



Opening Address
Walter Heen
Leo Hookahua

Ho'ohanohano I Na Kupuna:
Puwalu `Ekolu: Lawena Aupuni
December 20, 2006

Let me commend those persons who put this puwalu together. I have attended many conferences and also arranged a symposium on sovereignty over ten years ago. I know the work and stress that goes into producing this kind of assembly, and this is by far one of the best conceived and arranged that I have witnessed.

The format of presenting the issues in three separate sessions I think, was outstanding. It allowed for a logical progression from presentation of the mana'o of practitioners, to discussions with educators and then this third puwalu, a discussion with the policy makers, the legislators.

I was very impressed with the format used for the discussion with the legislators yesterday and stimulated by CJ Richardson's recapitulation of the history of Hawaiian rights in Hawaii's judicial system. I will touch on those matters later, but for now I would like to give you my mana'o on what I understand to be the underlying theme of the proceedings, what I see as its goals, what I think may be a rather serious shortcoming, and what I think you can do to overcome that weakness. Even before going there, however, I need to file a "disclaimer." First of all, I wondered why I was invited to speak. Most of you know that I am not a practitioner. Neither am I learned in our history and culture. You see, I am what all refer to, some disdainfully, as an assimilated Hawaiian. What I know of the history and culture I have learned from books and discussions with persons who are less than "practitioners."

So, let me explain how I got to this position as an assimilated Hawaiian. My father was born in 1895, two years after the overthrow, and three years before annexation. My mother was born in 1900. I was born in 1928, just 30 years after annexation. The effort of nearly all Hawaiian families was to learn the ways of the haole in order to fit into the world that they had thrust upon us. I was born and spent a good part of my life in Kaimuki, which was not a place where one witnessed much in the way of cultural practices. My grandparents had passed on. In fact my pake grandfather had gone back to China to spend his remaining days. We had very little contact with my paternal grandmother's family, Meheula, in Lahaina, and with my maternal grandfather's family, Hanapi, in Kamalo. So, in my generation we did not have the benefit of the knowledge of our kupuna. My mother spoke Hawaiian fluently, but never taught us. You know how that story goes.

So, what happened to me? Well, one day my father sat me down and said to me, "Son, you live in a white man's world, and you must play the white man's game, by the white man's rules. But if you do so, and make yourself as good as him, you can win that game. However," my father admonished me, "never forget that you are Hawaiian." And so, I did make myself as good as him, and I have won. And it feels good.

But, nevertheless, I am Hawaiian. And proud of it. With that background I now turn to my mana'o on these proceedings and what I anticipate can be done to further our cause.

I think the goal of establishing a base of cultural and historical knowledge of our heritage as the indigenous people of our islands—the Kanaka Ma'oli—is of extreme Importance. I

note from some presentations at the first puwahu several admonitions that it is necessary to keep much of the knowledge and practices within the family, because it could be used to hurt the family. That caveat is undoubtedly important to our people. The other side of that coin, however, is that so much of the essential knowledge of our culture and how it may differ from place to place has been lost and is in danger of becoming even rarer. Let me give you an example.

In 1993, I was the lead counsel of OHA in the Waiahole Water contested case hearing. The thrust of our case was to establish the cultural importance of our streams. We needed to show not only the general history of in-stream uses by our ancestors but the unique history of particular streams, Waiahole, in particular. We could find not one person who lived or had lived in Waiahole Valley and was familiar with the ancient cultural activities connected with the streams. We could find no one who could even remember gathering hihiwai in the stream. We encountered that the lack of knowledge in other places and on other matters. We need to preserve whatever knowledge we can.

Yesterday, one participant asked the legislators why it was so necessary for us to promote the knowledge of our culture. The why is because it is extremely important if we are going to preserve what we have we need to remember that, unfortunately, ours is not the only culture that is extant here. In fact, we are competing with the other cultures every day. We are not alone here. You heard Speaker Calvin Say remark that the culture of the Caucasians is overwhelming all others. We Hawaiians need to find means for placing our culture into the forefront and keeping it there. We have been less than vigilant in the regard.

I need to tell another story that you might also find illustrative. In 1939, before WW II we lived on Aiea Heights. My father rented a cottage on our property to a young Navy couple stationed at Pearl Harbor, which was just down the hill. They lived as part of our family, and my mother, in true Hawaiian fashion, treated the wife like a daughter. They eventually moved away, but about twenty years ago they began coming back to spend Christmas and New Year with my family. Just the other day, my wife remarked to me, "I suppose that there are a lot of people who want to make Hawaii just like the mainland?" I replied, "Yes. If they had their way we would just be another suburb of Los Angeles." She thought that was awful. I remarked to her that she was fortunate to have known the earlier, more beautiful, Hawai'i.

My point really is that we cannot go back, but we can influence what happens from now on. You are seeking empowerment of aha ahupua'a to influence activities within each ahupuaa'a. I suggest you go beyond that and make the entire archipelago an ahupua'a. We should prevail upon Legislature and other policy makers to establish a statewide policy that, before any government permits are issued for development or exploitation of our resources, the developer should consult with the Native Hawaiian community in the area proposed for "improvement." This goes beyond the cultural impact assessment. Additionally, Native Hawaiians, practitioners and otherwise, need to become active in Senator Kokubun's sustainability commission. Your direct input can be extremely important.

I think my next point is very important. You heard the Legislators yesterday voice their support of Hawaiian issues, and that is good. But, in my view, you can do better than that. You see, they influence the flow of events because they have a "seat at the table." They are directly involved in those decisions that determine our lives. You need to have a seat at the table—every table that affects Hawaiian culture, heritage, customs and traditions. Let me give you the perfect example of what I am talking about. You heard Senator Hanabusa talk about getting cultural experts in the Land Use Commission. Incidentally, I like to think that I sparked the idea in her head when I called her in response to a complaint she voiced in a newspaper interview about the lack of cultural

awareness on the Water Commission and told her that the problem with the Commission's decisions was that the individual commissioners were required by law to have experience as large water users. That, of course, meant they came from plantations and other such industrial users. As she pointed out, yesterday, she added a cultural expert to the commission and the decisions improved.

I think the most example of what can be done with a seat at the table was evident in CJ Richardson's historical discussion of the odyssey of Hawaiian rights, traditions, customs and usage in the Hawaiian courts. Why the modern day awareness and protection of those rights? Simple answer. Hawaiians had a seat at the table—the Supreme Court bench. Not until CJ became CJ did those rights begin to flower. Before him the alien powers controlled the courts and thus controlled the outcome of such cases as Oni v. Meek. The Pash decision on gathering rights was penned by Justice Klein, a part Hawaiian. We need to get more Hawaiians on the bench. Here is how you can help. I am president of Na 'A'ahuhiwa, an organization of retired state judges. We have undertaken to encourage our Hawaiian lawyers to apply for judicial appointment. Again, we need to be at the table. If you know Hawaiian lawyers or law students, encourage them to seek judicial appointment. It can only help.

Let me conclude by saying that I am a politician. I was probably a politician from conception. Don't overlook that endeavor. We need to elect more Hawaiians to office. But, I guess, we'll save that for another time. For now, thank you for your attention. I hope I haven't bored you or caused any discomfort or pain.

Mahalo.

Walter Heen