

DIALOGUE: Statehood & Sovereignty

HAWAII PUBLIC TELEVISION

August 16, 1996

Transcript taken from the television program.

Dialogue is brought to you by Hawaiian Electric Company, people with a powerful commitment.

Dan Boylan: Good evening, welcome to dialogue. My name is Dan Boylan. In August of 1959, President Dwight David Eisenhower signed legislation admitting Hawai'i as the 50th State of the American union. It marked the culmination of a quarter century campaign by statehood proponents. Petitions were signed and delegations were sent to Washington. A lot of political leaders like Joe Farrington, Jack Burns, and William Quinn moved mightily to get statehood passed and the islands populations appeared to approve overwhelmingly. In a plebiscite held in June 1959, Hawaii residents voted 17 to 1 in favor of statehood. But from the perspective of almost 40 years many citizens of Hawaii, most notably those of Hawaiian blood, question statehood and all that it means. Proponents of Hawai'i=s sovereignty would change the nature of statehood, some would even make Hawaii independent of the United States. Was statehood a mistake? If so, how could and should Hawaiian Sovereignty change it.

We have four distinguished guests with us this evening who can answer those questions. Mahealani Kamau`u is no stranger to dialogue, she is the executive director of the Native Hawaiian Legal Corporation. A non-profit public interest law firm that represents Hawaiians in their legal assertions to land and natural resources and related empowerment. Ms. Kamau`u is a graduate of Kamehameha Schools and the University of Hawaii. Mahealani, is also, I should note, a published poet.

The Honorable Chief Justice William Richardson served as chief clerk of the territorial Senate in the 1950's. He was elected Lt. Governor of the State of Hawaii in 1962. He was then named Chief Justice in 1966 and served the Supreme Court for 16 years retiring in 1982. He also founded the University of Hawai'i School of Law which is named after him.

Poka Laenui, I said it wrong, I know Poka, we`ll get through it, also known as Hayden Burgess is an attorney in private practice and the director of the Institute for the Advancement of Hawaiian Affairs. Poka has served as a trustee of the Office of Hawaiian Affairs and is currently the elected president of the Pacific Asia Council of Indigenous People. He has written extensively on the sovereignty issue.

And former Governor William Quinn came to Hawaii from Harvard Law School in 1947. A decade later, he was appointed the Governor of the Territory of Hawaii by President Dwight Eisenhower. In 1959 Governor Quinn was elected the State`s first governor. After leaving the governorship, Mr. Quinn served as the president of Dole Pineapple Company before returning to the practice of law with the firm that eventually became Goodsill, Andersen, Quinn, and Steiffel.

We will begin talking with our guests in a moment, but first, it is my solemn duty to remind you that Dialogue solicits your participation. We urge you to call 973-1000 with any question or comment you might have for our guests, 973-1000. Neighbor island residents may call us collect, 973-1000. Again, answering Dialogues= phones this evening are members of the Soroptimist International of Honolulu and the Venture Club of Honolulu. Our sign language interpreter is Loretta McDonald, a women sovereign over the left hand corner of Dialogue`s television screen, for a goodly number of years now. We are, as ever, being simulcast on Hawaii Public Radio, or Poka`s sometimes home, AM 1380.

Governor Quinn, you`re one of the genuine fathers of Hawaiian statehood, was it an illegitimate birth, was it a mistake, should we not have done it?

WQ: Heavens no. Ah, we should have done it. As a matter of fact, I came here in 1947 and there was already a very strong and continuing desire that we become a State. And there had been many efforts made to get the Congress of the United States to recognize a responsibility to make us a State. And after a little while, in the early 50's we had a statehood commission that lasted all the way through I think it was appointed, and then it was dropped and then it was re-appointed again and it was charged with the responsibility to trying to set the program up and get the people together in order to bring about the positive action in Congress. And in 1956 we became, Bill will recognize this, that after years of Republican leadership, in 1954, the Democrats took over everything. And then two years in 1956, I`d only been here less than 10 years and on the last day for filing Ben Dillingham and a bunch of other people came to me and said that Ben Dillingham`s father said couldn`t run for Territorial Senate and that was the last day so they asked me to run for the Territorial Senate and I said no, and I then gave them my wife as the reason. So they called her and she said why sure, he always says somebody ought to do it. And then I said no and I gave Garner Anthony, my chief boss attorney as the reason so they said, well lets go up and see Garner, so Garner was a professional Democrat, but he said by all means, go ahead and run. So I still said no and Jimmy Glover said, well lets go out to dinner. So we went out to dinner and I think he fed me a couple of drinks and at about 9:30 or 10:00 and the deadline was at midnight, and I said alright I will. Well then in five minutes they had all the papers, all signed with all the names on them and everything else, so I signed them. The next thing I knew I was a candidate, two years after the democrats took everything over. Well I didn`t win but I have to say, that I found a bunch of new friends and we campaigned differently than the Republicans had for all those years. And so while I lost I ran way ahead of most of the others, and that was why I had been appointed Governor in `57 and still continuing all of our work for statehood on part of both parties. And in `59 the Congress passed the Statehood bill.

DB: In `56 Burns went to Congress as the delegate from Hawaii, is that not true.

WQ: The Territorial Delegate. Yes, that`s true.

DB: With the power to vote. The main spokesman for statehood. And you were, of course, going back and forth, as the Governor lobbying as well.

WQ: Yes, and so were other members of the Statehood Commission and we had meetings with all kinds of Congress people, both parties. And also with the people in the administration. Everything was being pulled together. We met with Bill when we were back there, and gradually it was all pulled together.

DB: But CJ, you were of Hawaiian ancestry, part of the Hawaiian Community and yet part of this effort to get statehood. Was there reluctance on the part of the Hawaiian community in those days about statehood?

WR: None that I recognized. They were all for it as far as I was concerned.

WQ: Absolutely.

WR: They voted for it. The part that I had to play started perhaps when I was the democratic party chairman. When we went to the '56 convention, and up to that time the platform always read eventual statehood for Hawai'i, and that year we thought, and I think the Republican party did the same, and it then was changed to immediate statehood for Hawai'i.

WQ: I think that's true, I think both parties did it.

WR: And Burns was quarter backing this thing in Washington, and I went to spend a couple of weeks living with him. And every morning members of the Republican party and the democratic party and the business community and the labor unions, went down to his office early in the morning, and got our marching orders to go and see certain people in the Congress. So that was the biggest part I had to play.

DB: But you remember no reticence on the part of the Hawaiian community in those days.

WR: No, no, no, none whatsoever, we were all for it. I thought we were all for it.

WQ: That my recollection too.

DB: Do you have any doubts?

WQ: No.

WR: No. I don't.

DB: Was it in any way shape or form a mistake?

WR: No.

DB: Poka? Was it a mistake?

PL: It was illegitimate. It was illegitimate.

DB: Lets start with the first point. Was it a mistake?

PL: It was a mistake in that the preparation for the vote itself was not appropriate. The question was shall we remain a territory or shall we become a State. That is not the appropriate choice that we should have been given. So in terms of just limiting the approach or limiting the analysis to those two questions. Well the better choice was of course to be a State rather than a territory.

DB: That was the plebiscite question?

PL: That was the plebiscite question? A Shall Hawaii be immediately admitted into the union as a State.

WQ: Yes, that was the question.

PL: And my point is that it was illegitimate because if you look at just the Hawaii situation or the United States situation as the colonial government in Hawaii, then that's all your view is and you're stuck with that. But if you look at where Hawaii stood in the international arena and you look at what happened internationally in 1945, the United Nations charter in article 73 said you have to address the issue of non-self-governing territories. No longer should we allow colonial countries to continue to manipulate and manage these non-self-governing territories. Now of course the UN charter did not mention Hawaii specifically, but that doesn't leave the US off the hook because in 1946 resolution 66 of the UN general assembly, it says, United States, as you deal with these countries lets identify these areas that are non-self-governing, and that you are under an obligation to bring about self-governance within. Hawaii, Alaska, Guam, Virgin Islands, Puerto Rico, Panama Canal Zone, and American occupied Samoa. So as of that time, the United States was under an obligation to bring Hawaii to a position of eventually making a choice. A choice not whether they wanted to be integrated within the United States in one form or another. But the choices according to international standards was integration, free association, or independence. And that's why it was illegitimate because the question of independence was never given to us. That was one point.

WQ: Har, har, har. That's the first time I have ever heard anyone make that argument, today, right now.

PL: And that's the precise point I'm getting at, because you, as a representative of the US president, appointed by the US president, as the "governor" of

this territory, was under an obligation to have carried out the American presidential obligation, which was to have educated the people and bring them to that position. Now you can go back to your own documents and you will recognize that the United States was under an obligation.

DB: How should the plebiscite question been asked if you had your preference.

PL: Plebiscite question should have said "do you want to remain integrated in the United States, if so do you want to remain a territory or do you want to become a state? Or do you want free association with the United States? Or do you want to be an independent nation." Those are the standards of international law that existed at that time that should have been posed to the people of Hawai'i.

WQ: Except that the president did something else. The president said, yes, I will make you a State.

PL: Without giving us a choice, and that's the whole point.

WQ: No, he gave us a big choice and we fought for it.

PL: To be integrated.

WQ: To be a State, we fought to be a State. That choice was made by well over 70% of the people, it was made by democrats and republicans alike.

PL: But, you see, you miss the whole point.

WQ: I'm not missing, I'm saying you're the first time I've ever heard you say that. I've never heard it from Congress, I've never heard it from the Presidential office, I've never heard it from...

PL: But the point is that they were all Americans. You have the Democratic party which was an American party.

WQ: So, its been unlawful all these years.

PL: I'm saying its illegitimate. And we can compare it with international law and it remains illegitimate.

DB: Mahealani, any response to this?

MK: I would say that in the discourse within the Hawaiian community, what Poka is suggesting is not as ludicrous as your laughter suggests sir. We have, I think that, in talking to my mother, she was in like her mid-thirties when Hawaii was admitted and she agrees that there was a lot of enthusiasm and support. She supported it, so did her

family but as we have come to understand, the United States was under an obligation to prepare us for either of the three options, and it is very clear that we were directed one way, and one way only. There was a pre-disposition, probably since we were annexed, towards the eventual outcome of statehood. And I think that we were not necessarily exposed to all the options. We were not given an opportunity to explore other options and I think that that is what perhaps, hindsight is twenty twenty but we are realizing now that perhaps we should have been permitted.

DB: Let me just throw this one out. Isn't it rather difficult in the context of immediately following WWII, in which Hawaii played a pretty pivotal role and a lot of the people who served in the Philippines right, you served in the military, a lot of people. Pinky Thompson says the heck with sovereignty, I fought for this flag and almost died for it. In the context immediately after the war, isn't it rather hard for an awful lot of people including Hawaiians to take the position that you're asking people to have taken?

MK: After the war, I think that's correct. I mean, I have many photographs in my mother's album and on VJ-Day they are celebrating in the streets, they are in a high state of patriotism and nationalism and I think it would be very difficult but my mother is 73 years old today and she sadly admits that perhaps they made a mistake. And it is not because I programed her or influenced her.

WQ: May I ask her one thing and that is that I believe that this particular legal theory has come from mainly from those who would want sovereignty today, and that's been a new change, and then going back they have found that this is a way that we can support sovereignty as something that should be done. But I don't think that anybody thought of it, at that time and when we became a state, all of the people, I mean a great majority of the people were in favor of it and not in favor of any other separate country or sovereignty of any kind.

PL: You know, the result may have been that. What I'm saying is that why not have given the choices that the international community itself had called for and that the United States had agreed to. The United States itself was the one who submitted Hawaii on the list on resolution 66 to the General Assembly. Why not have just placed the question so that 30 some odd years later in a Dialogue program we are not asking, well wouldn't it have come out with the same results. At least have faced the question, presented the question and let the debate have been carried on at that point.

WQ: Congress had the right to add anything else it wanted.

PL: Congress had no right to violate international law.

WQ: Congress had a big enthusiasm also for statehood, and so did the President of the United States.

PL: But you don't get away with the colonial government justifying itself by

saying we are going to elevate ourselves above international law when they themselves signed the charter of the United Nations, and agreed to the terms of the charter.

DB: Poka, I play political analyst sometimes. You play political analyst going backwards. What if you put the third option. What would the vote have been.

PL: Well I think there's something else besides...

DB: No, just answer that one for us. What would they have voted.

PL: I think, I'm not sure. It's hard to say because at that they wouldn't have debated the issue. We didn't give fairness to the question.

DB: Now that's true, I'm sorry, you're probably right. It would have been a different vote.

WQ: But now after 25 years we've already become a State.

PL: Another point is that, you see what we've just been talking about was the choice. What should the choices have been, but we are missing out on another part of that argument, and that falls under the whole rubric of self-determination. Where we are looking at only the question of determination, what were the choices made available to us, we have not addressed the issue of who was the self that was to exercise that determination. Should it be the Bill Quinns who came to Hawaii and spent the last 10 years or last 5 years or the last 3 years or the last 1 year in Hawaii and participated in this vote.

WQ: No it would it be those that started in 1900's to start working for statehood for Hawaii.

PL: Or even before that, that's true. But in 1959 the rule was, to qualify to vote in this process you had to have lived in Hawaii for at least one year and been an American citizen. Now if you look at it from a removed position, not an Americanized position, but from an international perspective, how do you treat the people who have been under colonization all these years. How do you treat them fairly, and how do you give them the right to self determination. Do you allow the colonial country to come in and alter the self and throw their own qualifications as to who the self should be?

WQ: Do you think that a colony and a territory are the same thing?

PL: Yeah. The United Nations did not use the term colony, they used non-self-governing territory, but in essence what is the definition of a colony, the same thing as a non-self-governing territory.

WQ: Well, I don't know, as a territory, we had a Presidential appointed governor, we had a self elected, I mean a population elected local...

PL: Symbols of autonomy correct, but no vote in the Congress, delegate to Congress.

WQ: No, not until we sought it and finally got it.

PL: And that's what a colony is, control overseas.

DB: CJ, someone, I don't know why they threw this to you but, "Why can't they, the United States, follow the former Soviet Union in releasing the smaller nations like Hawai'i?"

WR: I haven't thought of that question before. I don't know what the Soviet Union would have done with that. I guess this has never been of any concern to me.

DB: This never came before the Supreme Court. Poka.

PL: If I may remark on the former Soviet Union. Latvia, Estonia and Lithuania, the former Soviet Union had within the constitution, the right of divorce. The right of these countries to split. The United States Constitution does not and they fought a civil war over that particular issue for the United States.

WR: Something kind of personal to me. Here I was, gone to law school and ready to practice law, and had just started to practice law, but the judge I came before was appointed out of Washington. People had no control over him, the Governor was appointed out of Washington, and we had no control over him, and if you go far enough you get down to the appointments of the Supreme Court, the Bishop Estate if you want to be specific they were appointed by the judges that were appointed out of Washington and we had no control over that, so indirectly anyway we had nothing to do with Bishop Estate, and here this is one of the more important Estates that we have, and all the other appointments that came with it. This to me was primary. Statehood meant freedom and I would get a chance to say something in Washington and in my own State. The other way we had nothing. I even had to get a certificate of citizenship to get on a transportation to the mainland to go to law school. It was that bad, and I lived right through it.

DB: They could even, from Washington, appoint some guy like Quinn as Governor... Did it feel different being the State Governor from being a territorial appointment? You felt more legitimate?

WQ: Absolutely. Well, we had more local power. I had a lot of power as Territorial Governor, but I was appointed by the President of the United States who could always call me and say do this, or do that. And I could either say I quit, or I could do it. But when we had our own people elect our own Governor, our own legislature and we appointed our own judges and so forth, and that was entirely different and far more responsible to all the people who lived here.

DB: C.J., someone wants to know, your comment that the Hawaiian people

wanted statehood in 1959, what or how did you ever come to that conclusion that they wanted it. Was there a vote among Hawaiian people.

WR: The vote was around 85% for it and that included the Hawaiian voting community, and I know a lot of them voted. My parents all voted, you know Hawaiians cherished that vote quite a bit. They went out to vote, now whether they misunderstood the questions that were proposed to them, I cannot go into the kind of detail that Hayden has, but I think they understood what it was. Are we going to be independent people, or not?

PL: Well, the scenario that you have just given C.J. are controlled by the President appointments here, appointments there, basically we have no self expressions ourselves. From that situation to one in which we can now elect our Governor rather than have him appointed and we could elect or we had control over the Justices who eventually appointed the members of the Bishop Estate, there is no question about what choice we would have made given those two scenarios. What I am saying was that should those have been the only scenarios? Shouldn't we have talked about other things like our right to control international relations, our right to control militarization of Hawaii, our right to control population growth in Hawaii. Those issues we never addressed and those should have been addressed.

WR: I looked at that this way, we would now have a voice in Congress, and we would now be electing the President of the United States, and that's where we are going to have our say in everything. We were no longer out in the cold.

WQ: Every question you've raised, all would be solved if we became a State and elected our own officials. The people would vote on every question you just talked about a minute ago.

DB: Let me throw this to Mahealani because as you were saying, your mother in 1959...

MK: My mother is very, very glad that the young people are pushing for sovereignty.

DB: Now. What changed her mind, has she ever pointed that out to you?

MK: You know what I was going to share is from another perspective that it is one thing to revisit and try to recreate what happened around the time of admissions. But for me, I just come from it from a point of view of looking at what is, and what is is a lot of problems and a lot of trying to work within the system to address those problems and being very, very frustrated with it and feeling that fundamental change is required. And that's where I'm coming from.

DB: We have some comments from some of our callers. One says the moderator is prejudiced, you're right, but which way? Someone called and said for

Hayden, this is for you, why is it that a great number of South Pacific Islanders and Samoans come to the U.S. to be part of the U.S. but Hawaiians are trying to get away from the U.S.

PL: Let's look at the South Pacific, Fiji, an independent today, free Samoa, they call it Western Samoa, we have Federated States of Micronesia, we have Nauru, we have Vanuatu as an independent nation.

WQ: And we have the 50th State of Hawaii.

PL: The South Pacific has moved towards independence, so just the fact that we have Samoans who choose to come to Hawaii and other places is not a measurement of what the South Pacific has actually said. You have seen the explosion of independence and the choice for independence stretched throughout the Pacific.

WQ: We saw a big and larger explosion on behalf of statehood for Hawai'i. Among the people who live in Hawaii.

PL: You still miss the point my friend.

WQ: I'm not missing it at all you're just digging way back to find various reasons to say that sovereignty is a good thing and it ought to be voted on.

PL: Let's be clear, what I'm saying is that given the choices we had and the situation that was created by the American colonial administration over Hawaii, the choice was the correct choice, we should have chosen statehood. But what I'm really saying is that whether or not we should have, the situation should have been changed, the American administration should have been different and therefore the choices and the discussions should have been different. That's what I'm saying.

WR: I'm for sovereignty, a form of sovereignty and not entirely against it like Bill appears to be, but, I don't think we'd get anywhere were we not a State, in achieving a sort of sovereignty that I think the people, in this State, will come up with and will come up with a good one. It isn't going to be the independence that Bill's talking about. We're not trying to get away from it, we hung up our flags this morning and I've had that American flag over the Hawaiian flag, and that's the way I want it.

DB: But you want some sovereignty.

WR: Yes, it is a form of sovereignty that I am speaking of.

DB: Comment, a caller wants to be and stay an American Hawaiian. Question to Quinn and Richardson, what is the constitutional means for having admittance into the Union by the Territory. The constitutional means by which a Territory becomes a State.

WQ: Vote by the people and action by the government of the United States and the President of the United States. Simple as that.

WR: No action by the people, necessarily, the Congress of the United States, that's what we were working for, and of course the President would have to approve of that too.

DB: And it took Congress a long time to approve.

WR: Right.

DB: Thirty minutes are gone, so we need to take a break. We'll be back with more Dialogue on Statehood and Sovereignty.

DB: ...Soroptimist International of Honolulu and the Venture Club of Honolulu. They are taking all calls at 973-1000. So please, ring us up with your questions or comments for our guests. Neighbor Island viewers may of course call us collect. Question, idealism and history aside, what sort of realistic economy do the sovereignty people of Hawaii envision? Mahealani?

MK: I would guess that the main difference would not be what kind of economy, but who controls it. In talking with people who have thought of a sovereign economy, they had envisioned some sort of mix of tourism and agriculture, much like what already exists. However, those who would benefit, we are hoping that more Hawaiians will benefit, that's my best answer.

DB: Any response Poka?

PL: Yes, I'd like to also point out that at the present time the Hawai'i economy is based on a very monetary basis. Gross national product, gross domestic product, income accumulation, capital investment and the rest. What we need to do is to shift away from the heavy concentration on monetary terms to more of the Aloha Economy, one that takes into consideration the culture, one that takes into consideration how well we incorporate the elderly, how well we incorporate the children, how well we incorporate all these different things. That's the movement or a shift to what is called in the international arena the human development index. So that as we use economics as a measure of the quality of life, we really look at what the real quality of life is rather than simply what passes through the cash register.

MK: He said idealism aside.

PL: Yes, I know.

DB: That was the question, that was a good point. Excuse me Governor Quinn.

WQ: Are you saying that the people of the State of Hawaii and the government of the State of Hawaii does not have the interest in culture and the interest in those other types of things that you think ought to be renovated in some way.

PL: That's not what I'm saying. I'm saying that as we talk about economics or the economy, we need to have a broader view of what economy is. And as we look at economy we need to also consider the health of our people, the mental health and physical health, and all of these things.

WQ: Absolutely.

PL: And so what I'm saying is that the very definition of economics or of economy has to be more inclusive.

WQ: Why do you have to call that all economy? Why do you have to say that if we are as State then the State is only interested in only in the economy? The State is interested in the welfare of its people, and the State is interested in their health and the State is interested in the culture of this State of Hawaii, and you don't call that economy. But it exists, and it exists here in the State of Hawai'i.

MK: No I don't...

WR: Well I think as a State we can better deal with these problems. We can go a lot farther in helping the Hawaiian people that I want to help as a State.

PL: Yes, but my friend, if you compare it as a State to as a Territory, I am in complete agreement with you. But what I am saying is that the framework in which we review these questions now has to shift away between just these two options. Let's take a look at independence. Should we be an independent nation, how much further could we have controlled these very important questions. We would be able to control foreign relations, we would be able to control trade with other countries rather than have the United States dictate to us whose plane we can fly and whose cars we can buy and all of those things. We would have been able to control the population growth in Hawaii, right now we have absolutely no control over population. We would have been able to control militarization in Hawaii. Right now the military dictates, they want to pay a dollar per acre at Makua for the next 65 years and we have absolutely no say about it.

WQ: And if we are independent we would have all the money we need to do all those things Poka?

PL: No, no, no. It's not the case. What at least we would be able to do is have greater control over these very important factors that today we have absolutely no control over. Suppose we say we have too much population flooding in from the United States of America today they are taking our jobs, they are taking ours homes and all of that kind of stuff. What control do we have. The legislature can do absolutely nothing about it except try to build more houses. That's not the solution. We've got to control the

population in Hawaii. We cannot do it unless we become independent.

DB: Mahealani I think you were going to say...

MK: Assuming that the State is very interested in the health and well being of its citizens, it has failed. It has failed dismally, and we know for a fact because we chop up these statistics all the time, we don't want to because we know that our people have done very well, many of them have. But unfortunately statistically we are at the bottom and we are at the bottom disproportionately. We have on the top of the prison population, native Hawaiian, most of them on welfare rolls, most of them undereducated. And not having opportunities for higher education. So many of these statistics, you know most of them are on homeless roles. I mean that's shocking, Hawaiians in their homelands should not be most of the homeless. So Hawaiians unfortunately, in spite of the State's best intentions have not fared well under this system.

DB: Some may not always agree the intentions were best though.

MK: Well, I'm just saying that giving them the benefit of the doubt. And you know, I myself having worked with the Native Hawaiian Legal Corporation. I've been there 18 years, we have been trying to work with system, and I think that brings me closer to a real conviction that there needs to be fundamental change. The system is not responding to our needs.

WQ: How could a sovereign, whatever kind of sovereignty it is. How could the sovereign Hawaii deal with the homeless question that the State can't deal with.

MK: I think that first of all, we're looking at something that is culturally based and more sensitive so that even perhaps many of our homeless that are now on the beaches, there are state and county policies to not allow it, they cannot even occupy a car on the beach. They do not have access to the lands that they are looking for as a land base. I think that if some of that 1.7 million acres that are now held by the Federal and State governments are made available for the sovereign entity land base we would have more settlement opportunities for our people. Our people cannot compete with and handle the \$300,000 to \$400,000 average cost of a home. That is why they're homeless.

DB: This is for Bill Quinn. In the early 40's this caller remembers his dad saying there were many options, Commonwealth for example. How did it boil down to just Territory and statehood? There was a Commonwealth option wasn't there?

WQ: There was a Commonwealth option I guess, if you go back to 1893 or something like that, but they chose at that time to try between 18 and 1900, they said that we would want to be part of the United States of America. And at that time they were made a promise to be a Territory of the United States of America and they shared in that common culture. And then ever since that time they were trying to become a State and be on equal terms with the 48 other States of the United States or whatever number they

were at the beginning.

DB: Do you remember anything about this.

WR: Oh yeah, I remember, Commonwealth. It just, it was a half way point as far as I was concerned to becoming as independent as we are today as a State. Maybe there's an argument that we're not really independent but I don't think we could have been any more independent than what statehood did. We couldn't have gotten it by Commonwealth. Commonwealth may have involved electing our own Governor. Puerto Rico is a Commonwealth now and ... that was only a half a loaf of bread and we still wouldn't have our representation in Congress.

DB: A comment from somebody. Why should Hawaii be part of country like the USA which has a \$5 trillion debt and takes orders from bureaucrats 5,000 miles away. I wouldn't mind getting rid of part of debt.

WQ: I think we all want that. I don't think we're taking our orders from 5,000 miles away when we're a State. Sure we have a President and the President has certain powers over all 50 States to do certain things. But each State also has its own independent power to govern itself.

DB: Let me just get this comment in quickly. The caller wanted to reinforce that was a minority against statehood. Such as Kamokila Campbell. She testified before the commissions that came out here.

PL: And the people on Ni`ihau all voted against it. So there was some...

MK: And I read an article that people took her half serious. According to this thing I read, they thought she was way out there.

WR: ...the people from Ni`ihau all voted Republican.

DB: Is sovereignty race based. Mahealani, you take this one. Is sovereignty a race based Hawaiian issue or is it an issue for all the people of Hawai`i.

MK: Sovereignty is an issue for all of the people of Hawaii most definitely. But at this time native people are taking, exercising their self-determination and creating that momentum and initiative simply because they want to address primarily certain issues that are of concern to Hawaiians as a people. And that has mainly to do with Ceded Lands and Reparations for the loss of sovereignty and the Ceded Lands.

WQ: Could I make a comment? I don't think it is an issue at all for all people of Hawai`i. Because I don't think a State as a total State could just automatically say we vote to withdraw. But I think it is definitely an issue for the Hawaiians saying we have not been properly treated and we have not received our proper share in the culture that we

are so responsible for. And if that's what they are talking about they are talking about sovereignty for that group.

PL: I think we've got to be clear, that you have the discussion of sovereignty in terms of indigenous peoples rights and this is what we see with the Native Hawaiian vote, this is what you see with land occupations and the rest. But there's another song to, or another verse to that song of sovereignty. And that is the right of all peoples within a territory who identify themselves with that territory and their right to express themselves. Remember, in 1893 the nationals of this nation that was overthrown, that finally the United States admit it overthrew, was not based on race. You had Haoles, you had Japanese, you had Portuguese, you had Filipinos, you had all kinds of races of people who were citizens of this nation. And so for us to address the full ramifications of sovereignty, we ourselves will have to overcome the race barrier. But many times, we as indigenous people ourselves, as native Hawaiians are guilty of participating in the creation, and it has to incorporate people of many different races.

MK: And I don't believe that Hawaiians believe they could succeed at this without the support of the larger community anyway. I mean that's another way of looking at it.

DB: How will

WQ: I agree with that, you can't succeed unless you have everybody with you.

DB: I had a wonderful question here, but now I've lost it. But Governor Quinn I think it was for you. Someone asked if the question of sovereignty came up back when you were lobbying for statehood, this is for you too Bill. What would you have done? What if sovereignty were an issue and there were people like Hayden, Mahealani, and Mililani and Kekuni and all these folks were striving for some form of sovereignty and bringing up many of the issues involved in sovereignty? Would your approach to statehood have been different or in any way would you have taken sovereignty into it, from what you heard of it now?

WQ: I would have taken sovereignty under consideration if our people wanted it, but the people didn't want it, they wanted statehood. Nobody talked sovereignty, nobody said give us independence when I ...

DB: Well this is hypothetical question.

WQ: Well why do you think that somebody would ask me what I would have done 35 years ago if that question came up?

DB: I'm sorry, man I'm being called prejudice tonight and now I'm going soft.

WR: Well we were all trying to make a living you know at that time, and just

come back to Hawaii and we're forced to do this work and we'd come back and try to make the best of what we have. And I'm very aware of Hawaiians being the downtrodden, and their my primary target. I want to take them out of it, and I think we can take them out of this through a form of sovereignty but not necessarily complete independence.

DB: How will sovereignty affect government. Monetary, public education, transportation and public safety. Now there's a question.

MK: We're leaving that to the delegates, but it'll all be better.

DB: Now explained that, I know that there's a great disagreement in the Hawaiian community about that vote and the votes are to be counted, and the results announced on September 22nd.

MK: The vote will be tabulated electronically on the 22nd and the 23rd.

DB: And the question on the ballot was?

MK: Shall the Hawaiian people elect delegates to propose a native Hawaiian government? Yes or no.

WQ: Maybe 10 years from now we'll be saying it was the wrong question. Right.

PL: ... we take our best shot at it.

DB: But there are those that don't want any part of that. As I understand Ka Lahui has absolutely opposed to that vote.

MK: Because they feel that the State should have no part in the question of sovereignty and self-determination and the process is funded in part by the general fund and by OHA, so they're opposed to that. Poka you'll explain why it's appropriate for the State to be involved.

PL: They owe it to us by international law the...

WR: Here we go again.

PL: I'm sorry to have disturbed your comfort by even mentioning international law.

WQ: I knew he was going to mention international law before he even said it.

PL: But remember article 6 of the US constitution which you are very familiar

with says that all treaties ratified pursuant to this constitution becomes the law of the land and every judge in every court is obligated to obey the constitution. Now international law says that these governments are under an obligation. Sometimes they use the words sacred trust obligation, to assist the people in bringing about self-determination.

WQ: In bringing about what they want.

PL: Yes,... the point is whether or not the moneys from the State should assist and by international law and by common sense, of course they should assist because it is a very important social political issue within our community. And its best to have all of the people participate in this discussion and in this decision rather than one organization or another organization say hey look at me, I' m king, or I'm queen or I' m kia`aina or whatever it is. Let the people vote, let the people participate.

WQ: Would you say that another State could also organize itself and say we' ve decided we don' t want any longer to be a member of this United States.

PL: No, no, and the reason is because of Hawaii`s particular history, of the overthrow in 1893 and you can also apply what is called the Blue Water theory. When you have the colonial country here and across the water they are controlling another territory. Then that territory has an additional right to claim the right to be separated from the "mother country". And finally the United States itself submitted Hawai`i as one of the places to be decolonized.

DB: I' m learning tonight that the only ... We have several questions regarding this. Would sovereignty make, and I think this is aimed at the, would sovereignty make Hawaii unlikely to be taken over by another country. Hasn' t the United States, hasn't Hawaii since statehood enjoyed the protection of the United States from perhaps take over by somebody else.

MK: Sovereignty would allow us to be in free association with a more powerful...

DB: Much like the former Micronesian states.

MK: For purposes of defense for example.

WR: If we get back to the first question that' s been asked, was asked of me about Russia taking over Latvia and Estonia and those others would just move right in. There wouldn' t be much say, there wouldn' t be a plebiscite I tell you, they' d just move on in.

PL: My friend lets be realistic though there is no Soviet Union that' s threatening, the history of China is that they have not really gone into the Pacific. The furthest they are willing to stretch out is into Taiwan. Now, what country other than the United States would we have to be afraid of. And if we are afraid of any nation, lets join

in union or in treaty with some others. But we don't have to give to the United States control over our population, control over our economics, control over military abuse of Hawaii and all of these things, just for the sake of the US threat that, well if we let you go then somebody is going to come and take you over. Samoa, Free Samoa doesn't even have a national defense. They have a police I believe, but there's no military to protect them. And many other countries are not wasting the time to protect them. They've gotten away from the fear of the cold war languaging. And it's about time we do the same.

DB: This is a comment. If the State would just give Hawaiians land and other rights, that might not be a problem Why not just cooperate? A question. What would be the geographic boundaries under the sovereignty versus under the State?

WQ: I think that's unfair to a lot of people too. Well then we're talking sometimes about State within a State, that concept.

PL: But that's not sovereignty though.

WQ: Well,...

DB: Other people disagree with you though on that right.

WQ: The nation-within-a-nation concept. Then there is also the independence idea. And there is also, are there also other options here that...

MK: Well, the Free Association, that I just mentioned, you would freely associate with the larger country for certain purposes.

PL: But the territory of an independent nation, independent Hawaiian nation should be not more, nor less than what was overthrown in 1893, and that was the whole Hawaiian Archipelago. I would include Kalama, the Americans call it Johnston Atoll, and I would include some other outlying islands. But these were included. I believe Midway was part of Hawaii, and there's an island that is very close to the Solomon Islands that had been incorporated under King Kamehameha the IV I believe. It was among the Solomon group but it had been ceded to Hawaii at that time.

WQ: Had any Hawaiians on it?

PL: They were Hawaiian citizens but not Hawaiians by bloodline.

WQ: Did they recognize that they were Hawaiian citizens?

PL: Yes, and they have, in fact, more recently applied to participate in the native Hawaiian vote. That's the only reason why I am familiar with that case.

DB: C.J., I was wondering, from your point of view, in these various options that you've heard discussed regarding sovereignty, what do you find most attractive as an early statehood proponent, as a person long close to Hawaiian...

WR: There must be a way, like as if they were counties, they're sovereign to a large extent, a county, in the county of Honolulu is sovereign within the State. We can allocate as much as we want. They have all kinds of powers that can be given and should be given to the sovereign nation.

DB: Here's a comment: Quinn, thank you for defending statehood and democracy against these two right wingers... Has OHA been effective in carrying out its mission. What do you think C.J.

WR: You got a few problems. Leave it at that.

DB: OHA is the Office of Hawaiian Affairs, a State agency, or a part of the State.

MK: I think that perhaps the public image, the bickering and the divisiveness among the trustees tends to detract from their accomplishments. But I think that OHA has accomplished a lot over the 15 years or so.

WR: I would agree with that. OHA has a definite place here and it can accomplish a lot. They can even solve a number of the questions that have brought up both by the audience and by Mahealani. They are struggling right now, and partly because we Hawaiians seem a bit divided. But that's got to be, that's the nature of people. They are not always going to be together.

DB: So its a complex discussion. Very complex.

WR: Great idea and it may be the one that solves our question of the Hawaiian people being in the prisons and being on the low end of the economic ladder.

WQ: I don't know what inspired the apology of 1993. But it sure is a basis for an awful lot of things that have been happening since that even though we are a hundred and three years old as...

PL: It was something as plain as honesty, my friend.

DB: You don't think President Clinton should have apologized.

WQ: I think that it made a mistake because he really didn't go into it and find out how it really came about and the strength of the Hawaiian people that voted in favor of the independence.

WR: Well I think the apology was important, but I don't think we would have gotten it had we not been a State, it was our Congressional delegation that pushed that through.

WQ: I think so too. And with it you can get a trip.

DB: You can get a trip to the HIC with it, that's what you can get. What good does it do us, what good does it do Hawaiians?

MK: In 1988 the Native Hawaiian Legal Corporation sponsored a conference. It was a huge conference, we had about 500 people up at Kamehameha Schools and it ran for three days. And out of that conference resulted a five point strategy and it was a five point sovereignty strategy. And the number one item on that strategy was an apology. And that's where that apology came from.

WQ: I did not know about that.

MK: There's been a lot of things happening.

WR: That's really important in this whole movement, that apology.

MK: For the last twenty years or so, a group has gathered at the palace on the anniversary of the overthrow to commemorate those events in history, there's a lot of pain. And I think that that acknowledgment that yes a wrong was done is very important.

DB: I fear that we are out of time. Governor Quinn, Mahealani, Poka, Chief Justice Richardson, thank you for being with us tonight. And thanks to all of you for calling in, we had an awful lot of calls, very stimulating discussion and there was no way we could get to all of your questions, we did the best we could. Thanks to our phone answerers as well, from the Soroptimist International of Honolulu and the Venture Club of Honolulu. Next week Dialogue will return to its coverage of election year 1996. My colleague Lynn Waters will moderate a discussion with candidates from several senate races. Until then for all of us at Hawaii Public Television, thank you for watching Dialogue. Goodnight.