



SB2368
RELATING TO HAWAIIAN LANGUAGE
Senate Committee on Hawaiian Affairs
Senate Committee on Government Operations

February 6th, 2020

3:30 p.m.

Room 225

The Office of Hawaiian Affairs (OHA) **SUPPORTS WITH AMENDMENTS** SB2368, which will designate the month of February as ‘Ōlelo Hawai‘i Month and require all letterheads, documents, symbols, and emblems of the State and other political subdivisions that include Hawaiian words or names to include accurate and appropriate Hawaiian names, spelling, and punctuation.

While once spoken throughout Hawai‘i by Native Hawaiians and foreigners alike, ‘Ōlelo Hawai‘i 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 schools, which functioned to ban the speaking of the Hawaiian language in Hawai‘i schools.

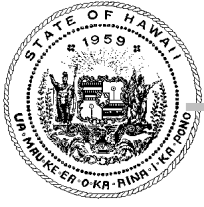
However, great strides have been made to bring about a renaissance of the Hawaiian language, through programs such as the ‘Aha Pūnana Leo’s Hawaiian language immersion pre-schools, the Department of Education’s Ka Papahana Kaiapuni Hawaiian language immersion program, and the Hawaiian language programs of the University of Hawai‘i system. Also, in 1978, the Hawai‘i Constitution was amended to recognize the Hawaiian language as an official language of the State along with English, making Hawai‘i the first state in the union to recognize its native language as an official language.

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. SB2368 would further the normalization of ‘Ōlelo Hawai‘i by requiring the use of proper Hawaiian spelling and punctuation in State and County documents, and in the process, reflect the deserved respect for the co-official language of Hawai‘i. OHA notes however, that members of the Native Hawaiian community have noted that such language may inadvertently produce a perception of primacy toward speakers who do employ diacritical marks over speakers who use the unmarked orthography.

The use of accurate and appropriate Hawaiian names and language, as required by this bill, would have a negligible financial impact on the State because corrections would only have to occur when the document, letterhead, symbol or emblem requires replacement or reprinting, or otherwise requires revision. Therefore, the cost of this action is far outweighed by the benefits of revitalizing and once again normalizing our islands' linguistic heritage, and reflecting the appropriate level of respect and recognition that should be directed towards one of the two official languages of the state.

OHA respectfully suggests that the committee may want to amend by deleting PART I, as the Legislature has already designated February as Mahina 'Ōlelo Hawai'i with the passage of Act 28 in 2013. Act 28 originated as a bill in OHA's Legislative Package, and is now codified as § 8-24, Hawai'i Revised Statutes.

Therefore, OHA urges the Committee to **PASS WITH AMENDMENTS** SB2368. Mahalo for the opportunity to testify on this important measure.



HAWAI‘I CIVIL RIGHTS COMMISSION

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February 6, 2020
Rm. 225, 3:30 p.m.

To: The Honorable Maile S.L. Shimabukuro, Chair
The Honorable Kaiali‘Ii Kahele, Vice Chair
Members of the Senate Committee on Hawaiian Affairs
The Honorable Laura H. Thielen, Chair
The Honorable Lorraine R. Inouye, Vice Chair
Members of the Senate Committee on Government Operations

From: Liann Ebesugawa, Chair
and Commissioners of the Hawai‘i Civil Rights Commission

Re: S.B. No. 2368

The Hawai‘i Civil Rights Commission (HCRC) has enforcement jurisdiction over Hawai‘i’s laws prohibiting discrimination in employment, housing, public accommodations, and access to state and state funded services. The HCRC carries out the Hawai‘i constitutional mandate that no person shall be discriminated against in the exercise of their civil rights. Art. I, Sec. 5.

The HCRC supports S.B. No. 2368, which would designate the month of February as “Olelo Hawai‘i Month,” requiring that the State and counties use accurate and appropriate names, spelling, and punctuation when using Hawaiian names and words in letterheads, documents, symbols, and emblems. The bill also identifies three references as accepted authority on accurate, appropriate, and authentic use of Hawaiian names and words.

Our State Constitution establishes that both Hawaiian and English are the official languages of the State (State Constitution, Article XV, § 4).

Language is closely tied to culture and identity. Indeed, language rights are specifically recognized and protected in Article 13 of the United Nations Declaration on the Rights of Indigenous Peoples:

Article 13

1. Indigenous peoples have the right to revitalize, use, develop and transmit to future generations their histories, languages, oral traditions, philosophies, writing systems and literatures, and to designate and retain their own names for communities, places and persons.
2. States shall take effective measures to ensure that this right is protected and also to ensure that indigenous peoples can understand and be understood in political, legal and administrative proceedings, where necessary through the provision of interpretation or by other appropriate means.

It is important and appropriate that the State of Hawai‘i and the counties take action to respect and promote the use of the Hawaiian language as required in this bill. The HCRC supports S.B. No. 2368.

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Unity, Equality, Aloha for all



To: SENATE COMMITTEE ON HAWAIIAN AFFAIRS; and
SENATE COMMITTEE ON GOVERNMENT OPERATIONS

For hearing Thursday, February 6, 2020

Re: SB 2368 RELATING TO HAWAIIAN LANGUAGE.

Designates the month of February as "Olelo Hawai'i Month" to celebrate and encourage the use of Hawaiian language. Requires all letterheads, documents, symbols, and emblems of the State and other political subdivisions that include Hawaiian words or names to include accurate and appropriate Hawaiian names, spelling, and punctuation. Establishes references for accurate, appropriate, and authentic Hawaiian names and words, including proper Hawaiian spelling and punctuation. Clarifies that the full text of bills and other official documents are not required to be written in Hawaiian and that misspelled or incorrectly punctuated Hawaiian words and names shall not invalidate the documents or render them unenforceable and no cause of action shall arise accordingly.

COMMENTS FOR FURTHER DISCUSSION TO HELP IMPROVE THIS BILL

Congratulations to whomever wrote this bill for finally making it more reasonable and practical than in previous years. Some earlier versions would have required that all government documents must be made available in Hawaiian language (full-employment bill for Hawaiian language teachers and the students who major in it); that bills in the legislature must be in both Hawaiian and English and that in case of any dispute over interpretation the Hawaiian version would govern (how many legislators are able to grasp any hidden meanings in the Hawaiian version before enacting the decisive interpretation of a bill?); etc.

I spent 6 semesters beginning in Fall 1992 studying Hawaiian language in a classroom setting for 5 hours per week; and then occasional ad-hoc community-based courses and TV programs in subsequent years. I did that out of love and respect for Hawaiian culture and language, and a desire to assimilate to the multiethnic community of my adopted homeland. I am moderately fluent in Hawaiian and two European languages from schooling, reading and travel; and also have limited ability in two others from travel.

I have mild disagreement about the importance of diacritical marks, especially considering that they are modern inventions by UH professors and were not part of the language until recent decades. A dear friend of mine -- a distinguished retired professor of Hawaiian language -- to this day still does not use kahako (macron), and uses the English apostrophe rather than the curly Hawaiian 'okina when corresponding.

I also have mild disagreement about politicizing the topic by declaring February to be 'Olelo Hawai'i Month (Hawaiian language month). I hope we can speak Hawaiian everywhere all year long. Furthermore February has already been commandeered to be Black History Month.

This bill needs improvement to specify more clearly the criteria and sources for determining which Hawaiian words, phrases, and spellings are to be treated as correct in the context where they are used --

especially when the item or its context could lead to considerable controversy.

For example, consider the term "kanaka maoli." For perhaps three decades that term has been hijacked for political purposes to refer to any person who has any amount of Hawaiian native blood, no matter how small the percentage. The concept is: a Hawaiian is a Hawaiian. Forget small-n "native Hawaiian" vs. large-N "Native Hawaiian." Set aside the category forced upon some of us in the Hawaiian Homes Commission Act of 1920 whose purpose is to create internal divisiveness and strife and to commit genocide by definition through attrition. Hey, we're all Hawaiians; and we reject the colonial English-language label our oppressors have forced upon us; and we call ourselves "kanaka maoli" as our ancestors labeled themselves because "we are who we were."

But for centuries of ancient Hawaiian history the term "kanaka maoli" simply meant "real person" as opposed to god or ghost, and for nearly two centuries of modern history up until the late 1900s, the term referred to full-blooded Hawaiians as opposed to natives of mixed race. In case committee members or members of the public are surprised or think this is nonsense, read the evidence in several paragraphs below.

The point is that if a committee of language police at the University of Hawaii is given equal status with highly respected kupuna and authoritative dictionaries in ruling what is acceptable use of Hawaiian language, then this legislation needs to clarify which source will make the final determination, or by what method the dispute should be resolved.

What was the meaning of the term "kanaka maoli" at the time of Captain Cook's arrival? I moved permanently to Hawaii in 1992. From then until his death, there were several times when I saw Dr. Kekuni Blaisdell explain in public lectures and televised interviews that it meant "true human being" as opposed to spirit-person or ghost. The story told by Dr. Blaisdell is that at the time of first encounter (unclear

whether on Kaua'i in January 1778 or Kealahou Bay upon returning from Alaska in November 1778), a British officer (Perhaps Captain Cook himself), using a Polynesian interpreter traveling with them, spoke to a Hawaiian leader and asked "Who are you?" And a Hawaiian replied "We are kanaka maoli, and who are you?" Dr. Blaisdell guessed that the Hawaiian natives saw the pale white skin of the British sailors and imagined them to be either gods or spirit-people; so the Hawaiian, when asked who he was, replied that he was a "real person" or "genuine human" and not a god or ghost. So apparently the term "kanaka maoli" at that time in history had always meant simply "real human being" or "real person."

During the 1800s and 1900s there was an increasing amount of interracial sex between natives and non-natives; and there was a corresponding increase in the number of mixed-race children, grandchildren, and their descendants of ever-more-attenuated native ancestry. It became a point of pride for some natives with 100% native blood to proclaim their status as "pure Hawaiians." That term carries the unfortunate implication that mixed-blood natives are somehow impure or deserve lesser status. Nevertheless, many ethnic Hawaiians today who have 25% or 50% native blood will use that phrase with no suggestion of negative stigma when they proudly say their mother or their grandfather was "pure Hawaiian." The Hawaiian language pride-asserting term for "pure Hawaiian" as opposed to mixed-race or even the disparaging "poi dog" was "kanaka maoli."

The most authoritative Hawaiian dictionary, widely used today, was published by UH Press in 1957, authored by Mary Kawena Pukui and Samuel H. Elbert; and republished through several editions. My own "revised and enlarged" edition was published in 1986. On page 127 it has many examples of how the word "kanaka" is used, and how it is combined with other words. But at the bottom of all the examples, and the only time the phrase "kanaka maoli" appears, it has a line all by itself, saying in its entirety:

kanaka maoli. n. Full-blooded Hawaiian person.

Today that term has been hijacked as the identifier for any person who has any percentage of Hawaiian native ancestry, no matter how low the percentage. However, that current usage is a heavily politicized twisting of what the term originally meant prior to Captain Cook's arrival, and also a twisting of what that term later meant throughout the 1800s and even into the mid or late 1900s.

The point is that if a committee of language police at the University of Hawaii is given equal status with highly respected kupuna and authoritative dictionaries in ruling what is acceptable use of Hawaiian language, then this legislation needs to clarify which source will make the final determination, or by what method the dispute should be resolved.

SB-2368

Submitted on: 1/30/2020 9:04:43 AM

Testimony for HWN on 2/6/2020 3:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
kenneth kudo	Individual	Oppose	No

Comments:

Hawaii does not need any more saturation with Kanaka language. We are up to our ears in that. Taxpayers of all races are paying to promote language of one race which already has enough saturation and will never be lost. Time for unity and equality in Hawaii, we are multi raced, all need a voice. Promote Japanese, Chinese, Filipino, etc. Stop promoting Hawaiian. It is NOT the host culture.

SB-2368

Submitted on: 2/1/2020 4:05:02 PM

Testimony for HWN on 2/6/2020 3:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
cheryl	Individual	Support	No

Comments:

EVERY year, all the time, we see "lip service" to 'Ā• lelo Hawai`i. Isn't it about time, we got serious and actually supported it all the time, every day, all day? There are so many people speaking now, using it in every day life..the "STATE" of Hawai`i is 40 years or so behind.

He mea nui ia e 'Ā• lelo Hawai'i i kĀ"iĀ• me kĀ"ia iĀ• i kĀ"iĀ• me kĀ"ia kĀ«lana. Pono ka maika'i o ka moku'Ā• ina.

SB-2368

Submitted on: 2/4/2020 12:07:34 AM

Testimony for HWN on 2/6/2020 3:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jennifer Azuma Chrupalyk	Individual	Support	No

Comments:

Mahalo nui loa i kākou. Na po'e e kakali iho ana i ka manawa lā 'ihi loa. Ka aloha pā e

SB-2368

Submitted on: 2/5/2020 2:59:50 PM

Testimony for HWN on 2/6/2020 3:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Brian Faria	Individual	Oppose	Yes

Comments:

Ke aloha no ia oukou apau e na Poo o ko Hawaii Aha Kau Kanawai,

Me ke aloha mau no hoi keia no ka aina a'u e waiho aku nei i keia mau manao no ka SB2368 i hoolaha ia maila imua o ka lehulehu. Ke hoomau aku nei no keia ma o ka olelo elua o Hawaii nei.

SB2368 seeks to designate the month of February as the Hawaiian language month and seeks to require the use of macron and glottal stops for Hawaiian vocabularies in state, county agencies or official documents. I **support the intent** of the SB2368 in bringing awareness to issues surrounding Hawaiian Language, and **strongly recommend** the inclusion of native speakers' (L1) Hawaiian language in this bill and the following:

- **Page 4, Section 1, Line 10:** Please address this inaccurate (non-evidence based) narrative. I was under the age of eighteen in the 1980s and lived with more than fifty individuals who only spoke Hawaiian in my community. I would like to assume that there may have been others like myself (the rare 1%).
- **Page 4, Section 1, Line 20:** Acknowledge the native speakers (L1 – those who come from an unbroken lineage of native speakers) who taught the APL, DOE and UH system the Hawaiian language, culture and history. This organization and state agencies were not and are not able to uphold the quality of the Hawaiian language without the voices and worldviews of native speakers (L1).
- **Page 5, Section 1, Lines 1-21:** Recognizes the state's efforts in acknowledging and bringing awareness to the need to preserve and perpetuate the Hawaiian language. The Robinson family and the Niihau people were acknowledged by the House of Representatives, State of Hawaii in 1987 for their efforts in preserving the Hawaiian language not only on Niihau but on Makaweli, Kauai as well. This is a commitment and a duty to Hawaii that is seldomly practiced in any setting. It seems more than appropriate to mention an act that resulted in the last Hawaiian language native (L1) speaking community in the world in a bill such as this.
- **Written Hawaiian language parts:** I **strongly recommend** revisions of the written text. There are newly invented words by second language learners of Hawaiian to replace already existing Hawaiian words. In the Clarabal vs. DOE (2019) case, it was found “that the Hawaiian education provision [Article X, Section 4] was intended to require the State to institute a program that is reasonably calculated to revive the Hawaiian language.” The revival of a language is not language creation nor should it be different in form and substance. The piece, in its current state is not reflective of Hawaiian preservation and revival but of language creation and mutation (e.g., halapohe, the use of aukahi).
 - The goal is to bring people closer to the knowledge of our ancestors – in history, culture and language. To define correct language in a way that is visibly different than the language of our monarchs, nobility, legislatures family members, and native speakers of today, creates a permanent disconnection with these same people and that vast body of knowledge that was left for us. Article X of the State Constitution sought to remedy the loss of this knowledge base – history, culture and language. It does not seek to

change this knowledge base to become more appealing to those of another culture, history or language.

- **Page 9, Lines 12-16 and Page 12, Lines 1-3:** Remove macrons and glottal stops as proper spelling of Hawaiian vocabulary as it does not show respect for this native language. As stated above, the intent of the State Constitution was to revive the Hawaiian language, not to change it to a form that is unrecognizable to native (L1) speakers.
 - I want to remind all of us that Mary Kawena Pukui did her best to compile a comprehensive dictionary that continued to be amended (1957, 1961, 1964, 1965, 1971, and 1986). The diacritical markings (macron/kahako/glottal stops/okina) she placed in the dictionary was done so in an effort to give voice to a word on a page, in the event that someday there is no longer that voice to be heard. However, that is not the reality of native speakers (L1) of the Hawaiian language, today. I represent a community of people whose voices are still here and, are still very strong Hawaiian language speakers (L1).
 - I **strongly recommend** deleting page 12, lines 17-19 as the text includes recently created words not generated or accepted by native speakers of Hawaiian.
- Lastly, instead of calling the macron and glottal stops “correct” spellings, call it its actual purpose which is to aid second language learners of Hawaiian in pronouncing Hawaiian words correctly and accurately. This is not a “correct” spelling but rather a way of spelling to aid learners.

My children are enrolled in a Hawaiian immersion school and passing of this bill will ensure their failure in Hawaiian education due to bills such as this.

The goal for any language learner is to utilize language at a native speakers’ level (no markings).

No ka pono o ka aina, a no ke ola o ka lahui,

Kahea Kaohelaulii Faria