize a foreign government on any American soil.

Respectively,

Dr. Myron Berney



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