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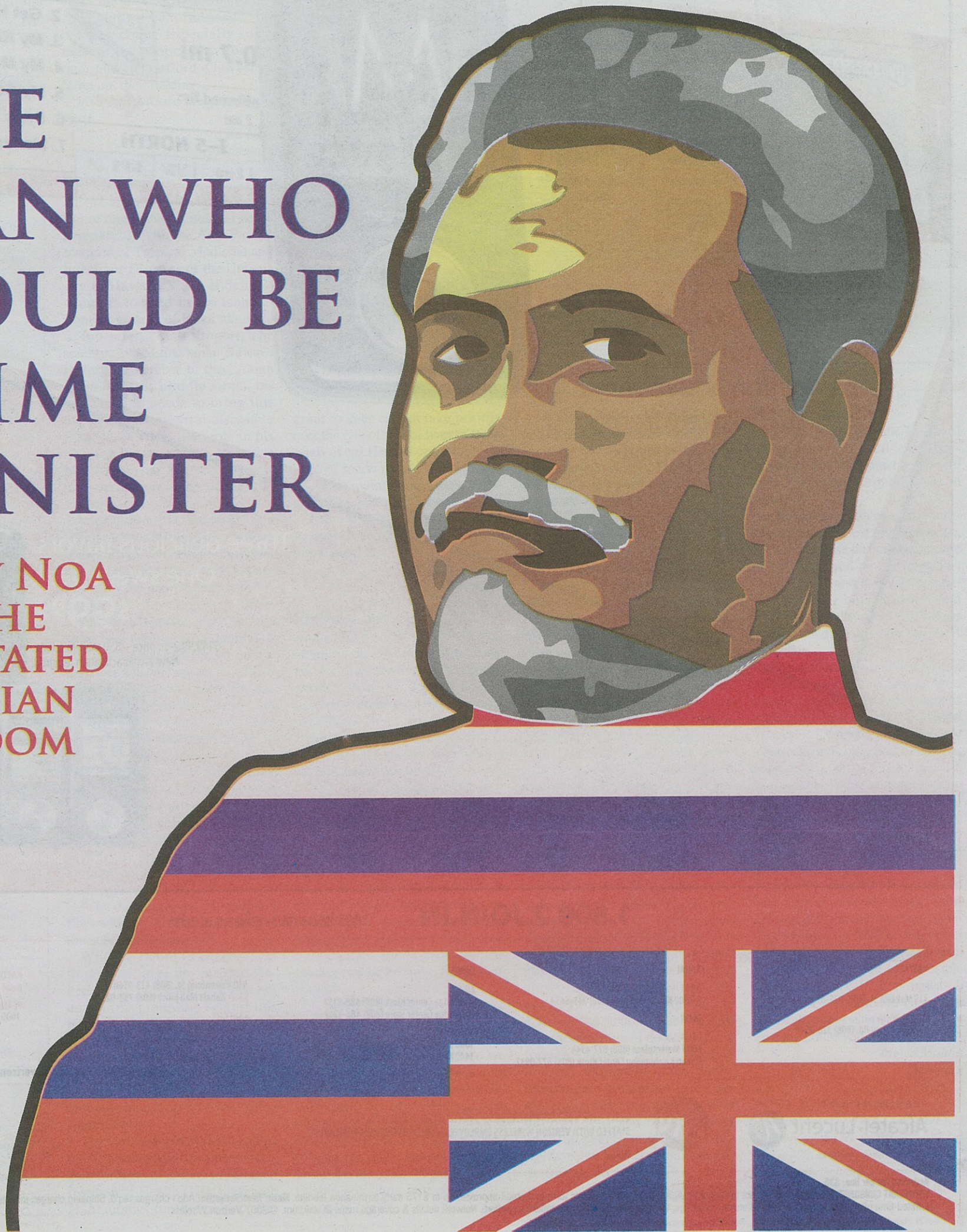
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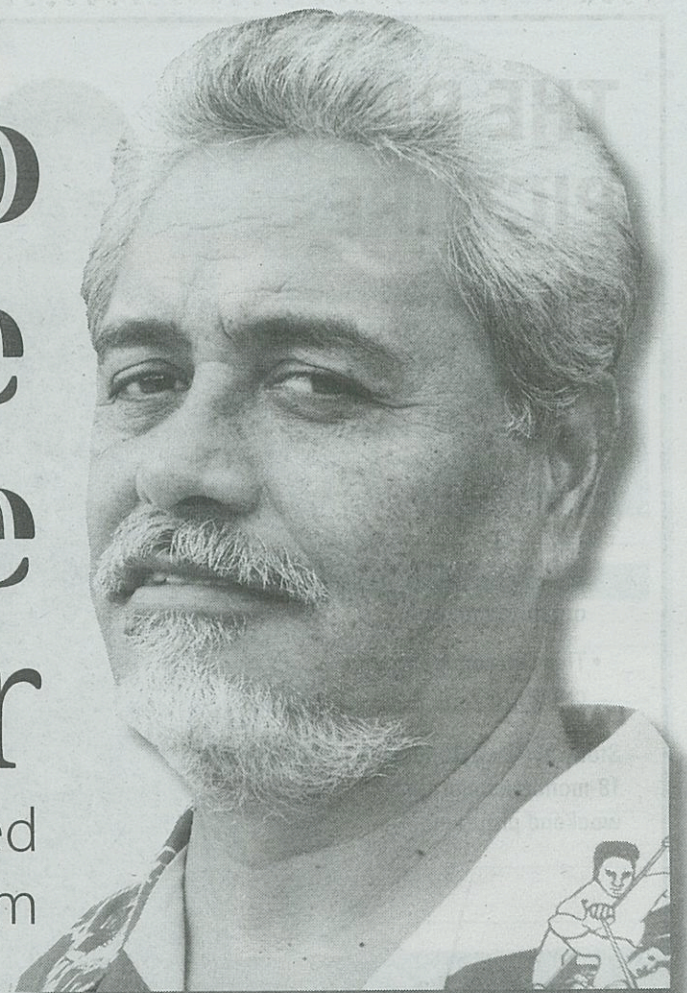
THE MAN WHO WOULD BE PRIME MINISTER

HENRY NOA
AND THE
REINSTATED
HAWAIIAN
KINGDOM



The man who would be prime minister

Henry Noa and the Reinstated Hawaiian Kingdom



The light went off in Henry Noa's head on Nov. 23, 1993. That's when President Bill Clinton signed U.S. Public Law 103-150, in which America officially apologized to native Hawaiians for illegally overthrowing the Kingdom of Hawai'i a century earlier.

JOAN CONROW

Equally compelling, the resolution acknowledged "the indigenous Hawaiian people never directly relinquished their claims to their inherent sovereignty as a people or over their national lands to the United States, either through their monarchy or through a plebiscite or referendum."

It was the idea of enduring sovereignty that captured Noa's attention.

"I got really enlightened," Noa says. "If it was never given up, then where is this thing? Where is this inherent sovereignty?"

To Noa and others, the concept is simple, but profound. Since sovereignty was never relinquished, it need not be asked for, given back, granted, but instead, simply reclaimed—reinstated—essentially picked up where it left off in 1893.

It was upon that premise that the Reinstated Hawaiian Kingdom formed a provisional government in March 1999. Since then, supporters have been working to establish the Kingdom's authority to be recognized as the lawful government of Hawai'i. They drafted citizenship rules, registered voters and held two elections, in which Noa was twice named prime minister. They also adopted laws and the amended Hawaiian Constitution of 2000, an updated version of the one in effect when the constitutional monarchy was overthrown.

"Our former nation was well documented," Noa says. "It's not something we made up."

Now Noa and two other Kingdom citizens—Nelson Armitage Sr. and Russell Kaho'okele—are putting both the Kingdom's founding premise and its political legitimacy to the test. In a hearing set for July 27 in Maui District Court, the three men will face charges of trespassing and entering a restricted area for landing on Kaho'olawe July 31, planting a Hawaiian flag and claiming the island for the Kingdom.

"Under international law, when a nation

returns, it has the right to reclaim what the government rightfully possessed," Noa says. "If you read our website (www.hawaii-gov.net), you'll see a continual progression toward establishing a governmental process. We understood that if we were going to come forward and make claims, such as we have the right to reclaim political authority in Hawai'i, we would need to substantiate that claim.

"It took years," Noa continues. "This is why we feel when we did the action of reclaiming Kaho'olawe, it was based on the fact that we have fulfilled our obligation as a government to establish [that] we can come forward and exercise that right. All these years I waited so patiently to fulfill our obligation to qualify to reclaim."

When the Kingdom decided it was ready to exercise its right of reclamation, Kaho'olawe seemed a natural place to start. The former military bombing target has no permanent occupants or "third party" landowners to complicate legal issues. It is also the one piece of land in the Islands specifically earmarked for return to a Hawaiian sovereign entity, and it is being held in trust by the state until that occurs.

"When we sat down, we realized Kaho'olawe is where it would begin," Noa says. "We are that sovereign entity."

The flag planting wasn't a publicity stunt, but it was done deliberately, and with authorization from the Kingdom's legislative assembly, specifically to push a point, Noa says. Again, the Kingdom's strategy is based on simple logic. If it never gave up Kaho'olawe—or any of the lands under its control at the time of the overthrow—how can it be possible for Kingdom nationals to trespass there?

"I didn't want it to go to court," says Noa, who with Armitage and Kaho'okele was released on \$100 bond "after we assured them that we are not fleeing our country."

"I wanted them to respect who we are, that we're the rightful owners of

Kaho'olawe. But they disagree, which is why we're in their courtroom. Our strategy is just to state who we are, that we represent that sovereign Hawaiian entity and Kaho'olawe belongs to our sovereign nation. It's pretty straightforward. There's no trick up our sleeve."

The case was originally set for June 15, and Kingdom advocates were ready, staging a rally and march outside the Wailuku courthouse that drew about 100 supporters from all islands. But that morning, the defendants and their attorney, Dan Hempey of Kaua'i, were informed the hearing would be continued.

"I was kind of caught off guard," Noa says, "but we're gearing up to do it again on July 27."

Noa refuses to speculate on the outcome of the hearing, saying only, "It's going to be a day in court. I am not a prophet."

If the judge decides for them, "that would be exciting," he says. "It would send a clear message that we have this right and we have

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in fact fulfilled the obligation under international law to reclaim our right."

If they're found guilty, "we'll appeal. We believe we're right in our course of action."

Appeals, however, can drag on, and the current question facing the Kingdom is whether it should start reclaiming more land now, or wait until the Kaho'olawe case is pau.

"We've been 114 years trying to correct the injustice that was done, and a lot of k̄naka maoli are anxious to get more activities going, get more done," Noa says. "We have our conventions and discuss what should be done. The legislative assembly will decide. We're not running a dictatorship here."

The assembly did agree to keep the office of monarch, in a ceremonial role similar to the British crown. "That was one of the hottest topics of discussion," Noa says, and the consensus was to make it an elected

position. "In the process of constructing the government, that will be an exciting election."

Noa, born and mostly raised on a Hawaiian Homestead in Waimānalo, didn't think much about sovereignty until he graduated St. Louis High School and enrolled in the University of Hawai'i on a football scholarship, during the Hawaiian Renaissance period of the early 1970s.

As he earned a degree in physical education and social studies, Noa attended courses taught by professors who taught him a different version of Hawaiian history, one that included details about America's illegal involvement in an overthrow plotted by wealthy sugar planters and carried out with the help of U.S. Marines.

Those revelations piqued his interest in sovereignty, and Noa began studying international law as a hobby while pursuing a teaching career, getting married and raising nine children. "It was through that research that I ended up discovering a former recognized nation has certain rights, despite the illegal overthrow. I realized a lot of our Hawaiian people never understood the principles of international law and how it could be used to reinstate our nation."

Noa came to believe that the emerging models for sovereignty were intrinsically flawed, "like trying to dribble one football," because they failed to address that "we have this inherent right to exercise once we understand how to fulfill it."

The Apology Bill served as a catalyst, pushing Noa and others in 1996 to form the group Kaona, which was dedicated to informing Hawaiians about the reinstatement concept. Kaona and its educational efforts galvanized a grassroots movement that spanned the Island chain and ultimately brought people together to participate in a legislative assembly that created a provisional government.

Politically, the Reinstated Hawaiian Kingdom was founded on the premise that civilized nations operate under the rule of law. "The fundamental principle of law is the right of a nation to exist, and this right extends beyond being in control and being in power," Noa says. "If a nation is overthrown, then its own sovereign could preserve that right forever, and this could be done through a simple protest or objection to the action being undertaken."

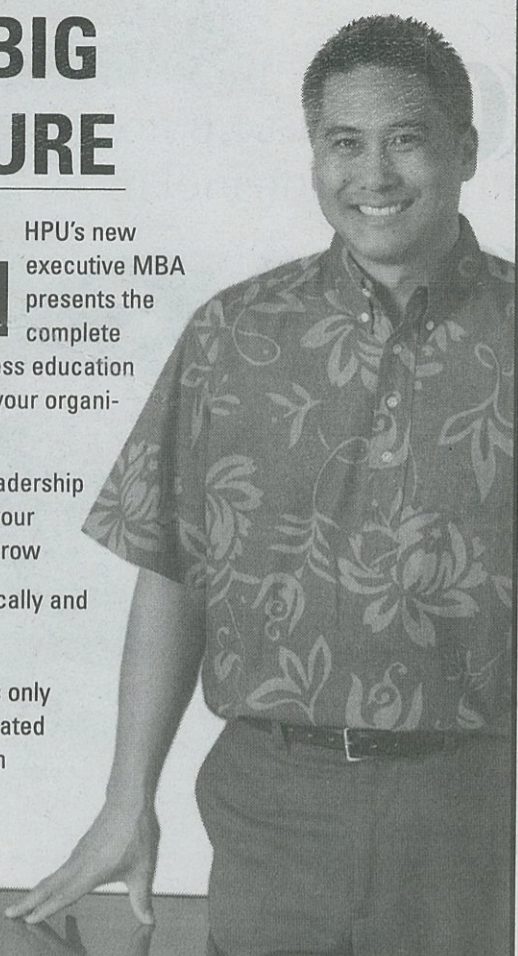
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Kānaka v. Akaka

The Reinstated Hawaiian Kingdom will be holding elections this fall, and Kingdom supporters are currently registering voters—kānaka and otherwise—throughout the Islands.

It's a Kingdom initiative authorized by a resolution known as the Kānaka Bill, and it is being presented as an alternative to a native Hawaiian recognition bill that Sen. Daniel Akaka has been pushing for some seven years now.

"It's a two-part strategy to offer kānaka an opportunity to participate in the election and make them aware of the Akaka Bill," says Henry Noa, the Kingdom's prime minister.

The Kānaka Bill is a single page document that lays out the premise behind the Reinstated Hawaiian Kingdom and outlines a voter registration and election process. It stands in stark contrast to the complicated 40-page Akaka Bill, which gives Hawaiians the same legal status as Native Americans and Alaska Natives—but no control over any land.

The Akaka Bill also prevents Hawaiians from making any further claims to sovereignty, while the Kānaka Bill is all about establishing sovereignty independent of the United States.

"The Kānaka Bill was generated by our government, and if you look at the end result, it provides an opportunity to vote for your representatives to serve in a government office with no strings attached, no superior government dictating what this body can do and how it can perform," Noa says.

"If you look at the Akaka Bill, they're talking

about a form of governance completely controlled by federal law, state law. For me, I can't see how it will benefit us. We already exist in that way."

Noa views the Akaka Bill as "a devious process to get the kanaka to give up his inherent sovereignty rights."

All kānaka maoli—indigenous persons—are eligible to register to vote in Reinstated Hawaiian Kingdom election by virtue of their "inherent right to reclaim the former Hawaiian Nation's absolute right to political authority," according to the resolution.

Persons without aboriginal blood who wish to vote must first become citizens of the Nation, a process that involves applying for citizenship, attending educational courses, passing a competency exam, signing an affirmation of loyalty to Hawai'i and declaring in writing their intent to abandon their U.S. citizenship.

The issue of identifying and registering kānaka is crucial, Noa explains, because "kānaka need to vote to legitimize the Akaka Bill." Currently, the Office of Hawaiian Affairs, is conducting its own registration drive, Kau Inoa, in preparation for that vote. The Kānaka Bill is intended to give Hawaiians another option.

"It's a choice," Noa says. "The way we see it is every person, kānaka included, has a choice to make."

For more information on the Kānaka Bill, contact O'ahu Island Coordinator John Lopes at 695-1188 or visit www.hawaii-gov.net. —J.C.

And Queen Lili'uokalani did, indeed, object to the overthrow, drafting a protest letter to the American government on the very day she was removed from her throne and imprisoned at 'Iolani Palace.

"The interesting part about international law is it was actually established knowing larger nations would have the desire to conquer other nations," Noa says. "It's flexible enough to have that occur, but at the same time, protect the smaller nation. It took me a long time to catch on to that and really understand it. Then it came to, how do you execute it? Because one of the most difficult things about international law is enforcement."

That reality, coupled with the intrinsic spirituality of Hawaiian culture, explains why the Reinstated Hawaiian Kingdom movement has such a strong spiritual component. In many respects, its followers are engaged in a supreme act of faith, adhering to a belief system that maintains that justice does prevail, wrongs are set right and the truth will set you free.

"To me, it's about keeping the faith," Noa says. "We have the right, and to not exercise it is the greatest sin. Eventually, I believe, Akua will grace us, and I keep praying that grace will come."

In many ways, Noa says, it's a miracle the Kingdom has come this far. Early on, supporters agreed to "cut the umbilical cord" with the state and federal governments. The decision was designed to "teach ourselves what it means to be independent," he says, but it also eliminated access to many funding sources available to non-profit organizations and groups holding a business license.

Supporters raise money for the Kingdom by making and selling laulau, huluhuli chicken, kalua pig and smoked meat, and they're

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constantly looking for ways to "streamline what we need and just focus on the necessities," he says. They also donate their own time and money.

Faced with the cost of running another Island-wide election, Kingdom supporters sometimes wonder if they backed themselves into a corner by refusing to seek government funding. But Noa says, "We've gotten this far, why should we turn back now? It's a matter of pride, dignity, and it has actually strengthened the people involved with reinstatement."

"Nobody really gets paid in this process," adds Noa, who with his wife's blessing left teaching several years ago to devote himself fulltime to the Kingdom. "It has definitely been a struggle as far as surviving family-wise. I'm really happy she's supportive. She's a wonderful woman."

Despite the personal challenges he's faced, Noa says he's thankful for "all of those who have been a part of reinstatement, who have

stuck with it and been dedicated. Sovereignty is such a fascinating life. You know you have this right, but at the same time, you have to convince other nations you have this right."

Noa sometimes becomes frustrated and discouraged with the process, and initially he was angry at both the injustice of the overthrow and the difficulties encountered by those trying to resolve the issue. But he says he trained himself not to succumb to those emotions.

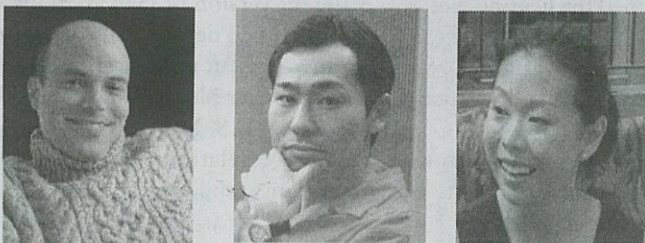
"Dealing with people constantly made me realize I've gotta be positive. I have to, so I can transmit that energy to others. That's the only way you can preserve your sanity," he says. "And trying to preserve your sanity is the most difficult thing in building a nation."

It hasn't been easy finding legal help, either. Although Hempey is representing the Kingdom on the Kaho'olawe trespassing charges, Noa says there's a shortage of attorneys sufficiently familiar with international law to help the Kingdom press its claims in the World Court.

"There is no living that can be made restoring nations to their independence," he says with a laugh. "This issue doesn't come around too often."

Still, he does find cause for hope, noting that more than 40 nations were restored to independence in the 1990s. He also looks to Israel, which he says struggled for 1,848 years to reclaim its sovereignty, as a model for achieving the Reinstated Hawaiian Kingdom's goals.

"It has been hard work, a lot of work, and I don't see it diminishing," Noa says. "We're about trying to fulfill our responsibility, our duty, and it ain't gonna come easy. But I can see the tunnel, and there is a light at the end of it. You may not be able to see the light, but in my heart I know it's there." ■



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