

HAWAI‘I CIVIL RIGHTS COMMISSION

830 PUNCHBOWL STREET, ROOM 411 HONOLULU, HI 96813 · PHONE: 586-8636 FAX: 586-8655 TDD: 568-8692

Thursday, March 17, 2022; 1:00 p.m.
Via Videoconference, Room 016,

To: The Honorable Maile S.L. Shimabukuro, Chair
The Honorable Jarrett Keohokalole, Vice Chair
Members of the Senate Committee on Hawaiian Affairs

The Honorable Donna Mercado Kim, Chair
The Honorable Michele N. Kidani, Vice Chair
Members of the Senate Committee on Higher Education

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

Re: H.B. No. 2491, H.D.2

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.

H.B. No. 2491, H.D.2, would amend the HRS § 1-13.5 to require all letterheads of the State and counties to include consistent Hawaiian names, spelling, and punctuation, and require certain state officials to prominently display a Hawaiian language translation of the name of their respective office or department at least once on the main page of their official website and in the letterhead of their stationery. The University of Hawaii must compile a full list of all dialects and other variations in the Hawaiian language currently in use and submit a report of its findings to the legislature.

It also clarifies that bills and other official documents are not required to be written in Hawaiian and that incorrect Hawaiian words and names shall not invalidate the documents or render them unenforceable and no cause of action shall arise accordingly.

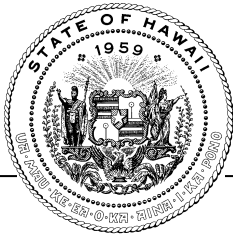
Our State Constitution establishes that both Hawaiian and English are the official languages of the State (State Constitution, Article XV, § 4).

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 take action to respect and promote the use of the Hawaiian language as required in this bill. **The HCRC supports H.B. No. 2491, H.D.2.**



**STATE OF HAWAII
OFFICE OF PLANNING
& SUSTAINABLE DEVELOPMENT**

DAVID Y. IGE
GOVERNOR

MARY ALICE EVANS
DIRECTOR

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Statement of
MARY ALICE EVANS
Director, Office of Planning and Sustainable Development
before the
SENATE COMMITTEE ON HAWAIIAN AFFAIRS
and the
SENATE COMMITTEE ON HIGHER EDUCATION
Thursday, March 17, 2022
1:00 PM
State Capitol, Conference Room 016 & Videoconference

in consideration of
HB 2491 HD 2
RELATING TO THE HAWAIIAN LANGUAGE.

Chair Shimabukuro, Vice Chair Keohokalole, and Members of the Senate Committee on Hawaiian Affairs, and Chair Kim, Vice Chair Kidani, and Members of the Senate Committee on Higher Education.

The Office of Planning and Sustainable Development (“OPSD”) **supports** the intent of HB 2491 HD 2, which requires all letterheads, documents, state highway signs, symbols, and emblems of the State and other political subdivisions that include Hawaiian names or words to include consistent Hawaiian names, spelling, and punctuation, including the use of kahakō and ‘okina. HB 2491 HD 2 also establishes references for consistent Hawaiian names and words, including consistent Hawaiian spelling and punctuation. OPSD offers the following **comments**.

The Hawai‘i State Board on Geographic Names (“Board”) was established in OPSD by Act 50 of the 1974 Hawai‘i State Legislature. Act 50 (Chapter 4E, Hawai‘i Revised Statutes (“HRS”)) states that the purpose of the Board is “... *to assure uniformity in the use and spelling of the names of geographic features within the State.*”

Furthermore, §4E-3(c), HRS, states that “*the departments of the State shall use or cause to be used on all maps and documents prepared by or for them the names and spellings approved by the board on geographic names; provided that such names or spellings shall not be contrary to legally established names or spellings.*”

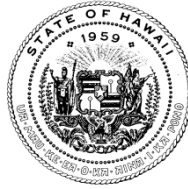
As such, OPSD recommends amending HB 2491 HD 2, §1-13.5 (b) to include consultation with the Board:

"(b) For the purposes of consistency, Hawaiian names and words shall be printed in conformance with:

- (1) "Hawaiian Dictionary: Hawaiian-English, English Hawaiian", by Mary Kawena Pukui and Samuel H. Elbert, University of Hawai'i Press, copyright 1986;
- (2) "Māmaka Kaiao: A Modern Hawaiian Vocabulary", developed by the Kōmike Hua'ōlelo, the Hawaiian Lexicon Committee;
- (3) "Place Names of Hawaii", by Mary Kawena Pukui, Samuel H. Elbert, and Esther T. Mookini, University of Hawai'i Press, copyright 1974, as revised and expanded in 1976;
- (4) Any other commonly used Hawaiian-language dictionary, including dictionaries that account for the unique characteristics of the Ni'ihau dialect and other Hawaiian dialects; [~~or~~]
- (5) Consultations from members of the Hawaiian-speaking language community, including individuals who are fluent in the Ni'ihau dialect and other Hawaiian dialects[~~or~~]; or
- (6) Consultations with the Hawai'i Board on Geographic Names for the names and spellings of geographic features in Hawai'i."

Thank you for the opportunity to testify on this measure.

DAVID Y. IGE
GOVERNOR



LATE

Deputy Directors
ROSS M. HIGASHI
EDUARDO P. MANGLALLAN
PATRICK H. MCCAIN
EDWIN H. SNIFFEN

STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

March 17, 2022
1:00 P.M.

State Capitol, Conference Room 016/Teleconference

H.B. 2491, H.D. 2
RELATING TO THE HAWAIIAN LANGUAGE

Senate Committee(s) on Hawaiian Affairs & Higher Education

The Department of Transportation (DOT) **supports** H.B. 2491, H.D. 2 that requires consistent use of Hawaiian punctuation and spelling on all letterheads of the state and county agencies, and Hawaiian translation of the office or department's name on the letterhead and website of designated state officials.

Although not required by this measure, the DOT will be adjusting highway signage to incorporate consistent use of Hawaiian punctuation and spelling in support of the correct representation of our state's native language. Signage will be adjusted using a phased approach beginning with current project areas. This process will include consultation with available resources and native Hawaiian speakers.

Thank you for the opportunity to provide testimony.

HB-2491-HD-2

Submitted on: 3/14/2022 10:50:56 AM

Testimony for HWN on 3/17/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jennifer Azuma Chrupalyk	Testifying for Kaulana ʻāina a Mahiku A'o Mai	Support	Written Testimony Only

Comments:

In addition to my support on this bill, I am requesting that the State of Hawai'i hold itself accountable to an official language of the State by adding the Hawaiian language to the list of translations on social service paperwork. It is a travesty that it is an official language of the State, yet the language cannot be found, nor can members of the State speak the language efficiently enough to communicate in a language that is supposed to be "official".

This behavioral deficiency and lack of accountability at the state level provides a negative example of behavior to the general public and is the reason that people generally feel as though they do not have to respect the Hawaiian culture. There is nothing more hurtful to the original people of this land, than a stranger affirming that we are already extinct while using this circumstance as evidence to prove that the Hawaiian people are effectively being erased. If you have Hawaiian children, how are you going to explain this set of circumstances to them?

Center for Hawaiian Sovereignty Studies
46-255 Kahuhipa St. Suite 1205
Kane'ohe, HI 96744
(808) 247-7942

Kenneth R. Conklin, Ph.D. Executive Director
e-mail Ken_Conklin@yahoo.com
Unity, Equality, Aloha for all



To: SENATE COMMITTEE ON HAWAIIAN AFFAIRS and
SENATE COMMITTEE ON HIGHER EDUCATION

For hearing Thursday, March 17, 2022

Re: HB 2491 HD2 RELATING TO THE HAWAIIAN LANGUAGE.
Requires all letterheads of the State and counties to include consistent Hawaiian names, spelling, and punctuation. Requires certain state officials to prominently display a Hawaiian language translation of the name of their respective office or department at least once on the main page of their official website and in the letterhead of their stationery. Requires UH to compile a full list of all dialects and other variations in the Hawaiian language currently in use and submit a report of its findings to the legislature. Effective 7/1/2044. (HD2)

TESTIMONY IN SUPPORT

The Center for Hawaiian Sovereignty Studies is delighted to support both the intent and the actual contents of this bill, which is a vast improvement over previous bills regarding Hawaiian language that were active during numerous recent years.

Hawaiian language is a great treasure for the people of Hawaii and for all the world. It deserves not only to survive but to thrive. It needs to be "normalized" meaning that people should see it written and hear it spoken in the context of everyday life, even if they themselves do not routinely write or speak it themselves. Hopefully people will casually, informally, and gradually "pick up" the vocabulary, sentence patterns, cadence, and metaphors from hearing fluent speakers in the same way as tourists or immigrants acquire the language of the place where they sojourn or take up permanent residence.

This bill correctly states "[D]ue to a myriad of political, economic, and social pressures, the Hawaiian language was materially marginalized, leading to its atrophy and eventual formal and practical exclusion from public and civic spaces."

Previous bills have stated or implied the racially inflammatory falsehood that Hawaiian language was made illegal as a method whereby the evil haoles who overthrew the beloved Queen oppressed the native people and destroyed their culture. This idea is even found in three places in a short subpage on the Department of Education's website, which the administrators refused to correct despite strong evidence disproving it. See

"Was Hawaiian Language Illegal?"

<https://www.angelfire.com/hi2/hawaiiansovereignty/hawlangillegal.html>

"Holding the State of Hawaii Department of Education accountable for propagating the lie that Hawaiian language was banned."

<https://www.angelfire.com/big11a/DOEHawnLangBan.html>

"Examples of Some Angry or Bitter Published Articles Claiming That Ethnic Hawaiians Were Victimized by Having Their Language Made Illegal or Suppressed"

<https://www.angelfire.com/hi2/hawaiiansovereignty/hawlangpublvictclaims.html>

"Hawaiian Language as a Political Weapon"

<https://www.angelfire.com/big09/HawLangPolitWeapon.html>

For more than a century, from about 1850 to about 1980, Hawaiian language continuously declined as a language of everyday usage. The decline accelerated as King Kalakaua vigorously recruited tens of thousands of Japanese and Chinese to work on the sugar plantations, while the economy and culture (and hence revenues for the government) were increasingly dominated by English-speaking businessmen. Immigrants who chose to make Hawaii their permanent home nearly always chose to learn English rather than Hawaiian for everyday use, because English was far more

practical; and native Hawaiian parents began demanding that their children speak English even at home so they could thrive in their own homeland. Two UH "liberal" scholars confirmed that by 1892, while the monarchy still held power, 95% of all the government schools were using English as the language of instruction because that's what parents and government leaders demanded [John Reinecke dissertation 1935 and UH Press book 1969; Albert Schutz, "Voices of Eden", 1994]. Even Queen Lili'uokalani chose English as the language for her speech on opening day of the legislature. Starting around 1980 there has been a growing effort to revive Hawaiian language and pride in Hawaiian culture, including large levels of funding from the federal and state governments. I was a beneficiary of one such program as I spent three years immediately upon immigrating to Hawaii from Boston, taking Hawaiian language courses free of charge at Windward School for Adults night school at Kalaheo High School, 1992-1995 under Kumu Allison Ledward, and continued occasionally thereafter through community, TV and internet programs.

Some sovereignty activists have chosen language revival as one of their major weapons, as illustrated by the hostile, vindictive tone of bills offered in recent years at the Legislature. This present bill, by contrast, displays aloha, reconciliation, cooperation, and practical methods of implementation. Congratulations and appreciation to the author(s)!

This bill generously proposes a very practical way of normalizing Hawaiian language. "Additionally, the intent of this Act is not to require that legislative bills and other official documents be written in Hawaiian as well as English; rather, if documents and letterheads prepared by or for state or county agencies or officials contain Hawaiian names and words, this Act only requires that the Hawaiian names and words be written in a consistent manner." By contrast, bills in previous years demanded that every official document be written in Hawaiian; and that if both language were used then Hawaiian must come ahead of English.

Versions of this bill in previous years demanded that if a law or bill was written in both Hawaiian and English, then any dispute or disagreement over what the bill means must be resolved in favor of the Hawaiian version -- despite that fact that very few legislators know Hawaiian well enough to comprehend the meaning of the Hawaiian version which they are officially voting upon as taking precedence over the English version which they are basing their vote upon. Such an absurd rule of interpretation would allow all sorts of mischief by bill-authors who could include either straightforward concepts or kaona (double meanings) in the Hawaiian version which

would escape the awareness of a legislator relying on the English version. By contrast, this bill explicitly and strongly declares that the English version is the official one: "Whenever there is found to exist any radical and irreconcilable difference between the English and Hawaiian version of any of the laws of the State, the English version shall be held binding. Hawaiian shall not be required for public acts and transactions"

Previous bills also demanded that UH academic-style 'okinas and kahakos must be used, whereas this bill generously resolves the internal dispute between academic Ali'i vs. maka'ainana styles by saying "The legislature recognizes that Hawaiian language practitioners generally employ two written orthographies, namely unmarked language and marked language. The unmarked orthography was the first writing system of Hawaiian language. The marked orthography, which includes the kahakō and 'okina, was created as a means to help learners of Hawaiian language determine when to elongate a vowel or where to insert a glottal stop. The intent of this measure is not to claim the superiority of one version of orthography over the other, or to invalidate communities with an unbroken lineage of Hawaiian speakers who do not follow contemporary Hawaiian writing or structures, as communities such as these are vital to Native Hawaiian culture and the State as a whole." Also, "This measure further clarifies that Hawaiian spelling not in conformance with the standards established by this measure will not invalidate an official document, nor will it allow a cause of action to arise."

Once again, thanks to the author(s) of this bill. Please pass it as written. Imua!



UNIVERSITY OF HAWAII SYSTEM

Legislative Testimony

Testimony Presented Before the
Senate Committee on Hawaiian Affairs and
Senate Committee on Higher Education
Thursday, March 17, 2022 at 1:00 p.m.

By
Bonnie Irwin
Chancellor
University of Hawai'i at Hilo

HB 2491 HD2 – RELATING TO THE HAWAIIAN LANGUAGE

Chairs Shimabukuro and Kim, Vice Chairs Keohokalole and Kidani, and members of the committees:

Mahalo for the opportunity to submit testimony on HB 2491 HD2. The University of Hawai'i at Hilo (UH Hilo) supports HB 2491 HD2 that proposes to establish a standard for the spelling and punctuation of Hawaiian names and words as they appear in official State and County documents, letterheads, and signage.

UH Hilo is home to Ka Haka 'Ula O Ke'elikōlani, College of Hawaiian Language, that has been leading efforts to revitalize the Hawaiian language while also serving as a model to national and international Indigenous communities who also seek to revive their endangered languages. The college has translation expertise among faculty, M.A. and Ph.D students and the Hale Kuamo'o Hawaiian Language Center at UH Hilo. Ka Haka 'Ula O Ke'elikōlani has also established minimum qualifications (MQs) for demonstrated Hawaiian language proficiency of faculty and staff positions of the college.

Ka Haka 'Ula O Ke'elikōlani has the expertise in identifying traditional dialects of Hawaiian existing before language shift to English throughout the state, including Ni'ihau. However, providing a list of dialects may be problematic in that claims can be made by people that they speak different dialects. We suggest that only those dialects recorded directly on tape and in writing from those born before statehood are to be identified. We have also seen that there has been testimony on this bill regarding different spelling systems used historically for Hawaiian. The College also has expertise in that area as among our faculty members are individuals with training in historical linguistics and in the history of Hawaiian. In the report on dialects we could include information on historical variation in writing systems and what has become most commonly accepted over time from the earliest efforts to write Hawaiian.

Official use of Hawaiian will require research into historical use of different terms for different government offices and not simply translation. Additionally, some of the government offices and positions will require creation of new terminology. In 1995 through HB 1798 the legislature established the Hale Kuamo'o Hawaiian language center at UH Hilo to serve the use of Hawaiian in schools, especially immersion schools

and schools serving Ni‘ihau children. The Hale Kuamo‘o then incorporated the Hawaiian Lexicon Committee established from the beginnings of the Pūnana Leo preschools in 1982. That committee has included representation from various islands and native speaker communities to create vocabulary and disseminate it for use in schools. The Hale Kuamo‘o Center was incorporated into the Hawaiian language college mandated at UH Hilo by the 1996 legislature in Act 315. As a result, HRS 304A-1302(3) requires the Hawaiian language college to provide a Hawaiian language support center that includes research and language development, which could include the purposes of HB 2491 HD2 and the overall coordination and dissemination aspects important to making this effort successful. However we see that this responsibility as requiring additional funding, as like the increased attention to the Hawaiian language college and its partner ‘Imiloa mandated in HB 2543 HD1 and SD2 of 2020, it calls for increased support for the larger state use of Hawaiian beyond university language courses.

We urge that HB 2491 HD2 be amended to reflect the points above, and that Hale Kuamo‘o be designated the lead in effectuating this bill, subject to appropriate funding.

We see the bill as an important step towards strengthening the vitality of Hawaiian through increasing government documents, functions, services and a growing workforce community of Hawaiian speakers as a critical effort to ensure the revitalization of the Hawaiian language for generations to come.

Mahalo for allowing UH Hilo to testify on this issue.

LATE

Written testimony, HB2491 HD2 Concerning the Hawaiian Language

The Mary Kawena Puku'i Cultural Preservation Society supports the intent of the bill, but has serious reservations about its implementation. Besides the current/modern dialect and the Niihau dialect, there is a Kupuna Dialect that was used after the oral language was also converted to a written language and was spoken and written in documents, newspapers and all forms of communication from the mid-1820's. This was the language that was preserved in the Hawaiian-English Dictionary, Pukui/Elbert, published in 1957. The language was changed, beginning with the 1964 edition of the dictionary by Elbert, without the consent of Mary Kawena Puku'i, and was further changed by Mamaka Kaio, which created new words and deleted words from the language. The kupuna dialect is still used today by traditional speakers who did not learn Hawaiian in the classroom, and must be considered in any decisions.

The way it is written now, requirement #3 should be completed before requirements #1 and #2 can be met.

An alternative would be for all suggested words be agreed to BEFORE being submitted for public use in case of any disagreements. It would not serve anyone well for different words to be submitted and for a decision to be made by the committees, which we believe would not want that responsibility, nor have the knowledge to make such decisions.

Again, we like the intent but don't think it can be accomplished as proposed. Therefore, we pro-pose that the interested parties develop a system whereby we can iron ou any differences, if there are any, prior to submitting the words, titles, etc to be used, thereby eliminating any unnecessary problems., we would be created in its current form.

Mahalo a nui loa,
La'akea Sukanuma, President

P.S. I had intended to provide in-person testimony, but a family emergency has called me to Hilo.

HB-2491-HD-2

Submitted on: 3/14/2022 11:30:41 AM

Testimony for HWN on 3/17/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Dana Keawe	Individual	Support	Written Testimony Only

Comments:

I support HB2491 HD 2

HB-2491-HD-2

Submitted on: 3/14/2022 2:03:43 PM

Testimony for HWN on 3/17/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
lynne matusow	Individual	Support	Written Testimony Only

Comments:

I support HB2491 but find it wanting. I object to the use of defective effective dates and find that they do not serve to encourage future discussion, they are a cop out, and often end in the defeat of a bill during conference committee. The effective date should be changed to effective upon approval, not some date 28 years in the future when a good number of us will be dead.

As wai is life, 'olelo hawai'i is the mother tongue of Hawai'i. It should be seen and spoken everywhere. The time for this proposed law is long overdue, Please move it forward with a sensible effective date.

HB-2491-HD-2

Submitted on: 3/15/2022 10:04:44 AM

Testimony for HWN on 3/17/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Benton Kealii Pang, Ph.D.	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Shimabukuro, and Kim, Vice chairs Keohokalole and Kidani, and members of the committees of Hawaiian Affairs and Higher Education:

I am in support H.B. No. 2491, H.D. 2, that would amend the HRS § 1-13.5 to require all letterheads of the State and counties to include consistent Hawaiian names, spelling, and punctuation, and require certain state officials to prominently display a Hawaiian language translation of the name of their respective office or department at least once on the main page of their official website and in the letterhead of their stationery. The University of Hawaii must compile a full list of all dialects and other variations in the Hawaiian language currently in use and submit a report of its findings to the legislature. It also clarifies that bills and other official documents are not required to be written in Hawaiian and that incorrect Hawaiian words and names shall not invalidate the documents or render them unenforceable and no cause of action shall arise accordingly.

Our State Constitution establishes that both Hawaiian and English are the official 2 languages of the State (State Constitution, Article XV, § 4).

This bill is a step in the right direction, consistent with our state constitution and respectful of our host culture. Please pass HB2491 HD2.

Mahalo for the opportunity to submit my testimony.

Sincerely,

Benton Kealii Pang, Ph.D.

Pālolo, O‘ahu

STRONG SUPPORT FOR HB2491

Daniel Lee

Chair Shimabukuro and Chair Kim
Committee on Hawaiian Affairs and Higher Education
Hawaii State Capitol
Room 222

Chair Shimabukuro, Chair Kim, and members,

This is an important gesture to ensure we are giving the official language of Hawai'i its proper place in society.

I ask, when our keiki take home letters from their principal and see 'ōlelo written within the letterhead under the state seal, will that not demonstrate the importance that 'ōlelo has in our state? Does it not send the message to the next generation that 'ōlelo is no longer the language which their grandparents were not allowed to speak, no longer a second-class tokenized language, that would have fallen into extinction like so many indigenous languages but for the tireless works of cultural practitioners?

Researchers estimate that literacy in the Hawaiian Kingdom was up to 98% in the 1800s, prompting one of the famous mottos of Kamehameha III, "He aupuni palapala ko'u" or, "mine is the kingdom of education." 'Ōlelo was the boast of the nation.

Let us restore the language. With language comes understanding of values, place names, and is the way to make things right. **Let us envision a future in which 'ōlelo is common place.**

I humbly thank you for your consideration.

Warm regards,

Daniel Lee

TESTIMONY IN STRONG SUPPORT of HB2491 Relating to the HAWAIIAN LANGUAGE

Chair Maile Shimabukuro Chair Donna Mercado Kim
Committee on Hawaiian Affairs, Committee on Higher Education
415 S. Beretania Street
Honolulu, HI 96813

Mahalo piha Chair Shimabukuro, Chair Kim and Committee Members for hearing this bill.

I write in **strong support** for restoring the language of this land in prominent places and communications of our state.

As the 'ōlelo noeau goes: “I ka 'ōlelo nō ke ola, i ka 'ōlelo nō ka make”

Pukai #1191

In words there is life, in words there is death

In language there is life, in language there is death


My only request is that this bill be made much more broader, to follow the **Māori Language Act 1987** in Aotearoa which allowed Māori to be used in courts, to have legal precedent, and establish a commission on the Māori language which perpetuates the languages and provides advice on its use. The state should also codify **Article 13 of the UN Declaration on the Rights of Indigenous Peoples**, which reads:

“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.

and

2. States shall take effective measures to ensure that these rights are 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.”¹

¹ <https://www.un.org/development/desa/indigenouspeoples/declaration-on-the-rights-of-indigenous-peoples.html>




The UNDRIP was originally voted down by the United States on September 2007 under the Bush Administration. Under President Obama this vote was reversed which the State Department describes, "...While not legally binding or a statement of current international law—has both moral and political force. It expresses both the aspirations of indigenous peoples around the world and those of States in seeking to improve their relations with indigenous peoples."²

Thank you for your consideration.

With Aloha,

Rikako Ishiki

² <https://2009-2017.state.gov/documents/organization/184099.pdf>



HB-2491-HD-2

Submitted on: 3/16/2022 8:49:09 AM

Testimony for HWN on 3/17/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Keao NeSmith	Individual	Comments	In Person

Comments:

I want to first congratulate and thank House Representatives and Senators for their responsiveness and diligence in considering various points of view regarding not just Hawaiian language letterhead and signage, but also the larger Hawaiian language maintenance issue, which is very complex. This is the result of a concerted effort on the part of the US government since 1900 to eradicate the Hawaiian language and a shift in the 2000s to reverse that paradigm after the Hawaiian speaking community had already been devastated.

In Section 1 of HB No. 2491 HD2, the bill sought to establish informed decisions when it cited King Kamehameha in stating "He aupuni palapala ko'u." It also cited the need and purpose of okina and kahako as aides for learning Hawaiian as an additional language and the orthography of traditional native speakers, past and present, which does not include okina and kahako. I remind the committee here that traditional native speakers are those for whom Hawaiian is the first language of the ohana, where the language had never been lost to the ohana at any time in history up until today. This establishes this linguistic sector as authentic and authoritative in their own right apart from educational institutions.

In Section 2 the Niihau community are referred to specifically as a juxtaposition to academic faculty of Hawaiian language, all of whom, except for two individuals, are native English speakers and 2nd language Hawaiian speakers via classroom learning. This bill also touches on the matter of word choice: newly invented words by 2nd language speakers versus that of native speakers. The weight of legitimacy clearly falls on the side of traditional native speakers. *Ka Leo o na Kupa* is capable of representing the interests of Niihau native speakers.

Overall, as long as government offices are educated about Hawaiian language issues, particularly surrounding traditional native speaker sources, not only those listed in the latest draft of the bill, but also inclusive of living native speakers and all texts (i.e. newspapers, legal documents, literature) composed by native speakers in the 1800s and into the 1900s, Hawaii State government and counties offices should be allowed the right to follow traditional or academic orthographies. Each office or county can be provided a rationale that justifies their choices so that they help spread education on varieties of Hawaiian among the public.

Mahalo nui,

Keao NeSmith

Kekaha, Kauai

HB-2491-HD-2

Submitted on: 3/16/2022 11:38:56 AM

Testimony for HWN on 3/17/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Keokapukoa Kaohelaulii	Individual	Oppose	Written Testimony Only

Comments:

He haumana au ma ke kula kiekie o Castle. Aole au hoohana i na kahako ame na okina no ke ao ana. Nolaila, ua hiki no i ka lehulehu ke hana pu penei.

HB-2491-HD-2

Submitted on: 3/16/2022 12:46:09 PM

Testimony for HWN on 3/17/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Brian Faria	Individual	Support	In Person

Comments:

Senate Committee on Hawaiian Affairs & Senate Committee on Higher Education

Aloha mai no kakou,

My name is Keoki Faria and I am writing to you today in support of HB No. 2491 HD2 with ammendments. My initial concern is in regards to Section 2, page 4, lines 12 where a standard spelling of the Hawaiian language will “include kahakō and ‘okina that punctuate the name of word which they relate,” is proposed. There are three issues regarding this matter:

- (1) First it is not consistent with the orthography used in offical documents and political discourse of Hawaii’s governments (i.e. Hawaiian language was still used in legislative session during the early days of the territorial government);
- (2) Second, although it acknowledges the use of two orthographies by choosing to adopt the orthography using diacrtical markings it affords it an air of authenticity, and by default invalidates the traditional orthograpy; and
- (3) Third, *Mamaka Kaiao* should not be listed as an official reference here at this time, as there is no concensus of agreement within the Hawaiian language speaking community for the appropriateness of it’s suggestions.

I would highly recommend that the existing orthography of the 1800s and early 1900s be used, and that primary source documents produced by native sepakers of that time, as well as today, inform the work required of this bill. The use of diacritical markings in governmental documents would be similar to requiring a phonetic spelling of English to aid second language learners, for example ‘skül’ in place of ‘school.’ This is a matter of developing proficiency and education, spelling alone will not fix the issues that this bill seeks to remedy.

Another area of concern is Section 1, Page 3, lines 19-21 tasks the University of Hawaii to compile a full list of dialects and other variations of the Hawaiian language in use today. Although the findings of this study may be interesting, it should be stricken from this bill, unless the legislature is looking to create and fund a Hawaiian language commission committed to the preservation, revival, and normalization of the Hawaiian language. If this type of funding is being proposed in the present, Kauai County’s advisory committee, Ka Leo o Na Kupa would be able to provide that type of expertise concerning the Hawaiian language spoken within the Niihau community.

In conclusion, I would like to thank each of the chairs, vice chairs and members of the Hawaiian Affairs and Higher Education committees in advance for their consideration of the concerns outlined within this testimony, and thank you for your service and commitment to Hawaii.

Me ka oiaio,

Keoki Faria

**Hawaii State Legislature
31st Legislature, 2022**

**Senate Committees on
Hawaiian Affairs and Higher Education**

March 17, 2022

Aloha mai Senators -

Hawaiian Affairs Chair Shimabukuro, Vice Chair Keohokalole, and Members,
Higher Education Chair Kim, Vice Chair Kidani, and Members

Thank you for the opportunity to provide testimony on HB2491 HD2 which seeks to standardize the Hawaiian language by requiring “all letterheads and the main page of official websites that include Hawaiian names or words to include consistent Hawaiian names, spelling, and punctuation, including the use of kahako and okina” (HB2491 HD2, 2022).

I am writing in support of HB2491 HD2 with amendments. Since we are a dual language state (Article XV, Section 4), it makes good sense to support the intent of HB2491 HD2, and it also makes good sense to acknowledge and uphold the standard orthography that Kamehameha III Kauikeaouli already established for Hawaii. An orthography that was established with the help of foreigners who learned Hawaiian as a second language. Foreigners and/or second language learners of that time were not only able to learn Hawaiian proficiently but also contributed to the wealth of knowledge in historical documents.

I strongly recommend maintaining the standard orthography used by native speakers of Hawaiian from the 1800s until today, which is highlighted in the preamble to this very proposal, “He aupuni palapala “ko’u” (cited in Ka Nupepa Kuokoa, 1868) - the okina here is actually an apostrophe used to differentiate “kou” or your, and “ko’u” or my, one of the few places the apostrophe is used. Often attention is drawn to **Kauikeaouli and Keelikolani’s** efforts, and pro-Hawaiian language stance. It is also important to note that **neither Kauikeaouli nor Keelikolani used this “standard”** (okina and kahako) that is being proposed. This proposal is similar to officially changing the spelling of English to reflect its phonetic spelling. Would we consider that an accommodation, or just standard English?

In conclusion, the preamble highlights Kauikeaouli, Kamehameha III’s “He aupuni palapala ko’u” therefore, I **strongly recommend** upholding the current standard of the Hawaiian language that Kauikeaouli and Keelikolani utilized (i.e., no markings).

Ke oia mau nei no ka pono o ka lahui Kanaka i ka naauao o Hawaii
(i.e., Kauikeaouli Kamehameha III, Ruth Keelikolani, Joseph Mokuohai Poepoe)

Ma o ka naauao o Hawaii,
Kahea Faria

LATE

Hawaii State Legislature
31st Legislature, 2022
March 16, 2022

Aloha mai no,

I am submitting my testimony here today as a native Hawaiian, a speaker of Hawaiian and a teacher and advocate of the Hawaiian language.

First, I speak on spelling and punctuation as provided in this bill. Consistency in the spelling and punctuation of Hawaiian names has been consistent throughout the history of the Hawaiian language. Our Hawaiian language newspapers dating from the 1830's to the 1940's are evidence of this claim. This claim further extends to the early 1820's when a written form of the language was developed. This being the orthography in place until about the 1970's when diacritics were created for learners of the language. Having said that, diacritics have only been used by 2nd language speakers in school systems for about 50 years, but not used amongst our native speaker community. In comparison, the Hawaiian language has existed and thrived without the usage of diacritics for about 150 years, amongst both native speakers and 2nd language speakers. Therefore, if consistency in the spelling and punctuation of Hawaiian names and state official positions is part of the aim of bill HB2491 HD2, it should adhere to the original orthography of the Hawaiian language and make no use of diacritical markings.

Second, in my experience as a learner, speaker and teacher of the language; I can attest to the fact that diacritical markings do not ensure the proper pronunciation of Hawaiian words. Listening to native speakers via recordings or in-person is the primary way that any learner of the language develops proper pronunciation of Hawaiian words and names. Remember that the Hawaiian language began as an oral language and was maintained and preserved by Hawaiian families who kept this tradition. If any changes have occurred to the pronunciation and or spelling of words, it has always been led by native speakers of Hawaiian due to the natural evolution that takes place in any language. This bill, whether intentional or not, is in danger of disassembling this oral tradition of our native speaking ancestors and living native speakers of today. Enforcing diacritics puts the new written form of Hawaiian before the oral tradition of Hawaiians which has been and is currently being preserved by native speakers.

Third, there is concern in placing the responsibility on UH to compile "all **dialects** and other variations in the Hawaiian language". One concern is that there is no clear vetting process as to how this compilation will be procured and critiqued. Another concern is the term **dialect** and how it has been misconstrued, as seen in this bill. The language spoken in the Niihau community is not a dialect, but in fact the Hawaiian language. Arguably, it is the traditional way that Hawaiian was spoken before the written form of Hawaiian and non-native Hawaiian influence. Hawaiian language spoken amongst 2nd language speakers is more accurately defined as a dialect for it is a peculiar and distinguishable amongst these speakers of the language. 2nd language speakers' usage of the language is clearly distinguishable from native speakers of Hawaiian.

To conclude, although I support efforts to normalize and perpetuate the native language of Hawaii in the Legislature, the dismissal of native speaker involvement and influence upon this bill is egregiously disheartening. I ask that my testimony be seriously considered and that bill HB2491 HD2 be significantly amended to appropriately align itself with the original orthography of the Hawaiian language.

Me ka oiaio maoli no,
Maluhia States