

## Century Mark Retrospective



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August 7, 2037. How time does fly -- why, it's my hundredth birthday! Most times I figured I'd never make it this far and now I'm stunned at how sudden it all seems. I reckon this will be my last journal entry on any topic of importance other than private family matters. I want it to be a good one, summarizing the last 45 years or thereabouts of events in Hawaii as I've observed them.

Well HAL [*publicist' note, made posthumously, Hueristic Algorithmic Laptop - an unfortunate acronym, given the seminal work of A.T. Clark and S. Kubrick in the film '2001: a space odyssey'*], let's get down to business and log this entry. You know its me, because you just scanned my retinas for temperature and pattern or this journal record could not have been accessed. Question is: what happened in Hawaii and did it conform to the futurists' views of the early nineties? The answer to the latter part is trivial: of course it did, since there were so many different views, a few of them had to ring true one way or another.

### Land

First, then, let's look at what did happen in Hawaii. As I expected, the key was the land, '*aina*'. Back in the last quarter of the 20th Century there emerged a growing sentiment against the cannibalizing of the land to promote the increasingly narrow and increasingly foreign interests driving Hawaii into third-world-like dependence on tourism causing the islanders grievously suffering from overdevelopment (Rohter, 1992). This sentiment spawned a family of so-called sovereignty movements, many of which were collectively aligned to focus an educational effort upon the youth of Hawaii (*Hui Na'auao*, 1993) broken up as a series of workshops into three parts [1] *Ho'ala* (awaken) [2] *Ho'okahuna* (lay the foundation) and [3] *Ho'olokahi* (build consensus) in order to build a unified vision -- from the *Kanaka Maoli* (indigenous Hawaiian) perspective -- of self-determination and self-governance. This same association also held a series of lectures and panel discussions (ibid. /a-/d). That these and related efforts were beginning to have at least marginal impact on the mainland and the so-called 'dominant media' was evident as early as July 1993 when it was reported that the U.S. Senate Committee for Indian Affairs acknowledged the 1893 overthrow of the Hawaii kingdom and was considering how to frame an apology to native Hawaiians (Laskar, 1993). This pointed the way to legitimizing some measure of Hawaiian sovereignty: native Hawaiians could be considered native Americans instead of Asian or Pacific Islanders and thus entitled to have sovereign domain over a 'nation within a nation.'

The first tangible results were realized in the development of self-sustaining *ahupua'a* communities stretching from mountain to sea in ridge-bounded valley areas. This began as a modest, federally (EPA) funded demonstration project to test a variety of theories about environmental clean-up in the early ninties.

Not only, did *ahupua'a* land and water resource management practices resoundingly succeed in demonstrating the ability of nature to heal itself with these elegant 'old fashioned' techniques in effect, but the project also had an almost totally unexpected -- at least from the non-Hawaiian perspective -- result: spiritual awakening on a broad scale to the concept of *malama 'aina*, the caring stewardship of the land temporarily

entrusted by a loving God -- like life itself -- to a living cohort of inhabitants. This awakening enfolded the residents of the islands Hawaiian and non-Hawaiian alike and expanded outward like ripples in a pond to and throughout the mainland. As news of the success spread, new areas on every island were brought under *ahupua'a* land and water resource management. In the beginning no one really believed that each community could actually be self-sufficient, only that it might help mitigate somewhat the damage heedlessly done to the environment by concentrated, tourism-oriented overdevelopment that had in some cases strained the local resource base beyond the breaking point (e.g. raw sewage spills). Self-sufficiency was in fact demonstrated in local barter mini-economies that all but did away with the need for money. In observing and contemplating the unexpected results of what had seemed minor projects tried in the spirit of "Oh what the hell, let's give it a go and see what happens," the expanded notion of awakening came to include not only land and water, but also human spirit as a resource to be conserved and refreshed. Government -- municipal/county, state and national -- did what it does best: it tried to ignore what was going on and let inertia carry the day. Government, too, was about to be awakened and rudely so.

It began innocently enough when representatives from rain forest countries sought access visas for extended travel to the U.S. specifically Hawaii to observe *ahupua'a* land and water resource management first hand, to determine if such practices could be applied to the staggering problems occasioned by slash and burn agricultural and development practices in their own countries. The U.S. State Department -- far away and concerned about more important world happenings -- decided to grant the visas and the visitors came away impressed, determined to lobby for demonstration practices of their own. Even the dominant media began broadcasting 'puff piece' human interest stories to mainland audiences about the re-birth of ancient traditional practices. These audio-video telecommunication 'clips' found a lukewarm market among adults so such stories tended to be programmed infrequently for the evening news casts, but it was solid fare on Saturday morning 'kid-vid' channels. School districts began downloading 30-40 minute clips from educational channels (and satellite downlink from dominant media live feed for those schools lucky enough to have a dish) for rebroadcast within the classroom. Students, especially those 11 and younger ate it up, with a sense of impending events and an excitement that made a few parents wonder "What the hell is going on, anyway?"

Without ever realizing it, those who had initiated the growing number of *ahupua'a* land and water resource management projects were also demonstrating the timeless dictum first made explicit by Marshall McLuhan: the medium is the message. Not only were the residents of mid-Pacific islands, whom mainlanders ignored most of the time, being prepared for future events, but also the mainlanders themselves were being prepared, especially the children.

Even having had the last forty or so years to get used to it, the events that followed accelerated at a pace that is to this day still hard to believe. The Hawaiian Lands Restoration Treaty of 4 July 2001 is now viewed as a discrete, albeit important, event, isolated in time. The fact is that it was really a living process whose origins may be debated but are generally agreed to have been posited as early as the late fifties.

One is reminded of Mark Twain's trenchant observation to the effect that a lie travels around the earth several times, while Truth is still tying her shoelaces. The colossus that many now view as the Hawaiian Spirit was until the late eighties a giant soundly asleep as her lands and people were undergoing a grindingly and ravishingly destructive process. The acceleration of the nineties may, to continue the analogy, be viewed as the giant rousing herself from sleep and rubbing her eyes in disbelief at the destruction about her.

The question became one of what to do with the existing infrastructure as it was becoming increasingly apparent that tourism was grinding down and the one basket into which all future eggs had been lovingly placed by the transnational corporations and their friends in the Hawaiian Statehouse had developed a hole.

What irony it is to note that representatives of two of the then-most-despised communities, preachers and lawyers (OK, OK, just ahead of politicians and journalists), were the agents of change that ignited and fanned the fire. This was a fire with such heat that most politicians -- state and national -- had to get out of the kitchen and grant Hawaiian petitioners their request: sovereignty. While such an observation may be rich in irony, it is no mystery. These combatants for sovereignty consciously took the proven examples of Mohandas K. Ghandi (a brilliant lawyer) and Martin Luther King, Jr. (an eloquent preacher who gave new positive meaning to the ancient art of rhetoric) in constructing and executing their strategic plan. It was, as we can now see, eminently successful, although full of heat and fury as the entrenched interests did their very best to keep their rice bowls from being cracked.

Seeing the favorable climate of opinion in all the Hawaiian Islands, the U.S. mainland, and other -- especially poor -- countries resulting from the publicized successes of the *ahupua'a* land and water resource management demonstration projects, these combustible combatants designed a progressive strategy. They concentrated their forces on a series of incremental court battles, using the existing laws and the stated belief of U.S. citizens that America believes in the rule of law, that no man, not even a President, and no corporation, however wealthy, is above the law. They selected one target at a time, resisting the temptation to move onto the next until they had achieved their goal, victory in annulling the specific legal action of interest. Each legal victory was treated as a precedent, providing solid footing for the next combative court engagement.

As in the case of both Ghandi and King, they made sure that successes did not rest entirely on the integrity of the court process, but devoted considerable effort to what was later termed 'spin control.' The lawyers and preachers who took Pele as their patron and regularly invoked images of glowing, advancing, unstoppable lava flows to explain their energy and determination came to be known as "The Hawaiian Pyroclastics." They were the darlings of the media and, soon, the great mass of common folk in Hawaii, mainland U.S. and abroad. They became expert at casting themselves and the disenfranchised people of Hawaii whose cause they passionately advocated (including but not limited to native Hawaiians) as the children of light and those who would oppose them in court and deny them what was rightfully theirs as reactionary forces of darkness.

The media increasingly covered each fight, each victory until near the end they resembled sharks in a feeding frenzy. The story had everything the loved: otherwise ordinary people who could be stereotyped as heroes and villains; soundbites of less than 8 seconds full of anger, joy, disgust, grim determination, etc.; a tale of government versus the governed; and most important, the likelihood that the story would be on-going over several years, thus providing job security and career advancement for those reporters and 'news anchors' (actually news readers) wise enough to have done enough research to be deemed "knowledgeable insiders" on the subject of Hawaiian Sovereignty. A number of journalistic careers were ended -- those who summarily dismissed the story as insignificant, fit only for Saturday morning kid-vid -- and more than a few careers launched for actual journalists not afraid to spend the time and effort to actually go out into the real world and determine what in fact was going on.

It turned out to be a long overdue flushing purge of the entire info-tainment media industry: "out with the old, in with the new." In the space of barely six months the preening arrogance of predominantly white male news readers posing as journalistic anchormen in the image media community and of print media wise men posing as columnists was crumpled in a bonfire of the vanities of absolute delight to many previously disgusted viewers and readers. This much needed humbling of info-tainment media performers, network executives and

newspaper chain moguls surprisingly breathed new life into a "news" industry that had become the victim of self-inflicted wounds as evidenced by their monotonically falling Nielson ratings and subscription rates. That an entire industry could be purged and then saved by a series of external events can and should be viewed as an indicator of how powerful the fight for Hawaiian sovereignty was and how broad its impact was in the U.S. and in the world at large. The time was ripe for change and the agents of that change were more than ready.

The steps in the successful strategy devised and executed by the Hawaiian Pyroclastics have been more than amply covered, but let me summarize them here.

Step **ONE** using non-violent techniques pioneered by Mohandas Ghandi and employing the "law of the land" as a weapon to obtain well publicized court victories against a superior/colonizing sovereign, these articulate agitators succeeding in gaining official recognition of the lack of sufficient legal basis for and hence repudiation of the :

\* **Hawaiian Homestead Act of 1920** based on historical mis-reading of Kamehameha III intent in establishing private property rights, "The Great Mehele" of 1848 (Professor Rubellite Johnson/b) with the result that crown lands parcels were allocated to native (mostly homeless) Hawaiian people. This one was a real cat-fight among local factions before it ever migrated to the mainland, where it is viewed as a yawner -- the dominant media had not yet caught on.

\* **Organic Act of 30 Apr 1900** establishing the Territory of Hawaii -- eyes began to pop even inside the beltway.

\* **US Congressional Joint Newlands Resolution of 7 Jul 1898** establishing the Republic of Hawaii -- a de facto (NOT de jure) treaty of annexation, absent U.S. Senate ratification -- concern bordering on panic as court decisions favorable to petitioners were understood to march in only one direction.

\* **Treaty of Annexation of 16 Feb 1893** signed by President Harrison but never ratified -- mainland reaction is one of outright panic mixed with generous portions of fear and loathing expressed in a number of editorial pages -- countered by vocal, intense support in mainland high school and college campus communities.

\* **Yielding of sovereignty by Queen Lili'uokalani** in the face of the threat by U.S. forces on **18 Jan 1893** to a provisional government now viewed as illegal -- an action repudiated at the time by President Cleveland -- considerable dispute among local people whether the Queen had the legal authority to yield lands that were not in fact hers -- they had been taken in trust for the Hawaiian people according to the will of Kamehameha III and could not be ceded to anyone else (Prof. Johnson) -- by now the beltway crowd and other hostile forces on the mainland and in Hawaii were starting to get used to the idea of taking a beating in court.

\* **'Bayonet Constitution' of 1887** that established a 'constitutional monarchy' while stripping King

Kalakaua of his sovereign powers as king and the Hawaiians their sovereign right to self-determination. (By now the reaction both in Hawaii and on the mainland was one of *nolo contendere* )

\* Subsequent extension of the **Treaty of Reciprocity of 9 Nov 1887** between Hawaii and the U.S. used to secure the Hawaiian sugar market in the U.S. (Ditto)

**Step TWO** - continuing a Ghandi-like legal assault, The Pyroclastics mounted a successful court challenge to **The Admissions Act of 18 Mar 1959** that provided the basis for the Territory of Hawaii becoming the 50th state of the Union; filed in U.S. District Court and carried to the U.S. Supreme Court which ruled the act, hence the statehood of Hawaii, invalid -- mainland reaction was decidedly mixed with equal parts booing (transnationals) and cheering (especially by students and young adults).

**Step THREE -- The Hawaiian Lands Restoration Treaty** phased in beginning 4 July 2001 was negotiated by the Hawaiian Pyroclastics representing the Sovereign Hawaiian People (SHP) and the U.S. State Department; signed by President Bill Bennett and ratified by the U.S. Senate only after furious and prolonged debate not seen since the Panama Canal Treaty ratification debate during the Carter Administration. This treaty officially recognizes the Sovereignty of Hawaii and is being phased on over a period of fifty years -- a treaty modeled after the one ceding U.S. sovereignty over what had been the U.S. Canal Zone of Panama.

As with the Canal Zone Treaty, execution of The Hawaiian Lands Restoration Treaty during the phase-in period has contained more than a few surprises. Back in 1993, it was reported that Panama had changed their mind about U.S. troops in the canal zone (Reuters, 1993) and wanted them to stay after all.

Like the 1993 decision to retain some troops in the Panama canal zone after all, the U.S. decision to grant Hawaii her sovereignty did not mean a complete and total break. After the July 4, 2001 treaty signing ceremony, it was decided by mutual agreement that Hawaii would retain one non-voting member in both the U.S. House and Senate and that the new Government of the Sovereign Hawaiian People would welcome a non-voting member from their former parent sovereign. This was done in addition to exchange of ambassadors to signify that a close relationship between "old friends" would continue into the future to the mutual benefit of both, but under different arrangements of hierarchical sovereignty, which is to say, as equals. It turned out to be, in all respects, a friendly parting of the ways with no bridges burned and the basis laid for genuine 21st century friendship and warmth between the two nations, very much as has existed between the U.S. and the U.K. in the twentieth century.

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