

# Next, claims against federal government — Will Hawaii have to secede to settle them?

By Noel Jacob Kent

In his inaugural speech Gov. Ben Cayetano promised to attend to "the wrongs inflicted on the indigenous Hawaiian people." Resolving the sovereignty issue will clearly be critical to the success of his administration and all of our futures in Hawaii.

But how to resolve something so complex and potentially explosive? We are still in the early innings of a tumultuous internal debate among

the kanaka maoli (native people) themselves about their new roles and the rights they will claim vis-a-vis the United States, state of Hawaii and non-Hawaiians. Even at this early stage, though, it seems clear that presidential apologies and token reparations will satisfy no one.

Authentic sovereignty movements.

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Here, a people has the right to secede if they were the victim of "unjust takings"; in other words, if they have been unjustly incorporated into another nation.

This fits native Hawaiians exquisitely well. First, the kanaka maoli, in possession of the Islands for a millennium and one-half before anyone else arrived, certainly have what Buchanan calls, "a valid claim to territoriality."

Also, the kingdom of Hawaii was an internationally recognized state at the time of its 1893 overthrow. And that overthrow is now universally acknowledged to have been a wholly illegal assault on a duly constituted, sovereign government.

In short, the Hawaiian case for "remedial" historical justice is at least as strong as that of the three Baltic nations annexed in 1939 by the Soviet Union and recently restored to independence.

BUCHANAN'S notion of "discriminatory redistribution" also resonates for us in Hawaii. This is the right of national groups to secede from states

in which government and economy have been systematically organized to victimize them. That the kanaka maoli, native people, have not done well, either in the territory or the state of Hawaii, is no secret.

This is a consequence of a century of U.S. rule that has directed economic development toward the interests of, first, the Big Three plantation complex, and in the years since statehood, toward overseas tourism-land investors and their local agents. In both eras, the beneficiaries have been largely non-Hawaiian, while Hawaiians, lacking key connections, political clout, capital and an individualistic, money-centered value structure, have been made marginal.

Instead of intervening on behalf of Hawaiian interests, federal, territorial and state governments have exploited their resources and neglected their needs: Witness the theft of crown lands, the fraudulent Hawaiian Rehabilitation Act of 1920, the scandalous mismanagement of the Hawaiian Homestead Program.

USING ALLEN Buchanan's tough ground rules, native Hawaiians clearly have a compelling moral case for secession. They also neatly fit Canadian philosopher Will Kumlicka's definition of a "national minority" possessing a homeland and special rights.

Then again, it is just possible that

Hawaiian self-determination may be creatively realized without full-on secession. "Sometimes," concludes Buchanan sagely, "one ought not to do what one has the right to do."

There exists, of course, the strong division of opinion among native Hawaiians about their future status. It also seems quite doubtful that a clear majority will ever favor a form of sovereignty that completely severs them from the United States.

(and the reviving Hawaiian nation is one) will demand territory and governments they can call their own. The most dynamic Hawaiian organizations are claiming, at minimum, autonomy; at maximum, some type of independence. Down the road this may mean secession, something the United States fought its bloodiest war to prevent. What kind of moral case can native Hawaiians make for such a drastic action?

We live in "the age of wars of se-

cession," says University of Wisconsin-Madison ethics professor Allen Buchanan, author of a series of path-breaking studies on the subject. So Buchanan, with whom I studied at Madison last summer, is quite sober about "political divorce." He knows it can unleash epidemic violence, destroy democracy, exact enormous economic costs and sometimes brings on new persecutions of minorities.

But Buchanan also insists that there are situations in which the violation of certain "moral principles" makes secession justifiable. For example, "to rectify past injustices."

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Much will depend upon the Cayetano administration and federal government finding imaginative ways to enhance Hawaiian prosperity, cultural expression and the integrity of being in a Polynesian place. This will require structural changes, like overhauling the land monopoly, controlling tourism development run amok, addressing the widening chasm between rich and poor. It also means those of us who are non-Hawaiian ac-

cepting the challenge of uncomfortable changes and real sacrifices involved in building a new relationship.

Ultimately, if we can carry off Hawaiian sovereignty equitably, peacefully and with a sense of humor and good will, we may not only revitalize our own troubled Islands, but become a beacon of hope for a score of nations dying amidst unending ethnic and racial conflict.



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