

The AACCP Newsletter

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The Native Hawaiian Government Reorganization Act of 2005 Summary of the Legislation and Criticism

By Leonard D. Chan

On January 25, 2005, the Native Hawaiian Government Reorganization Act of 2005 was introduced in the Senate.

The Sponsor of the bill, U.S. Senator Akaka from Hawaii, describes the bill as doing the following -

“Sets up a process for the reorganization of the Native Hawaiian governing entity for the purposes of a federally recognized government-to-government relationship. Congress has always treated Native Hawaiians in a manner similar to that of American Indians and Alaska Natives because of its recognition of Native Hawaiians as indigenous peoples...

“Where we differ is that whereas most tribes have been allowed to retain their governing structure, Native Hawaiians, following the overthrow of the Hawaiian Kingdom, were forbidden from maintaining their government...

“This bill establishes parity in federal policies toward native people in the United States by formally extending the federal policy of self-governance and self-determination to Native Hawaiians.”

The list of criticisms is a bit complex and what's interesting is that the criticism seems to be coming from those on the right and left of the political spectrum. Some of the critics are even from those that would be most affected by the legislation – the Native Hawaiians.

Native Hawaiians critical of the bill believe that the bill fails to remedy the ultimate purpose for which it is being considered – correcting the injustices done to Hawaiians as a result of the overthrow of their government in 1893 and the loss of their homeland and culture. In fact Senator Akaka is in agreement with this point. He states that his bill “is not about redress and never was.”

Critics feel that the Akaka bill merely passes the responsibility of redress on to an ill equipped Native Hawaiian governing entity and the federal government instead of just dealing with the issue at the state level as it was prescribed in the state's Admission Act written 46 years ago.

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A Cry for Help

The Wider Meaning Behind the Akaka Bill (S.147) In the Senate

An Editorial by Leonard D. Chan

First of all, I am not sure if I am adequately informed enough to comment on the following issues. As a non-Hawaiian observer, I might not be attuned to the nuances of the situation.

When we started our search for possible ideas for this month's newsletter, issues regarding Senator Akaka's Bill entitled, *The Native Hawaiian Government Reorganization Act of 2005*, were not on our list. Recently I heard a news story on NPR (National Public Radio) on the Akaka Bill and it instantly caught my interest. We hope that this newsletter will pique your interest on this issue and encourage you to do your own research.

We look forwards to your comments.

How often have you heard people complain that government is non-responsive to their needs and that things would only be better if local government was allowed to handle their problems? Haven't you ever wished that like-minded culturally similar people as yourself could all go away somewhere and form your own country or government? This is the root way of thinking that is causing much of the civil unrest and civil wars on our planet.

I'm a little skeptical that local governments are the end all and cure all for all of our problems, but as I mentioned in a past

editorial - people seem to be happiest when they feel a sense of control in their lives. When you are one among a few instead of one among many, you do feel like you have more power to influence the group.

The Akaka Bill will supposedly create a new governmental entity (within the framework of the United States – similar to Native American Tribal governments) for Native Hawaiians.

In the Hawaiians' case, why are some unhappy enough with the status quo that they would desire to have this new governmental organization? The basic answer is that an injustice was committed and some believe that this is the root cause of their woes.

The overthrow of the Kingdom of Hawaii was an unjust act that the United States had a role in. This fact was recognized when Hawaii became a state of our union. Hawaii's Admission Act of 1959 outlined a means to compensate Native Hawaiians and President Clinton signed a bill in 1993 apologizing for the overthrow.

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Give Us Your Feedback

Please feel free to send us your reviews, comments, and book suggestions. You can contact us at - aacpinc@asianamericanbooks.com

Up Coming Events

Here are some events that AACP will soon be attending. Invite us to your events.

Date/Time	Event	Location
Aug. 27-28 10am-6pm	18th Annual Oakland Chinatown StreetFest	Oakland Chinatown Oakland, CA
Sept. 17-18 10am-6pm	7th Annual Silicon Valley Moon Festival	Cupertino, CA
Oct. 6-9	Chinese American Studies Conference	Radisson Miyako Hotel San Francisco, CA
Other Event of Interest that AACP May Not Attend		
Aug. 27-28 10am-5pm	San Francisco International Dragon Boat Festival	Treasure Island San Francisco, CA
Sept. 10 10am-5pm	Sonoma County Bookfair	Old Courthouse Square Santa Rosa, CA
Sept. 10-11 11am-6pm	Chinatown Autumn Moon Festival	Chinatown San Francisco, CA
Sept. 10 6-11pm	Midori Kai Casino Night Fundrasier	Mountain View Buddhist Temple Mountain View, CA
Sept. 17 6 pm	A Timeless Legacy - A Evening at the Opera	Marriott Santa Clara, CA
Sept. 17 11am	Guard Tower Dedication	Manzanar, CA
Sept. 21-23	Cities In Transition A National Conference on APIA's	Hilton Americas Houston, TX

Editor's Message

Hi Everyone,

Is it still August? Sorry for being so late with this month's newsletter.

Correction on our June, 2005 newsletter - the *Chinese American Museum of Northern California* in Marysville will be closed until next spring. I am still in the process of learning more about the museum, so we'll have updates when we find out anything else. On a related note regarding our June newsletter, Alisa Lynch from the Manzanar National Park tells me that there are a number of interesting events going on during the next few weeks, including a guard tower dedication and book signing by Lawson Fusao Inada on September 17. So if you still have time for summer travel, check out the Manzanar website and plan your trip today.

Another correction, the last two newsletters had broken links for the "Printable PDF Version" button. You can now find printable versions of the June and July newsletter on our website.

There are a few interesting fundraisers going on - the Chinese Historical and Cultural Project (<http://www.chcp.org/>) is having a Chinese Opera event at the Santa Clara Marriott and the Midori Kai (<http://www.fogster.com/listing.php?id=31255>) organization is having a Casino Night at the Mountain View Buddhist temple. Check out their websites for more information.

Thank you Mas Hongo for your background information used in this month's article and editorial.

My apologies for not being able to announce this past weekend's events, but glad to see some of you still found us at the Oakland StreetFest anyway. Hope to see more of you at our upcoming events.

Bye.

Leonard Chan
Executive Editor

The Native Hawaiian Government Reorganization Act of 2005

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A few of the other criticisms include –

- The branch of the Department of the Interior that now oversees Native American affairs is seen as dysfunctional. This same department would supervise the new Native Hawaiian government.
- Original Native American tribal governments were technically not recognized as being sovereign nations. Putting the Kingdom of Hawaii in the same category as original Native American tribal governments is seen as a possible legal weakening of the case for Hawaiian redress.
- The Akaka bill will only apply to Native Hawaiians. Some question that since the ultimate purpose of the bill is to remedy the overthrow of the Kingdom of Hawaii, other ethnic groups that were also members of the kingdom could also claim rights to redress. The government of Hawaii was already comprised of multiple ethnic groups by the time of the overthrow.
- No hearings were held in Hawaii, therefore S147 did not get input from the people that it claims to help

Other criticisms from people on the right include -

- Fear that this legislation may ultimately lead to secession and that other groups such as Latinos may decide to carve out other section of the country
- Creation of a government based on ethnicity is illegal under the US Constitution
- Fear that members of the new nation will have rights that go beyond those stipulated in the US Constitution
- The United States was not directly involved with the overthrow of the Kingdom of Hawaii, should not have made the 1993 apology, and thus should not be held financially responsible for the overthrow
- Native Hawaiians may use their autonomy to create casinos

The legislation has gone through committee hearings and should arrive for debate on the Senate floor in September 2005.

A Cry for Help

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The outline in the State's Admission Act has been so weakly enacted that it has caused simmering dissent. It's one thing to admit causing an injustice, but to outline a plan for action to alleviate the injustice and then not act on it for 46 years is cruel.

Critics of the bill bring up an interesting point though, that it was not just Native Hawaiians that got screwed by the overthrow, some naturalized citizens of the Kingdom of Hawaii lost out too. So why do Native Hawaiians seem more upset than other ethnic groups that were a part of the Kingdom of Hawaii? Well first of all, the prescription in the State's Admission Act was directed towards Native Hawaiians. So as stated earlier the double insult of writing a plan and then not delivering on it only applies to them.

Many Native Hawaiians have been economically and educationally marginalized. Loss of lands is one thing, but homegrown remedies of educational scholarships exclusively for Native Hawaiians were recently shot down in the court system too.

Native Hawaiians, like all ethnic groups within the United States, worry about the loss of their culture as they assimilate into the more dominant "American Culture." On top of this, Native Hawaiians have long lost their population majority and are now

minorities within their own traditional homeland. It's no wonder that many Native Hawaiians do feel marginalized.

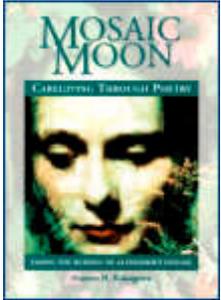
Assuming that Senator Akaka has the best of intentions, what do I think he is trying to achieve with his bill? By forming a new government, native Hawaiians will have their own advocate to negotiate with the state and federal governments - kind of like forming a union to negotiate with corporations. This government would hopefully be more responsive to the Native Hawaiian's needs.

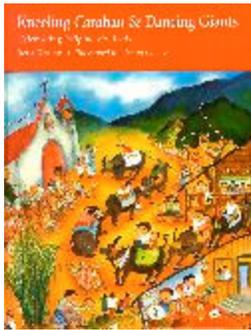
I'm not sure if Senator Akaka's bill will work. Senator Akaka and the critics of his bill both make good points. But even if the bill passes, it seems unlikely that Native Hawaiians' needs will be resolved anytime soon. Compensation remedies are expensive and government and the people that are governed are often unwilling to make the sacrifices necessary to make the politically un-empowered happy.

I don't have an answer for whether you should support the bill or not. At the very least we should all pay attention. Whether the bill passes or not, there are some unhappy people that are asking for help and because of the injustices that were done we owe them our attention. Otherwise, real secession talk becomes more of a possibility all the time.

Watch for more discussions on the bill in the senate coming up in September of 2005.

The following books are discounted an additional 20% from the listed price for subscribers to our newsletter. The discounts on these books end September 14, 2005.

	<p>Project J, Justice - Barbed Wire and Hip-Hop Voices from America's Concentration Camps</p> <p>Music composed and produced by Dave Iwataki Historical text by Miya Iwataki Spoken excerpts from <i>Speak Out for Justice</i> – a video tape recording of the hearings of the CWRIC, Los Angeles, CA 1981. 2004, 32:49 Min., Audio CD.</p> <p><i>Project J - Barbed Wire and Hip-Hop</i> is a fascinating CD that uses Hip-Hop/jazz fusion music to tell the story of the Japanese American World War II internment.</p> <p>The 13-page liner note booklet that comes with the CD does a good job of summarizing the internment. The combined CD and booklet of <i>Project J - Barbed Wire and Hip-Hop</i> makes this a great introduction package for a whole new generation.</p> <p>Item #3340, Price \$10.00 - for newsletter subscribers \$8.00</p>
	<p>Mosaic Moon Caregiving Through Poetry Easing the Burden of Alzheimer's Disease</p> <p>By Frances H. Kakugawa, Lynne G. Halevi, Lani Kaahue, Setsuko Yoshida, Irene Asato, and Jody Mishan 2002, 218 pages, Paperback.</p> <p><i>Mosaic Moon</i> is a moving collection of biographies and poems by people living in Honolulu, Hawaii afflicted with Alzheimer's disease and their caregivers. The book also contains information on how other caregivers can use poetry writing to help ease the pain and sadness that comes with taking care of ill loved ones. The editor and contributing writer, Frances H. Kakugawa, is a poet and a fellow Alzheimer's caregiver.</p> <p>Item #3309, Price \$16.95 - for newsletter subscribers \$13.56</p>
	<p>Toyo Miyatake Infinite Shades of Gray</p> <p>Produced by Karen L. Ishizuka and the Japanese American National Museum Directed by Robert A. Nakamura Edited by Gail Yasunaga Cinematography by John Esaki and Dean Hayasaka Original score by David Iwataki 2001, 28 Min., VHS Video.</p> <p>Many of you may know of Toyo Miyatake from his surreptitious camp photos taken at the Manzanar internment camp, but this documentary also sheds light on his career as a studio and art photographer, and his community work. This is an informative documentary that helps us remember a true artist.</p> <p>Item #3339, Price \$19.95 - for newsletter subscribers \$15.96</p>
	<p>A Single Shard</p> <p>By Linda Sue Park 2001, 152 pages, Paperback.</p> <p>Follow the life of Tree-ear, an orphan boy that becomes the apprentice of a master potter in Twelfth-century Korea, in this Newbery Award winning book. This printing of <i>A Single Shard</i> contains extras, including an interview with the author, excerpts from some of her other books, author notes, and an explanation of various pottery techniques.</p> <p>Item #3308, Price \$6.50 - for newsletter subscribers \$5.20</p>



**Kneeling Carabao & Dancing Giants
Celebrating Filipino Festivals**

By Rena Krasno
Illustrated by Ileana C. Lee
Reprinted 2005, 48 pages, Hardback.

Kneeling Carabao and Dancing Giants is a wonderful book of Filipino culture surrounding some popularly celebrated festivals. This book includes some folktales, recipes, songs, crafts, and miscellaneous facts about the Philippines.

Out of print for a number of years, AACP is glad to have this book back in stock.

Item #2717, Price \$19.95 - for newsletter subscribers **\$15.96**

Links For the Article and Editorial on the Akaka Bill (S. 147)

General Summaries and Status

- Library of Congress Summary
- Senator Akaka's Summary
- NPR's Talk of the Nation
- NPR's Morning Addition
- Text of the 1993 Apology Resolution
- Summary at NativeHawaiians.com

- <http://thomas.loc.gov/cgi-bin/bdquery/z?d109:SN00147:%7C>
- <http://akaka.senate.gov/akakabill-b.html>
- <http://www.npr.org/templates/story/story.php?storyId=4770090>
- <http://www.npr.org/templates/story/story.php?storyId=4801431>
- <http://www.hawaii-nation.org/publawall.html>
- <http://www.nativehawaiians.com/s147pr.html>

Web Pages in Support of the Bill

- Senator Akaka's July 29, 2005 Speech on the Senate Floor
- Senator Akaka's Clarification on the NPR Story

- <http://akaka.senate.gov/~akaka/speeches/2005729E01.html>
- <http://akaka.senate.gov/~akaka/releases/05/08/2005818A06.html>

Web Pages in Opposition to the Bill

- Daily KOS critique by scottmaui
- A Native Hawaiian Opposition Group
- Unrepresented Nations and Peoples Organization (UNPO) Article on the Opposition to the Bill
- Koani Foundation's Letter to the Indian Affairs Committee
- Former Senators Slade Gorton and Hank Brown's OpEd

- <http://scottmaui.dailykos.com/storyonly/2005/3/7/121659/8499>
- <http://stopakaka.com/2005/whyopposed.html>
- http://www.unpo.org/news_detail.php?arg=28&par=2089
- <http://www.hawaiiankingdom.info/C608676235/E847879188/index.html>
- <http://opinionjournal.com/extra/?id=110007117>