



SB895
RELATING TO HAWAIIAN LANGUAGE
Senate Committee on Hawaiian Affairs
Senate Committee on Government Operations

February 13, 2015

1:30 p.m.

Room 224

The Office of Hawaiian Affairs (OHA) **SUPPORTS** SB895, which seeks to better afford the Hawaiian language the respect it deserves as an official language of Hawai‘i, by requiring that all state and county documents include accurate and appropriate Hawaiian names and language usage.

While once spoken throughout Hawai‘i by Native Hawaiians and foreigners alike, ‘Ōlelo Hawai‘i or the Hawaiian language was considered to be nearly extinct by the 1980s, when fewer than 50 fluent speakers under the age of 18 were left. A major reason for the deterioration of the Hawaiian language was an 1896 law that required English instruction in Hawai‘i’s schools, which functioned to ban the speaking of Hawaiian language throughout the school system.

Fortunately, great strides have been made in recent decades, to bring about a renaissance of the Hawaiian language. Programs such as the ‘Aha Pūnana Leo’s Hawaiian language immersion pre-schools, the Department of Education’s Ka Papahana Kaiapuni Hawaiian language immersion program, and the Hawaiian language programs of the University of Hawai‘i system have helped to revitalize and perpetuate the Hawaiian language. Also, in 1978, the Hawai‘i Constitution was amended to recognize the Hawaiian language as an official language of the State, making Hawai‘i the first state in the union to recognize its native language as an official language. Most recently, in 2013, the first law to be published in ‘Ōlelo Hawai‘i since 1943 was passed, recognizing February as Mahina ‘Ōlelo Hawai‘i or Hawaiian Language Month.

Although there is much momentum in the revitalization of the Hawaiian language, for ‘Ōlelo Hawai‘i to thrive, rather than simply survive, its usage must be normalized. By simply requiring the use of proper Hawaiian spelling and punctuation in State and County documents, SB895 would further the normalization of ‘Ōlelo Hawai‘i, and reflect a deserved respect for the co-official language of Hawai‘i.

Therefore, OHA urges the Committees to **PASS** SB895. Mahalo for the opportunity to testify on this important measure.



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
TWENTY-EIGHTH LEGISLATURE, 2015**

ON THE FOLLOWING MEASURE:

S.B. NO. 895, RELATING TO HAWAIIAN LANGUAGE.

BEFORE THE:

SENATE COMMITTEES ON HAWAIIAN AFFAIRS AND ON GOVERNMENT
OPERATIONS

DATE: Friday, February 13, 2015

TIME: 1:30 p.m.

LOCATION: State Capitol, Room 224

TESTIFIER(S): Russell A. Suzuki, Attorney General, or
Charleen M. Aina, Deputy Attorney General

Chairs English and Dela Cruz and Members of the Committees:

The Attorney General recommends an amendment to this bill.

The purpose of this bill is to require that Hawaiian words included in documents, letterheads, emblems, and symbols prepared or produced by state and county agencies be spelled, punctuated, and diacritically marked correctly.

Providing standards by which to judge whether a Hawaiian word is spelled and diacritically marked correctly is critical to fulfilling this bill's purpose. As a practical matter, however, words used in documents or letterhead prepared by state and county agencies have been misspelled. Anticipating that this will happen in the future as it has in the past, we recommend that subsection (c) be included in the amendment this bill makes to section 1-13.5, Hawaii Revised Statutes, at page 7, line 10:

(c) Any Hawaiian name or word that is misspelled or incorrectly punctuated or diacritically marked included in a document or letterhead subject to this section shall not invalidate the document or render it unenforceable. Further, no action may be brought against the State, any county, or any state or county agency, official, or employee on the basis that a document or letterhead prepared by a state or county agency or official violated a provision of this section.

Thank you for the opportunity to testify on this measure.

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Unity, Equality, Aloha for all



To: SENATE COMMITTEES ON
HAWAIIAN AFFAIRS and
GOVERNMENT OPERATIONS

For hearing Friday February 13, 2015

Re: SB 895 RELATING TO HAWAIIAN LANGUAGE.

Requires that all letterheads, documents, symbols, and emblems of the State and other political subdivisions include accurate and appropriate Hawaiian names and language. Establishes references for accurate, appropriate, and authentic Hawaiian names and words, including proper Hawaiian spelling and punctuation.

TESTIMONY IN OPPOSITION

THERE IS NO ESTIMATE OF THE COSTS THIS BILL WOULD ADD TO THE OPERATION OF EVERY DEPARTMENT OF THE EXECUTIVE, LEGISLATIVE, AND JUDICIAL BRANCHES.

SB895 should perhaps be entitled "Full employment act for Hawaiian language translators." For one small example, just consider the diacritical marks in the portions of this bill written in Hawaiian language. Whoever actually wrote the Hawaiian language portions was probably not a staff member of the legislature, but an outside expert on Hawaiian language. Was there anyone in the regular staffs of the bill's Senate sponsors who would have been competent to insert the proper diacritical marks? ('and 'avoid 'inserting m'arks wh'ere they don't b'el'ong!) What would have been the cost to hire an independent contractor to do the job? Is there a typewriter in the state Senate capable of creating the diacritical marks? Perhaps an ordinary English-language apostrophe would satisfy the language police for use as an 'okina [see, I just did it!], but probably not, because an 'okina maoli [real 'okina] is supposed to curve, and in one particular direction (not the other direction). But the kahako is much more tricky. Not only do you need an expert who knows when it must be used, but you also need a special font or special-function keyboard keys programmed to be able to produce it on the vowels where it is appropriate.

THE DIACRITICAL MARKS ARE NOT AUTHENTIC -- THEY ARE HISTORICAL REVISIONISM.

The original written version of Hawaiian language created by the missionaries in 1820 had no diacritical marks. There was no need for them, because Hawaiian was an oral language which people learned by hearing it spoken with the good pronunciation of fluent

native speakers. The diacritical marks were invented by language professors in modern times in an attempt to help people to know how to pronounce words they were reading but had never heard being pronounced. The Hawaiian language as printed in the newspapers from 1834 to 1948 does not use diacritical marks. Out of respect for the language, perhaps we should not superimpose diacritical marks today. Let people learn correct pronunciation (glottal stops and long vs. short vowels) by hearing good speakers rather than by reading Hawaiian with added diacritical marks in isolation from anyone speaking it.

IT'S OPEN TO DISPUTE ON ANY PARTICULAR OCCASION WHETHER A WORD OR PHRASE IS IN HAWAIIAN LANGUAGE (THEREFORE REQUIRING DIACRITICAL MARKS) OR IN ENGLISH LANGUAGE (WHICH DOES NOT USE DIACRITICAL MARKS). MOST NOTABLY, THIS IS A PROBLEM FOR THE NAME OF OUR STATE.

The bill SB2175 is vague and thus unenforceable when a decision must be made regarding whether a place name or person's name, or a phrase, is being written in Hawaiian language (and therefore requires diacritical marks) or is being written in English language (and therefore cannot use diacritical marks because such marks are not part of the English language).

For example: The name for our archipelago during the Kingdom period was "Kō Hawai'i Pae 'Aina", which is clearly in Hawaiian language and therefore must include diacritical marks if we are now to obey SB895 and require the use of diacritical marks even though such marks were not used during that historical period. However, the name for our archipelago at the present time, as a part of the United States, is "State of Hawaii" which is clearly an English-language name of a State and therefore must not use

diacritical marks. The Hawaiian language zealots demand that the name of our State be rendered in its Hawaiian-language version with an ‘okina as Hawai’i even when it appears in an English-language sentence and should therefore have no ‘okina, as State of Hawaii. It is simply incorrect to mix the two languages by calling our entity State of Hawai’i. Either we are Ka Moku’aina O Hawai’i or perhaps Kō Hawai’i Pae ‘Aina; or else we are State of Hawaii [no ‘okina]. Which one of those do you want to see on your official letterhead?

Another example is the name of my town. When I want to show off that I can speak Hawaiian, I call it "Kāne'ohē" including a kahakō over the letter "a" and an 'okina between the "e" and "o". But when I put my address on an income tax form for the federal or state governments, my town is "Kaneohe" with no diacritical marks. The Hawaiian supremacists who authored this bill want to demand that I must always spell the names of my State and my town in the Hawaiian academic manner with diacritical marks even when I'm filling out federal and state tax forms. I refuse to comply with such a demand, and I invite the Hawaiian language police to arrest me.

THIS BILL LACKS CLARITY REGARDING HOW NON-HAWAIIAN PROPER NOUNS NAMING PEOPLE OR PLACES MUST BE RENDERED IN THE HAWAIIAN-LANGUAGE VERSION OF ENGLISH-LANGUAGE TEXT

When a letterhead gives an address that is on King Street, can the word “King” be retained, or must it be Hawaiianized as “Mo’i”? Can the street name “Richards” be kept, or must it be Hawaiianized as “Likeke”? It is customary in most civilized languages throughout the world to show respect to people and

places by preserving the name of a foreign person or place precisely as it is written in its original language, and not to render it as either a transliteration or conceptual translation. But Hawaiian language in the past (and sometimes still today among the zealots) has a habit of Hawaiianizing at least the pronunciation (as in the examples of King and Richards) and sometimes raping the name to create a conceptual translation of it which sounds nothing like the original name.

Dr. Kekeha Solis is a Hawaiian language expert, and the author of most of the Hawaiian language columns every Saturday in the Honolulu Star-Advertiser. The way he likes to butcher non-Hawaiian names demonstrates how things are likely to be done if this bill is passed without amendments to require respect for the names of people and places.

One particular name which got a conceptual translation by Kekeha Solis, in his column of April 28, 2012, is the name which professional basketball player Ron Artest gave to himself when he legally changed his name to "Metta World Peace" in September 2011. Certainly Ron Artest has a right to change his own name to anything the law will allow, even if it is weird or fantastical. And he made the name change official by following the correct legal procedures.

What makes Mr. Solis' article highly controversial is the name he used when referring to the basketball player. Instead of referring to him as "Metta World Peace" which would be the correct name for him in an article written in any language, Solis gave him a new Hawaiian name.

Solis actually translated the CONCEPT of the name by calling him "Maluhia Honua Meka" [pronounced mah-loo-HEE-ah ho-NOO-ah MEH-kah]. This new name uses Hawaiian language words, in the correct word-order for nouns and adjectival modifiers according to Hawaiian grammatical rules, to render the English-language meaning into a Hawaiian language phrase whose words individually mean Peace [Maluhia] World [Honua] Metta [Meka] in that order. Throughout the article, in Hawaiian language, Solis always referred to the basketball player with the conceptually translated name Maluhia Honua Meka.

Dr. Solis and I and another Hawaiian language zealot had a raging debate for several weeks about the inappropriateness of doing conceptual translations of names, and also the less offensive transliterations of them (following Hawaiian rules of grammar, and spelling, to make the name sound similar, as with Richards → Likeke. Solis persisted in butchering English names, and his colleagues would be likely to do so if he were on the Senate staff. His butchery of English names when writing in Hawaiian is as offensive as it would be if, in speaking English, I decide to Englishify Hawaiian-language names, so instead of saying Kamehameha School is on Makuakane Street I were to say Lonely-One School is on Father Street.

See more details about this issue in a webpage “Forcing the name of a person or place to be Hawaiianized through transliteration of its sound following Hawaiian grammatical rules or conceptual translation of its meaning into Hawaiian vocabulary” at

<http://tinyurl.com/6on8k9s>

which is part of a much larger webpage “Hawaiian Language as a Political Weapon” at

<http://tinyurl.com/668vqyz>

From: mailinglist@capitol.hawaii.gov
To: [HWNTestimony](#)
Cc: kamakane73@gmail.com
Subject: *Submitted testimony for SB895 on Feb 13, 2015 13:30PM*
Date: Wednesday, February 11, 2015 5:40:06 AM

SB895

Submitted on: 2/11/2015

Testimony for HWN/GVO on Feb 13, 2015 13:30PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Kama Hopkins	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
To: [HWNTestimony](#)
Cc: kmaquino@hawaii.edu
Subject: *Submitted testimony for SB895 on Feb 13, 2015 13:30PM*
Date: Thursday, February 12, 2015 10:49:01 AM

SB895

Submitted on: 2/12/2015

Testimony for HWN/GVO on Feb 13, 2015 13:30PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Kamakana Aquino	Individual	Support	No

Comments:

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S.B. 895
Relating to Hawaiian Language

Committee on Hawaiian Affairs
Senator Maile S.L. Shimabukuro, Chair

Committee on Government Operations
Senator Donovan M. Dela Cruz, Chair

Hearing on Friday, February 13, 2015, at 1:30 p.m.

Mahalo for this opportunity to submit testimony in **support** of **S.B. 895** relating to the Hawaiian Language. I am a professor at the William S. Richardson School of Law and director of Ka Huli Ao Center for Excellence in Native Hawaiian Law but submit this testimony in my personal capacity. One of our graduates, as well as one of our students, helped in the translation of this bill and thus, I am honored to be able to support it.

In recent years, the movement to fully restore 'ōlelo Hawai'i as a living language and as one of the two official languages of government has grown. This can be seen, of course, in the 2013 act that designates February as 'Ōlelo Hawai'i month. This measure, which requires new letterhead or official state and country documents to have the appropriate 'ōlelo Hawai'i diacritical marks and to be grammatically accurate is another small, but important, step forward. It helps to give life to the words of our state constitution and it helps to show all within our state, and in the international arena, that our mother tongue continues to live and grow in usage. Best of all, it will not require significant funding but will--once fully implemented--remind us on a daily basis of our kuleana and responsibility to Hawai'i's indigenous culture and mother language.

Mahalo ā nui for the opportunity to express strong **support** for S.B.436.