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The Rediscovery of Hawaiian Sovereignty

POKA LAENUI

INTRODUCTION

On 16 January 1893, American marines landed in peaceful Hawai'i armed with Gatling guns, Howitzer cannons, carbines, and other instruments of war, as well as double cartridge belts filled with ammunition. The United States troops marched along the streets of Honolulu, rifles facing Iolani palace, the seat of Hawai'i's sovereignty.

The following day, resident conspirators numbering eighteen, mostly Americans, sneaked to the back steps of a government building a few yards from where the American troops had lodged the night before. There, Henry Cooper, an American lawyer and resident of Hawai'i for less than a year, proclaimed that he and seventeen others were now the government of Hawai'i. Calling themselves the "provisional government" and selecting Sanford Dole president, they were to exist for the explicit purpose of annexing Hawai'i to the United States. American minister plenipotentiary John L. Stevens immediately recognized the "provisional government" as the government of Hawai'i. He then joined in their demand that Queen Lili'uokalani, the constitutional monarch of the Hawaiian nation, surrender under threat of war with

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the United States.¹ Faced with such a threat, the queen eventually capitulated, but not without protest. These are her words:

I, Lili'uokalani, by the grace of God and under the constitution of the Hawaiian Kingdom, Queen, do hereby solemnly protest against any and all acts done against myself and the constitutional Government of the Hawaiian Kingdom by certain persons claiming to have established a Provisional Government of and for this Kingdom.

That I yield to the superior force of the United States of America, whose minister plenipotentiary, his excellency John L. Stevens, has caused United States troops to be landed at Honolulu and declared that he would support the Provisional Government.

Now, to avoid any collision of armed forces and perhaps the loss of life, I do, under this protest, and impelled by said force, yield my authority until such time as the Government of the United States shall, upon the facts being presented to it, undo the action of its representative and reinstate me and the authority which I claim as the constitutional sovereign of the Hawaiian Islands.²

Rather than undoing its actions, the United States continued in its conspiracy to deprive an independent people of their right to self-determination, forcing Hawai'i to serve it as the command headquarters of its Pacific military forces as well as an important finger of the American economic hand reaching into Asia. The United States had "discovered" Hawai'i and extended by force its sovereignty over this once independent Pacific nation.

EARLY HISTORY

Hawai'i's early inhabitants journeyed throughout the vast Pacific, guided by stars, the rising sun, clouds, birds, wave formation, and flashing lights from the water's depth. They touched on many lands, including the most isolated land mass in the world—Hawai'i. As seafarers, they continued commerce with cousins of the South Pacific many years after arriving in Hawai'i. They had occasional contacts with Japan, Great Turtle Island (today North America), and other Pacific Rim places.³

Hawai'i remained virtually unknown to Europeans until the arrival, in 1778, of James Cook, captain of the British navy ships *Resolution* and *Discovery*. Cook found a highly developed Hawai-

ian society and was welcomed in friendship. In an unfortunate misunderstanding, however, Cook initiated violence against the Hawaiian people. The Hawaiian response resulted in his blood flowing into the waters of Kealakekua Bay, Hawai'i, and he journeyed no further.⁴

Soon after contact with Cook, Hawai'i was cast into world attention and was accepted quickly as a member of the international community. During the reign of Kamehameha I (1779–1819), Hawai'i traded with China, England, the United States, and other nations on a regular basis. On 28 November 1843, Great Britain and France joined in a declaration recognizing Hawaii's independence and pledged never to take it as a possession.⁵ When the United States was invited to join this declaration, J. C. Calhoun, secretary of state, replied that the president adhered completely to the spirit of disinterestedness and self-denial that breathed in the declaration. "He had already, for his part taken a similar engagement in the message which he had already addressed to Congress on December 31, 1842."⁶

By 1887, Hawai'i had treaties and conventions with Belgium, Bremen, Denmark, France, the German Empire, Great Britain, Hamburg, Hong Kong, Italy, Japan, the Netherlands, New South Wales, Portugal, Russia, Samoa, Spain, the Swiss Confederation, Sweden, Norway, Tahiti, and the United States.⁷ Hawai'i was a member of one of the first international organizations, the Universal Postal Union. Approximately one hundred diplomatic and consular posts around the world were established.⁸

Over the years, many immigrants came to Hawai'i from all parts of the world, many renouncing their former national allegiance and taking up Hawaiian citizenship. The nation of Hawai'i had a literacy rate that was among the highest in the world. It had telephones and electricity built into its governing palace, "Iolani," before the White House had such technology. Multilingual citizens abounded. Hawaiian leaders had excellent comprehension of world and political geography, King Kalakaua was the first head of state to circle the world as part of his plan to weave a tapestry of international economic and political alliances to assure Hawaiian independence. By 1892, Hawai'i was a vibrant, multiracial, multicultural nation engaged in intellectual and economic commerce with the world.⁹

Christian Missionaries Arrive

Early in its exposure to the Western world, Hawai'i became the focus of Christian zeal. The first flock of missionaries arrived from Boston in 1820. Many remained, established homes and families, and were welcomed into Hawaiian society. They became a strong influence over the people.¹⁰

Over time, many children of missionaries left the pulpits of the church and entered business and politics. After several decades, an alliance arose of missionary offspring and developing business interests. Growing and selling sugar comprised the principal interest of this alliance. Land, labor, and market were its major concerns, and it addressed those concerns through political and social control. The new alliance called itself the "missionary party."¹¹

Land Assault

The missionary party drastically changed land relationships in Hawai'i. Formerly land was under the care of the ruling chiefs. They allotted the use of the lands to their subchiefs, who reallocated the remaining lands to their supporters.¹² By 1839, these distributions were revocable only for cause (Bill of Rights of 1839). Land "ownership" in the Western sense did not exist. Land was an integral part of the life of Hawai'i, along with the air, the sunlight, the winds, the waters, and the people. None of these parts was to dominate the others. This was a basic philosophy of existence for Hawai'i's early inhabitants.¹³

Under the influence of the missionary party, however, less than thirty years after missionary arrival, this land relationship was overturned. Land was parceled out in fee simple estates along the traditions of England and the United States. Foreigners could now be permanent landowners in Hawai'i.¹⁴

Labor Assault

Many of the indigenous people refused to work at low plantation wages. In response, the missionary party influenced immigration policies, importing laborers to perform the exhausting sugar plantation work on the lands now controlled by them. The sugar

industry spread across Hawai'i with easily available lands and cheap imported labor.¹⁵

Market Assault

With land and labor under control, the missionary party applied itself to the last step in this commercial cycle—securing a market for its sugar. The United States was the logical market, because it was geographically closer to Hawai'i than any other market. Most members of the missionary party were citizens of the United States and had been in constant communication and trade with their mainland. The United States military was hungry for a naval armada in the Pacific, so it was a willing partner for close relationships with Hawai'i.

To secure the American market, the missionary party saw two alternative solutions: reciprocity agreements or annexation. Reciprocity would permit Hawaiian sugar importation into the United States duty free. In return, products would be imported into Hawai'i duty free. However, reciprocity agreements were temporary. Annexation offered greater security. Under annexation, Hawaiian sugar would be considered domestic rather than foreign and thus not subject to tariff as it entered the American market.

Initial reciprocity arrangements between Hawai'i and the United States were tried but did not last long.¹⁶ The United States soon wanted more than just an exchange of trade rights. It wanted sovereignty over Pearl Harbor in order to extend its commercial and military arm into the Pacific.

King Kalakaua and Queen Lili'uokalani under Attack

Kalakaua, previously elected Hawai'i's Mo 'i (ruling sovereign) (1874–91), refused to cede Pearl Harbor. The missionary party attacked Kalakaua by slander, rumors, and attempts on his life. They accused him of being a drunk and a heathen because he attempted to revitalize the hula and preserve the religious practices of his ancestors. They branded him a womanizer. His character and his activities were continually berated in the press. Yet the people rallied around him and remained loyal in the face of these attacks. The missionary party, so intent on wresting power from

Kalakaua, drew lots to decide which of five conspirators would murder him. The one selected was so horrified by his selection that he refused to act.¹⁷

Following numerous public attacks on Kalakaua's reputation and esteem, the missionary party secretly formed a league, armed themselves, and forced the king at gunpoint to turn the powers of government over to them. In 1887, Kalakaua signed the "bayonet" constitution, the name reflecting the method of adoption. This constitution stripped Kalakaua of power.¹⁸

Once in power, the missionary party granted the United States exclusive right to use Pearl Harbor. In return, it received an extension of seven years on the existing reciprocity treaty, which would soon have expired. The sugar market was temporarily secure.¹⁹

Kalakaua died in 1891 in San Francisco, on a trip that was intended to help him recuperate from illness advanced by the activities in Hawai'i. Rumors still abound in Hawai'i that his death was caused by the missionary party's agents in the United States. Lili'uokalani succeeded him.

Quite soon upon her accession, Queen Lili'uokalani received a petition of two-thirds of the registered voters imploring her to do away with the bayonet constitution and return the powers of government to the Hawaiian people. By 14 January 1893, she had completed a draft of a new constitution and had informed her cabinet of her intention to institute it immediately. She was persuaded by the cabinet, which, under the bayonet constitution, was controlled by the missionary party, to put off the constitutional change for a short time, and she acceded to this request. Members of her cabinet rushed to report the queen's intentions to the leaders of the missionary party.²⁰

Mr. Thurston, Mr. Dole, and United States Minister Stevens

It is important to identify two men in particular who were at the head of the missionary party. Lorrin Thurston was the grandson of Asa Thurston, one of the first missionaries. Sanford Dole was the son of Daniel Dole, another early missionary. As early as 1882, Lorrin Thurston had already exchanged confidences with leading American officials on the matter of the takeover of Hawai'i. In fact, the United States secretary of the navy assured Thurston that the administration of Chester A. Arthur would look with favor on a takeover. In 1892, in another visit to the United States, Thurston

again received the same assurance from the administration of Benjamin Harrison.

When Thurston received word of the queen's intention, he declared that she had no business attempting to institute a new constitution by fiat. Along with twelve others, he formed a "Committee of Public Safety" and arranged an immediate visit to the American minister plenipotentiary in Hawai'i, John L. Stevens, to conspire for the overthrow of Lili'uokalani.

Little convincing was necessary, for Stevens was already one of the foremost advocates for a United States takeover of Hawai'i. Appointed in June 1889 as the United States minister plenipotentiary, he regarded himself as having a mission to bring about the annexation of Hawai'i by the United States. His letters to secretary of state James G. Blaine, beginning less than a month after his arrival, reflect his passion to take Hawai'i for the United States.²¹ On 8 March 1892, after three years of promoting the annexation, he writes to ask how far he may *deviate from established international rules and precedents* in the event of an orderly and peaceful revolutionary movement and sets forth a step-by-step prediction of future events. In later letters, he argues that those favoring annexation in Hawai'i are qualified to carry on good government, "provided they have the support of the Government of the United States." He continues, "[H]awaii must now take the road which leads to Asia, or the other, which outlets her in America, gives her an American civilization, and binds her to the care of American destiny To postpone American action many years is only to add to present unfavorable tendencies and to make future possession more difficult." He calls for "bold and vigorous measures for annexation. I cannot refrain from expressing the opinion with emphasis that the golden hour is near at hand So long as the islands retain their own independent government there remains the possibility that England or the Canadian Dominion might secure one of the Hawaiian harbors for a coaling station. Annexation excludes all dangers of this kind."²²

Thus, when Thurston met with Stevens on 15 January 1893, the "golden hour" was at hand. It was agreed that the United States marines would land under the guise of protecting American (missionary party) lives. The missionary party then would declare itself the provisional government and immediately would turn Hawai'i over to the United States in an annexation treaty. As a reward, the missionary party would officially be appointed the

local rulers of Hawai'i. The United States would obtain the choicest lands and harbors for its Pacific armada.

The landing of the marines is now a matter of history. The queen yielded her authority, trusting to the "enlightened justice" of the United States, expecting a full investigation to be conducted and the United States government to restore the constitutional government of Hawai'i.²³

On 18 January 1893, the day after Lili'uokalani yielded, the provisional government forbade any of the queen's supporters from boarding the only ship leaving Hawai'i. The new leaders then rushed off to Washington to obtain annexation. By 16 February 1893, a treaty of annexation had been hurriedly negotiated, signed, and presented by President Harrison to the United States Senate for ratification.²⁴

President Grover Cleveland

However, Grover Cleveland replaced Harrison before the Senate voted. Meanwhile, traveling as businessmen, the queen's emissaries had managed to sneak to the United States. Upon reaching Washington, they pleaded with Cleveland to withdraw the treaty and conduct the promised investigation. Cleveland agreed and appointed as special investigator the former chairman of the House Foreign Relations Committee, James H. Blount.

After several months of investigation, Blount exposed the conspiracy. Cleveland subsequently addressed Congress, declaring,

By an act of war, committed with the participation of a diplomatic representative of the United States and without authority of Congress, the Government of a feeble but friendly and confiding people has been overthrown. A substantial wrong has thus been done which a due regard for our national character as well as the rights of the injured people requires we should endeavor to repair . . .

[Lili'uokalani] knew that she could not withstand the power of the United States, but believed that she might safely trust to its justice. [S]he surrendered not to the provisional government, but to the United States. She surrendered not absolutely and permanently, but temporarily and conditionally until such time as the facts could be considered by the United States [and it could] undo the action of its representative and reinstate her in the authority she claimed as the constitutional sovereign of the Hawaiian Islands.

In summarizing the events, Cleveland concluded,

The lawful Government of Hawai'i was overthrown without the drawing of a sword or the firing of a shot by a process every step of which, it may be safely asserted, is directly traceable to and dependent for its success upon the agency of the United States acting through its diplomatic and naval representatives.

But for the notorious predilections of the United States Minister for annexation, the Committee of Safety, which should be called the Committee of Annexation, would never have existed.

But for the landing of the United States forces upon false pretexes respecting the danger to life and property the committee would never have exposed themselves to the pains and penalties of treason by undertaking the subversion of the Queen's Government.

But for the presence of the United States forces in the immediate vicinity and in position to afford all needed protection and support the committee would not have proclaimed the provisional government from the steps of the Government building.

And finally, but for the lawless occupation of Honolulu under false pretexes by the United States forces, and but for Minister Stevens' recognition of the provisional government when the United States forces were its sole support and constituted its only military strength, the Queen and her Government would never have yielded to the provisional government, even for a time and for the sole purpose of submitting her case to the enlightened justice of the United States.

[T]he law of nations is founded upon reason and justice, and the rules of conduct governing individual relations between citizens or subjects of a civilized state are equally applicable as between enlightened nations. The considerations that international law is without a court for its enforcement, and that obedience to its commands practically depends upon good faith, instead of upon the mandate of a superior tribunal, only give additional sanction to the law itself and brand any deliberate infraction of it not merely as a wrong but as a disgrace.²⁵

As long as he remained president, Cleveland refused to forward the treaty to the Senate. Lili'uokalani was advised of the president's desire to aid in the restoration of the status existing before the

lawless landing of the United States forces at Honolulu, if such restoration could be effected in terms providing for clemency as well as justice to all parties. In short, the past should be buried and the restored government should reassume its authority as if its continuity had not been interrupted.²⁶ The queen first protested that such a promise from her would constitute an unconstitutional act and was therefore beyond her powers to grant, but she later acceded to the demands for general amnesty upon the return of the powers of government.²⁷

The provisional government was informed of this decision immediately and was asked to abide by Cleveland's decision, yielding to the queen her constitutional authority. It refused. In doing so, the members protested Cleveland's attempt to "interfere in the internal affairs" of their nation, declaring themselves citizens of the provisional government and thus beyond Cleveland's authority. Only a short time before, they had relied on their American citizenship and thus had justified the landing of United States marines to protect their lives!²⁸ Cleveland, though filled with principled words, left the United States troops in Hawai'i's harbors to protect American lives.

The Puppet Government Changes Clothes

The provisional government was under international criticism for being a government without the support of its people—existing, in fact, without even a constitution or other fundamental document to afford even the appearance of legitimacy. Faced with an American administration that would not condone the conspiracy yet kept American warships in Honolulu harbor, the conspirators devised a plan to restructure themselves so they would appear to be a permanent rather than a provisional government. When a new American president came to office, the "permanent" government would place the conspiracy back on course.

A constitution giving them permanence and validity had to be drafted. Sanford Dole, acting as president of the provisional government, announced a constitutional convention of thirty-seven delegates: eighteen elected and the remaining nineteen selected by him. The candidates and voters for the eighteen elected positions were first required to renounce Queen Lili'uokalani and swear allegiance to the provisional government. Less than 20 percent of the voting population participated in the election.²⁹

The constitutional convention was held, and the document that was adopted was substantially the same as the one submitted by Dole and Thurston. The constitution of the "Republic of Hawai'i" claimed dominion over all lands and waters of Hawai'i and claimed all of Hawai'i's citizens as its own. Foreigners who supported the new regime could vote; citizens loyal to the queen could not. Because the Japanese and especially the Chinese supported Lili'uokalani, they were, as a group, disenfranchised. Further, only those who could speak, read, and write English or Hawaiian and could explain the constitution, *written in English*, to the satisfaction of Dole's supporters could vote.

On 4 July 1894, while Americans were celebrating their independence day by firing the cannons on their warships in Honolulu harbor, Dole proclaimed the constitution and thus the Republic of Hawai'i into existence. Lili'uokalani had lost her throne because she had considered altering the constitution by fiat. Now, circumstances having altered the players, the conspirators invoked the name of liberty and did substantially the same thing.³⁰

McKinley: Sleight of Constitutional Hand

When William McKinley replaced Cleveland as president, Dole's group rushed to Washington to complete the conspiracy. With a constitution in hand declaring them the legal government, the new administration of Hawai'i ceded "absolutely and without reserve to the United States of America all rights of sovereignty of whatsoever kind in and over the Hawaiian Islands . . ." A treaty of annexation was signed.

Realizing the treaty would not get the two-thirds Senate approval required in the United States Constitution, the conspirators circumvented that requirement and settled for only a joint resolution of Congress. The Newlands Resolution of 7 July 1898 was passed.³¹ Following this congressional resolution, the United States assumed authority and soon established the government of the "Territory of Hawai'i."³²

As these events were happening, Lili'uokalani engraved her plea to the American people:

Oh, honest Americans, as Christians hear me for my down-trodden people! Their form of government is as dear to them as yours is precious to you. Quite as warmly as you love your

country, so they love theirs. [D]o not covet the little vineyards of Naboth's so far from your shores, lest the punishment of Ahab fall upon you, if not in your day in that of your children, for "be not deceived, God is not mocked." The people to whom your fathers told of the living God, and taught to call "Father," and whom the sons now seek to despoil and destroy, are crying aloud to Him in their time of trouble; and He will keep His promise, and will listen to the voices of His Hawaiian children lamenting for their homes.³³

Her plea fell on deaf congressional ears. And so we close the chapter on Hawai'i as a free and unoccupied nation. Hawai'i was now to undergo years of American brainwashing, colonization, and military occupation. These were to be the payoff years for the conspirators.

THE RECYCLING OF HAWAI'I 1900-1959

Hawai'i now underwent traumatic changes affecting every aspect of life. Sanford Dole, appointed territorial governor, provided government positions and lucrative government contracts for his friends. Monopolies in shipping, finance, and communications developed. The Big Five, a coalition of five business entities with roots in the missionary party, controlled every aspect of business, media, and politics in Hawai'i. Beginning with sugar, they took steps to control transportation, hotels, utilities, banks, insurance agencies, and many small wholesale and retail businesses. When they teamed up with McKinley's Republican party and the United States Navy, there was virtually nothing left unexploited.³⁴

While the Big Five were taking over Hawai'i, they were propagating the myth of the superiority of the Anglo-Saxon race. In addition, a massive brainwashing program was begun to convince Hawaiians that the United States was the legitimate ruler and that Hawaiians were no longer Hawaiians but Americans. The term Hawaiian was redefined as a racial rather than a national term. Large numbers of citizens were identified no longer as Hawaiians but as Chinese, Japanese, Korean, English, Samoan, and Filipino. The divide-and-conquer tactic was employed even with the Hawaiian race, when Congress declared that "native Hawaiians" (at least 50 percent aboriginal blood) were entitled to special land privileges while others of lesser "blood" were not.³⁵

Children were forced to attend American schools and were taught to pledge their allegiance to the United States. They were trained in the foreign laws, told to adopt foreign morality, to speak no language but the foreign (English) and to adopt the foreign (American) lifestyle. Official government proceedings were to be conducted in English and not the Hawaiian language. In the schools and colleges, if the language of Hawai'i was taught at all, it was only in the foreign language departments.

The customs and traditions, and even the cultural names of the people, were suppressed in this recycling effort. The great *makahiki* celebrations honoring Lono, an important god of peace, harvest, agriculture, and medicine, were never observed or mentioned in the schools. Instead, Christmas was celebrated with plays and pageants. People were coaxed into giving children American names that had no ties with their ancestors—names that described no physical substance, spiritual sense, or human mood; names that could not call upon the winds or waters, the soil or the heat; names totally irrelevant to the surroundings.

The arts and sciences of Hawai'i's ancestors were driven to near extinction. The advanced practice of healing through the medicines of plants, water, or massage, or just the uttered words, were driven into the back countryside. The science of predicting the future through animal behaviors, cloud colors, shapes and formations of leaves on trees was discounted as superstition and ridiculed as a collection of old folktales. The Hawaiian culture was being ground to dust.

Massive immigration took place, controlled by the United States. Hawai'i witnessed an influx of Americans, bringing with them a barrage of cultural, moral, religious, and political concepts. Hawaiians were "persuaded" to mimick American ways, to idolize American heroes, and to adopt American lifestyles. As Americans infiltrated, they took choice jobs with government agencies and management positions with business interests. They bought up or stole, through the manipulation of laws applied by them, much of the land and resources of Hawai'i. They gained power in Hawai'i, controlled greater chunks of the economy, controlled the public media, entrenched themselves in politics, and joined in the brainwashing of the Hawaiians to believe they were Americans.

The military turned Hawai'i into its Pacific fortress, converting Pearl Harbor from a coaling and fueling station to a major naval port. It bombed valleys and took a major island (Kaho'olawe) for

its exclusive use as a target range. At will, the military tossed families out of their homes and destroyed sacred Hawaiian heirlooms (Lualualei, Oahu), building, in their place, naval communication towers that emitted radiation and ammunition depots that hid nuclear weapons. It declared martial law at will, violating the United States constitution, and imposed military conscription on Hawaiian citizens.³⁶ Freedom of trade was stopped. Congress assumed control over foreign relations. Hawaiians could buy only American goods or foreign goods the United States approved. The Big Five controlled all shipping. Every aspect of Hawai'i was Americanized. Military strength was constantly on display. Trade was totally controlled. Education and media were regulated. The secret ballot was a farce.

Hawai'i, that melting pot of cultures, races, languages, and lore, changed from a reality to an advertising slogan for politicians and merchants.

HAWAIIAN STATEHOOD, 1959

Finally, after three generations of brainwashing, Hawaiians were given the opportunity to be equal Americans! The United States placed the following question to the qualified voters in Hawai'i: *Shall Hawai'i immediately be admitted into the Union as a State?*³⁷ "Qualified" voters were Americans who had been residents of Hawai'i for at least one year. The United States had already assured the vote with the thousands of American citizens brought in through its immigration program and through military assignments, as well as with generations of socialization of Hawaiian citizens. Those who resisted American domination and insisted on their Hawaiian citizenship could not vote.

In posing the statehood question so adeptly, the United States government precluded any real self-determination by limiting the choice to Hawai'i's either remaining a territory of the United States or becoming a state within its Union. The question, Should Hawai'i be free? was never asked. The Americans chose statehood overwhelmingly.

UNITED STATES UNDER INTERNATIONAL OBLIGATIONS:
THE UNITED NATIONS

In 1946, under the charter of the United Nations, article 73, the United States was charged with an obligation to transmit to the United Nations information on territories it held under a colonial type arrangement ("Non-Self-Governing Territories"). Hawai'i was listed as such a territory, along with Alaska, American Samoa, Guam, the Panama Canal Zone, Puerto Rico, and the Virgin Islands.³⁸ Whenever these territories reached a full measure of self-government, the reporting requirement would end. Self-government was reached when a territory

- (a) emerged as a sovereign, independent state;
- (b) freely associated with an independent state; or
- (c) integrated with an independent state.³⁹

In 1953, the United States reported to the United Nations that Puerto Rico had chosen a status of commonwealth with the United States. This concluded the United States' obligations to Puerto Rico as a nonself-governing territory and to the United Nations for yearly status reports.

After the Hawai'i statehood vote, the United States reported to the United Nations that Hawai'i's constitutional status had changed and that it was now a state of the United States. The communiqué to the United Nations related that a special election was held on 27 June 1959, in which the proposition, Shall Hawai'i immediately be admitted into the Union as a state? was adopted. The communiqué did not describe the events leading up to the United States take-over and control of Hawai'i, nor did it discuss the fact that only United States citizens were allowed participation in that referendum. Upon receiving this communiqué, the United Nations General Assembly, in resolution 1469 (XIV), expressed the opinion that Hawai'i had effectively exercised the right of self-determination and had freely chosen its status as a state of the Union. The United States was thus relieved of further responsibility to report to the United Nations regarding Hawai'i.

As the 1960s began, the international movement toward decolonization received a major boost. The United Nations, dissatisfied with the poor decolonization record of its member states, adopted its Declaration on the Granting of Independence to Colonial Countries and Peoples. In it, the United Nations declared,

- All peoples have the right to self-determination; by virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.
- Immediate steps shall be taken, in Trust and Non-Self-Governing Territories or all other territories which have not yet attained independence, to transfer all powers to the peoples of those territories, without any conditions or reservations, in accordance with their freely expressed will and desire, without any distinction as to race, creed or color, in order to enable them to enjoy complete independence and freedom.

The United Nations established a special committee to oversee the progress of its member countries in the decolonization of their territories. In the 1980s, that special committee received repeated reports that the United States had committed fraud against the United Nations by reporting that the people of Puerto Rico had freely chosen association with the United States. In reality, tens of thousands who supported independence had been victims of systematic discrimination and persecution by the United States. In 1984, 1985, 1986, and 1987, the special committee reaffirmed the inalienable right of the people of Puerto Rico to self-determination and independence. The committee expressed its hope that the people of Puerto Rico might exercise without hindrance their right to self-determination, with the express recognition of the people's sovereignty and full political equality in conformance with its prior resolution of decolonization.

Growing International Awareness in Hawai'i

The promotion of decolonization by the United Nations, especially in the more recent period, has not been lost on the people of Hawai'i. Other events closer to home that have impacted on Hawaiian awareness of international rights are the emergence of numerous independent Pacific nations.

Beginning with Western Samoa in 1960, the Pacific Ocean saw an explosion of independence, marking the Pacific map with new nations such as Nauru, Tuvalu, Kiribati, Fiji, Papua New Guinea, Cook Islands, Niue, and Vanuatu. After a ten-year lull since the independence of Vanuatu, we have seen the emergence of the

American territories of Micronesia into full nationhood. In September 1991, the Republic of the Marshall Islands and the Federated States of Micronesia became members of the United Nations. The struggle of the Commonwealth of the Northern Marianas for greater clarity in its relations to its former colonial ruler, the attempt by the Republic of Belau to achieve independence without United States military presence, and the developing demands in Guam to apply international standards of self-determination, leading to the right to select emergence as a sovereign nation, are all struggles not lost on the Hawai'i public.

The emergence of the nations of Latvia, Estonia, and Lithuania, previously fully integrated into the Soviet Union, and their welcome into membership in the United Nations were experiences that added to the debate over Hawaiian sovereignty and self-determination.

These international activities, reflecting a world momentum toward self-determination, challenge the belief that, once a state has become a member of the Union of the United States, it may not secede from that Union.

Cultural Rejuvenation

This international awareness has joined with a renewed sense of defiance against further suppression of Hawai'i's indigenous culture. During the 1960s, Hawai'i witnessed the unfolding drama in the United States of the Black struggle for equality, including the riots in Watts, the marches and the bus boycotts, the voter registration drives, and the massive rallies in Washington, D. C. The American Indian Movement's activities also caught the attention of Hawaiians. The Black and American Indian movements, however, were soon overshadowed by the Vietnam War. Many Hawaiian citizens became directly involved in that war. By the end of the 1960s, attitudes toward the United States government had changed; its image had become tarnished.

Many in Hawai'i came out of the 1960s with greater sensitivity toward racial identity and pride in the cultural heritage of Hawai'i. Hawaiians were more willing to challenge governments, either individually or in organizations. Hawaiian music took on new vigor. Hula *halaus* (training schools and repositories of Hawaiian dance) gained wider prestige and membership, canoe clubs became more popular, interest in the Hawaiian language took hold,

as well as practice in the natural medicines of Hawai'i and interest in Hawai'i's history. Hawaiian names were used prominently and with greater insistence. People of many different races joined this cultural rejuvenation in Hawai'i.

For native Hawaiians, land soon became another focus of contention. The eviction of farmers in the Kalama Valley on Oahu sparked a wave of challenges to the system. The movement to protect another island, Kahoolawe, from military bombing expanded the target of protest to the previously "sacred" military establishment. Soon a plethora of new Hawaiian organizations came into being. The issue of Hawaiian sovereignty and self-determination was a natural outgrowth of the disenchantment with Hawaiian social and economic conditions. The combination of all of these factors brought about a new consciousness of injustice—the denial of the Hawaiian nation.

By the second half of the 1970s, the sovereignty challenges were becoming more explicit. In a highly publicized trial of a reputed Hawaiian underworld leader, the defense raised the question of the state court's jurisdiction over a Hawaiian citizen. The Blount Report, President Cleveland's address to Congress, the Newlands Resolution annexing Hawai'i to the United States, and other historical documents and events were made part of the case record.⁴⁰ Then the attorney, arguing that he was not a United States citizen but a Hawaiian, challenged the authority of the United States district court to force him to participate as a juror. The case drew wide public attention.

Soon after these events, the evictions of predominantly native Hawaiians from Sand Island, then from Makua Beach, then from Waimanalo all challenged the jurisdiction of the courts to try Hawaiian citizens. Those eviction cases reflected another direction of growing Hawaiian consciousness. The lands in question, originally in the inventory of the government of Hawai'i or owned by the Crown and subsequently ceded to the United States by the Republic of Hawai'i, were viewed by Hawaiians not as ceded but stolen lands. However, when asked, before a packed courtroom, to trace the title of those lands, the state's expert witness in the Makua Beach eviction case stated that it was simply state policy that no such tracing was necessary. The court then ruled that the evidence was conclusive that the Republic of Hawai'i had held proper title to cede these lands to the United States.

The Office of Hawaiian Affairs

As part of the awakening consciousness of native Hawaiians toward the historical injustices perpetrated against them, they incorporated into the state constitution in 1978 the Office of Hawaiian Affairs. The creation of the OHA marked a first in organizational representation for native Hawaiians. Indeed, it is a response to indigenous peoples that appears to be unique in the world.

Unlike the Office of Maori Affairs of Aotearoa (New Zealand) or the Office of Aboriginal Affairs of Australia or the Bureau of Indian Affairs of the United States, the OHA is composed of trustees who are directly elected by the indigenous people. As a result, in theory at least, they answer to no one but their Hawaiian constituents. However, the OHA is still seen as an organization of limited scope, unable to grasp the full sense of decolonization, since its very existence is dependent on the colonial constitutional regime in Hawai'i. Furthermore, it is based on a race constituency and therefore is unable to expand to include all potential Hawaiian citizens. Its current position on Hawaiian sovereignty is that native Hawaiians should be treated as a tribal nation, as the colonial government treats the American Indian nations.

Re-emergence as a Sovereign, Independent Nation

Today, there is a growing vision of Hawai'i becoming an independent nation, rejoining the ranks of other nations of the world. Within this vision, the question of citizenship and residence would be settled not by racial extraction but by one's relationship to Hawai'i—measured by some standard of acculturation, vows of loyalty to Hawai'i, ancestry from Hawaiian citizens prior to the American invasion of 1893, and other similar means. The native Hawaiians' position in this nation is still being considered. Some possibilities are

- (1) a weighted voting system for public officials, within an electoral process such that the native vote would not be less than 50 percent of the total votes cast;
- (2) a bicameral legislature in which the members of one body would be selected exclusively by native Hawaiian voters;

- (3) the creation of a council of customs, protocol, and *'aina* (land), within which certain matters would be controlled by native Hawaiians; and
- (4) special provisions for land rights, access and gathering rights, and other rights recognized by developing international organizations such as the International Labour Office and the United Nations.

Many more challenges to United States rule in Hawai'i are coming to public notice. In the schools, children are refusing to join in the morning pledge of allegiance to the United States and to stand for the national anthem. Other Hawaiians are refusing to file tax returns or to pay income taxes. More and more people charged with criminal offenses are denying the jurisdiction of American courts over them. A groundswell of protest is being felt in Hawai'i. This groundswell has even affected the Hawai'i State Legislature. The joint houses of the legislature made the following statement:

RECOGNIZING THE YEAR 1993 AS THE 100TH YEAR
SINCE THE OVERTHROW
OF THE INDEPENDENT NATION OF HAWAI'I

Whereas, the year 1993 holds special significance for everyone who has been a part of Hawai'i over the last 100 years for it marks the century point after the United States military committed the first overt act to overthrow the independent nation of Hawai'i; and

Whereas, the Legislature recognizes the increasing discussions and debate here in Hawai'i and at the Congress of the United States of the consequence such an overt act of military aggression against a peaceful and independent nation has to the citizens and descendants of that nation today; and

Whereas, the Legislature believes that the proper status of Hawai'i's indigenous people within the political regime of the State of Hawai'i and the United States of America has still not reached its final stage and is still in the process of evolution; and

Whereas, the Legislature recognizes the even broader issue of the proper status of all people, irrespective of race, to exercise the right to self-determination; and

Whereas, the Legislature believes that the full range of consideration of Hawai'i's people's rights and freedoms must be completely explored in order to bring about harmony within Hawai'i's society; . . . now, therefore,

BE IT RESOLVED by the House of Representatives of the Sixteenth Legislature of the State of Hawai'i, Regular Session of 1991, the Senate concurring, that the Legislature determines that the year 1993 should serve Hawai'i as a year of special reflection to the rights and dignities of the native Hawaiians within the Hawaiian and the American societies; and

BE IT FURTHER RESOLVED that the Hawai'i Legislature determines that the year 1993 be a special time for Hawai'i, not only for special reflection of native Hawaiians, but for questioning the present and future role of people of every race who today constitute the "Hawai'i society"; and

BE IT FURTHER RESOLVED that the Legislature encourages the promotion of debate revolving around the future of Hawai'i as a Pacific Island society, *within or without the United States of America* [italics added].⁴²

SUMMARY

History records no event in which Hawaiian citizens were able to exercise self-determination after the United States marines landing in 1893. Following the American invasion of 1893, there has been a series of events designed to create a fiction of legitimate governance over Hawai'i, under a pretense of a change of power. The missionary party became the Committee of Public Safety, which then became the provisional government, with the help of the United States military. The provisional government later called itself the Republic of Hawai'i, taken by the United States of America and renamed the Territory of Hawai'i. Statehood status is the most recent form that the colonization of Hawai'i has taken. Throughout this series of activities, the same men remained in power under different titles. Hawaiian citizens were denied self-determination every step of the way.

The quest for independence is being rekindled in Hawai'i at an extremely rapid rate, fueled by international and regional events as well as a rediscovery of cultural pride, historical appreciation,

and a greater understanding of the principles of decolonization and the future possibilities for Hawai'i. Nineteen ninety-three and the years following will be important times for Hawai'i.

NOTES

1. See President Cleveland's address to the U. S. Congress on 18 December 1893: Executive Doc. no. 47, 53d Congress, 2d session, House of Representatives (Washington, DC: U. S. Government Printing Office, 1893).

2. Lili'uokalani, *Hawai'i's Story by Hawai'i's Queen* (Rutland, VT: Charles E. Tuttle Co., 1964).

3. Abraham Fornander, *Hawai'i-Loa Traditional Discoverer and First Settler of Hawaii*; Thurm's *Hawaiian Annual* 49 (1923): 30-43; idem, *An Account of the Kamehameha I* (Rutland, VT: Charles E. Tuttle Co., 1980); David Kalakawa, *Myths and Legends of Hawaii* (New York: C. L. Webster and Co., 1888); Ruballita K. Johnson and John Kaipo Mahelona, *Na Inoa Hoku, A Catalogue of Hawaiian and Pacific Star Names* (Honolulu, HI: Topgallant Publicity Co., 1975); Ben R. Finney, *Hokule'a the Way to Tahiti* (New York: Dodd, Mead, 1979); Smith, *Hawaiki, The Original Home of the Maori: With Sketch of Polynesian History* (London: Whitcombe and Tombs, 1921); Peter Henry Buck, *Vikings of the Sunrise* (New York: Fredrick A Stokes Co., 1938).

4. Ralph S. Kuykendall and A. Grove Day, *Hawaii: A History from Polynesian Kingdom to American Statehood* (New York: Prentice-Hall, 1948).

5. Senate Ex. Doc., 52d Congress, 2d session, no. 57 (Washington, DC: U. S. GPO, 1893), 13.

6. "Dispatch from Pageot, French Representative in Washington to Guizot, French Minister of Foreign Affairs," no. 55, 11 June, *États Unis*, vol. C (Paris: AMAE, 1844).

7. *Treaties and Conventions Concluded Between the Hawaiian Kingdom and Other Powers Since 1825* (Washington, DC: U. S. GPO); *Treaties and Other International Agreements of the U.S.A.*, vol. 8 (Washington, DC: U. S. GPO).

8. Ralph S. Kuykendall, *Foundation and Transformation, 1778-1854, The Hawaiian Kingdom*, vol. 1 (Honolulu: University of Hawai'i Press, 1938); F. M. Hustat, *Directory and Handbook of the Kingdom of Hawai'i* (Honolulu, HI: 1892).

9. Kathleen (Dickerson) Mellen, *An Island Kingdom Passes: Hawaii Becomes American* (New York: Hastings House, 1958); *Blount Report*; Kuykendall, *The Hawaiian Kingdom*.

10. Lili'uokalani, *Hawai'i's Story*, 177.

11. Gavin Daws, *Shoals of Time: A History of the Hawaiian Islands* (Honolulu: University of Hawai'i Press, 1974).

12. Jon J. Chinen, *The Great Mahele, Hawaii's Land Division of 1848* (Honolulu: University of Hawai'i Press, 1958).

13. See "Instructions from Kupuna Pilahi Pahi," in possession of author.

14. See Kuykendall, *The Hawaiian Kingdom*.

15. Ibid.

16. See *Treaties of Reciprocity of 6/17/1876 and 11/9/1887* (Washington, DC: U. S. GPO).

17. Lili'uokalani, *Hawai'i's Story*, 181–82.
18. Kuykendall, *Foundation and Transformation*.
19. See "Supplementary Convention between Hawai'i and the United States, November 1887, 25 Stat. 1399; Treaty Series 163," in *Treaties and Other International Agreements of the United States*, vol. 8, and Daws, *Shoals of Time*, 252–53.
20. Lili'uokalani, *Hawai'i's Story*, 384–86.
21. See 53d Congress, 2nd session, House of Representatives, Exec. Doc. no. 48.
22. *Ibid.*
23. Lili'uokalani, *Hawai'i's Story*, 387–88.
24. Daws, *Shoals of Time*, 278–79.
25. President Cleveland's address to the joint houses of Congress, *supra*.
26. James Andrew Gillis, *The Hawaiian Incident: An Examination of Mr. Cleveland's Attitude toward the Revolution of 1893* (Freeport, NY: Books for Library Press, 1970), 87–88.
27. Daws, *Shoals of Time*, 279.
28. Gillis, *The Hawaiian Incident*, 89–90; Lili'uokalani, *Hawai'i's Story*, 243–51.
29. Daws, *Shoals of Time*, 280–81; Kuykendall, *The Hawaiian Kingdom*, 183.
30. *Ibid.*
31. *Newlands Resolution of July 7, 1898*, 30 Stat. 750, 2 Supp. R. S. 895.
32. The Organic Act of 30 April 1900, c339, 31 stat v 1411.
33. Lili'uokalani, *Hawai'i's Story*, 373–74.
34. See generally Lawrence H. Fuchs, *Hawai'i Pono* (New York: Harcourt Brace, 1961).
35. Hawaiian Homes Commission Act, 1920, Act of 9 July 1921, c42, 42 stat 108.
36. J. Garner Anthony, *Hawaii under Army Rule* (Stanford, CA: Stanford University Press, 1955).
37. Sec. 7 (b) (1) *The Admission Act*, Act of March 18, 1959, Pub. L 86-3, 73 stat 4.
38. U. N. G. A. reso. 66 (i) (1946).
39. Annex to U. N. G. A. reso. 1541 (xv) of 15 December 1960.
40. *State of Hawai'i v. Pūlawa et al.*, First Circuit Court of the state of Hawai'i.
41. Hawaiian National Broadcast Corporation, *Three Days in January, a Listening and Study Guide* (Honolulu, HI: Hawaiian National Broadcast Corporation, 1993).
42. House concurrent resolution 147, 16th legislature, state of Hawai'i.

