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Date: Thursday, January 13, 2000

Total Pages: 4

Subject: Native Hawaiian Reconciliation Testmony

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Note: Aloha e Assistant Secretary John Berry,

Mahalo for the opportunity to participate in the Native Hawaiian Reconciliation hearings.

On behalf of my `ohana - family: Ka'ano'i and Ha'o I would like to thank you for your kind words regarding our beloved Ali'i Nui - Queen Lili'uokalani at her leina or spirit leap known as Mauna'ala.

My tutuman - Hawaiian grandfather David Ka'ano'i Ha'o was born a native son and subject of the Kingdom of Hawai'i and it is an honor to offer the following testimony for reconciliation between our Hawaiian Nation and the United States of America.

Sincerely: Patrick Ka'ano'i

The Value of Hawaiian Sovereignty

THE VALUE OF HAWAIIAN SOVEREIGNTY

by Patrick Ka'ano'i

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Hawaiian Sovereignty is an issue that can educate, confuse, irritate and possibly blossom into one of the greatest cultural success stories of the 21st century. Yet it is still greatly misunderstood.

Sovereignty is the right for a nation or people to be "self governing". The very first days of the present Hawaiian sovereignty movement began in 1893 with the U.S. participation of the illegal overthrow of the Hawaiian Kingdom and subsequent annexation of Hawai'i to the United States in 1898.

During the following century accounts of these events would almost be forgotten from the public memory until the re-issue of Queen Lili'uokalani's written account of 1898 in her book titled, "Hawaii's Story by Hawaii's Queen", re-published by Tuttle Co. in 1964. This publication would eventually raise the consciousness of Hawaii's people and inspire them to seek out today the means to *pono* or set right Hawaii's place as a homeland to all native Hawaiian people.



We now know that the Hawaiian people and their Kingdom were forced to be ruled by the United States. This abrogation of human rights has now been acknowledged by the United States in an apology bill titled Public Law 103-150, dated November 23, 1993 and signed by the President of the United States and the 103rd Congress.

The apology promises some form of unspecified "reconciliation". The Hawaiian people have called for a reconciliation in the form of Native Hawaiian Sovereignty. What form this will take is the subject of great debate and tribulation.

The basic forms of sovereignty discussed are : Total restoration of Hawaiian Independence or the Hawaiian Kingdom (secession from statehood); Nation within a Nation similar to the Iroquois Nation - subject to Federal laws while holding a seat in the United Nations and having a self-regulated land base within the State of Hawai'i; and State within a State - having the rights as of a county and subject to State laws. Detailed information is available from the Office of Hawaiian Affairs and on their Web site.

The illegal U.S. participation in the overthrow of the Kingdom of Hawai'i in 1893 and annexation of 1898 has been offered as evidence to justify the total restoration and Independence of the Hawaiian Nation. However such a restoration would require the vote of a majority of all present day citizens of Hawai'i - Hawaiian and non-Hawaiian alike.

Can there be a restored Hawaiian Independence or Kingdom? Although not formally concluded, legal historians argue that this option has already been decided. The plebiscites of 1940 and 1950 indicated that two out of three Hawai'i citizens (Hawaiians being the minority) favored Statehood and therefore American sovereignty. (Native Hawaiians Study Commission Vol. I, p. 309-310) .

Although the option of Hawaiian Independence or Restoration of the Hawaiian Kingdom was never offered - some have concluded that these sovereign choices are considered closed in favor of American Sovereignty. Even if this subject is pressed in favor of Hawaiians by the World Court and United Nations, reports suggest that the United States will view this as an internal or "domestic affair" and therefore out of the jurisdiction of the World Court's and U.N. decision. (Honolulu Star-Bulletin 8/11/98)

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It is ironic that a nation that reveres democracy would use a process of freedom of choice to deny a native people their birthright to self determination. This is the quandary that native Hawaiians find themselves in today.

Hawaiians are also offered the sovereign models of a Nation within a Nation and State within a State governments.

Do Hawaiians qualify for these models? Is there a Hawaiian Nation? Is there a form of Hawaiian self-government or sovereignty in Hawai'i today?

To gain sovereignty a people must first be recognized as a nation. Is there a Hawaiian nation? A nation is identified by the following factors:

- There must be a land base (The Hawaiian Islands).
- There must be a race of people (The Hawaiian people).
- There must be a language (The Hawaiian language).
- There must be a culture, values and religion (The Hawaiian culture, values and religious system "Kahunaism")

Hawaiians are clearly a nation, however for a nation to be sovereign and independent they must have a form of government.

An independent nation is sovereign when they control their internal affairs, and have formed a government and mechanism to "make and amend their laws, provide for its citizens and administer to its domain." (Native Hawaiian Rights Handbook, p. 77)

All but a Hawaiian government exists today in Hawai'i. This sovereign right and Hawaii's ceded land base of approximately one million acres of Crown and 1.5 million acres of Government lands is held in trust by the State and Federal Government. It is ironic that in spite of the fact that the entire ceded land base of Hawai'i belongs to the 250,000 to 300,000 Hawaiian people, only 20% of its revenues are given back to them in the form of deposits to the pseudo-sovereign Office of Hawaiian Affairs. The Office of Hawaiian Affairs then offers these revenues through programs of an elected Hawaiian board of trustees and regulated State guidelines.

True Hawaiian Sovereignty would offer much more. The following list is based on the rights of the Nation within a Nation model. These suggested rights have been thought out to include the moral issues of the day and also how it can benefit our extended 'ohana - family and friends of non-Hawaiian ethnicity.

The Value of Hawaiian Sovereignty could offer the following:

- The right to establish a Native Hawaiian government. (Kingdom, Republic etc.)
- The right to manage a land base (a portion of Hawai'i) according to the nation's own cultural standards and needs.
- The right to be included in a dialogue with other Nations.
- The right to choose, build and nurture economic priorities and systems.
- The right to perpetuate the Hawaiian language, values, religion, history and customs without restrictions, condescension or ridicule.
- The ability to build affordable housing.
- The right to claim all symbols of Hawaiian origin for its own, i.e. the name of Hawai'i, its national flag, its motto, anthem, its likeness and true identity and cultural artifacts and creations.
- The right to a higher standard of life by an improved level of health, education and social well being.

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- The right to be independent of Hawaii's non-native political and business barons.
- And finally, the end of racial bigotry.

The forgoing list is fundamentally based on the premise that Hawaiian values such as: *'Ohana-family, Aloha-love, Pa'ahana-industry* and *Maika'i-excellence* and others would form the bases for the composition of the new Native Hawaiian constitution, statutes and public laws.

In short Hawaiian sovereignty would give Hawai'i and all it's people a new beginning.

No matter what form of sovereignty is realized, Hawaiians still and will forever hold the inalienable right to call Hawai'i their Homeland and that, at such a time in the future, as the course of history, people and nations change, Hawaiians must always pursue their right to full guardianship of it's people, land and place among all people and nations of the world.

Just as we respect the recognized sovereign Homelands of every non-Hawaiian ethnic citizen in the State, whether they be Portuguese, Japanese, Chinese, Filipino, European, or American so too must we recognize that all of Hawai'i, from the sky above to the earth below, from the mountain tops to the sea below is the Homeland of the native Hawaiian people - Na 'Ōiwi o Hawai'i.

These are the values of Hawaiian sovereignty. Think it in your mind, make it come to pass and let us say it is finished and it is free - *Āmama, ua noa! Aloha e Hawai'i - Love to Hawai'i!*



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