

Forms of Self-Determination

State-within-State:

A condition in which a colonizing nation provides for a liaison agency between the colonizer and native peoples. Comparable to the status of a county

Example: OHA/Department of HawaiianHomelands

Nation-within-nation:

A national body which exists within the boundaries of another and maintains a political relationship with such as well as jurisdiction over its own people and territory

Example: Ka Lāhui Hawai'i

Free Association:

A semi-sovereign political status in which the colonized nation is internally governed and enters into a political relationship with the colonizing nation which usually involves military/strategic rights

Example: Trust Territory of the Pacific, Cook Islands, Hawai'i Home Rule Party

Independence:

Complete succession from colonizing nation. Reinstated nation would have full jurisdiction over all aspects of government and land control

Example: Kingdom of Hawai'i, Independent Nation of Hawai'i, Ka Pākaukau, The Reinstated Hawaiian Government

	State-within-State	Nation-within-Nation	Free Association	Full Independence
<i>Description</i>	Comparable to the status of a county	End state of Hawai'i control and create a direct relationship with the U.S. federal government	Internally self-governing and some degree of external autonomy, U.S. would exercise some control militarily	Complete separation from the jurisdiction of the U.S.. Hawaiian nation would have control over all aspects
<i>Advocates</i>	similar to OHA <i>status quo</i>	Ka Lāhui	Hawai'i Home Rule Party	<ul style="list-style-type: none"> • Nation of Hawai'i • Ka Pākaukau • Institute for Advancement of Hawaiian Affairs

OHA: Office of Hawaiian Affairs; established 1978 at the Hawai'i Constitutional Convention. State run agency that whose purpose is the betterment of the Hawaiian people

Ka Lahui: Native initiative group for sovereignty in the form of Nation-Nation status. Largest group, approximately 21,000 citizens, seeks federal recognition from the U.S. government.

Hawai'i Home Rule Party: Originally established by Robert Wilcox in 1899 comprised mainly of Hawaiians. Dissolved by 1912, reestablished in mid-1970's. Primary objective is to change the status of Hawai'i from "statehood to Free association, i.e., to become self-governing, both internally and externally, though not fully independent."

Nation of Hawai'i: Maintain that the overthrow was illegal, therefore annexation was illegal as was statehood. Advocates full independence under a constitution of modern democratic flavor.

The Fundamental Difference between State Agencies/Federal Programs and a Native Initiative

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	STATE AGENCIES		FEDERAL PROGRAMS		NATIVE INITIATIVE
Creation	Office of Hawaiian Affairs (OHA) OHA was created at the 1978 State of Hawaii Constitutional Convention.	Department of Hawaiian Homelands (DHHL) In 1921, the US enacted the Hawaiian Homes Commission Act (HHCA). The Territorial and later State government was given responsibility for managing the Trust.	Alu Like, Papa Ola Lokahi, etc. Since 1974, Congress has enacted several pieces of legislation either for specific needs or conditions of Native Hawaiians or to include Native Hawaiians in the class of Native Americans.	Ka Lahui Hawaii was created in 1987 by a Constitutional Convention convened by and for native Hawaiians, not the State of Hawaii.	
Purpose	OHA's purpose is to better the conditions of native Hawaiians.	The HHCA set aside over 200,000 acres of land for homesteading.	Various programs receive federal funding for health, job training, education, and other Native Hawaiian needs.	Ka Lahui Hawaii is a separate government pursuing the greatest extent of self-determination for Native Hawaiians.	
Governing Structure	9 trustees elected during State elections manage OHA.	The Governor of the State of Hawaii appoints all Commissioners.	Federally funded programs expend and/or administer monies for different purposes.	Based on a democratic constitution, Ka Lahui Hawaii has 4 branches of government.	
Source of Funding	OHA receives 20% of the revenues from the Ceded Lands Trust. OHA also received \$130 million from the State for unpaid revenue from 1980 through 1991.	Until recently, DHHL failed to receive adequate funding from the State or Federal governments. In 1995, the State agreed to pay \$600,000,000 to DHHL over 20 years.	Congress has appropriated millions of dollars for various programs. For example, Congress appropriated \$114,700,000 under the Native Hawaiian Education Act since 1989.	Ka Lahui Hawaii is funded through donations and fundraising activities, including grantwriting. With these limited funds, Ka Lahui conducts the business of the Nation.	
Current Status	Non-Hawaiians are now allowed to vote and run for OHA trustee. In fact, the Governor has already appointed a non-Hawaiian trustee.	As a State agency, DHHL could potentially face problems similar to that experienced by OHA since the court's ruling in <u>Rice v. Cayetano</u> .	Federal programs providing funding for Native Hawaiians could be eliminated if the legal and political relationship between the US and Native Hawaiians is not clarified.	Ka Lahui Hawaii is continuing to pursue the fullest extent of self-determination available to Native Hawaiians in four arenas simultaneously.	
Summary	Ultimately, the federal process outlined in S.2899 and H.R.4904 must result in an entity reflective of the Native Hawaiian community and not a continuation of flawed State agencies or dictated by federal programs.				