

ALOHA 'ĀINA

PUBLISHED BY THE PROTECT KAHŌ'OLAWĒ FUND • P.O. BOX H, KAUNAKAKAI, MOLOKAI HAWAII 96748

AUG SEPT 1978

OPENING PULE

E ko makou makua iloko O Kalani
Me ka hoomaikai a mahalo iloko
O ko makou puwai ke kulou haahaa
Mei makou no keia palapala hoo naau ao

Ke hoi nei makou e lokahi like makou
Ina mea kukakuka aku ana
I holomua ai na kumu hana
O keia palapala Hoonauao
Ke pule nei makou iloko
O ka inoa Jesu Kristo

Amene

*Our Father who art in Heaven
With gratitude in our hearts
We bow humbly before thee
For this newsletter*

*We ask thee for unity
In our hearts as we plan things
That the purpose of this newsletter be successful*

*We say these words in the name
of Jesus Christ*

Amen

THE NEWSLETTER

ALOHA 'ĀINA is our newsletter/magazine - developing into a "particular kind of communication." It is published and printed on Moloka'i. It is sponsored by the Protect Kaho'olawe Fund under the Fund's non-profit tax deductible status. The Protect Kaho'olawe Fund's main thrust is education: therefore, the viewpoints of our writers do not necessarily reflect the viewpoint of the Fund. For educational purposes, all our views must be expressed.

ALOHA 'ĀINA is the communication, educational and literary focus of Hui Alaloa 'Ohana. Ka'imi Na'auao is the center which facilitates this commitment.

ALOHA 'ĀINA is like the young kalo, growing and expecting 'ohana nourishment. Its composition, lay-out and contents will be on-going input and contributions of all 'ohana and supporters. Basically, each issue will cover special topics and Kaho'olawe concerns, as they express the feelings of aloha 'aina. Running features; 'Ohana announcements, projects, positions, and struggles; and the Protect Kaho'olawe Fund sponsored grant activities will be reported. We are developing teams of professional and grassroot researchers and writers. We humbly request that our Kupuna share some indepth mana'o what their kupuna left them.

Costs for research, kuka, publication, printing and mailing will come from your contributions mailed to the tax deductible Protect Kaho'olawe Fund, P.O. Box H, Kaunakakai, Moloka'i 96748.

Alu Like Inc. has funded two positions, a typesetter and printer to work on this KA'IMI NA'AUAO project. We are expanding to consider more placement into our operations.

We ask that you kokua and send the names and addresses of your 'ohana and our supporters to be included in our next mailing, and that you "pass around" *ALOHA 'ĀINA*.

The combined team efforts for this project and issue are by E. Aluli, K. Yasso, J. Napoleon, and B. Mowat.

MAHALO to Ken Nicols, David Kaina, Gifford Nakamura, Don Miller, Megan Hanks, and Donna Blevins for your kokua in our second issue. MAHALO also to Sol Kaho'ohalahala, "Kini" Grambusch, and the Ritte/Sawyer 'Ohana for their pictures; and a special MAHALO to Aunty Lani Kapuni for her *pule*, in the last issue.***

HO ULU ULU LAHUI MEETING

An overview by Judith Napoleon

A Houluulu Lahui meeting was held at Kiowea Park, Kalamaula, Moloka'i on August 25, 26, 1978. The members attending our Houluulu Lahui meeting were high in spirit and emotions. Those members who have been directly involved in a disagreement of the "Kaho'olawe Memorandum of Understanding", understand the problem in detail, others are confused and still others recognize the problems of style, structure and the necessity for accountability. We have indeed survived the stormy times of our 'Ohana.

We continue to struggle with our individual feelings, actions and what it means to be a Hawaiian. Our work continues in ways we know best, realizing that we will all meet at the crossroads of our destiny.

LAHUI COMMITTEE REPORTS:

Olelo Kuka: Communications

This committee has become the responsibility of the Moloka'i Hui Alaloha 'Ohana, in conjunction with KAIMI NA'AUAO, (a P.K.F. project), and utilizing our Newsletter, *ALOHA 'AINA*, with a beginning circulation of 1000 and attempting to keep our 'ohana and supporters up-to-date on 'Ohana activities, as well as Lahui and P.K.F. activities.

"Communications is a two-way street", so call Moloka'i, Bridget Mowat (553-5946) or leave message for Judy Napoleon to call back (553-5369).

Or contact the following persons on your Island:

Maui: Stella Lau (244-0291)

Libby Wallace (579-9007)

Mei Ling Chang (244-3731)

Hawaii: Moani Akaka (935-9853)

Lorraine Ahuna (959-9515)

ONIPA'A KAKOU (329-1053)

Oahu: Haunani Trask (524-5748)

Georgiana Padeken (847-1302)

Kauai: Dee Dee Ward (822-9436)

Lanai: Sol Kaho'ohalahala (565-6583)

Hoono'auao: Education and Research

The efforts of this committee and those of the non profit Protect Kaho'olawe Fund (P.K.F.) have been the same. THE PROTECT KAHOLAWE FUND's emphasis this past summer has been on "community education" through "town meetings" throughout the State. The topics that have been talked out on the Island of Hawaii are "reparations" and "the State's trusteeship of public lands ceded to Native Hawaiians for their education in particular". Kaua'i is next.

The FUND has three VISTA positions, two on Maui and one in Kona. We expect to gain from an additional 5 to 10 positions in the next months. The FUND also has three (ALU LIKE) CETA positions, and we expect more.

Konohiki: Finance

All we can say is to expect some major fund raisers on your Island

Mahalo to the brother who donated a 1/2 pound- - cash!

Kalai 'Aina: Political

Typically, this committee has to work hardest to pa'a!

Should we expose or endorse politicians?

Should we take the position: that the 'Ohana represents the value of the protection of the 'Aina; and should our strategy for this election year be to draw candidates to take positions on the concept of ALOHA 'AINA?

What about future plans to work on the National level, beginning with Dan Inouye? Any other strategy you wish to share??

Hana Pono: Action

We laughed, finances is action! How about another landing? We share in the struggles of the Hilo Airport Demonstrations, the Kukailimoku Village Brothers and Sisters, Hale Mohalu, Apuka 'Aina, ke mea, ka mea.

A E KU KANAWAI: Litigation-two parts to this report 1) The reply briefs have been sent to the Navy and hand delivered by attorney Joel August to the Ninth Circuit Court of Appeals in San Francisco. The Navy has one month to answer. Then we should get placed on the court calander. (If you recall, the Navy is appealing Judge Dick Yin Wong's ruling that the Navy file an updated E.I.S. yearly, as long as they get monies through legislation to continue the bombing; and 2) in a recent chambers conference with the Navy's lawyer, attorney Boyce Brown

NEGOTIATIONS? AND POLITICS

by Haunani Kay Trask

On August 9, the day of the Hawaiian Affairs Committee hearing in Honolulu, the Navy and the State signed a **Memorandum of Understanding on Kaho'olawe**. One week previous, the 'Ohana negotiating team had un-animously decided to oppose the signing.

In its weak language and proposals, the memorandum only repeated existing laws: reforestation, survey of archaeological sites, elimination of goats on Kaho'olawe. Moreover, the memo lacked timetables for implementation, and mechanisms for enforcement. Indeed, the 'Ohana civil suit, Aluli V. Brown, had been more effective in forcing Navy compliance with Federal law than had nine months of negotiations between the State and the Navy. If the State was serious about reforestation, and the rest, they could sue the Navy-- as the 'Ohana had done.

But the most damaging part of the memo, and one which threatened to foreclose any possibility of State action against the Navy, was a last paragraph wherein the State acknowledged the Navy's need for Kaho'olawe. For the State to cite the Navy's need in an official document was a set-back: for the island and the 'Ohana. While it seemed to many that the island would gain through tree plantings and site surveys, the reality was that the Navy's bombing would continue *with clear State approval*. The State was saying, in effect: the Navy can bomb one part of the island as long as they plant and survey another part. Rather than a victory for Kaho'olawe, the memorandum was a sign of State support for the Navy.

In a final, emergency meeting with Sus Ono of the Governor's Office, the 'Ohana had countered the memo with another course of action for the State: a) the Governor should take a public stand against the bombing; b) the Governor should direct the Attorney General's Office to bring suit against the Navy for violation of State and Federal law; c) the Governor should pressure members of our Congressional delegation and President Carter to seek an end to the bombing. Finally, the negotiating team asked the State not to sign, and thereby to oppose the memorandum.

When the signing actually occurred, the process of consultation which preceded it was marred by avoidance and bad faith on the part of the State. Verbal agreements had been made between the negotiating team and the State during our first and only talk session. These included:

- 1) the 'Ohana as a party to negotiations
- 2) the understanding that "duly recognized members of the respective parties" were to negotiate. These included representatives of the Ad Hoc Committee, the Governor's Office, and the 'Ohana.
- 3) the understanding that any "agreement" between the State and the Navy would have to include a more

definitive statement concerning the island's return.

4) an agreement that the respective parties would have to decide whether or not a document such as the memorandum was necessary at all.

5) an agreement on Ono's part that his next move would be to a) ask the Navy to include the 'Ohana in future discussions, b) seek a more definitive statement as to the island's return, and c) report back in a follow-up meeting with the 'Ohana and the Ad Hoc Committee *before taking further action*.

Although Ono claimed, later, to have pursued points 5 (a) and 5 (b) with the Navy, the State broke every other agreement. The negotiating team learned of the signing through Walter Ritte, who had attended a meeting between the Governor's Office and the Legislative group, and who was *not* part of the negotiating team. (The State had been informed by both Walter and the team that he no longer represented the 'Ohana in negotiations. However, the State purposely chose to ignore the "duly recognized" 'Ohana team, and to deal only with Walter.) No follow-up discussions occurred between the State and the 'Ohana; the memo was signed without official 'Ohana representation.

Upon learning of the impending accord, the negotiating team decided to write a detailed press release and call a press conference condemning both the memo and the broken agreements. Our points would twofold: the memo was a damaging document; the State had acted in bad faith. Keeping to our own agreements with the State, we met for a brief half hour with Sus Ono, allowing him a last chance to prevent the signing. He refused. We proceeded to the press, knowing that we had fulfilled every obligation, considered every possibility. The first report hit the Advertiser on the morning of August third. The press conference was held on the Palace grounds at 1:30 of the same day.

Actual media coverage, as always, was selective. Some television stations, with the Advertiser, stressed the memorandum itself, failing to note that virtually every point was covered in existing laws. Other coverage emphasized the bad faith contention, but failed to explain why the memo was damaging to the island. Little coverage was devoted to the most complicitous reality: the State, through its citation of Navy need, was *supporting* rather than attacking the continued bombing of Kaho'olawe.

Although the result of incomplete media coverage may have been some confusion in the public mind, the 'Ohana decision to expose negotiations was wisely-timed and politically astute. A clever attempt to

THE HILO PROTEST

by Pat Godfrey

Someone we talked to later called it the roundup. Our official charge was "entering a restricted area". The strategy behind this, apparently, was that if we had been charged with trespassing, the case would have been thrown out of court in most cases because how can a Hawaiian be charged with trespassing on Hawaiian Homes land?

An now fifty of us must return to Hilo for trial. What did we accomplish?

The Hilo airport protest began early Labor Day at Kawanakoa Hall in Keaukaha. Pali Kekaulike Wong of Hilo had taken over the hot spot of organizer from Brenda Lee who had felt the pressure on her becoming too great. Brenda had been organizing the protest for some weeks before, issuing statements to the press, and putting some pressure of her own on the mayor and the governor. In her statements and letters, she had been outlining the three major issues that those joining the demonstration were willing to put themselves on the line for.

The gathering of people from all over the Big Island and from O'ahu, and Moloka'i as well, was blessed by Reverend Tuck Wah Lee. He expressed everyone's hopes for the day, that the day be peaceful, that we all be safe, that our words be heard with the heart, and that the issues be solved. We heard Emmett Aluli and Moani Akaka speak for the Protect Kaho'olawe 'Ohana. Keoni DeLeon spoke for Kukailimoku village in Kona. A Kupuna from Hilo spoke of the spiritual significance of the 'aina we were standing on. Each of them gave their reasons for being in Hilo, and the reasons were all the same: that the Hawaiian people must unite for their own sake and for the sake of their children, against the changes which have come upon them too quickly, leaving them landless and with a dying culture. Why is it, they asked, that the Bishop Estate is so quickly losing the land that was put in trust for the Hawaiian people? Why does the State allow the most spiritual of the moku o Hawaii to be destroyed? Why are so many of the prisoners in the State, Hawaiians?

Aunty Peggy Ha'o Ross, with eight other women dressed in white pa'u and ti leaf leis, came onto the balcony of the Hall to speak. "We greeted the coming of the foreigners with Aloha. We never stopped giving our Aloha. And now, as we stand divided, by church, by the changes that have come to us, now, when we cannot even pass one of our people on the street and say, aloha brother, aloha sister, because we don't even know each other, now that we have nothing more to give, except our Aloha, those we have shared with hate us for our Aloha, because their conscience is hurting them."

The speeches pulled everyone together. After a final pulse and last minute instructions, we all walked down the road to the gate that divides the gardens of Keaukaha from the airport.

The gate stood shut for about three minutes. There was a lot of noise from both sides. No one remembers whether we were read our rights - if we were, the message was drowned in the noise of the circling helicopter.

National guardsmen jumped out of trucks and moved toward the gate to join the police who waited there. They were protected from head to foot with padded clothing, clubs and helmets with plastic visors against a band of two hundred people: two hundred barefoot people in malos, shorts, and pa'us. The guardsmen's faces were set in all kinds of expressions - contempt, smiling confusion, wet with tears. One thing about the faces of those guardsmen that day though, there were a lot of Hawaiians.

The brothers held down the barbed wire so the rest of us could get over. The Keiki were starting to cry. Everyone's frustrations were starting to get out into the air. There were many tears on both sides.

By the time we crossed the grass to the runway, there were fifty of us. There was so much going on - the little keiki's being settled on the grass, always with someone's mom to watch them, to explain why this confused double line of people was moving forward and back along the runway, why everyone was shouting, why the guardsman refused to put up his club, why the other guardsman threw down his helmet and cried, why daddy was crying, why aunty was being carried away, why they must all be brave and be proud of their families and themselves for having taken part in this day in making a stand for their people.

In the end, everyone knew that we were all headed for the jailhouse and as long as the press got arrested too, that was fine.

We rode through Hilo in a rented Hele-On bus singing Hawaii Aloha, Hawaii Pono'i, Ekolu Mea Nui. We sang, This Train is Bound for the Glory Land, because we knew it is one of the keiki's favorites and we knew it would make them feel better. It did. By the time we reached the jail, we worked out most of the shakes.

It took three hours to get through processing. There were times when it all ran smoothly, there were times when everything was called to a stop - to wait for a lawyer, to be assured of our fate for the day by our arresting officer - which made the police happy - they were all getting heavy writers cramp.

We were all asked for our names and addresses, where we worked, I guess some of you are familiar with the procedure, fingerprinted, photographed, put into a little room with another policeman to

FISHERMEN CHALLENGE THE NAVY IN PUERTO RICO

by Ian Lind

The situation sounds familiar--a small island was seized by the Navy during World War II, and has been used as a military training site ever since. Navy ships and planes have bombed and strafed for years, angering local residents. Finally, after years of frustration, people have begun to protest. Groups have blocked maneuvers by putting their bodies in the way, a law suit has been filed, and delegations have gone to Washington to tell their story to members of Congress.

It may come as a surprise, but this is not the story of Kaho'olawe. This is all happening on another island thousands of miles away--the island of Vieques, in Puerto Rico. Earlier this summer, the American Friends Service Committee made it possible for me to visit Vieques to learn more about the struggle there and, if possible, to find ways that Viequenses and Hawaiians can work together to end the Navy's bombing of our islands.

Vieques (pronounced vee-yeah-kiss) is an island slightly larger than Kaho'olawe and is located about 7 miles from the "big island" of Puerto Rico. Up until World War II, more than 10,000 people lived on the island, but when the war started the Navy moved in and took over most of the land. Many people were given less than 24-hours to pack up their things and get out. Even today, people look back on this experience with bitterness. One resident described the events:

"I used to live a Punta Arena when I was expropriated from my house in 1942. One day, while I was having lunch, Manolo Portela arrived at my house with a letter saying that I had to move. I told him that it was impossible for me to do so, besides the time for our first child to be born was very close. He insisted that I had to move immediately or else they (the Navy) would destroy my house with a bulldozer. The following day a Navy truck arrived to carry my things away. I was given \$30 for the house. They said that it was a federal order, and there was nothing I could do except put everything we owned in the truck. I knew that those who protested were mistreated. . . .

Everything that was there is Punta Arena was destroyed by the Navy. Approximately 4,000 persons faced the same situation. Those who were tenant farmers received no advanced notice. They were not paid anything or relocated. One day each one simply discovered that he had to leave."

Today the Navy owns over 3/4 of Vieques. On one end of the island is a large Navy ammunition depot, where bombs and bullets for the Atlantic fleets are

stored. On the other end of the island is a large area where those bombs and bullets are fired during Navy and Marine training exercises. More than 7,000 Viequenses live in the central portion of the island, and they have many complaints about the Navy. The noise of the bombing rumbles through the small town of Isabela, and the vibrations have left cracks in the walls of many homes. And most importantly, the primary livelihood of most of the people--fishing--has been disrupted by the Navy's increasing use of the waters surrounding the island.

Navy ships seem to have a nasty habit of steaming through areas where fishermen have set their nets and traps. Each trap might take a fisherman and his friends a full day to build and cost about \$160, and the ships cut the lines so that the traps are lost. This not only means the waste of the time, energy, and money that went into the construction of the trap, but also means that the trap will sink to the bottom and continue to kill fish for up to a year. Fishermen estimate that in this period of time close to 3,000 pounds of fish could be killed in a single trap. In one period last summer, 131 traps were lost due to Navy actions, and in February of this year it is estimated that the figure was over 200. It is no wonder that the island's fishermen are angry.

According to local fishermen, this has been going on for years. One man put it this way: "For 25 or 30 years, the Navy was destroying the fishermen's nets and they didn't pay anything for the damages. They thought that we were just a few fishermen who they could do anything to." Then two years ago, many of the island's fishermen joined together to form a collective to market their fish. The "Asociacion de Pescadores" (Fishermen's Association) was primarily an economic experiment, supported in part by federal funds, but it also had other effects. Once the fishermen were working together, they began to share their anger and frustration about the way they were being treated by the Navy. With a new sense of strength, the Asocia cion began to negotiate with Navy officials at Roosevelt Roads, the large Naval base on Puerto Rico. According to the fishermen, a verbal agreement was reached that guaranteed them the right to fish in certain areas near the east end of Vieques. But as time passed, the Navy and Marines began imposing new limits on fishing. Finally, early this year, the fishermen decided that "if it didn't stop then, we would have nowhere to fish at all."

I spoke with a number of the fishermen at the headquarters on the beach in the barrio Esperanza. Sitting on the beach, we looked out over the bay where the many small boats were tied up. Almost all of

Aloha 'Aina Honokaupu

To all the many, many beautiful people in the Statewide 'Ohana whom I have come to know and love, to Hui Alaloe, my immediate 'ohana, our Kupuna who travel with me, the young opio and the people of Moloka'i; Aloha Kakou.

My name is Joyce Kainoa and I am a mother of 6 native Hawaiian children. I am proud to be a Hawaiian. I was born in Hana, Maui—raised in Keanae and will reside in Honokaupu, Moloka'i. Fishing and farming have been my ancestor's heritage and tradition. It is mine now. Hopefully my children will carry this on.

I have been noted as being outspoken on many subjects and I do not intend to say here that it is not true. I have been an advocate on many issues and will continue to do so, as long as there are wrongs to be corrected, rights to be protected, laws needing addressing, the issues of human concerns needing attention and so on and on.

We live in a world of politics, big business, and greed. I feel that these affect myself and my family as a whole. It is very difficult knowing what fear is all about. I get depressed when too many things happen and issues stem out and need to be addressed. It always affects the public in general but more so the people who would become the victims.

My Hawaiian values always seem to be the remedy to many issues that I have participated or taken part in. No matter how bad things look, it always falls in place later on for me.

It is easier now to be a Hawaiian and feel as one and not be ashamed, because I am learning about my culture. For the hospitality of the Hawaiians have been trespassed on, our lands stolen, our language suppressed, our culture brutally prostituted for tourism, our heiaus abused, desecrated and bombed, etc. My Hawaiian culture is priceless.

The Native Hawaiians have rights vested in us by our ancestors and laws on the books protected these rights. Some to mention are fishing, gathering rights and access. I mention these because I have been a participant and doing research.

The fishing rights of native Hawaiians have been recognized repeatedly by Federal statutes and Federal court decisions. Native Hawaiian fishing rights have always been recognized as property rights, and remain as property rights unless they are extinguished through fair compensation to all who possess the property rights.

Prior to the arrival of Westerners to the Hawaiian Islands, fishing rights were carefully divided among the Hawaiian people to ensure a) that everyone had some access to all the varieties of fish and water creatures and b) that all species were carefully conserved for future generations. The fishing zone closest to the shores of the main islands, generally between the shore and coral reef was most susceptible to being over fished and so these zones were specifically reserved to for designated persons. Generally these "offshore" zones were reserved for the residents (tenants or "hoa aina") of the pie-shaped ahupuaa adjacent to the fishing zone, but occasionally different arrangements were made to ensure that everyone had access to some fishing areas.

The offshore zones were supervised by the chief's land agent, the Konohiki, who either collected one-third of the fish caught by the hoa aina or else took all of a designated species of fish or other sea creature. Beyond the offshore zones were the open fisheries, to which all the hoa aina had access.

These traditional fishing rights were recognized by King Kamehameha III in 1839 and were formally promulgated (publish declare) in 1840 in Chapter III, Section 8, of the Laws of 1840. The hoa aina (tenants) were to share the offshore fisheries with their Konohiki, and in addition other important waters were set aside for the use of the hoa aina.

These areas were the fishing grounds without the coral reef, videlicet (one may or can see), the Kilohe'e grounds, the luhe'e ground, the malolo ground, together with the ocean beyond.

The Kilohe'e ground refers to those areas shallow enough for wading or examining the bottom from a canoe. The luhe'e ground refers to areas where the water was too deep for the bottom to be in sight and the he'e (octopus) had to be caught by line and cowrie shell wire.

The Malolo grounds refer to certain rough and choppy areas, crossed by currents where the malolo (flying fish) usually run. These areas were deep water but were denominated separately from the ocean beyond because of their importance in containing specific important sea creatures.

In the areas set aside for the hoa aina, no tax or kapu could be imposed upon the fish caught by the hoa aina.

The United States Congress in the Organic Act of 1900 and the Federal courts in numerous decisions this century have recognized that the Hoa Aina Fishing rights are property rights that remain intact unless the property rights are formally condemned and compensated.

In another opinion written by Justice Oliver Wendell Holmes, the court ruled that Hawaiian fishing rights could be based on Ancient prescription and statutes and did not require a Royal Patent or deed to receive judicial recognition and protection. These native fishing rights were thus recognized as valid property rights by the highest court of the land, deserving of the same legal protection afforded to other property rights.

The other rights, gathering and access I have known as Kuleana rights. These rights were vested in Native Hawaiians who had or has Kuleana land. The native Hawaiians who had or has Kuleana land had the vested right to go into the mountains while going over other properties to gather specified things from the mountains only for home use and not to be sold for money. The native Hawaiians also had vested

APUKA 'AINA AND MARIA HUSTACE
by Kau'inohea Kapuni

Yes, it's politics, politics, politics time again. The arena is full of these clowns and we are their audience. We get to watch (sometimes not the whole scene) these entertainers at their best, promoting justice and equal fairness to all. The law should work for all people. But alas, laws work mostly for people who are immediately involved with politics or the guys with the bucks.

Land laws seem to be the ultimate scam of them all. Land - the life giver, 'Aina, the Hawaiian's sustenance. Without land, there is no life. That's an old philisophy. Now it's "the more land you have the more power to you." Adverse possession has long been recognized as the Royal Rip-off of them all. (Apuka 'Aina). Alot of kuleana lands were taken this way. Alot of kama aina were unaware of the new laws and to their des pair, lost plenty of their 'aina this way. Unfortunately, the big time land owners are aware of these laws, and gladly are using them for their benefit. These are the basic principles of adverse possession. If over a period of 20 years, you haven't been using your land, and someone comes in openly, with hostility, notoriously and continuously, even if you're paying taxes, the other party who is active on your land (planting trees, build house, raise cattle etc.) can claim your land by adverse possession. If you are aware of someone doing this to your 'aina, I suggest you go out there and tell the intruders to leave immediately. As I've said before, you don't have to be the only one paying the taxes. You can have 20 people paying taxes on the same parcel, but the party who's using the land openly, notoriously, with hostility and continuously, who's also paying taxes, who has a fence around the without interference from anyone, can claim the land in 20 years. You can claim 1/16 of an acre to 200 acres, what have you. So much for fairness and the law, for the people, by the people.

It is good to be educated with what's happening now. Alot of our kupuna (who's the most stubborn ones of them all) say it's too late, no waste time, no fight the rich haole. I say later!! My 'ohana has fallen prey to such nonsense. In the beautiful foothills of Kaluaaha, lies 3.42 acres of primo land overlooking the ocean and the neighbor isles. It is ours and we have been told to keep out. But with the kokua of dear friends, we marched against our warning and pursued the 'aina I thought I'd never touch beneath my feet. We planted ti leaves, avocados, sweet potatoes, mangos and some citrus trees. Our 'ohana never did go on the 'aina for the past 20 years or more because of fear and of not knowing the law. We did research and found good grounds to fight for what is rightfully ours. Now the battle is on.

And who's claiming our land? Maria P. Hustace, a non-partisan candidate for Maui County Mayor, who came from the mainland not knowing anything of the lifestyle here on Moloka'i. It seems ironic to see a politician engaged in the fight for right and yet back home here, she indulges in ripping off kamaainas their land. (We're not the only ones.) This land was in our family for years, long before the name Hustace came to the friendly isle. My 'ohana's sweat is in the ground, in the rich soil. We can't get to the land because of Kapu signs, offering no access. So what if we weren't using it, it isn't hers or his to start off with!! And who says they can just make a decision of property that isn't even theirs? How can you deal with something that isn't yours? Where is the moral to that? For a politician? Or a person period?

I say it's good to be educated. Us locals shouldn't be left in the dark and have other people control our lives or our lands. Maybe we weren't that hep 20 years ago, but we are a new generation. We are very, very different.***

A37965 (3204-D5)

IN THE DISTRICT COURT OF THE SECOND CIRCUIT MOLOKAI **DIVISION**
STATE OF HAWAII
COMPLAINT

MARIA HUSTACE, first being duly sworn says

That on or about the 4th day of July, 1978, at Kaluaaha, in the District of Molokai, County of Maui, State of Hawaii, EMMETT NOA ALULI, MARSHA CAMARA, GLENN DAVIS, JAMES DAVIS, JACKIE GRABUSCH, WILMA GRABUSCH, BARBARA HANCHETT, JOHN KAPUNI, KULA KAPUNI, LAHI KAPUNI, CLARA KU, PEARL LEE, WALTER LEE, DUAYNE LOGAN, CHARLES K. LOGAN, KARL MOWAT, EBBEN NAPOLEON, JUDITH NAPOLEON, SHERMAN NAPOLEON, SR., GEORGE PFABODY, ANNE H. RITTE, and CLAYTON YOSHIDA did knowingly enter or remain unlawfully in or upon premises which were enclosed in a manner designed to exclude intruders or were fenced, thereby committing the offense of Criminal Trespass in the Second Degree in violation of Section 708-814 of the Hawaii Revised Statutes.

Subscribed and sworn to before me this 10th day of September, A.D. 19 78

Maria Hustace
Address Kaluaaha, Molokai, Hawaii

Joseph E. Carls
Prosecutor, County of Maui

PENAL SUMMONS

THE STATE OF HAWAII
To THE ABOVE-NAMED DEFENDANTS--Molokai, Hawaii

You are commanded to appear before me at my court room at Kaunakakai, Molokai, Hawaii, on TUESDAY the 10th day of OCTOBER, A.D. 19 78 at 9:00 o'clock A.M. then and there to answer the charge of violating Section 708-814 of the Hawaii Revised Statutes

made against you in the above complaint and to be further dealt with according to law. Failure to obey this summons will render you liable to attachment for contempt.

GIVEN UNDER MY HAND this 10th day of September, A.D. 19 78

POLICE OFFICER:
DO NOT SERVE AFTER SIX (6) MONTHS FROM THE DATE OF ISSUANCE HEREOF.

James M. Seal
Clerk of the above-entitled Court.

This Dramatic Reading was written by Brenda Luana Machado Lee, depicting the situation of the Native Hawaiian people historically and noting their condition today.

A CASE OF SPOUSE ABUSE.

HAWAIIAN EYES

by Megan Hanks

Hawaii Speaks out to the United States:

I am Hawaii. Remember me? I was once a beauty; my body was that of innocence; and then I was discovered.

(My people were innocent and pure, and we had our religious beliefs. Our islands were virgin land; then Capt. Cook arrived and exposed me to the Western World.)

I was naked, and so you came to clothe me.

(Your missionaries came to bring a new religion.)

I like my beautiful new clothes.

(The religion they brought was cherished by my people.)

You craved my love because you saw that I was beautiful, clothed as I was; and then you raped me.

(You overthrew the Monarchy of Hawaii, under Queen Liliuokalani in 1893.)

I was humbled and humiliated.

(My people began to develop inferiority complexes in the presence of your haole superiority.)

Yet you meant me no wrong. You proposed marriage and courted me.

(Hawaii was annexed to the United States and became a Territory.)

We had a child out of wedlock.

(The Hawaiian Homes Commission Act was created by Congress in 1920.)

You fathered that child, and yet you did not provide support payment for that child.

(No money was given to fund the Hawaiian Homes Commission Act.)

And then to make our relationship legal, I badgered you, and so you married me.

(Hawaii became a State in 1959; a part of the United States.)

By then you were taking full advantage of me; being entitled to my wifely possessions.

(You lost respect for my people. The Native Hawaiian people began to lose heavily; especially in the area of land possession.)

You invited so many people into our home, entertaining them as you saw fit and you made up all the rules; I sat by submissively.

(People from all over the world reveled and played on the Hawaiian shores; coming to start their economic bases here - in the way of land investments, hotel building, etc. Slowly but surely our people were told to leave their ancestral grounds to make way for the newcomers.)

I knew an old man
many years ago
whom I would visit
to hear stories he told

His voice was soft
and his words were wise
But the true story was told
by his Hawaiian eyes

His eyes would sparkle
and using his hand
he'd recall great feast
when foreigners would land

Many years past
and I saw him once more
But everyting was different
with a hotel built next door

He was much older
and in his Hawaiian eyes
there was no sparkle
just questioning whys?

The question of his future
The stories of his past
The life of the people
was changing much too fast

The eyes that tell a story
of love for sea and sand
The eyes that smiled on strangers
and welcomed them to land

The story of the people
are seen in Hawaiian eyes
their glories and their losses
the things they've been deprived

Reflection of a thousand years
memories of yesterdays
children speaking out against
the quickly changing ways

Take the time to look
into Hawaiian eyes
see the history of a people
and a nation as it. . . . dies.

NATIVE HAWAIIANS TO PARTICIPATE IN FEDERAL GEOTHERMAL POLICY MAKING

by Stephen Kane-a-I Morse

Native Hawaiians have a unique opportunity to participate in federal, geothermal energy policy-making and at the same time to work with a group of Indian planners who have offered the benefit of their experience in dealing with the federal government.

The opportunity was provided, surprisingly, by the federal government itself but was actually created by the determined efforts of several native Hawaiian organizations to make sure that native Hawaiian rights to geothermal resources were considered and properly protected in the federal decision-making process. These efforts, which began as far back as 1973, recently brought about some hard won recognition by the Dept. Of Energy (DOE), Division of Geothermal Energy (DGE). The recognition came in the form of (1) DGE's approval of a proposal by the United Indian Planner's Association (UIPA) to involve native Hawaiians in an existing UIPA/DGE contract entitled "Geothermal Resource Planning on Indian Lands"; and (2) a promise by Dr. Ronald Tom's, DGE's Pacific regional manager, to give native Hawaiian interests and concerns equal footing with the State and County governments.

Native Hawaiian involvement in the UIPA/DGE contract was initiated through a cooperative effort of the Puna Hui 'Ohana, a non-profit, native Hawaiian organization located in the Puna district of the island of Hawaii and the Alu Like Native American Program. It began in late 1977, when, the Puna Hui 'Ohana, concerned that the State's development of geothermal energy in Puna might have an adverse impact on native Hawaiian culture and lifestyle, submitted a project proposal to Alu Like for funding. The proposal addressed the Puna people's need for more information about the socio-cultural impact of geothermal development in Puna, especially how it might interfere with native Hawaiian rights to the resource.

The project proposed a series of geothermal workshops conducted by a resource person from the center for Maori Studies in Hamilton, New Zealand. This resource was chosen because of the obvious parallels in situations, particularly the similarities between the Maori and Hawaiian cultures and the presence of geothermal development in New Zealand. In addition, the project proposed an inspection tour by representatives of the Hui to New Zealand as guest of the Center for Maori Studies. The object of this tour was to provide the Puna people with first hand observations of several areas in different stages of geothermal development.

Alu Like was unable to fund the Hui project, but its chief planner, Hardy Spoehr, discussed the proposal with officials of the DGE while on a fund-raising trip to Washington, D.C. According to Hardy, DGE officials expressed interest in involving native Hawaiians in federal geother

mal policy-making and raised the possibility of including Hawaiians in its existing \$142,000 contract with the UIPA, a non-profit group of American Indian and Alaskan Native planners based in Washington D.C.

Over the past two years, UIPA has evolved into a nationally recognized organization for American Indians and Alaskan Natives and has become highly regarded for its ability to get things done. Its basic purpose is to provide planning and information services including workshops to Indian tribes, Alaskan Native Corporations and Indian organizations.

Hardy discussed the possibility further with UIPA officials who enthusiastically supported native Hawaiian involvement in the existing contract and subsequently submitted a \$20,000 supplemental proposal to the DGE with Alu Like's assistance.

The proposal was approved by DGE and the UIPA/ Native Hawaiian Geothermal Project became effective on July 15, 1978. It will be carried out over a 12 month period and will focus on the objectives of: (1) insuring state legislators' recognition of native Hawaiian geothermal resource rights, (2) increasing native Hawaiian awareness of the impact of geothermal resource development, and (3) providing DGE with recommendations to be used in developing native Hawaiian geothermal policy.

UIPA staff and one member of its board of directors were in Hawaii during the last week of July to work out details of the project with native Hawaiians and to attend the annual meeting and conference of the Geothermal Resources Council in Hilo. The council is a California based organization which advocates the development of geothermal resources on an international scale. Its membership includes geothermal scientists and engineers, multi-national cooperations, international consortiums, government officials, and companies in the business of making geothermal equipment; primarily those who stand to benefit the most economically and politically from geothermal development.

It was at this conference that Dr. Toms promised to give native Hawaiians equal status with the State and Counties in federal geothermal policy-making. Toms, who had given a major address at the conference, met privately with representatives from various Hawaiian organizations, the UIPA, National Council on State Legislatures and other State and Hawaii County officials to discuss the many concerns Hawaiians had raised during the conference. The meeting lasted three hours and proved to be an educational experience for Dr. Toms, who admitted that he had not been fully aware of native Hawaiian concerns

This article was written as testimony for the April 25, 1978 E.I.S. Hearing.

Aloha no Kakou,

My name is Radine Kawahinealohaokalani Keoholupakaahumanu Kamakea and I am a member of the Protect Kaho'olawe 'Ohana and I come before you today to share my mana'o. I am a *keiki o ka 'aina* - so therefore makes me a *keiki o Hawai'i* and I am a *Hawai'i*.

I went to school and learned one thing - and that's to be anything/anybody else but a *Hawai'i*.

My interest in the 'ohana was out of curiosity. I asked myself what was it that made my brothers risk their lives to go to the 'aina? What was it that they saw and felt? What were they saying?

Being an active member today, I've become aware of who I am, what I am and what I want. No school in the world could ever teach me this. [and I know that as a fact]

There are a lot of us *opio* with the guidance from our *kupuna*, *makua*, with hope for our "*keiki's* of the future" have gone to your schools to learn and have come to realize that your way is *hauna* [gentlemen it stinks] and "we don't like it" and "we don't want it". So why not then let us live the way we want to - our way - the simple way - the way of self-determination and self respect.

Yesturday a question was asked of you - if any foreign countries were also bombing the 'aina? Your answer to that was yes. The countries are Australia, New Zealand, France, and Canada. And for the Japanese—no, because of the language barrier. Well gentlemen, don't you think that there's a language barrier here - is it so hard for you to comprehend *Aloha 'Aina*, stop the bombing and all desecration of all 'aina and pack your *ukana* [your belonging], your *opala* [your rubbish], and get out!! Gentlemen, it would not have taken me half as long to "get the message" as it has you.

Why all the hassles - for you're only hassling your selves [and I'm telling you, you're looking really hupo!!]

Why not let us take care of ourselves - for we are not as hopeless as you make us out to be [for you are the hopeless - and there is no hope for the hopeless].

Auntie Emma spoke of the 'aina as being a beacon for my *kupuna* and foreign ships that came and that each point of the 'aina pointed to different places, whether it be near or far away. My *kupuna's* whole being depended on the 'aina and *na lani*. 'Ae, I realize that it wasn't easy for my *kupuna* [for life was not meant to be easy]. But they were so in tuned with 'i'a and his creations, that they knew that if they didn't take care of the 'aina, how were they ever going to live?

And this gentlemen shows that my *kupuna* did not need the "technology" to tell them so.

You try to make us believe that your way is the right and only way and that is the way of technology.

The wrong way. Which is made by man; and man is so imperfect. 'Ae, my *kupuna* depended on the 'aina for life and also on each other - for there were trust, respect, and love for one another - they also new that without "i'a" - the creator of the heavens and the earth they would be nowhere [which I feel we are today].

Auntie Emma also spoke of the meaning of Hawai'i.

Ha the breath/life of i'a.

wa [wakeal]-enlightment of i'a.

i'i ianalaniniuamaomao

The life of *i'a* from the beginning to the end; for eternity. . . .and this I speak of *aloha-*

aloha no ianalaniniuamaomao

aloha aina

aloha po'e

And I ask of you my people - now is the time for us to *lokahi* and *onipa'a*, and teach our "*keiki's* of tomorrow" what our *kupuna* left for us.

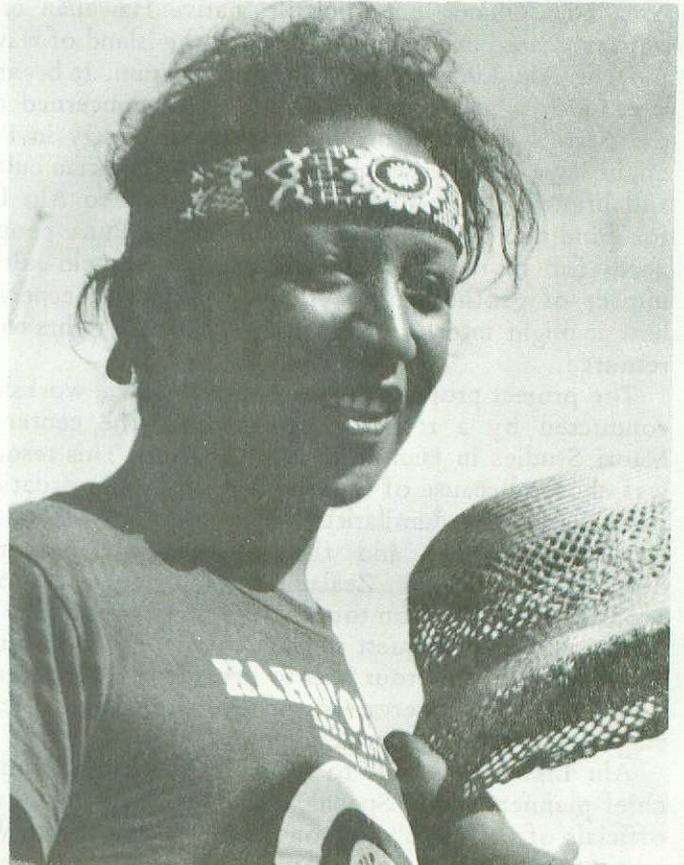
to Aloha i'a

to Aloha 'aina

to Aloha po'e

and teach our *keiki's* that they are *Hawai'i* and to be proud that they are *Hawai'i*, for they are "*keiki's* of tomorrow and they will carry on."

And to you gentlemen, I close by saying once - "Stop the Bombing and all desecration of all 'aina, pick up your *ukana*, your *opala* and get out." For gentlemen, this is only the beginning.***



Often I hear of misrepresentation. Generally over the lack of input by those being represented, or a clear disregard of the peoples wishes.

I am the Protect Kaho'olawe Fund's representative to the Council of Hawaiian Organizations. (COHO) It is impossible for me to represent those in the group unless I receive feedback.

Perhaps I should give you some background on COHO. It is composed of 13 groups. By no means all the Hawaiian organizations. The 13 include Aloha, Congress of Hawaiian People, Friends of Kamehameha Schools, The Hawaiians, Hou Hawaiians, Home Rule, Hui Malama Aina O Kahana, Hui Malama Aina O Koolau, Kamehameha Alumni Assn., Native Hawaiian Legal Corp. Ohana Kualii, Welfare Recipient Advisory Council and ourselves. The meetings are held at Liliuokalani Trust on Oahu every other Friday.

In the past COHO made a recommendation to the governor. Our choice of a qualified individual to replace Billie Beamer when she stepped down from her position in Hawaiian Homes presented a problem. The reason I bring this up is our recommendation conflicted with some peoples idea of what representation is. The councils authority was questioned as a result of deciding our choice so quickly. There was no feedback from the groups we represented. Therefore my decision was made based on my judgement of individual qualifications. There was no time to waste. A decision had to be made. Delaying for two weeks would have exceeded the appointment deadline.

The complaint brought to our attention was a good one. I agree there should be more participation when possible. Concerned individuals could attend the meetings or take the initiative to find out what is going on. It is impossible to get feedback on decisions that demand immediate attention. In these situations I can say only, please trust me. If you choose not to, I welcome you to join me at these meetings. Please join me if you are just plain interested. I feel they can be educational.

As your representative, it is my wish and responsibility to consider your mana'o whenever possible. Without your kokua, your interest, and your concern, I am left to tackle this alone which can not remedy the problem.

Within COHO I was appointed to the steering committee on the Settlement Commission. A committee designed to monitor the Reperations Bill, make recommendations of strategy in regards to the commissioners, examine the possible claims and develop a more efficient form to communicate the information to the people.

On Communications we strongly suggest the Waha Olelo system. It is based on the concept of a spokesperson. Someone within the group that people listen to, such as a kapuna. By contacting these individuals and informing them, they would in turn inform their group. The group decides their positions, this information is fed back to us. A broad consensus can be taken through

these individuals, having each group comfortable with their speaker is extremely important as they are more likely to open up.

The first is a full election by Hawaiians, developed by the Sovereign Committee sometime ago. Consideration must be given to time and money. It's costly and may take 1 to 2 years to complete. We would be likely to get our elected choice as an election would favorably impact the governor and president.

The Puwalu process was our second option. Utilizing the Puwalu's Alu Like holds through out the state, an election within each of these communities could occur. The cost would be kept down for COHO. The elected list would be given to the governor and president. In this way, each area may be represented.

The next is the group ALOHA, who wrote and sponsored the bill. They are a representative body of the Hawaiian people, set up to handle reparations. They have plans for their officers to meet and make up a list of nominees for the governor.

Third is the WAHA OLELO process if established. Using this communication network, we could request nominations. These nominations would then be narrowed down by their popularity. COHO would then forward the elected list to the governor and president.

Last is the newspaper process. Advertising in the newspaper could draw attention. Then a ballot would be run with a request that all native Hawaiians clip it out, write in their name, social security number, address and nominee. It could be done in many different ways. But COHO would tally the votes and forward the results to the governor and president. These last two processes could be criticized easily.

I would appreciate your feedback on these options. Please take into consideration, the problems of time and money. As we must come up with any money that is required. Needless to say COHO is not rich, but you people are rich in talent, wisdom and the eagerness to learn and grow.

With the delays of the bill in the House, COHO is holding off any decisions pending the outcome. Should the bill pass, there may be very little time. If it dies, there is much time. Another Bill can be brought to life again next year.

Reparations can only be whatever we make of it. I ask you to consider what changes, if any, you would like to make if the bill dies. We could always rewrite it or write a new one for next year.

Please kokua with your mana'o. Let me know how you feel about these points I have made. Like them or not, I want to hear it like it is.

My address: 45-437 Akimala St., Kaneohe, Hi. 96744.***

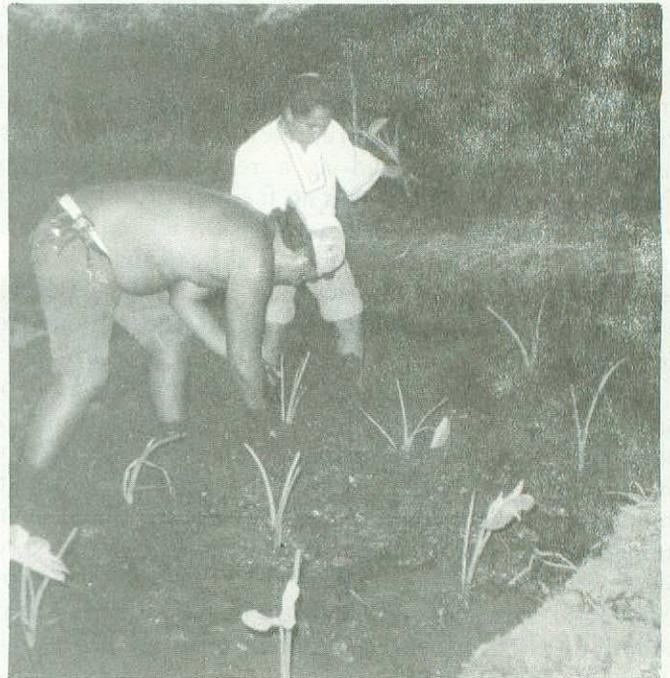
NA LIMA HANA ONA OPIO



The working hands of the youth is the spirit of this project. What they can learn and what they can do. Brought together in the realm of our love for our young people. The future of many generations yet to be born.

The opio have learned the ways of their kupuna. . . .

. . . the makua have rediscovered the ways of their kupuna, and our kupuna remember the ways of their kupuna.



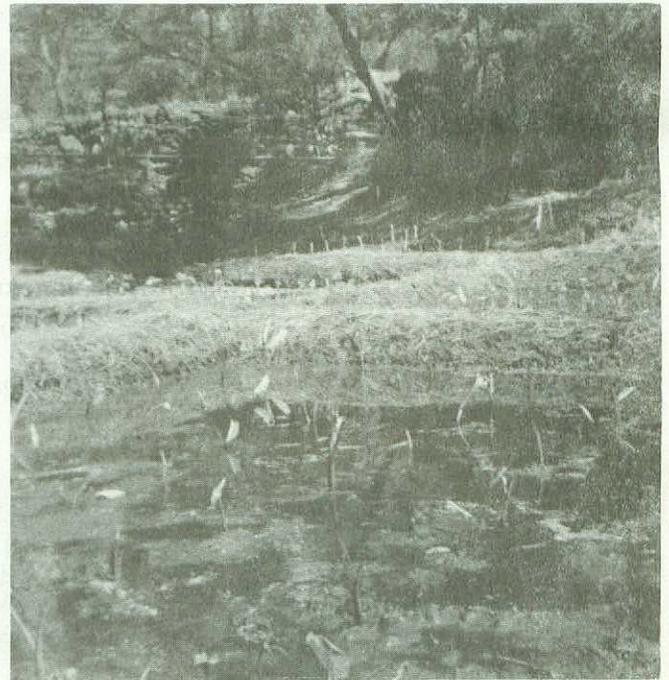
The kalo culture has given all of us depth into the meaning of Aloha 'Aina and what it means to be a Hawaiian.





The Kumu of this project is Kawehi Ryder. He possesses the qualities of knowing the importance of an individual's self identity and self-worth; has the willingness and understanding to share his knowledge and the vast ability to motivate people.

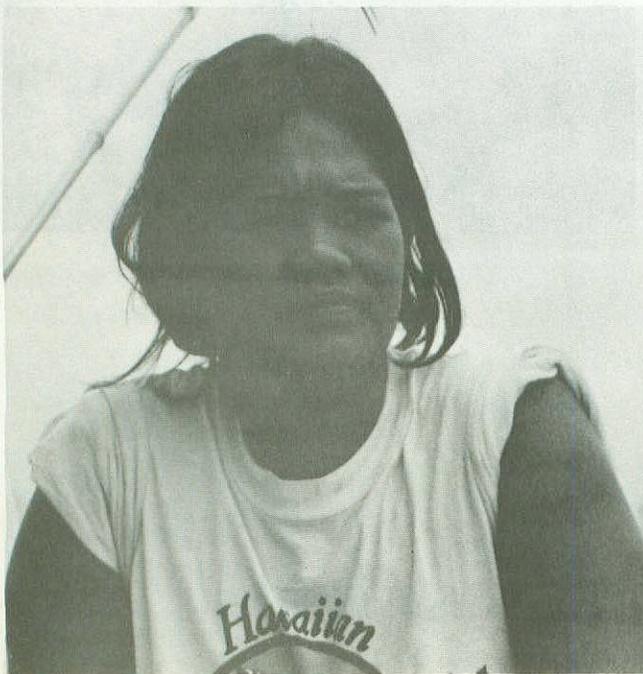
In our over all observation of this project, the qualities of the Kumu emerges as a focal point of its success. A reality to be pursued in the best interest of our Hawaiian children is education in today's society.

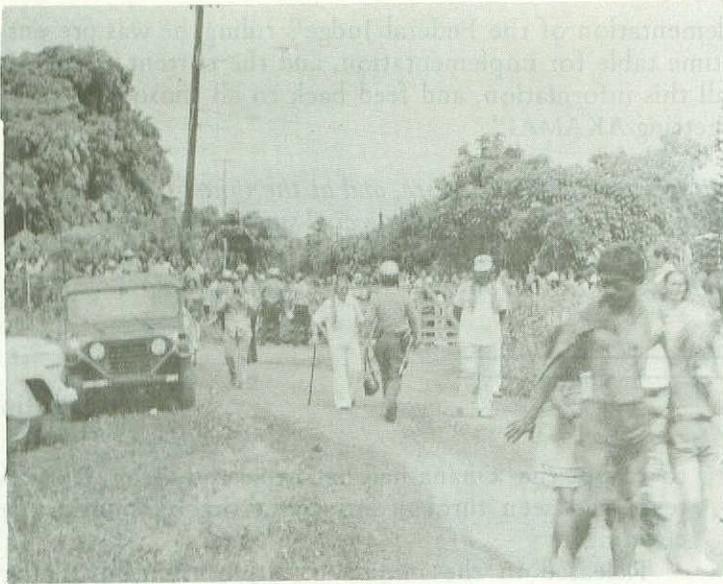




The Wahines of Kukailimoku Village at Kona Lahui Meeting
June 9, 10, 11 and 12th, 1978

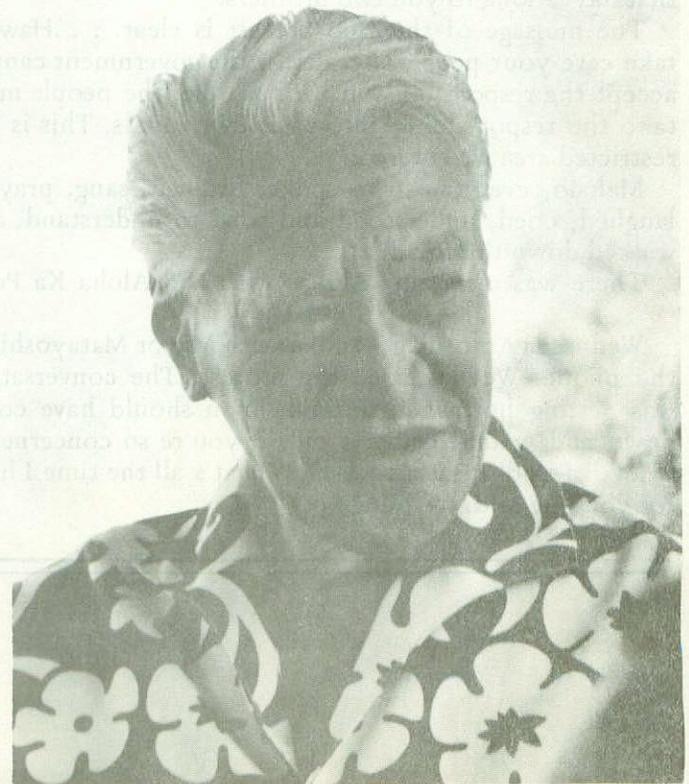
Onipa'a Kakou





**Hilo Protest in Action
Imua Hawaii Nei**

Uncle Sam Hart: Kahu to mana'o that has touched us throughout Hawai'i Nei. Mahalo Uncle Sam



La Hui Report

reports that after one year's time and "dragging" implementation of the Federal Judge's ruling, he was presented with a copy of all the E.I.S. hearings testimonies, a time table for implementation, and the current status of historic sites nomination processes. We need to digest all this information, and feed back to all those who testified before we continue through the courts. "The Navy is getting AKAMAI".

*E kala mai: last issue we reported that "Legal Aid was no longer available any more, and at the time of this writing, Legal Aid was preparing to cut aid to anyone but people filing personal suits - goodbye civil suits". This is an error - Legal Aid is committed to our Civil Suit, and have kokua us through clerical and editorial assistance in our drafts, and in keeping us close to the Puerto Rico Federal Suit to "Stop the Bombing" in Veiques. Mahalo Legal Aid and Mike Town.****

Hilo Protest

fill out one more form, led out the front and given our little white paper for freedom - our court date.

There was plenty of time to talk story with the police, with each other, with our brothers and sisters who drove up to the jail from the airport to support us with their aloha, with their juice and sandwiches and corned beef and rice, and to talk sign language with the brothers behind bars - next time a lot of them will be out there with us.

"You guys have got your point. . .you have to do this. There's got to be demonstrations" said one officer.

"My cousin does the same stuff you guys do, all the time" said another.

"See you on Friday" says our arresting officer.

We were all released on our own recognizance - no bail - provided that we did not return to the airport that day. We, all but two, agreed, that we would not return that day. Aloha to you two brothers.

The message of the Hilo protest is clear. . . .Hawai'i take care your people. Because if the government cannot accept the responsibility for it's people, the people must take the responsibility into their own hands. This is the restricted area we entered.

Mahalo, everyone who spoke, listened, sang, prayed, laughed, cried, understood and tried to understand, and walked down that road.

There was a reason: Aloha 'Aina and Aloha Ka Po'e.

Wednesday morning I spoke with Mayor Matayoshi on the phone. We discussed the protest. The conversation was getting hot when he said "You should have come down and watched, like I did, if you're so concerned," "Hey," I said "I got arrested". "That's all the time I have for you" he said. We hung up.***

Negotiations

to co-opt the 'Ohana had been rejected. The negotiating team had seen through Ariyoshi's shabby political maneuvering.

Released in the middle of Ariyoshi's campaign, the memo was clearly designed to give him a positive (if not forceful) image. In concluding the memo, Ariyoshi and his supporters have claimed that a "necessary first step" has been taken toward resolving the Kaho'olawe issue. Few people realize that any potential benefit to the island (which is still in doubt since the memo has no dates for planting, surveys, etc.) is far-outweighed by the legal and political implications of the accord. And these implications are serious indeed.

In the first case, the memo has the force of law. Because the State has recognized the Navy's need for Kaho'olawe, the Attorney General is hindered, if not wholly prevented, from taking legal action against the Navy. This is the reality of State politics, regardless of the Administration's political preference - Democrat or Republican - -and personal style - -Ariyoshi or Fasi.

For those who place little faith in the courts, one fact should be kept in mind. It is legal action that has forced the Navy to comply, however belatedly, with environmental and historic preservation laws regarding Kaho'olawe. While the bombing remains essentially a political (probably Congressional and /or Presidential) problem, whatever small gains have been made for the benefit of the island, have come as a result of legal action.

Politically, the memorandum also had consequences beyond an Ariyoshi face-lift. During the Honolulu hearing of the Hawaiian Affairs Committee, two delegates expressed their fear that Con-Con proposal 341 (relating to the use and return of Kaho'olawe) would be defeated because the memo rather than the proposal appeared to be the official Ariyoshi position. (Remember, Ariyoshi delegates are a majority in the Con-Con.)

In the end, the proposal was not reported out of the Hawaiian Affairs Committee. A resolution was presented, which, although stronger in wording, lacked the legal impact of a proposal. For the many delegates (over 600) who signed the proposal, its later substitution by a resolution signalled a wasted effort. And there remains

Negotiations

the after-effect of political embarrassment. The good will of concerned delegates (many of whom are also legislators) was lost because their public support of the proposal was eventually ignored in favor of the resolution.

... A PROBLEM OF STRATEGY

Given our "bad faith" experiences with the State, and uneven public understanding of State collusion with the Navy, some hard political realities need to be addressed by the 'Ohana.

Ariyoshi's administration is unwilling to take strong legal and political action against the Navy. As a result, 'Ohana involvement in "negotiations" has meant a prolonged drain on our energies, and a public position which

appears, at best, contradictory. More importantly, other avenues of political pressure have been neglected: our Congressional delegation; the current political campaigns. If the 'Ohana is to pursue a political strategy at all, we must decide the following kinds of questions:

- 1) Should we publicly endorse candidates?
- 2) Should we continue negotiations, given their recent detrimental outcome?
- 3) Should we choose willing members from among our State-wide organization to concentrate on Inouye and Matsunaga?
- 4) Should we broaden our political base, linking up with other organizations in a unified strategy? Perhaps a connection of Hawaiian issues--Reparations, Native Rights, Kaho'olawe, Sovereignty?

One suggestion is that the 'Ohana publicly represent the value of Aloha 'Aina. Before the elections, our strategy would be to follow candidates in their campaign, forcing them to answer questions and take a public position on Kaho'olawe, and other Hawaiian concerns. The advantage of this strategy rests in the 'Ohana's continued independent position. We could focus on the bombing, and land issues in general, without committing our organization. In this way, the 'Ohana would be forcing a public discussion without attaching ourselves to any one candidate.

Whatever our strategy, the 'Ohana should understand that we live in a political world. Whether we fare well or badly or not at all depends on whether we are committed to our position (stop the bombing, return the island), and whether we are knowledgeable about our choices. Our organization must reflect this clear-sighted direction. In the end, playing politics is no different than playing other pragmatic games: winning is the goal.***

Geothermal

prior to the conference. Besides geothermal energy, the issues of Kaho'olawe, native claims legislation, and the disproportionate number of native Hawaiians that are in prison were also brought to his attention. But the underlying concern voiced by the Hawaiian representatives was clear--native Hawaiians have the right to determine how their land and natural resources are to be used but government has ignored this right.

Apparently, Toms got the message because he made his promise, which was totally unexpected but welcome news. Specifically he told the group that he would (1) provide funding to hire a native Hawaiian planning staff to insure that native Hawaiian concerns are properly brought into play and (2) cut off federal funds to all geothermal projects in Hawaii if he feels that native Hawaiian rights are not properly protected.

The latter announcement was extremely good news because most of the geothermal projects in Hawaii are heavily funded by the Department of Energy. If federal funds were terminated, it would probably bring geothermal development in Hawaii to a complete stop because it would be too expensive for the State or Counties to develop on their own. His remarks may have an impact later this year when Congress will consider legislation which if passed, would provide depletion allowances and loan guarantees to private geothermal developers.

The native Hawaiian planning staff that Toms promised to fund is separate from the UIPA/Native Hawaiian Geothermal Project. He asked that native Hawaiians prepare a preliminary proposal for his review and indicated that funding could be made available as soon as October. He said he could fund at least one or two positions and would be willing to consider more if proper justification was provided in the proposal.

A day after the conference concluded, the UIPA members met with representatives of native Hawaiian organizations, the State, County of Hawaii, Department of Energy, Bishop Estate and Queen Liliuokalani Children's Center to work out details of the UIPA/Native Hawaiian Project. Andy Ebona, executive director of UIPA, stressed that his organization's contract was to work with native Hawaiians, not just one or two organizations. He said that the \$20,000 budget would be revised so that a full-time, native Hawaiian coordinator could be hired. Participants at the meeting agreed that Mr. Ebona should take responsibility for hiring the coordinator in order to save time. They also concurred that the two educational-informational workshops which UIPA will coordinate as part of the project should be held in Hilo and Honolulu late this year and early 1979. Alu Like also agreed to provide funds under its Employment and Training program to hire an assistant to the native Hawaiian coordinator.

The proposal to hire a native Hawaiian planning staff was also discussed. The group felt that hiring of the staff should be the responsibility of native Hawaiians and recommended establishing a board of representatives from

Geothermal

Hawaiian Organizations. No decision was made on who would prepare the proposal but several people suggested that the Puna Hui 'Ohana assume that responsibility. Since that meeting, the Puna Hui 'Ohana board of directors did vote to prepare the proposal.

This recognition by the federal government is truly something for native Hawaiians to be excited about. It does not happen often. Native rights usually go unrecognized by the government in its policy-making process. A good example of that insensitivity is the Navy's continued use of the island of Kaho'olawe as a bombing target despite the objections of native Hawaiians.

To be sure, there are no guarantees that the recognition will continue or that the Department of Energy will be any more sensitive to Hawaiian rights than the Navy has been. There is only the word of Dr. Toms who appears to be a fair and just man. His promise, however, and the approval of the UIPA/Native Hawaiian Geothermal Project gives native Hawaiians a rare opportunity to be heard in Washington, and we should take full advantage of it!!

With the recognition also comes a challenge to native Hawaiians.

In order to fully participate in the federal policy-making process, all of us must first inform and educate ourselves about geothermal energy and its impact on Hawaiian rights, so that when the time comes to make decisions, they are made with the best interests of the people and land in mind. In the words of George Helm, "we have to do our homework."***

Honokaupu

rights to access. The rights to the mountains to gather and the rights to the ocean to fish.

Their are existing laws that protect these rights. The native Hawaiians who are the ones that owned Kuleana lands located in an ahupuaa. Only they can exercise these rights.

But at the present time, now, in order to exercise these rights you have to test it out in the courts. This I'll never understand. When there are laws on the books protecting and preserving these rights one must go to court to see whether or not the intentions of these laws are valid or not.

These which I have mentioned is only a small part. The native Hawaiians and the people are learning. They are becoming more aware of the many issues that have been suppressed. We must all do our homework, do research, listen with an open heart and have love and understanding for one another.

The Admission Act, Section 5F reads as follows:

The lands granted to the State of Hawaii by subsection (b) of this section and public lands retained by the United States under subsections (c) and (d) and later conveyed to the State under subsection (e) together with the proceeds from the sale or other disposition of any such lands and the income therefrom, shall be held by said State as a public trust for the support of the public schools and other public educational institutions, for the betterment of the conditions of the Native Hawaiians as defined in the Hawaiian Homes Commission Act, 1920, as amended, for the development of farm and home ownership on as widespread a basis as possible for the making of public improvements, and for the provision of lands for public use. Such lands, proceeds, and income shall be managed and disposed of for one or more of the foregoing purposes in such manner as the constitution and laws of said State may provide and their use for any other object shall constitute a breach of trust for which suit may be brought by the United States.

This is law written by the Federal Government, not the State; and I feel that the native Hawaiians should be educated on this matter, the Admission Act, Section 5F. The native Hawaiians live under all kinds of conditions, from unemployment to being unable to read or write, from moving from one place to another in order to survive. The State government must address this matter of great concern to the native Hawaiians. They are the trustees, and the native Hawaiians are the beneficiaries.

The native Hawaiians and the general public too must be educated on the Penal code. Laws that Govern all of us. I don't feel that business people, the government, lawyers, judges, police etc. know some of these laws or all of it but that the general public should know what are these laws and how it affects them and how they are applied. The public should be made aware of them, these laws, all laws. Not when you get into trouble then lawyers have to explain this and that and so forth.

I am involved in many things and I feel that educating ourselves to these laws are important. Whatever you do, there is a law for this and for that and so on.

I wished that the legislature stop making new laws and go over laws that exist now and clean up their shelves, files, and libraries. See whether or not they have conflicting laws, or they are too out of date or whatever. The government is the public servants and they should remember that. We too should remind them of their responsibilities and ours.***(written by Joyce Kainoa for the news letter, 8/78.)

Spouse Abuse

We've been married close to 20 years now.
(Hawaii will celebrate its 20th year of Statehood in 1979.)

Yet never in all these years have you given a penny to raise our child, who was born pre-maritally. He has suffered much, working his own way through life. He has given much of his life to please you.

(The Hawaiian Homes Commission Act was never funded and the Government has used 44,000 acres out of approximately 200,000 acres. The Federal Government uses about 16,800 acres today. 30,000 acres are "missing.")

You have beaten me repeatedly.
(My people have been evicted slowly but surely from their home lands and have become dispossessed.)

I have become so scarred.
(Ugly buildings and highways mar my once-beautiful landscape; Kaho'olawe has been bombed mercilessly.)

Fish that used to in the past, no longer come to play at my feet.
(Even the food is far out of reach of my people. Fish prices are so high and there's a poi shortage because our ancestral farmlands on which we grew taro has been denied water which has been diverted to sugar can lands. So much of what we eat is imported.)

I will no longer pity myself but must stand up to you. I will take this treatment no more.
(I will resist you in these demonstrations.)

You had better straighten up, America; give restitution or ship out!
(I give you a year to make reforms and show good faith; Do this or we will declare sovereignty - to be freed of your shackles.)

I have options for the future. I could go to the police.
(I can ask the United Nations to step in between us.)

I could turn to the Women's Counseling Center.
(I could turn to my sisters in all of Polynesia.)

And then, too, I could have an affair.
(Perhaps I can call the Soviet Union or the People's Republic of China to my defense. Or how about Cuba?)

But then. . . I really wouldn't want to do that. After all, I do have my pride. So for now, I will just settle to be introspective and think things over.
(I will turn to my Native Hawaiian people to direct a course of action.)

But I did want to let you know of my thoughts for now and of possibilities for the future, before I act on my convictions.

Aloha,
Hawaii

their boats are small, open, out-board motor boats. Only two larger boats are owned by the Asociacion. The captain of one of these larger vessels talked quietly about the situation. "I have nothing against the Navy as such," he said. "But I oppose their actions on Vieques. Everywhere else in the world there is peace, but here on Vieques we are still at war. The Navy is destroying our livelihood- it is the biggest hurricane that has ever blown through this island. For us, this is the immediate issue."

Although this sense of economic pressure is the first in the minds of people, I was also impressed by their sense of love of their islands. "I have lived here for 45 years," one fisherman said, "and still I have no right to use the land or the sea, God put the whole world here so that we could swim in the ocean, or walk through the grass with our families. But now the Navy has put it out of my reach." These thoughts were echoed by another fisherman, who added: "What can I say to my children, that they will not have the ocean to fish in or the land to live on? What can I pass on to them if the Navy keeps on like this?"

Finally, in early February of this year, the fishermen decided to act. About 30 small boats sailed out into the "restricted area" around Vieques on February 6 and staged a "fish in," placing themselves between the island and a fleet of Navy and NATO ships engaged in maneuvers. The fishing boats formed a solid line to prevent the military ships from sailing in or firing on the island. Meanwhile, on shore, another group of Viequenses on horseback rode along the beaches to interfere with the Marines who were staging a mock landing.

During the confrontation at sea, one of the Asociacion's larger boats was rammed three times by a Coast Guard cutter. The captain of that boat was Carlos Zenon, a leader of the fishermen. "The Navy knows that I'm the leader," says Zenon, "and they figured out that if they can get me out of the way then the fishermen would give up. So they bang my boat three times, point guns at me, and threaten to arrest me. I say, to go ahead. Here I am. That morning I had told my wife that I'm pretty sure they are going to lock me up. And I told her if they do, nobody get me out. That's what we need, hundreds of people ready to go to jail to protect our land."

Zenon said that his boat, the Esperanza II, suffered "considerable damage," including a three foot hole smashed in it's side. But despite the damage and the threats of arrest, Zenon and the other fishermen stood firm. As it turned out, no one was arrested that day, and the Navy exercises had to be halted for hours. As Zenon put it, "we beat the hell out of them today!"

The following day, the captain and crew of the 42-foot Esperanza I were arrested and the boat itself was seized by the Navy for fishing in "restricted waters." The charges were later dropped, but not until the crew had been taken to the city of San Juan on the "big island." According to Severino Ventura, the boat's

captain, "we never got back our catch of that day, and we were left in San Juan without money or anything." But at that point Puerto Rico's Governor Carlos Romero Barcelo stepped in to negotiate the release of the boat. Four days after the arrests, Governor Romero sailed to Vieques on the newly-released Esperanza I, displaying his support for the fishermen's actions.

A month later, in early March, Governor Romero filed suit against the Navy in an effort to stop the bombing. He was joined in the suit by the Mayor of Vieques, the government of the Commonwealth of Puerto Rico, and the islands' Environmental Quality Board. The suit, which charges that the Navy has violated federal environmental protection laws as well as those laws which protect historic and cultural sites, is very similar to the 'Ohana's civil suit.

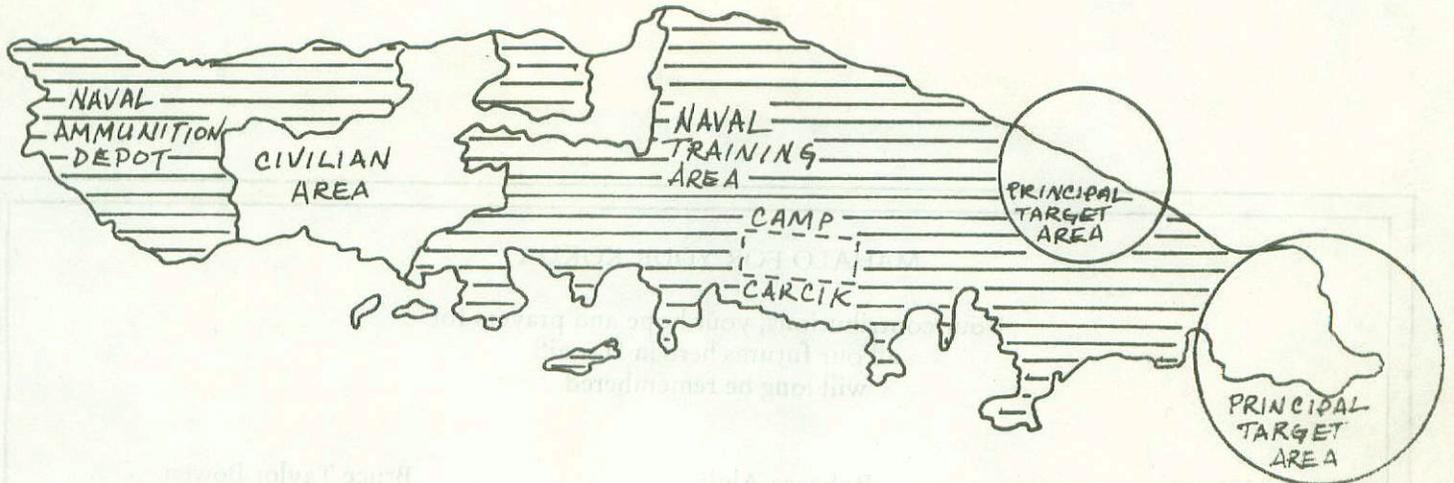
Other forms of support have also come from the Governor's office. One important instance concerns water. Until recently, the water supply on Vieques was largely controlled by the Navy. In the fishing community of Esperanza, a pipeline runs along the main street, but it doesn't supply water for the people. It just connects the military base on one end of the island with another base on the other end. Local residents had to catch their own water (not an easy task on the dry island) or rely on periodic "handouts" from the Navy.

The answer of the Puerto Rico government was to build a water pipeline stretching from the island of Puerto Rico to Vieques. The pipeling was finished this spring, and now supplies most of the water used by people on Vieques. There is an important lesson here for those of us living in Hawaii, for Vieques is the same distance from Puerto Rico as Kaho'olawe is from Maui. People in the Puerto Rico government could not see any technical reason why a similar pipeline could not supply all the water necessary to support civilian use of Kaho'olawe. If our own State's government began to take aggressive action like that of Governor Romero, we might be much closer to seeing a solution to Kaho'olawe's plight.

The struggle on Vieques continues. The strength of the fishermen's actions and the support which they have received from other Puerto Ricans prompted President Carter to order the cancellation of "Operation Solid Shield," which had been scheduled on Vieques in May. This summer, hundreds of people joined a "camp in" on part of the Navy's section of Vieques. In addition, the Asociacion Pescadores has filed a \$100 million law suit against the Navy, demanding that they stop bombing Vieques and return the island to the people.

The sun comes up very early on Vieques, and on my last morning there I took the opportunity for an early morning walk along the beach at Esperanza. The ocean was extremely calm. Not more than 50 yards out in the bay, a few porpoises played among the boats. Then the morning silence was interrupted by the appearance of two Navy jets which circled the island before dropping down low and swooping down into a bombing run to the

down low and swooping down into a bombing run to the east. In a very emotional way, the reality of the scene finally hit me. Here I was, literally a half a world from home, watching as the hostile droppings of our "defense" forces blasted away at another chain of islands. It is hard to explain just how I felt. The part of me which is American felt deeply ashamed, while the part which is Hawaiian felt intensely angry. While I would soon leave Vieques, I knew that I could not leave the struggle.***



CLOSING PULE

Ke kulou haahaa nei makou
 Me ka hoomaikai no keia palapala Hoonaaauao
 Mahalo ia oe no keia poo maikai
 E launa mai kou uhane oi ai e hoi
 Pakahi aku ana makou ina home
 A makou me ka palekana
 E hoomanao mau no makou
 Na kumuhana me na mea hele
 A makou ka ohana

*We bow our heads with gratitude
 As we come to the end of our Newsletter project
 We thank you for a good newsletter
 Go with us to our homes in safety
 May we be always reminded
 The purpose and needs of our 'Ohana
 In Jesus Christ name*

Amen

Amene

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As Hawaiians, it is not easy to ask for anything, especially money from people we do not know. We are mostly ma'a to giving whatever we can.

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