



# KA WAI OLA O OHA



Volume 5, Special Issue

"The Living Water of OHA"

Ianuali Iwakaluakumakolu (January 23) 1988

*Reaching out to you  
on this day of  
HO'OLOKAHI!*



This pen and ink rendering of "Sound of the Pahu" was provided by Artist Edwin Kayton of Captain Cook, Kona, Hawaii. Kayton's works are widely noted throughout the state. The Office of Hawaiian Affairs is deeply grateful for this contribution which was also used on the cover of the 1985-1986 OHA Annual Report. "Ua kani ka pahu a hu'i konikoni i ka puuwai." The drum sounds and the heart throbs.—Kahelemauna.



# Ka Wai Ola O OHA



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## Mahalo from the Office of Hawaiian Affairs

By Kenny Haina, Editor  
Ka Wai Ola O OHA

*Ho'olokahi. Onipa'a. Ho'olahui. Ho'alahou!*

These are words that should be echoing throughout this jam-packed Aloha Stadium today as Hawaiians have come out in celebrating the first gathering of its kind in 168 years as one people in a united common cause.

The success of such a huge undertaking, however, would not have been possible were it not for the many Ho'aloa of the Hawaiian community and those people who proudly declare themselves Hawaiians-at-heart even though not one drop of Hawaiian koko flows in their veins.

There are people from all walks of life and from every ethnic group in this State who are out here working together to ensure everyone a good time and to see that Ho'olokahi will be an event to be long remembered. It is the spirit of Ho'olokahi, the mana, which should be reverberating throughout the stadium this day.

History has been made with your attendance and commitment to today's event. School teachers, professors, engineers, cafeteria workers, cafeteria managers, custodians, corporate executives, union members, police officers, security personnel and bus drivers are all here today to put this event together. There are others—many, many others—rubbing shoulders for a united cause.

### Onipa'a!



**Al Harrington**

*The South Pacific Man  
Hawaii's Total Entertainer*

The list of volunteer support in money, logistics, people power, equipment, food, beverage and food supplies is long and virtually endless. They have come from all ethnic segments of the state.

While the sponsoring Office of Hawaiian Affairs is so appreciative of the kokua it has received, the agency nonetheless extends its sincerest "Mahalo" to all of you. You made it happen along with OHA's dedicated staff which gave its time asking no quarters in return.

It is interesting to note that all the major unions in Hawaii save one have endorsed Ho'olokahi and have contributed in several ways. Hundreds of union members are among those working today serving the food and in various other capacities after several weeks of preparations.



**Don Ho**

*Organized entertainers  
Hilton Hawaiian Village Headliner*

According to a member of the organizing committee, only the **State of Hawaii Organization of Police Officers (SHOPO)** did not endorse Ho'olokahi. However, about 40 individual police officers and their ohana, not necessarily Hawaiians, have gotten together and volunteered their services and time during their days off.

While it is almost impossible to name all of the volunteer participants and unions, **Ka Wai Ola O OHA** will attempt to list as many as have been made known. Please accept this newspaper's apology for any omission.

**Don Ho**, premier Waikiki headliner, was responsible for putting together today's gigantic entertainment package. **Leinaala Heine Kalama**, kumu hula and another Waikiki performer, gathered the more than 2,000 hula dancers from the largest assembly of hula halau at one event.

There's **Don Gomes**, owner and president of **Grayline Hawaii**, meeting with his operations staff, along with **Brian Shimamura** of **Robert's Tours** and **Harold DeCosta**, secretary-treasurer of the **Teamsters**. They will be transporting people from the Leeward, North Shore and Windward areas, including Waimanalo.



**Leinaala Heine Kalama**

*Handled hula halau*

**Art Nishida** of the Honolulu Police Department, a motor patrolman volunteering his services, meeting with **John Yamaguchi** of **State Poultry Processors** and **Blackie Wong** of **Wong 'n Wong Restaurant**.

The people of **Circle 6 Ranch** in Waiawa—**Herbert Naone**, **Gabriel Aio**, **Frank Perreira** and **Joe Hackbarth**—chopping fire wood for the imu and **Carpenter's Union** members building wooden horses for tables. There's **Alvin Tam** of **Tam's Kalua Services** and the people of **Island Pork Producers** all doing their thing.

**Edmund K. Toma**, former president of the **Hawaii Government Employees Association**, **AFSCME Local 152**, **AFL-CIO**, coordinating the cafeteria managers in food preparation. **HGEA Executive Director Russell K. Okata** making available more than 500 of his members. **John Radcliffe** of the **Hawaii State Teachers Association** also making available hundreds of his school teachers in serving the food. The **United Public Workers**, **AFSCME Local 646**, **AFL-CIO**, very much in the thick of it with its cafeteria workers.

Two former OHA Trustees on two islands handled the kalua pigs in mass imus on Maui and at the Kamehameha Schools on Kapalama Heights. Former OHA Chairman and Maui Trustee **Joseph Kealoha** handled the cooking chores on his island while former Oahu Trustee **Rockne**

### Ho'olahui!



**Rockne Freitas**

*O'ahu kalua pig*

**Freitas** was his counterpart in Honolulu.

People like **Kazu Sunada**, former owner of **Sunada Rock and Sand**, and his friends donated 150 tables. **George Grace** of **Waianae** donated cooking equipment and **Kane Fernandez** of **E. K. Fernandez Shows Inc.** put up the tents. There's also **Frank Goto** of **United Fishing Agency** donating all fillet for the po'ke.

Chief Executive Officers **Robert J. Pfeiffer** of **Alexander & Baldwin** and **Henry A. Walker Jr.** of **Amfac Inc.** are responsible for making available the huge refrigerated containers. **Pepsi Cola/Seven Up Bottling Company** of Hawaii are furnishing the soda.

The huge stage being used by the entertainers is

• Mahalo, from page 1

the work of Ah Chew Lee and his crew. The Aloha Stadium Authority, Stadium Management and Stadium Staff share in the success of this event. Manager Charlie Bessette has been so cooperative and supportive. Anthony O'Brien and his Aloha Flea Market deserve a round of applause for giving up this day to accommodate the Hawaiians.

Among the entertainers and hula halau, there's OHA's own Trustee Kevin (Chubby) Mahoe and the Hula Academy of St. Andrews Cathedral, the Mahoe Ohana, Ken Kamahana Hamilton, Rende Kamaluikakai Bourg, Russ Keanaeokalani Francis, Mike Lenchanko and Iwalani and Leighton Tseu.

Charles Heen of Charles Heen Associates, chairman of the organizing committee, was bulwarked by the tremendous help of the Larry Mehau Ohana, including wife Beverly, daughters Dana Mehau-Vericella and Anela Mehau, sons Mike, Tim and Tom and granddaughters Anna, 6, and Marina, 5, who are the pride and joy of their grandparents. These two beautiful and vibrant Mehau offspring provide the steadying influence in the hustle and bustle of Ho'olokahi activities. All the Mehaus donated time and money, even the two mo'opunas.

# Ho'alahou!



**Harold DeCosta**  
Secretary-treasurer  
Teamsters Union

There are many more behind the scenes volunteers and donors. Among others mentioned earlier but certainly worthy of repeating are:

- Trustees, Bishop Estate/Kamehameha Schools.
- Hawaii Firefighters Association, Black Perry.
- International Longshoremen's and Warehousemen's Union (ILWU), Tommy Trask.
- Carpenter's Union, Walter Kupau.
- Plumbers International; also, Building Trades Council, Herbert Kaopua.



**Brian Shimamura**  
Robert's Tours



**J. R. Burns**  
Grayline Hawaii

**Louis Gomes**  
Grayline Hawaii

**Glen Ifuku**  
Grayline Hawaii

- Masons, Wilbert Eguchi.
- Ironworkers, Edison Keomaka.
- Painters, John Montrone.
- Sheetmetal Workers, Howard Tasaka.
- Kaneda's Foods, Mr. and Mrs. Sanford Kaneda.
- Marriott Corporation, Bob Lew.
- Daiei Corporation, Holiday Mart.
- Otaka Inc.
- Kokusai Kogyo Company Ltd., Mrs. Kenji Osano.



**Russell K. Okata**  
HGEA Executive Director



**Joseph Kealoha**  
Mau'i kalua pig



**Art Nishida**  
Honolulu Police



**Kane Fernandez**  
Hawaii's master showman

- Diamond Head Papaya Company, Keisuku Horiike.
- Laborers Union, Norman Kamau Janicki Jr.
- Clarence Cordeiro, Cordeiro Enterprises (Maui).
- Colin Cameron, Maui Land and Pineapple Company.
- Donald Tokunaga and Frank Munoz Martin, Lanco Inc. (Maui).
- Pukalani (Maui) Superette.



**John Yamaguchi**  
State Poultry Processors

• Mahalo, from page 2



**Anna and Marina Mehau**  
*Young, vibrant keikis o ka 'aina*



**Beverly Mehau, Dana Mehau-Vericella**  
*Mother and daughter working tandem*



**Charles Heen**  
*Chairman, Organizing Committee*



**Don Gomes**  
*Owner and president  
Grayline Hawaii*



**Blackie Wong**  
*Wong 'n Wong Restaurant*



**Paul J. Finazzo**  
*President, Chief Executive  
Officer, Hawaiian Airlines*



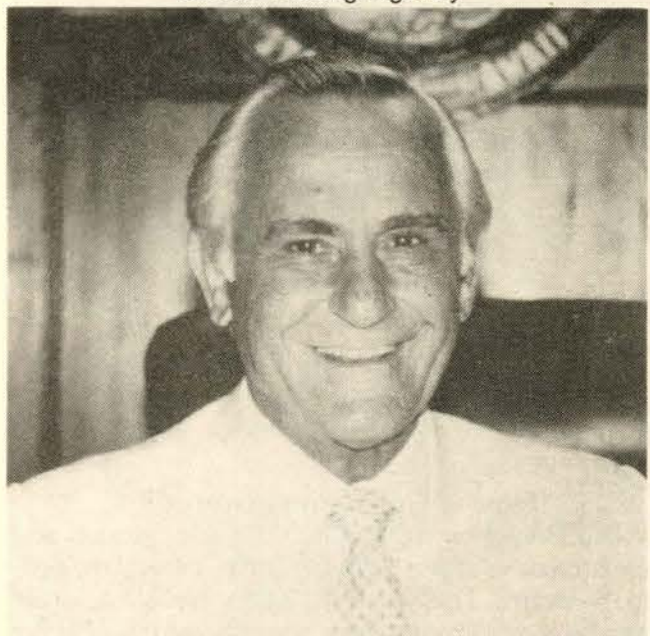
**Frank Goto**  
*United Fishing Agency*



**Robert J. Pfeiffer**  
*Alexander & Baldwin*



**Henry A. Walker Jr.**  
*Amfac Inc.*



**Mayor Frank F. Fasi**  
*City & County of Honolulu  
Schedules special bus service*



**Steve Kawagishi**  
*Otaka Inc. (Waikiki Holiday Inn, Hawaiian Regent,  
Kona Surf, Kona Country Club)*

Mahalo, too, to these individuals and their organizations.

- Robert MacFarlane Jr., Dura/Constructors Inc.
- Hiram Kaikaina, imu chief, Kamehameha School.
- John Torres, Honolulu Police.
- Christopher Hemmeter, Hemmeter Development Company.
- Ken Pang, JKJ Enterprises.
- Tom Moffatt, Tom Moffatt Productions.

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**January 23**  
**Hawaiian Unity Day**

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# General Information—Office of Hawaiian Affairs

Here is some general information about the Office of Hawaiian Affairs (OHA).

### What is OHA?

It is a constitutionally established state agency which coordinates services and programs for the Hawaiian people who live in Hawaii.

### How was OHA established?

1978—The Constitutional Convention proposed that an Office of Hawaiian Affairs be established (Article XII, Sections 4, 5 and 6).

Nov. 1978—Voters ratified the Con Con amendments to establish the Office of Hawaiian Affairs in the General Election.

1979—Act 196 set up the statutory material in Chapter 10 of the Hawaii Revised Statutes to implement the Constitutional provision to establish OHA and also appropriated general funds for this purpose.

1980—Act 273 designated that 20 percent of the public land trust funds be set aside for OHA and appropriated funds for OHA to begin office operations for the fiscal year 1980-81.



**Moses K. Keale Sr.**  
OHA Board Chairman  
Trustee, Kaua'i and Ni'ihau



**Louis Hao**  
Vice Chairman  
Trustee, Moloka'i

### Defining "Hawaiian, Native Hawaiian"

**Hawaiian**—Any descendant of the aboriginal peoples inhabiting the Hawaiian Islands which exercised sovereignty and subsisted in the Hawaiian Islands in 1778, and which peoples thereafter have continued to reside in Hawaii.

**Native Hawaiian**—A descendant of not less than one-half part of the races inhabiting the Hawaiian Islands previous to 1778.

maintain, use and operate and to sell, lease or otherwise dispose of.

- Determine what its financial obligations and expenditures will be and how they shall be incurred, allowed and paid.

- Enter into contracts, leases, cooperative agreements, or other transactions with any agency or instrumentality of the U. S., or with the State, or with any political subdivision, or with any person, firm, association, or corporation, as may be necessary in conducting its business.

### How is OHA funded?

A 20 percent portion of all the funds and revenues derived from the public land trust has been designated by the 1980 Legislature to be held and used solely by OHA for native Hawaiians. In order to meet the needs of Hawaiians with less than 50 percent Hawaiian blood, OHA must seek general fund appropriations from the state legislature. If land or money should come from the Federal Government to the State as reparations, it would become part of the trust administered by OHA for all Hawaiians. In addition, OHA may seek funds from other sources, such as foundations, the federal government, the business sector and private donors.



**Moanikeala Akaka**  
Trustee, Hawai'i

### What are the purposes of OHA?

- Promote the betterment of conditions of Hawaiians.
- Serve as the principal public agency in this state responsible for the performance, development and coordination of programs and activities relating to Hawaiians, except that the Hawaiian Homes Commission Act shall be administered by its commission.
- Assess the policies and practices of other agencies impacting on native Hawaiians and Hawaiians, and to conduct advocacy efforts for them.
- Apply for, receive and disburse grants and donations from all sources for native Hawaiians and Hawaiians.
- Serve as a receptacle for reparations from the federal government.



**Clarence F. T. Ching**  
Trustee, O'ahu

### What are OHA's general powers?

OHA is unique as a state agency in that it is a separate entity independent of the executive branch and it has the following powers. It can:

- Adopt, amend and repeal bylaws to carry on its business and perform its duties.
- Acquire any property or any interest to hold,



**Manu Kahaiali'i**  
Trustee, Mau'i

### Who governs OHA?

The Office of Hawaiian Affairs is governed by a nine-member board officially known as the Board of Trustees.

### How is OHA administered?

The Board by a majority vote appoints an administrator who serves for a term to be determined by the Board. The Board, by a two-thirds vote of all members, may remove the administrator for cause at any time.



**Rodney Kealiimahiai Burgess III**  
Trustee-At-Large



**A. (Frenchy) DeSoto**  
Trustee-At-Large

• General, from page 4



**Thomas K. Kaulukukui Sr.**  
Trustee-At-Large

**OHA's legal, historical background**

During the 1978 Constitutional Convention, the Committee on Hawaiian Affairs met to review the Article in the Constitution dealing with Hawaiian Home Lands and to discuss many Hawaiian related issues. As a result of this review and discussion, the Committee decided to introduce an amendment to set up OHA, based on several legal and historical precedents:

- Since the fall of the constitutional monarchy in 1893, Hawaiians have had less and less of a voice in government.
- The boards and commissions set up as trusts to help native Hawaiians or Hawaiians are either appointed by the courts, or the Governor with the consent of the State Senate.
- The income from the public land trust was not being used to directly benefit native Hawaiians.
- Hawaiians needed a state agency that would represent their needs and concerns and coordinate programs for all of them.

The decision to introduce the amendment setting up the agency was a direct result of the above areas of concern. Thus, the establishment of OHA was an attempt to:

1. Give Hawaiians more of a voice in government.
2. Accord to them the right to choose their representatives through the election of OHA Trustees.
3. Secure for native Hawaiians a pro rata portion of the public land trust.
4. Offer representation for all Hawaiians.

OHA offices are located on all the major islands, including two on Hawaii at Kailua-Kona and Hilo and one each in Honolulu; Lihue, Kauai; Kaunakakai, Molokai; and Wailuku, Maui. Neighbor island offices are staffed by Community Resource Specialists (CRS).



**Kevin M. K. (Chubby) Mahoe**  
Trustee-At-Large

# Ho'olako Viewed as Exciting

By Deborah Lee Ward, Assistant Editor  
Ka Wai Ola O OHA

With a renewed sense of pride in our Hawaiian heritage and with a positive outlook for the future, the Hawaiian community and its supporters celebrate the official conclusion of Ho'olako 1987: The Year of the Hawaiian with today's celebration of Ho'olokahi—Hawaiian Unity Day.

In this regard, Ka Wai Ola O OHA prevailed upon Ho'olako President and Office of Hawaiian Affairs Trustee Thomas K. (Uncle Tommy) Kaulukukui Sr. to share some of his thoughts on The Year of the Hawaiian. It was Kaulukukui who conceived the idea of a year dedicated to the Hawaiian. He was also the guiding force in its year-long celebration.

Here are some of the observations made by Kaulukukui:

"Ho'olako 1987 was an exciting success. It focused the state as a whole on our Hawaiian heritage. I think we have drawn people's attention to the contributions of Hawaiians today and in the past. Even the State of California recognized this by declaring 1987 as the Year of the Hawaiian.

"Why did we do this? It was our goal to change the Hawaiian image from negative to positive, to have people—Hawaiians and Hawaiians-at-heart—get lots of positive things done. Some say we should have a decade to solve our problems. But we were not trying to solve (all) our problems in one year.

"To answer the question of 'Now what?' Ho'o-

lako: We are enriched can continue with a new name. Many other things can be enriched in 1988-1989. People should look and say 'We did this . . . now let us tackle something else.'"

Kaulukukui was asked: "Where are we going?" His reply:

"We are entering a period of Ho'alahou or re-awakening. Hawaiians were never dead as a people; only asleep. I now think Ho'olako Year of the Hawaiian was a call for each one of us to awaken.

"Bringing the year to a conclusion at this Ho'olokahi celebration is also a beginning for us. It is our reawakening as a Hawaiian people through the values of 'Aina (land), Ha'aheo (pride) and Lokahi (unity). Ho'alahou!"

## Ho'olokahi!

For OHA Information  
24 Hours a Day

Call

**OHA Newslines**  
946-5703

## Making History in Hawaii

# Chairman Says Mahalo to All

By Moses K. Keale Sr., Chairman  
OHA Board of Trustees  
Trustee, Ni'ihau and Kaua'i

I am overwhelmed with joy on this Day of Ho'olokahi—a Day that marks the end of the year of Ho'olako, and signals the beginning of a new era of Hawaiian Unity.

As a member of the planning committee I have had the opportunity to watch the evolution of this Day as it grew from a dream, got translated into a plan of action by a dynamic committee and finally gathered momentum and life of its own until it vibrated with the energy of every ethnic group at all levels of Hawaiian society.

Ho'olokahi Day is a gift to Hawaiians from Hawaiians and every ethnic group in Hawaii, because truly every race is represented here today.

There have been countless offers of support in the form of pledges of money, time and labor, food, entertainment, music, equipment and all the hundreds of details that go into the success of an undertaking as huge as this one. Groups and organizations of all shapes, colors and sizes have come forth and offered to help. Unions and individuals are assisting in their own expert, and not-so-expert ways—literally hundreds of people working together for the common cause of Ho'olokahi.

And the neighbor islands have not been forgotten as the Ohana on Oahu open their homes in welcome and hospitality. Naturally, a project of

this measure has had a few flaws, and in this case it was probably the immediate tidal wave of response for tickets that promised a full capacity at the stadium. This response was unexpected and overpowering, and the committee that had been concerned about a half-empty stadium was now faced with the opposite problem of not being able to accommodate all the requests.

Also unexpected was the number of families that are using this event as a family reunion, gathering their ohana from near and far. To you we say welcome, mahalo for coming today. May your numbers and strength increase.

As Chairman of the Board of Trustees of the Office of Hawaiian Affairs I want to congratulate all of you for making the commitment to be here and actively participating in this most wonderful day of days for Hawaiians and Hawaii. To those of you who have labored so tirelessly over the past weeks, especially during the final homestretch, my deepest mahalo for an outstanding job.

As a wise and thoughtful Hawaiian once shared with me, "A single grain of sand does not make a beach," and today this is most definitely a beach of the first magnitude.

Thank you for helping us to make history in Hawaii. When the songs are written and the stories are told, we will all remember this Day of Ho'olokahi with pride and humble gratitude.



Ka Wai  
Ola  
O OHA

"The Living Water of OHA"

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### Kaukau: Tons of it!

How much and what ingredients are used to feed more than 50,000 people at such a big party as this?

Consider the following on today's menu.

*Kalua pig, 15,000 pounds*

*Teriyaki meat, 15,000 pounds*

*Chicken halves, 15,000 pounds*

*Fish for po'ke, 7,000 pounds*

*Limu, 2,000 pounds*

*Rice, 25,000 pounds*

*Head cabbage (if available) 30,000 pounds*

Absolutely the best \$2 meal bargain in a very long while!



**Eddie Okasaki**  
*Kahua Ranch Beef*



**Henry Nakagawa**  
*Kahua Ranch Beef meatcutter*



**Wally Lean**  
*Operating Engineers*

## Hawaiian Unity Day Proclamation

Whereas, the major event of Ho'olako, the Year of the Hawaiian, will take place on Saturday, January 23, 1988, and will mark the end of the makahiki season, which signifies the closing of the Hawaiian year;

And whereas, at 3 p. m. on Saturday, January 23 at the Aloha Stadium and from locations throughout the Hawaiian islands and points on the mainland, pahu drums will sound the opening of Ho'olokahi;

And whereas, we complete Ho'olako to be enriched, we begin Ho'olokahi to unify, to come together. The enrichment of this year, Ho'olako, gives mana to Ho'olokahi or Hawaiian Unity;

And whereas, the first time in 168 years, the Hawaiians will come together as a people united, and the first time in 200 years, Christian ministers and Hawaiian kahunas will offer and share prayers together;

And whereas, "Hawaiian Unity Day", under the sponsorship of the Office of Hawaiian Affairs, will be celebrated at the Aloha Stadium with over a hundred Hawaiian entertainers, recording artists and hula halaus, all Hawaiian royal societies and Hawaiian civic clubs from throughout the State;

And whereas, Ho'olako will close the activities of the Year of the Hawaiian, but is renewed with the spirit of Ho'olokahi to unify, to come together;

And whereas, in this spirit of unity, we recall the significant moments in Hawaiian history during the Year of the Hawaiian;

And whereas, a proud, a dignified and generous people called Hawaiians still continue today to foster and nurture the Hawaiian spirit of aloha as the way of their ancestors and are observed by all who meet the Hawaiian from throughout the islands and the world;

And whereas, those whose hearts have been touched by the Hawaiian will also be present to demonstrate Ho'olokahi as a symbol of the true meaning of aloha;

Now, therefore, I, John Waihee, Governor of Hawaii, do hereby proclaim Saturday, January 23, 1988, to be Hawaiian Unity Day and urge all Hawaiians and Hawaiians-at-heart of these islands to share in the beginning of Ho'olokahi to unify or come together in a renewed spirit of aloha. Done at the State capitol, executive chambers, Honolulu, Hawaii this 11th day, January 1988.



Governor John David Waihee III signs Hawaiian Unity Day proclamation flanked by, from left to right, Lillian Kruse, Office of Hawaiian Affairs Board of Trustees Chairman Moses K. Keale Sr., Paul Kekuewa, Henry Kaapana, Charles Heen, OHA Trustees Louis Hao, Manu Kahaialii, Kevin M.K. (Chubby) Mahoe.

## Ohana Network in Food Preparation

Feeding over 50,000 people is a large order for any caterer and a very challenging task. But leave it to veteran imu chief Hiram Kaikaina of Kamehameha School and he'll get the kalua pig end of it all done and ready for today's feeding with perhaps plenty to spare.

Kaikaina and a host of volunteers over two weekends put into the massive imu a total of several hundred pounds of pigs on the Kamehameha campus. The project was coordinated by former Office of Hawaiian Affairs Trustee and short-term Chairman Rockne Freitas, an assistant athletic director at the University of Hawaii, Manoa.

Another crew on Maui, coordinated by former Maui Trustee and also Board Chairman Joseph Kealoha, went through the same schedule.

When the pigs were taken out of the imu the next morning, the same helpers got up bright and early to salt and shred the porkers which were then placed in refrigerated containers. The volun-

teers were greatly assisted by some of their wives, girl friends and keikis.

Kaikaina, who lives in Papakolea, is assistant grounds foreman at Kamehameha. He is considered one of the leading kalua pig exponents in the state. One needs only to observe his method of operation to know why he is respected in this field.

Volunteers on Oahu included many of the Kamehameha faculty, former students and even UH Manoa graduate students who wanted to be involved and actually experience what was being done.

The Kamehameha imu, with Kaikaina as its chief, has been used for many of the school's luaus. Some Hawaiian organizations have also utilized it.

Virtually the same scenes existed for the preparation of the other foods you are eating today. Hundreds of volunteers formed an ohana network to get this done. And hundreds more are here to serve it to you.



Imu chief Hiram Kaikaina in tank top to far left watches his fellow volunteers as they take off banana leaves to get at the well-cooked kalua pig.

# Office of Hawaiian Affairs: Dreams and Dilemmas

By Linda Kawai'ono Delaney  
Land Officer

"Ke aloha o ko kakou 'aina 'oia ka mana ku pa'a."

The love of our land is the power for us to stand fast.

The year 1988 marks the 10th anniversary of the creation of the Office of Hawaiian Affairs (OHA).

Forged at the State Constitutional Convention of 1978, the dream of OHA was to set the example of how historical wrongs and resulting social disadvantages experienced by the Hawaiian people could be recognized and addressed—not by gestures of pity, but by acts of justice.

Several principles were essential to this dream.

## FIRST, STATE RECOGNITION OF NATIVE HAWAIIAN STATUS

The creation of OHA clearly established State recognition of the unique legal status of Hawaiians. As developed over two centuries of American Constitutional thought and precedent, the "first peoples" of the United States—American Indians, Alaskan Eskimos and Aleuts, and Native Hawaiians—enjoy special privileges and entitlements based, not on race, but on a recognition of the fundamental losses of land and sovereignty which were suffered when "first people" became Americans through conquest rather than choice.

## SECOND, FINANCIAL INDEPENDENCE AND CONTROL

This recognition of status was re-enforced by federal provisions in the 1959 Admissions Act for Hawai'i which allowed the State to use certain public lands and revenues "for the betterment of Native Hawaiians." This section, popularly known as the 5(f) trust clause, outlined the Congressionally-approved "rules" which the State was to follow in the proper management of the lands—and the income generated by those lands—which were being returned in fee simple title to the new state from the national government.

The affected lands, described in Section 5(b) of the Admissions Act, were the bulk of the property "ceded" or surrendered to the United States at the time of annexation in 1898. Nearly 1.8 million acres of land were transferred at the turn of the century. With admission, about 1.4 million acres were returned to the new State of Hawai'i.

As described in the State Constitution, OHA was to receive a pro rata share of the income from these 5(b) lands. In 1981, the State Legislature set this share at 20 percent of the revenue collected from the use of these lands.

Thus, OHA was provided by law with a constant source of funding based solely on Native Hawaiian status. In this way, OHA became a virtual "fourth branch of government."

## THIRD, SELF-DETERMINATION

As provided in the State Constitution, policies and programs at OHA were to be determined by a nine-member Board of Trustees elected solely from and by adult Hawaiians. Through them, the

Hawaiian people would decide our own goals, set priorities and determine the use of communal resources.

The Office of Hawaiian Affairs embodied the best expression of Hawaiian self-governance and unity since the armed destruction of the Kingdom of Hawai'i in 1893.

The frustration of the last eight years for OHA and the Hawaiian people, however, is that the dream of justice can become a waking nightmare.

Although OHA reflected the aspirations and rights of the Hawaiian people—critical areas of self-determination and trust management are not under Hawaiian control. Wherever this gap in empowerment occurs, there is a significant diminishment of potential justice.

In fact, a new level of injustice is experienced.

The source of these crippling limitations, not surprisingly, are in the imperfect or incomplete formulation of the guiding principles. In effect, the dream is also the dilemma.

## THE DILEMMA OF WHO IS A NATIVE HAWAIIAN?

All federal legislation enacted since 1974, has defined "Native Hawaiian" to mean "any individual whose ancestors were natives of the area which consisted of the Hawaiian Islands prior to 1778." This definition requires Hawaiian ancestry—but does not distinguish between the rights and entitlements of a pure-Hawaiian tutu and her one-quarter Hawaiian mo'opuna.

For example, this definition is used by Alu Like Inc. to determine qualification for federal jobs training programs administered by that private agency. Kamehameha Schools abides by this definition in its school admissions program. And the anticipated federal Native Hawaiian Health and Education bills also incorporate this definition.

OHA, however, is currently restrained—according to a State Attorney General's opinion—by the language of the Admissions Act which notes that the trust may be used only "for the betterment of native Hawaiians, as defined in the Hawaiian Homes Act of 1920, as amended."

The Hawaiian Homes Act definition—imposed almost 70 years ago by Congress and contrary to testimony presented by Hawaiians of the time—states that "native Hawaiian means any descendant of not less than one-half part of the blood of the races inhabiting the Hawaiian Islands prior to 1778."

Running counter to all traditional Native Hawaiian cultural values—blood now acts to divide rather than to join the Hawaiian people. And counter to the principles of status recognition and self-determination—the decision to either retain or to abandon this blood division is not explicitly given to the Hawaiian people to decide.

For OHA, charged to represent, serve and better the conditions of all Hawaiians regardless of blood quantum, there is a profound limitation in the ability to fulfill this mission. The trust monies may only be used for those who are 50 percent or

more Hawaiian. Funds for Hawaiians of less than one-half—the overwhelming majority of the beneficiary group—must be solicited from and at the will of the State Legislature.

The greater harm, however, is the profound separation of the Hawaiian people as one family, of the damage to the sense of 'ohana, described by Mary Kawena Puku'i, as the source:

"... of unity, shared involvement, and shared responsibility. It is mutual interdependence and mutual help. It is emotional support, given and received. It is solidarity and cohesiveness. It is love—often; it is loyalty—always. It is all this, encompassed by the joined links of blood..."

## WHO DEFINES AND ENFORCES THE OHA TRUST?

Constitutional description and State statutory implementation of the OHA trust seems simple. The Office is to receive 20 percent of the revenues from the 5(b) lands—with the express sole exception of Hawaiian Home Lands—held and managed by the State of Hawai'i.

For example, if \$10 million is generated from leases, rents or permits for the use of these lands, then OHA is to automatically receive \$2 million as its *pro rata* share.

Nowhere in the Constitution or in Chapter 10 of the Hawai'i Revised Statutes (the enabling legislation which describes OHA in detail) is any property or income—except Hawaiian Homes—exempt from this trust obligation.

Beginning in 1981, however, only the Department of Land and Natural Resources complied with the trust. Charged with the jurisdictional administration of nearly 1.4 million acres of State 5(b) lands, DLNR routinely transfers an average of \$1.5 million annually to OHA.

Refusing to observe the trust was the State Department of Transportation (SDOT). With jurisdiction over less than 300,000 acres, the department is the major generator of trust income by virtue of its airport and harbors divisions.

In response, OHA sued SDOT. The stakes were high.

According to a recent SDOT report, the Airport Revenue Fund alone is projected to general \$166 million in this fiscal year. Funds derived directly from land use—landing fees, airport use charges and concession fees—total \$121 million.

The potential income to OHA just from airports, figured as 20 percent of the gross receipts and narrowed only to land-related revenue—would be in excess of \$24 million annually.

What was the basis for SDOT's refusal?

In another section of State law describing the operation of the State Department of Transportation, it is legislatively mandated that the SDOT must be self-supporting. Thus transportation fees and concession contracts have been set to meet the operating costs of the department, and to raise the money needed to pay outstanding bonded indebtedness related to construction costs.

SDOT maintained that this earlier legal requirement pre-empted the OHA entitlement.

Typically, when laws seem to be in conflict—courts will rule that the newer statute must be enforced. By that standard, the OHA share—demanded by the higher law of the State Constitution as well—should have held sway.

Unfortunately, late last year both the State and U.S. Supreme Courts decided not to decide the OHA suit against DOT.

Which is where we are now. Rejected by the courts. And told to seek not justice through the courts, but a political solution through negotiation with the Governor's office and the State Legislature.

## WHAT DO HAWAIIANS WANT?

The final dilemma is the heart of the dream.

For years Hawaiians demanded the right and the power to decide their own affairs. To manage their own assets. To take responsibility and be held accountable for their collective lives.



Airport and Sand Island facilities are among ceded lands in question.



# Register for 1988 Elections

Hawaiians and the general public who have not registered to vote for the 1988 elections have an opportunity to do so right here in Aloha Stadium today.

There are registration tables and teams of deputy registrars manning these stations to make it convenient for all eligible voters.

If you are Hawaiian, there will be an election of those candidates running for the Office of Hawaiian Affairs Board of Trustees on Tuesday, Nov. 8, which is also General Election Day.

OHA elections are held every two years at the same time as the General Election. It will be the fifth such election. There will be four seats to be filled, one each representing the

islands of Kauai (including Ni'ihau), Moloka'i and Hawai'i and at-large where a Trustee may live on any of the islands. Trustees serve staggered four-year terms.

To vote in the OHA election, a person must be:

- Of Hawaiian ancestry.
- A U. S. citizen.
- Age 18 or older before the next General Election Day.
- A resident of the State of Hawaii.
- Registered to vote in Hawaii.

OHA is governed by a nine-member elected Board of Trustees which appoints an administrator to execute board policy.



**Lt. Gov. Benjamin J. Cayetano deputizes voter registrars following examinations by more than 50 caring citizens at State Capitol auditorium. The exams were given on Jan. 12 and 21. It was coordinated by Jalna Keala, Government Affairs Officer, Office of Hawaiian Affairs. OHA Board of Trustees Chairman Moses K. Keale Sr. was also on hand to thank volunteers for their assistance.**

• **Dreams, from page 7**

This urge for self-determination often takes the form of protest: landings on Kaho'olawe, the occupation of Lyman Field in Hilo, physically asserting claims to land at Makapu'u.

But through OHA, Hawaiians have been provided with the opportunity to develop our own principles of governance. Not to stand on the outside shouting; but to come in, sit down and work out a solution, a program, an accomplishment.

This challenge is not presented only to OHA. It

is a challenge to all Hawaiians. Politics is a process of numbers. Of organization and commitment.

It is a challenge for maturity, and creativity.

The first steps to resolving the dilemmas and living the dream are being taken today.

Ho'olokahi. Come together. Unify in common cause and with one heart.

Onipa'a. Stand together. United and with one mind.

Ho'olahui. One heart. One mind. One people.