REPATRIATION IN HAWAII:
ITS COMPLEXITIES AND CHALLENGES

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INTRODUCTION: NATIVE AMERICAN GRAVES PROTECTION AND REPATRIATION ACT (NAGPRA) IN HAWAII

The Native American Graves Protection and Repatriation Act (NAGPRA) passed in 1990 by an act of the U.S. Congress. It provides a process for museums and federal agencies to return human remains, funerary objects, sacred objects and/or objects of cultural patrimony to Native Americans. This law is an important tool for indigenous peoples in the United States. By empowering them to reclaim the bones of their ancestors and some of their mea kapu (forbidden things) housed in museums across the country, NAGPRA allows native peoples to address the problems of American hegemony and begins the process of righting a series of historical wrongs. But what appears to be a good resolution to the unjust treatment of indigenous peoples has created a problem for Native Hawaiian communities.

Burial Cave Case Studies in Hawaii: Inter- and Intra-cultural Clashing

NAGPRA is a very difficult law to apply for some indigenous groups. In Hawaii it has divided the Native Hawaiian community, in some cases placing them in opposition to each other and resulting in ugly legal battles. In my thesis research I will reference two separate repatriation cases, both have mea kapu originating from the same burial cave. These two cases have been in the news since 1999 and their outcome has yet to be determined. The collection of mea kapu was removed from a cave in Kawaihae, Hawaii, in 1906 by three non-Hawaiian men, who divided the mea kapu between themselves. They then decided to send the entire collection to the Bernice Pauahi Bishop Museum (Bishop Museum hereafter) to be authenticated and appraised. This collection is touted to be the most significant find of such items in Hawaii. After the mea kapu were appraised, two of the men decided to sell and/or transfer their shares to
Bishop Museum, thus splitting up the mea kapu. Bishop Museum received a total of eighty-three mea kapu from this collection including: three wooden images - one female and two Kona images (stylized images of the war god Kukailimoku usually associated with Kamehameha), a number of elaborately carved and decorated wooden bowls, a feather cape fragment, a wooden funnel, a bracelet or anklet made of boar tusk, a wig made of human hair, numerous pieces of cordage, and numerous pieces of kapa (bark cloth). This collection continues to be housed at Bishop Museum and is going through the NAGPRA consultation process. In this thesis I will refer to this case as the “Bishop Museum case.”

**Hawaii Volcano National Park – HAVO Case**

The third person, David Forbes, kept his share of the collection in his family for years. In 1956 Blodwyn Forbes Edmundson, the daughter of David Forbes, donated five mea kapu to Hawaii National Park which she identified as originating from the burial cave in Kawaihae, Hawaii. They are a carved wooden female image, a carved wooden table held by a double torso image indentified as a papamu (game board), a cutting tool made of a shark tooth attached to a human clavicle, a gourd water bottle with shell stopper, and a wrist ornament made of rock oyster. This collection is currently housed at Hawaii Volcanoes National Park (HAVO) and is also undergoing the NAGPRA consultation process. In my paper I will refer to this case as the “HAVO case.”

After consulting with all potential claimants HAVO has classified the five items as unassociated funerary objects under the NAGPRA definition. This determination was based on evidence submitted by all potential claimants. HAVO also determined there were no lineal
descendants as defined by NAGPRA and identified 14 Native Hawaiian organizations who
claimed cultural affiliation to the objects. The organizations are:

Office of Hawaiian Affairs (OHA)
Hawaii Island Burial Council (HIBC)
Department of Hawaiian Homelands (DHHL)
Hui Malama i na Kupuna O Hawaii Nei (Hui Malama)
Hooulu Lahui
Ka Ohana Ayau
Hoohuli Ohana
Kekumano Ohana
Royal Hawaiian Academy of Traditional Arts (RHATA)
Diamond Ohana
Keaweamahi Ohana
Laika-a-Manuia Ohana
Na Lei Alii Kawananakoa (Na Lei Alii)
Na Papa Kanaka O Puukohola Heiau

At this point HAVO is not able to determine which Native Hawaiian organization has the
closest cultural affiliation to the mea kapu. HAVO will thus hold all the mea kapu until such
time as all the Native Hawaiian organizations can come to a consensus on final disposition.

Bishop Museum Case

In the late 1990s, Bishop Museum began consulting with four different Native Hawaiian
organizations (NHO): Hui Malama I Na Kupuna O Hawaii Nei (Hui Malama), the Office of
Hawaiian Affairs (OHA), the Department of Hawaiian Home Lands (DHHL) and the Hawaii
Island Burial Council (HIBC) to determine the fate of the mea kapu held in their care. This
repatriation case would soon become one of the most controversial in the state. In February
2000, the Bishop Museum loaned 83 mea kapu to Hui Malama, whose members subsequently
reburied them in the burial cave in Kawaihae from where these objects were originally taken in
1905, and sealed the entrance. Copies of the inventory list accompanying the mea kapu
indicated that it was to be a “one year loan.” In April 2001 Bishop Museum informs the claimants that the museum had completed the requirements for repatriation. Donald Duckworth was the director at the time. In June 2001 Duckworth retires and William Brown is hired as the new director of the Bishop Museum in October 2001.

In 2003 the Royal Hawaiian Academy of Traditional Arts (RHATA) filed a dispute with the NAGPRA Review Committee stating that the repatriation process was flawed. The NAGPRA Review Committee is an advisory committee authorized to monitor and review the implementation of the inventory and identification process and repatriation activities. William Brown representing the Bishop Museum was also present at the meeting. He testified that there was an error in the repatriation process and that it was not complete. After RHATA presented their case, the committee found that the repatriation of the mea kapu was flawed and therefore incomplete.

In August 2005 two Native Hawaiian organizations, the Royal Hawaiian Academy of Traditional Arts (RHATA) and Na Lei Alii Kawananakoa (Na Lei Alii), filed a lawsuit seeking the return of all mea kapu from the cave so that claimants could review them and be included in the NAGPRA consultation process. In September Federal District Judge David Ezra ordered the return of 83 mea kapu to Bishop Museum so that discussions among the claimants could continue. Ezra ordered Hui Malama to disclose the whereabouts of the mea kapu, but they refused to give any details, explaining that it was against their religious beliefs. This resulted in the incarceration of Hui Malama’s executive director. The Bishop Museum hired a private contractor to go to the cave and retrieve the mea kapu. There was much speculation by other NHOs that Hui Malama didn’t rebury the mea kapu in the cave and some even accused them of
selling the mea kapu on the black market. When the mea kapu were recovered from the cave an inventory confirmed that everything was accounted for. Hui Malama’s director was later released from prison.

Overview of Thesis Project

What are the complexities of these cases? Why do some claimants believe these mea kapu are moe pu (funerary objects) while others believe they are not? How have the hegemonic practices of museums affected Native Hawaiians in the past and present? Is there something wrong with the way NAGPRA is written or how it is administered? These questions are central to my research; it is what drives my thinking and writing. Of course, the answers to these questions are quite complex. Furthermore, they involve an understanding of Hawaii’s history and the effects of American occupation and imperialism on Native Hawaiians, including myself.

Rural vs. Urban Hawaiian Perspective

As a Native Hawaiian, born and raised on Hawaii Island, I will be writing this paper from a Hawaiian perspective, integrating many of my personal experiences growing up in a rural area where I learned traditional Hawaiian practices as part of my daily life. I will also be writing from a professional point of view. I am currently the Cultural Anthropologist/Native Hawaiian Liaison at Hawaii Volcanoes National Park, where I am responsible for facilitating the NAGPRA consultation process and working closely with Native Hawaiians involved in repatriation claims.

In order to understand why the claimants in both of these repatriation cases are in such conflict with each other we need to look at Hawaii’s history, from our creation chants to our current existence. We have to analyze the changes Hawaiian people have experienced and
endured over time in order to understand a Hawaiian psyche. These changes - however large or small - had a great effect on the native lifestyle and how Hawaiians feel today. We must see and recognize the rise of imperialism as the western colonizer came to these islands and slowly changed native ideologies.

Western hegemony resulted in a shift of power from the indigenous people of Hawaii to the western colonizer. Western ideologies were insinuated into Native Hawaiian lifestyles, affecting certain Hawaiian customs and beliefs. Since the cultural renaissance of the 1970’s we see signs of decolonization as some people in Native Hawaiian communities struggle to regain their power as a people while others accept the circumstances of colonization.

The history of Hawaii can be summarized in one string of connecting, intersecting and conflicting set of ideas: creation, migration, battling chiefdoms, strict kapu (limitations) to protect resources, and a productive and healthy indigenous population. Followed by western exploration, colonization, imperialism, and decimation of the Native population due to introduced diseases. Finally, Christian missionaries, changes in Native ideologies and lifestyle, aggressive non-Native businessmen, socio-economic change, illegal overthrow of the Hawaiian government, American occupation and currently, the struggle for decolonization.

Using Antonio Gramsci’s theory of hegemony I will examine the complexities of imperialism in both the history of Hawaii and the history of museums. I will then argue that imperialism and colonization are factors affecting and amplifying disagreements between the Native Hawaiian communities.
Hegemony, Hawaiian Thinking and Museums

In Hawaii, government institutions continue to perpetuate hegemonic practices that are detrimental to Native communities. This hegemony produced by schools and museums, and coupled with socio-economic changes in the islands, made and makes an impact on the modern-day Hawaiian. The result is conflicting perspectives in the ways Hawaiians perceive their own culture. I believe this is the reason why there is so much conflict and disagreement among the NHOs making repatriation claims. I will share with you personal experiences in my life that have shaped my own perceptions of culture.

It is also important to understand museums and their role in society. How do museums affect Native peoples and how important are museums to Native communities? I will use Eilean Hooper-Greenhill’s two museum models, the “modernist museum” and “post museum” to help us better understand how museums have influenced how people perceive culture. I argue that over time many Native Hawaiians, especially those living a more urban lifestyle, have accepted the master narratives presented by museums. Exposure to these kinds of western institutions has resulted in Hawaiians’ acceptance of and dependency on museums as the keepers of their culture. However, as museums evolve from “sites of authority” to “sites of mutuality,” I argue that this change is important for the decolonization process, because it can transfer the authority back to Native Hawaiians.

On January 24, 2006 Alexandre Da Silva of the Honolulu Star Bulletin reported that U.S. District Judge David Ezra ordered Hawaiian litigants to resolve their dispute through hooponopono, a traditional style of mediation (“Alternative Resolution”). Some Native Hawaiians believe the dispute between Bishop Museum, Hui Malama I Na Kupuna O Hawaii
Nei (Hui Malama) and the other Hawaiian organizations should not be resolved in a federal court. I explore ways in which museums can become part of the solution rather than sitting back and watching Native Hawaiian Organizations continue to argue amongst each other.

Through consultation and creative thinking, I am hopeful the Native Hawaiian communities will be able to reach consensus and find resolutions to divisive issues. As we continue the consultation process we need fresh perspectives to find ways to help NHO claimants work towards the disposition of the objects from the Kawaihae cave.
CHAPTER 1: DIFFERENT PERSPECTIVES

Traditional Hawaiian Ideologies Understanding Relationships

The Kumulipo, literally translated as “beginning in deep darkness,” is a Hawaiian cosmogonic genealogical chant, and allows Hawaiians to understand their place in the universe. The Hawaiian culture, like many others, has several creation stories. The Kumulipo describes the creation of the universe. This creation genealogy is a large family tree which linked the ali'i class with the spiritual representatives of all phenomena, great and small, on the earth, in the sea, in the heavens, in the spirit world, and in the world of living men. Starting with the creation of celestial bodies including the earth, it continues with the appearance of sea creatures and their counterparts on land which are supported by the earth. After the creatures of land and sea were established, the winged life (insects and birds) and the crawlers (amphibious creatures) appear which are supported by the previous creation. The creation of food plants followed, which supported the subsequent creation of the multitude of gods and goddesses whose manifestations are seen in natural phenomenon such as the rain, wind, thunder, clouds, lightening, etc. Finally, in the ninth ode of the chant, the first human appears. Humans rely on the older generations such as the gods, plant/animal life, rain and earth in order to survive. We, as humans have an intimate and familial relationship to the life that came before us and must treat them with great respect.

There are various stories about the first humans, one of which is the story of Wakea and Papa (sky father and earth mother) who had a daughter named Hoohokukalani. Wakea deceived Papa and slept with Hoohokukalani. From this union Haloa the eldest son was born as a fetus and did not live. He was buried in the corner of their property where the first kalo (taro) sprouted and flourished, providing sustenance to not just his immediate family but the entire
race. Hoohokukalani had a second son who she also named Haloa, who was the first human. The first Haloa was never forgotten because of the important cultural significance of kalo to the Hawaiian people. This story illustrates the kuleana (responsibility) of the eldest sibling to provide for the younger siblings. At this point, the Kumulipo branches out to the various chiefly lineages of Hawaii. Martha Beckwith writes,

The chant links the royal family to which it belonged not only to primary gods belonging to the whole people and worshiped in common with allied Polynesian groups, not only to deified chiefs born into the living world, the Ao, within the family line, but to the stars in the heavens and the plants and animals useful to life on earth, who must also be named within the chain of birth and their representatives in the spirit world thus be brought into the service of their children who live to carry on the line in the world of mankind.21

Much can be gleaned from the Kumulipo. It illustrates the familial relationship the Hawaiian has to the whole universe and broadens the concept of relationships. It also teaches us the sacredness and the order of things. We learn that the sequential order of things, from the creation of the heavens, earth, plant and animal life, various gods, ali‘i (chiefs) and finally the creation of human beings, is such that the older generation’s responsibility is to provide for the generations that follow. In reciprocity, the younger generations are to love, honor, respect and be obedient to the older generations. Pukui and Handy write, “To comprehend the psyche of our old Hawaiians it is necessary to enlarge the implications of the word ‘relationship’ beyond the limitations of the ‘interpersonal’ or social. The subjective relationships that dominate the Polynesian psyche are with all nature, in its totality and all its parts…”22 Therefore it is important to remember that for some Hawaiians today these ideologies remain a very important part of their lifestyle. They believe:

- all natural phenomenon including humans are intimately connected; biologically and genealogically
- there is no separation between animate and inanimate, visible and invisible, human and nature
- the relationship to their world is reciprocal and inclusive
- to care for the resource is a familial duty
- to respect each other’s individual kapu or sacredness sustains life

These are very basic Hawaiian ideologies that I personally believe in and try to follow without the interference of my colonial upbringing (received primarily through my schooling). Many times in my work at Hawaii Volcanoes National Park, I find there is a conflict between my Hawaiian beliefs and the way the National Park Service does its work. In every instance I have found that if I trust in my naau (heart), ancestral Hawaiian knowledge, and I recognize and use this Hawaiian knowledge to help guide me, then everything works out for the best.

For example, at one point in this current eruption of Kilauea the fires ignited by Pele (deity of Hawaiian volcanoes, lava) were threatening pristine native forests containing many rare and endangered plant species. As an employee we learn that the original mandate of the National Park Service is to protect and preserve both natural and cultural resources. Fire crews from the mainland were brought in to help our local fire crew control the fire caused by the moving lava flows. The natural forces of Pele’s lava and fire coupled with high winds and rugged terrain proved to be too much for the fire crews. At this point the Fire Management Officer and the Superintendent had to consider other options in order to save the forest. They decided to try explosives used in mainland fires to clear a fire line wide enough to stop the approaching fire.

The Superintendent of the park called me to discuss their decision; he wanted me to relay his decision to members of our informal Kupuna (elder) Consultation Group. I knew this would not sit well with the kupuna. The kupuna felt it was not our place to try to take control of the
situation by blowing up the ground and stopping the fire of Pele. This is Pele’s domain and we have to respect and accept her activity. They would not support the Superintendent’s decision.

I went back to the Superintendent and explained how the kupuna felt. The Superintendent was faced with protecting the natural resources at the expense of negatively impacting the cultural resource by disrespecting the forces of nature (what Hawaiians consider to be their god). Knowing there was another option from the Hawaiian perspective, I asked the Superintendent to give me some time before ordering the explosives. He asked me what I had in mind. I answered his question with a question, “If we get a lot of rain and the rain stopped the fire, would he still use the explosives?” He told me, “No, I wouldn’t need to use the explosives.” I asked him to please give me a couple of days. Being a culturally sensitive person, the Superintendent honored my request before ordering the explosives.

I ran out of his office and went back to my office where I called a kupuna who I thought would be able to help. She is a powerful chanter able to make connections with the elemental forces of nature. I asked her to appeal to na akua (the gods) and ask for rains to help slow down the fire and saturate the forest. She said she would try. Later that day she called me at my office to see if it had started to rain in Volcano. I told her that it was only misting, nothing substantial. She told me that it was storming in Hilo where she was chanting from her residence. I told her that was good and asked if she could send the rain to the area of the fire. She asked for the specific location of the fire then told me “okay” and hung up.

An hour or two later she called and I reported that we had a raging storm in Volcano which included the Puna section of the park where the fire was located. It rained heavily all night and the next day. When I went to work the following day I checked in with the
Superintendent to see the status of the fire. He told me whatever I did worked, the fire was no longer a threat and that he wouldn’t be ordering the explosives. I was happy and I went back to my office to inform the kupuna who was elated.

In my work at the park as the Native Hawaiian Community Liaison, I find that there are many Hawaiians who still believe and live by these traditional ideologies. It is important for the National Park Service to recognize these different perspectives and even if they don’t really understand they must allow native practitioners a chance to do things in a traditional way. They really have nothing to lose by allowing this. I will continue to encourage park managers to look outside the box (government guidelines) whenever we are faced with these types of challenges. Having a Kupuna Consultation group is a good way for park managers to familiarize themselves with traditional Hawaiian ideologies and perspectives.

Intra-cultural Clashes

In both the Bishop Museum and the HAVO repatriation cases, I believe that some of the claimants adhere to traditional ideologies more than others. The concept that is applied by some Native Hawaiians in the community to the mea kapu that were removed from the Kawaihae cave complex is simply one of respect to the kupuna that came before us. They feel that the individual kapu possessed by these items was violated by the three men who first removed the mea kapu from the cave in 1905; therefore we have dishonored our ancestors and acted disobediently by transferring them to the museum. These claimants feel that it is their familial responsibility to rebury these mea kapu with the human remains back in the place where they were found. We should also remember that the men who found these mea kapu were not Hawaiian and they had no cultural connection to them. They also lacked the moral sense to
leave the burials sites undisturbed. I wonder if these men would remove the clothing and jewelry from a dead relative’s burial. Some of the claimants feel very strongly that they must respect the choice that was made over a hundred years ago when these mea kapu were first placed in the cave, regardless of whether or not these were burial items or items that were later hidden during a time of political change.

**Life in Old Hawaii**

The Hawaiian Islands were ruled by many alii or ruling chiefs who were considered descendants of the gods. The alii were very religious and they each had numerous akua (gods) and kahuna (priests) who provided spiritual guidance to them. The alii also observed strict kapu, a set of prohibitions, and enforced and maintained them in accordance with the gods. The makaainana (commoners) were aware of these strict kapu because if a kapu was broken it could result in their death.

Religious observances were a part of everyday life. For Hawaiians, any project of human efforts should be preceded by prayer. The Hawaiians believed that the gods were ever present, guarding, guiding, warning, blessing, and punishing humans. Hawaiians constantly conversed with their akua and aumakua (ancestral gods) – they would first ask for permission to pick a certain plant for medicine or hula and then ask for forgiveness for taking the plant from its place. They prayed for guidance and knowledge to do what is right.

Each island was divided into apana (districts) which were further divided into ahupuaa, land divisions that were generally “pie-shaped” wedges running from the mountain to the sea. The ahupuaa in turn divided into smaller land divisions. The people living within the ahupuaa
had access to resources from kahakai (sea shore) for fishing and harvesting seafood, kula (plains) for establishing gardens, and wao kanaka (inland region) for harvesting large trees to make canoes, posts for houses and to gather other useful plants. The environment they lived in shaped their lifestyle. Therefore lifestyles in different ahupuaa were as diverse as the landscape. We should remember this when we think about Hawaiian lifestyles to avoid over generalizing about Hawaiian practices. For example, a taro farmer in Waipio valley grew taro differently from a taro farmer in Kona. Burial practices also varied from place to place and even from family to family. This still holds true today with various burial practices adhered to by different religious sects.

Ahupuaa Life

The ali`i were supported by their makaainana who farmed the land and tended the fish ponds to provide food for the ali`i and the konohiki (lesser chiefs), who in reciprocal exchange with the makaainana managed production of the land and regulated the use of resources fairly. A pono or balanced ali`i was very conscious of the land and natural resources within his ahupuaa because it was a part of their familial responsibility. Falling short of his responsibility, a person could offend the akua, jeopardizing their god-given resources needed for the survival of the population.

The Hawaiian lifestyle was very much tied to its natural surroundings because of the familial relationship to everything in nature, as illustrated in the Kumulipo. Hawaiians did not separate themselves from nature; they considered themselves a part of nature. Their relationship to nature was reciprocal and inclusive, hence the necessity of honoring the akua with the fruits of the first harvest and the first catch from fishing.
Planting and fishing activities were planned according to the lunar cycles. The Hawaiians had a very elaborate calendar; the seasons and months of the year were clearly divided. There was a time for planting and a time for harvesting, a time for shore fishing and a time for deep sea fishing, even a time for peace and a time for war. Strict kapu over various fish, animals and plants were observed to assure these resources would continue to sustain them. Excessive harvesting of natural resources would not only anger the gods but it would also lead to the depletion of vital resources which would cause hardship in the community. Land and resource management was a very important responsibility held by the ali'i.

The ali'i not only had to keep a good balance in nature, he also had to treat his people fairly. If the ali'i were good to his people then they would be good to him by making the land productive and fruitful, but if the ali'i were stingy or cruel, the people would leave and he would have no one to tend his fields. The relationship between the ali'i and makaainana was one in which each depended on the other. Haunani Kay Trask in From a Native Daughter writes:

The genius of the mutually beneficial political system of the pre-haole [pre-white people] Hawaii was simply that an interdependence was created whereby the makaainana were free to move with their ohana (family) to live under an ali'i of their choosing while the ali'i increased their status and material prosperity by having more people living within their moku, or “domain.” The result was an incentive for the society’s leaders to provide for all their constituents’ well-being and contentment. To fail to do so meant the loss of status and thus of mana [devine power] for the ali'i.

The Native Hawaiians had a subsistence agricultural and aqua-cultural lifestyle which emphasized sharing and redistribution of resources. The farmers shared their crops with the fishermen and the fishermen shared their catch with the farmers. Hawaiians believed that if they shared their catch the akua would continue to provide for them. To be stingy was not acceptable.
When the fishing canoes landed after a long day on the ocean whoever came to the shore to hapai waa (carry canoe) even if they couldn’t physically carry the canoe was given fish for their family.\(^{31}\) Fish was taken to the house of kupuna not able to hapai waa. Care of the elderly as well as keeping an eye on the children was shared by everyone in the village. This kind of lifestyle cultivates a strong sense of community by keeping kinship ties close, and providing emotional and economic interdependency and support.

This tradition of sharing what you have with your neighbor continues. People at my work place will bring bags of fruit to share with everyone. Fishermen friends share their catch, hunter friends drop off smoked meat. My husband will help a neighbor with some much needed carpentry work and in exchange the neighbor will help us fix a car. When my children grew out of their clothes, I would give bags of clothes to my neighbors who had children who could use them. We take meals to our neighbor who recently lost his wife and lives alone. This is all manuahi (free of charge).

**Hawaiian Values in Practice**

The Hawaiians of old were highly spiritual, believing in human spirituality. They were hospitable, kindly, welcoming to strangers, affectionate, and generous.\(^{32}\) They invited strangers to sleep at their house and gave them food and fish without pay, and gave clothing to those who had little. Kupuna Nana Veary remembers as a child, how her grandmother would welcome a perfect stranger into their home to feed him, explaining that she wasn’t feeding the man but rather entertaining the spirit within him.\(^{33}\) Veary writes, “This practice of honoring the other was so much a part of the culture that it needed no name. Today we call it the “aloha spirit,” but to the Hawaiians of old it was inherent and natural.”\(^{34}\)
I believe this inherent nature of the Hawaiian people continues today. It worked favorably for early foreigners who came to the islands and continues to work favorably for the tourist industry. Today the “aloha spirit” is being used as a marketing tool to attract millions of visitors to the islands every year. Sadly, the marketing of “aloha” transforms the word into a commodity. Haunani-Kay Trask writes, “this use of aloha is so far removed from any Hawaiian cultural context that it is, literally, meaningless.”

I see this inherent nature of giving without expectation in my aunt and many Hawaiians who continually display random acts of kindness. My aunt is the most kind and generous person I know. If she sees a hitchhiker she will often pick him or her up and take him or her to where he or she wants to go, even if it’s out of her way. She will help a homeless man by taking him home with her for a hot meal and shower, and will give him clean clothes to wear. Her children often worry that one day she will pick up the wrong person who might hurt her, but she says that she knows what she is doing and continues to help people who are less fortunate than her. After family gatherings where we have a lot of leftover food she will often stop at the park on her way home and give the food to the people at the park. She has continued this traditional practice of entertaining the spirit just as Nana Veary’s grandmother did throughout her life.

These important basic Hawaiian philosophies enabled the Hawaiians to thrive. From 400 A.D. to 1778 when Captain Cook arrived, the Hawaiian population grew and was conservatively estimated at 800,000. The pre-contact Hawaiians were capable of sustaining such a large population because of their philosophies and unique land management system, which allowed them to effectively care for and use the resources of the land and ocean knowing that if they took care of the resource, the resource would take care of them. Their society was communal, not only
among people but more importantly between nature and the gods. The idea of a familial connection to all things in nature is what sustained Hawaiians. Many of these basic Hawaiian philosophies continue today. Some Hawaiians still seek *lokapahi* (unity, harmony) between the three major forces; the gods, nature and humans. They understand this to be vital for their existence. It is these philosophies that will help the repatriation claimants find resolutions.

**Western Contact Brings Change**

Historically, new people came to the islands--first explorers and fur traders, then missionaries who later became imperialist political advisors to the ali`i, all having their own interests and influences on the native population. These foreigners had a totally different way of life. The Hawaiians called them haole which can be literally translated as without breath, without spirit. Socio-economic change was inevitable; it was just a matter of time.

Captain James Cook landed on Kauai in 1778. He is credited often with being the first European explorer to “discover” these islands for the western world. One of the worst things Cook and his crew brought to Hawaii was various diseases which caused sickness, death and heartache. Captain Cook and his crew knowingly left behind venereal diseases never before seen by the native people. These diseases rapidly spread across the islands killing hundreds of thousands of people. Eighty years after Cook’s arrival, Reverend Rufus Anderson assessed the carnage and estimated that the islands’ native population declined by 90 percent or more, which was typical of the effects western diseases had on native people in the Americas. This was a devastating loss, one that we may never recover from.
Not long after Captain Cook put Hawaii on the map, traders began to use the islands as a place to replenish their water and food supplies. In 1793, Captain George Vancouver, a returning fur trader, landed in Hawaii with gifts of cattle, goats and various seeds which he presented to Kamehameha the ruling chief of Hawaii Island. Kamehameha accepted these gifts graciously placing a kapu on the animals so they would have time to reproduce.

More and more merchant ships started to arrive in the islands; Hawaii’s location was ideal and it became an important mid-Pacific port between North America and Asia. I believe that Captain Vancouver’s gift giving had ulterior motives. First and foremost it was to befriend Kamehameha in order to assure that future visits would be welcomed. Secondly, these types of gifts were most beneficial to him and other foreigners who came to port in Hawaii by increasing the availability and the variety of food for future visits. These traders introduced a new cash economy to the Hawaiians which marked the beginning of change to the traditional lifestyle. These changes would later lead to the demise of the Hawaiian government.

In 1809, fur traders became interested in the islands’ sandalwood trees because China had a huge market for this wood. The traders had an opportunity to make money; meanwhile the alii had their eye on beautiful porcelain, silks, and other luxury items these traders brought back from China and Europe. The alii longed to have these beautiful things. Sally Engle Merry writes, “The chiefs turned to mercantile capitalists as a new source of wealth and mana (power), exchanging sandalwood for imported Chinese and European luxury goods”. Foreign merchants mostly Americans were quick to trade these items with the alii for the promise of sandalwood which grew abundantly in the islands at the time.
The aliis ordered his makaainana to go into the mountains and cut down as much sandalwood as they could. Obediently they followed the orders of their aliis. This put an extra burden on the makaainana. The trading of sandalwood that went on between the aliis and the merchants had no real benefit to the makaainana with all the material wealth going to the aliis and yet the makaainana were the ones doing all the work. The aliis were not accustomed to this new cash-based economy, and subsequently the traders encouraged the aliis to buy on credit if they didn’t have a supply of sandalwood readily available.40 Sadly the aliis accumulated large debts which were passed on to the makaainana in the form of increased taxes.41

This activity took the makaainana away from their families and their life of fishing and farming, interrupting their communal lifestyle. In some places farm lands became over-grown by introduced plants or ravaged by free roaming cattle and goats.42 The pre-occupation with collecting sandalwood led to periodic food shortages.43 This forced the commoners to find other ways to survive, whether it was working as a seaman, trading food stuffs or turning to prostitution.

The interdependency between the aliis and the makaainana was threatened. Mercantile capitalism radically changed the relationship between the chiefs and commoners.44 The aliis were beginning to neglect the old ways of caring for the land and resources as they depleted the sandalwood trees, once so abundant in the islands. Material wealth became important to the aliis as they slowly got sucked into the capitalist lifestyle of the western merchants, where individual gain and material wealth was more important than working in unity for the betterment of the whole community.
Another major turn of events occurred in 1819, when Kamehameha the Great died and left the government to his son Liholiho. Ten days after the great chief’s death, Kaahumanu, Kamehameha’s favorite wife, announced at the council of Chiefs that both Liholiho and she would share the rule over the land. Kamehameha’s passing began a time of great political change. With Kaahumanu at the helm, she insisted that Liholiho eat with her and his mother Keopuolani, breaking one of the most sacred kapu. Prior to this incident, men and women were forbidden to eat together. Ai noa (free eating) became a fact once the ai kapu (eating restriction) was broken. Subsequently, Liholiho ordered the desecration of heiau (religious temples) and the images of gods. For many kahuna it was difficult to give up everything they believed in. Some took their practices and idols underground and continued their religious practices in secrecy.

In this relatively short period of time the people of Hawaii were dealing with huge socio-economic changes as well as political and religious changes. Finely woven silks and exquisitely decorated porcelain captured the fancy of the ali'i. Pandora’s Box had been opened. The ali'i were entering into a new world, a world they didn’t fully understand. The merchants took advantage of the ali'i, pushing them deeper into debt. Meanwhile the makaainana who were being over-worked and whose fields were overgrown, were left to fend for themselves. Some resisted change and retreated into tiny villages, continuing to live their subsistence lifestyle, while others moved closer to busy ports where they hoped to find work. People did what they had to do to survive. Some continued to honor their akua and aumakua because it was the right thing for them to do.
The declining native population made it easier for foreign interest to take control. This genocide psychologically weakened the remaining Hawaiians who saw the dying of their people in such large numbers as a sign that their akua (gods) were no longer worthy.\textsuperscript{48} Being very spiritual people, the Hawaiians did not understand why their people were dying. Why had their gods abandoned them? The ali'i and kahuna watched their people die as they struggled to find a cure for the many foreign sicknesses. Many were desperate for answers.

**Missionaries and Religious Ideologies**

The American Calvinist missionaries arrived in 1820; shortly after the death of Kamehameha I.\textsuperscript{49} The Calvinists were perhaps the most ethnocentric, anti-native and racist of all the missionary groups.\textsuperscript{50} They thought the natives were savage pagans. To them their mission to Christianize these barbarous heathens was clear. Unlike the early explorers and merchants these missionaries were here for the long haul. They were committed to converting Hawaiians to Christianity and they were prepared to stay as long as they needed to in order to successfully complete their mission. This changed everything.

With the death of their great leader Kamehameha and the death of countless Hawaiians due to foreign diseases, Hawaiians were vulnerable and Hawaii was on the verge of a great transition. The new leaders, including Liholiho and Kaahumanu, and others began to scrutinize the old laws that governed the people and even questioned their own religious ideologies. They could not understand why so many of their people were dying. Why were their gods turning their backs on Hawaiians? The missionaries could not have picked a more advantageous time to land on our balmy shores as they extended their hegemony over the Native Hawaiians with the support of many ali'i.
While Hawaiians continued to die of foreign diseases by the thousands, missionaries offered them eternal life, something they desperately wanted. Armed with the bible and western medicine to treat western diseases, the missionaries targeted the ruling class and were able to convince them that their Christian god was far superior to all of the Hawaiian gods. The missionaries knew that if they could successfully convert the ali‘i the masses would soon follow. They were successful in converting Kaahumanu when the wife of Hiram Bingham nursed her back to health after she fell ill. Kaahumanu was of very high rank and one of the most powerful and influential rulers of that time. By 1825 Kaahumanu, as well as many of the other ali‘i, accepted Christianity.

To further explain how the missionaries were able to convert the ali‘i to Christianity we should refer to Antonio Gramsci’s understands of ideological control. Gramsci identified two distinct forms of political control, domination and hegemony. Hegemony refers to both ideological control and more crucially, consent. Religious ideologies—in this case Hawaiian and Christian—share the concept of superior powers (gods or god) whose role was to guide and watch over their people. The missionaries took this shared concept of superior power and introduced a new Christian god to take the place of the Hawaiian gods. This made it acceptable for many of Hawaii’s ali‘i who had felt abandoned by their own gods to become Christianized. Once the missionaries had their foot in the door, they were allowed to stay and continue their teaching. Barry Burke writes,

Hegemony in this sense might be defined as an 'organising (sic) principle' that is diffused by the process of socialisation (sic) into every area of daily life. To the extent that this prevailing consciousness is internalised (sic) by the population it becomes part of what is generally called 'common sense' so that the philosophy, culture and morality of the ruling elite comes to appear as the natural order of things.
The missionary lifestyle was soon integrated into everyday Hawaiian life. By first gaining the trust and the support of ali`i, the missionaries were able to persuade some Hawaiians that their old religious practices were no longer effective and there was only one god, the Christian god. The missionaries lived among Hawaiian people, and as more and more of them came they began living throughout the islands. The missionaries immersed the Hawaiian population in their Christian ideologies. The missionaries made Hawaiians wear western clothing because nudity was not acceptable in western society. They taught Hawaiian women how to sew so they could make their own clothes. They opened mission schools to teach the Hawaiians how to read and write so that they would be able to read the Bible.

A good example of this diffusion of missionary lifestyle is the Kamehameha Schools. This missionary-run boarding school taught Hawaiian children how to be good, obedient, industrious children of god. The daily rituals of living and being Christian became “common sense” to the children who attended this school. Chanting and dancing the hula was prohibited because the missionaries thought they were too sexually explicit. These prohibitions were an attempt to eliminate the Hawaiian way of life and replace it with western practices. In mainstream Hawaii, this new lifestyle was becoming socially acceptable. This was the effect of American imperialism and the beginning of American colonization. Meanwhile tucked away in rural Hawaii, were those Hawaiians who continued to live a more traditional life style, in places like Hana, Molokai, Puna and Waipio. Davianna McGregor, refers to these Hawaiians as na kuaaina, “those who withdrew from the main stream of economic, political, and social change in the islands. They did not enjoy modern amenities and lived a very simple life.” Na kuaaina chose to remain close to their land keeping many of their traditional practices such as malama`aina (caring for the land). Hawaiians in these isolated areas were able to hang on to their
traditional beliefs and practices longer than those who lived in the mainstream. These Hawaiians kept their familial ties to their gods and nature. They continued to cultivate land and fish according to Hawaiian moon phases, ancient methods which included honoring their own kuula (fishing god) with offerings of the first catch. They held onto their skills of oration, safeguarding the ancient chants which recorded the histories of their migrations, genealogies, volcanic eruptions and families in their minds. One family that has been able to perpetuate the Pele traditions in hula (dance) is the Kanakaole family. Pualani Kanakaole Kanahele and her sister Nalani Kanakaole are the kumu hula (dance instructors) of Halau O Kekuhi account for seven generations of hula transmission. They continue to this day to dance the hula despite the earlier efforts of the missionaries to extinguish this traditional practice.

Hawaiians living in urban areas such as Honolulu, Lahaina and Kailua-Kona began to attend mission schools. In urbanized areas it was much easier for the people to gather at schools and churches than it was in rural areas. Attending church became the thing to do. The trouble with these churches and mission schools was that they taught the Hawaiian people only what they wanted them to learn. For example, Christians believe there is only one god, and that having more than one god is sinful. This is what they taught Hawaiian people. The psychological effect of these new religious ideologies was devastating. The message communicated by Christianity was that the Hawaiian lifestyle was bad and sinful and needed to be changed, and that the Christian way was pono or righteous. Many Hawaiians began to accept this new lifestyle.

Gramsci argues that the way many people perceive the world is often confused and contradictory because it contains ideas absorbed from a variety of sources and from the past,
which tend to make us accept inequality and oppression as natural and unchangeable. I believe this is what happened to the Hawaiians, and more importantly, this affected contemporary repatriation claimants.

**Personal Reflections**

To be totally honest I am often confused about my religious beliefs. Growing up I had to go to church every Sunday. My dad drove the Sunday school bus and my mom was the Sunday school teacher. I remember I could never relate to church, I only went because I had to go. Church to me was a social event, a time to sing and play with other children and run to Emma’s store to buy candy with my lulu (church offering). Even as an adult I do not think of myself as a true Christian. I believe that for some people like me it is very hard to be a true Christian and Hawaiian at the same time. There is too much conflict. For instance, I live and work in the shadow of Kilauea volcano and I have a deep respect for Pele. How can I believe in only one god when Pele is such a big part of my life?

I have experienced many things that prevent me from understanding Christian ways. Raised in a very close Hawaiian family, one of my favorite things to do was to go to grandma and grandpa’s house for the weekend. Instead of going outside to play with my cousins I stayed inside to listen to all of the old family stories. My mom and my aunt would talk about another family member who lived nearby who would sit on her porch and chant in Hawaiian. Both my mom and aunt were afraid of this relative because they said that she was a bad kahuna (priest) who would send spirits out to cause harm to someone.
They also talked about Milolii, the fishing village where my grandpa grew up and where his children spent their summers. Grandpa shared Pele stories with my mom and aunt telling them that Pele was our aumakua and how she went around the family’s property during an eruption, leaving their gardens and home in Milolii untouched. Grandpa also had many a fishing tale to share. I was always fascinated by these stories. These stories that I grew up hearing made more sense to me than the bible stories I learned in Sunday school. Pele was so much more real to me.

When I was about four years old my parents took us to see the lava lake in Halemaumau. The images and the feelings from that time are still so vivid in my mind. As I sat on my dad’s shoulders watching the active lava lake bubble, I felt very comfortable. Even though it was misty and cold I didn’t want to leave because I could feel Pele’s warmth on my face; I knew at that very young age that this place would someday be a big part of my life. It has come to fruition as I have been living in Volcano for twenty-seven years and working at the summit of Kilauea for twenty-one years. I feel a very strong sense of kuleana (responsibility) to malama (take care of) this very sacred place.

While I was in high school (1981) living in Kailua-Kona, I experienced a very different church. A very close friend of mine persuaded me to go to her church. My mother didn’t like the idea but I went anyway. This church was very different because it incorporated both Christian teachings and Hawaiian prayer techniques. Everyone in the congregation wore white and the church was beautifully decorated with healthy green plants. Sunday service started at 6:00 a.m. with the kahu’s (pastor) greeting and the singing of various hymns all in Hawaiian. The kahu would then preach his sermon with parts in English and parts in Hawaiian. After his
sermon he led the congregation in prayer, it was called laau kahea (calling medicine). In the old
days, this prayer technique was originally used by the kahuna laau kahea (calling medicine
practitioner) who would administer the laau kahea with the appropriate plant medicine. The
prayer was directed specifically to the Hawaiian gods asking them to help the patient.\(^{58}\) The
congregation recited their version of the laau kahea at the beginning and ending of service. It
was directed to the Christian god, instead of the Hawaiian gods, and conducted entirely in the
Hawaiian language. The congregation was made up of almost all Hawaiians with the exception
of one haole lady named Frankie. Many of the members were in their seventies and eighties. I
attended this church for two years because I really felt comfortable there. What I admired most
about this particular church was that it included traditional Hawaiian prayer techniques rather
than restricting them and they didn’t really tell you that there is only one god. Many of the
members spoke Hawaiian fluently to each other. It was so good for me to see that the language
lived and thrived in this little pocket community.

I believe that it is these little pocket communities that should be credited with
maintaining many cultural practices which would have otherwise been lost. Whether it’s the
laau kahea or an old fishing or planting technique, these little communities hold a lot of ancestral
knowledge. Davianna McGregor in Na Kuaaina writes:

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\text{Indeed Kuuaina are the Native Hawaiians who remained in the rural communities of our}
\text{islands, took care of the Kupuna or elders, continued to speak Hawaiian, bent their backs}
\text{and worked and sweated in the taro patches and sweet potato fields, and held that which}
\text{is precious and sacred in the culture in their care. The kuuaaina are those who withdrew}
\text{from the mainstream of economic, political and social change in the Islands.}\(^{59}\)
\]

These kuuaaina were not colonized as much as the majority of Hawaiians. They continued to
speak their mother tongue while doing things the Hawaiian way. McGregor describes cultural
kipuka as rural communities where kuaaina have remained, and where major historic forces of economic, political and social change passed them by. Contrary to McGregor’s thought that cultural kipuka are found in only rural communities, I believe that these cultural kipuka can be found in urban settings as well. For example the church I attended for two years is located right in the middle of Kailua-Kona. I would agree, however, that cultural kipuka are far more common in rural communities.

Today, I very rarely go to church because in many churches I feel like they are trying to control me. In November 2006 I lost my brother to cancer. He was a devout Christian who believed that god would heal him of his illness. We arranged to have his funeral at the Mokuakaua Church in Kailua-Kona, the church we had been raised in. As we were planning his memorial services we were told by the Kahu (priest) that my brother’s friend could not sing a song that he had composed especially for my brother. The Kahu would not allow it because of a policy that all music performed in church had to be a religious hymn. In an instant, I was reminded of how controlling the institution of a Christian church can be. I was very upset and disappointed; I walked out of the meeting. My idea of a memorial service is to honor the person who passed. It was obvious that the church’s intention was to preach the word of the Christian god and to coerce people who were not Christians to accept Jesus Christ as their savior so that they would have eternal life in the “Kingdom of God” (the generic message heard at every Christian funeral). This literally made me sick to my stomach.

The service actually went very well. My brother’s friends from New Zealand unexpectedly entered the church in traditional dress and performed a haka which was quite moving and I’m sure caught the Kahu totally off guard. They carried on and shared stories about
my brother who traveled the world as he worked as a missionary. They sang a contemporary song entitled “Opihi Man” (not found in the hymnal) because my brother loved to gather and eat opihis (limpids). I was very happy to see this unexpected change in the program, it made the service much more real and meaningful. Those who attended the service were very deeply touched.

A very wise kupuna once told me that, “when the missionaries came they taught the Hawaiians how to bow their heads and pray and when they looked up they had taken all of their land away.” For me this rings true because many of the large land holders in Hawaii are descendents of missionary families. I don’t trust the church because of countless unethical incidences involving church leaders.

Looking back at my life’s experiences, I see that my personal beliefs and ideas have been shaped by my family and the society that I live in. All of my life experiences have helped to shape my own belief system or ideologies. This is true for everyone. Christian hegemony has affected people in many different ways. The idea of the Christian “god” has become the common sense that Gramsci refers to. The concept of a deity or “God” is the site on which the dominant ideology, in this case the Christian ideology, is constructed; it is also the site for the resistance to that ideology. The missionaries used the concept of god which was already familiar to Hawaiians, to teach them about the Christian concept of god. The influence of this dominant Christian ideology on the Hawaiian people could have been one of the reasons why the mea kapu were hidden in the cave. We may never know but it is what some claimants believe happened. Some Hawaiians accepted Christian ideologies while others resisted, remaining faithful to their Hawaiian beliefs. Others integrated concepts from both, creating a compromise of sorts.
As everyday life continued, the integration of the missionary lifestyle into the Hawaiian lifestyle added another layer of complexity and contradiction for Christianized Hawaiians. McGregor describes the kuaaina as Hawaiians who lived in rural communities who continued to speak Hawaiian and use traditional practices. For these people, respecting the wishes of the kupuna that came before us is very important. This may explain why some claimants feel that entering a burial cave and taking its contents is totally disrespectful and unacceptable and that the best thing to do for these mea kapu is to put them back where they were found. It may also explain why other claimants who have lived in urban areas near museums want to keep the mea kapu on exhibit in a museum. Each of the claimants in both of these repatriation cases perceives their world according to their own life experiences and beliefs. These diverse perspectives are why it will be difficult for the group as a whole to come to a consensus in deciding the final disposition of the mea kapu under consideration in NAGPRA claims.
CHAPTER 2: COLONIAL EDUCATION AND MUSEUMS

Colonial Missionary Schools

In order to understand the impact of museums on Native Hawaiians we must look at the history of museums in Hawaii and their relationship to schools and colonial education. How were museums used to educate young Hawaiian minds? Churches, schools and museums are primary sites of colonization. Linda Tuhiwai Smith writes, “The major agency for imposing superiority over knowledge, language and culture was colonial education. Colonial education came in two basic forms: missionary or religious schooling followed later by public and secular schooling.”

In Hawaii, colonial missionary schools were established as early as 1831, and were supported by the American Board of Commissioners for Foreign Missions (ABCFM). Their missionaries came to the islands evangelizing to the Hawaiian population as part of their world-wide program to save heathens from themselves. In the process, native ideologies changed dramatically.

The missionaries successfully converted some of the highest ranking ali`i to Christianity. Hiram Bingham, leader of the ABCFM admits in his memoirs that Christian conversion wasn’t their only goal. Bingham wrote that their mission was also “to introduce and extend among them the more useful art and usages of civilized and Christianized society, and to fill the habitable parts of those important islands with schools and churches, fruitful fields and pleasant dwellings”. Another missionary, Artemis Bishop, actually thought the conversion from Native Hawaiian ways of life to Christian ways was needed to save Hawaiians from extinction. Ethnocentric missionaries had a vision for the future of Hawaii.
As mentioned before, schools were/are colonial institutions. They were established and supported by a political entity, in this case the American Board of Commissioners for Foreign Mission, and they taught only what they wanted their converts to know. For example one of the very early lessons mission schools taught Hawaiians was that their ancestors lived in the “era of darkness;” a place dark with evil, grief, pain and death; a dark pit full of filthy things. And now they, Hawaiians, had a chance to be “in the light” if they followed Christian teachings. This kind of psychological brain washing is the same kind of tactics used by modern day cults. Very little has changed. These mission schools were very powerful institutions because they were able to change people’s perceptions of the world, and thus benefit the destiny of missionaries.

Early mission schools were often boarding or residential schools which meant that children were removed from their family homes and required to live at the schools. These schools were designed to destroy indigenous ways of knowing and living, to obliterate collective identities and memories, and to impose a new order. These mission schools had complete and total control over these young native minds. Manulani Meyer writes,

Hawaii education, because of its obvious tie to missionary influence and philosophy was forever out of context and stuck in a predictable power structure that would continue to alienate Hawaiians from culture and language, power and self-determination. The die was cast. There were the conquered and the conquerors and this ideology permeated the pedagogy, curriculum and expectations of the public school system in Hawaii. This situation was not unique to Hawaii. The same thing was happening to Native people in North America with various Indian tribes, in Australia and New Zealand, and in other parts of the world.
Lahainaluna Seminary was established by the missionaries in 1831. When it first opened it was a boarding school for boys located on the island of Maui in Lahaina. In the beginning the purpose of the school was to produce Native Hawaiian teachers who could spread literacy and Christian values throughout the Hawaiian kingdom. A decade later, Lahainaluna’s purpose changed as membership in the Protestant church increased significantly. Ten years after its establishment, graduates of Lahainaluna were being touted by the missionaries as the best pool of new political leaders. Why would the purpose of the school suddenly change from producing teachers to producing political leaders? Could it be that in the long run political leaders would be much more beneficial to foreign interests?

As the years went by many missionary families made Hawaii their permanent home. In fact, Punahou School was founded in 1841 to provide a quality education to the children of Congregational missionaries so they could be educated in Hawaii and remain with their families, instead of being sent to the US mainland to be schooled. Why couldn’t these missionary children attend the same schools as Hawaiian children? What were the missionary children learning at their school? For what purpose were second generation missionaries being groomed?

The second and third generation descendants of missionary families no longer wanted to follow their forefathers in religious instruction; they wanted more. They wanted Hawaii to be like their homeland religiously, economically and finally, politically. In the late 1830’s a mission physician, Gerrit Judd, resigned from his post in the mission to take advantage of more lucrative political and economic opportunities serving the Alii. By the 1840’s resignation from the mission to engage in business and politics was fairly standard for many Christian leaders.
Another example of a missionary turned businessman was Amos S. Cooke, founder of the Royal School where many children of royalty were sent to learn the proper use of the English language. By 1848, interest at the Royal School had declined resulting in its closure. The Cooke family and the Castle family, both sent to Honolulu by the ABCFM, soon cut all ties to the ABCFM and started a mercantile establishment. They became very successful; the firm known as Castle & Cooke was later one of the “Big Five” companies in the Territory of Hawaii.

Another pair of missionaries that went into the sugar industry was Alexander and Baldwin; they too were part of the “Big Five.” It is not surprising that the descendants of these ex-missionary families were key players in the demise of the Hawaiian government as they had the money, power and knowledge to carry out a government overthrow.

I often wonder how these missionary families justified what they did to the Hawaiian people, especially when they were supposed to exemplify truth and goodness. Osorio writes,

Missionaries consider their work as a noble sacrifice for which they were paid very little. In time that concept of themselves helped them and their children justify the enormous wealth that they accumulated in Native land, with Native labor, and by way of the Native government that missionaries helped design. Calvinism, which did not adhere to such frivolous rituals as chastity or poverty, freed the ABCFM missionaries from feeling any shame for their astonishing self-enrichment.

I personally think that some descendants of missionaries did not feel they had to justify anything. They even have this attitude today, that the people of Hawaii should be thankful for everything the missionaries did for Hawaiian people. Some of these families believe that if they hadn’t been here to “protect” the interest of Hawaiians we would now be under British rule. Years ago I had a conversation with a descendant of the Judd Family and this was his attitude. He had no remorse for what his ancestors did to the Hawaiian people.
Kamehameha Schools

Another school that has a long history of education in Hawaii is the Kamehameha Schools. Princess Bernice Pauahi Paki Bishop, the great-granddaughter of Kamehameha I, bequeathed her entire estate for the establishment of a school to educate Hawaiian children. The school was first called the Kamehameha School for Boys and was opened in 1887.

The Kamehameha Schools was another prime example of a colonizing force. At the turn of the century the school was likened to Native American boarding schools where students were taken from their families and trained to become domestic workers or laborers, and not encouraged to attend college after graduation. The students were also forbidden to speak their Native language and were taught how to be good industrious men and women. Randie Fong, Hookahua, Hawaiian Cultural Development director states, “For much of Kamehameha’s 120-year history, Hawaiian culture and language did not have a place of honor. For a long while Hawaiian identity and perspectives were actually “educated out,” of the student.” It wasn’t until 1992, over a hundred years after its founding, that Kamehameha Schools trustee Myron Thompson envisioned a cultural center where Hawaiians could come together to learn, celebrate and perpetuate their rich ancestral culture. This center has been in the works for over 14 years. Ground breaking was held in June 2008, but construction has been delayed due to the economic downturn in the state. I commend Randie Fong for acknowledging that Kamehameha Schools “educated out” Hawaiian identity and language from students. During that time most schools in the islands did the same thing—taking colonial control of Native minds by eliminating traditional ways of knowing. By “educating out” the Hawaiian culture from my kupuna, they were forced to assimilate into a western lifestyle.
After the overthrow of the Hawaiian government, through the territorial years and into statehood, Native Hawaiians were educated by the colonizer to become obedient American citizens. During the cultural renaissance of the 1970s, however, protest and outrage erupted within the Native Hawaiian community. The Protect Kahoolawe Ohana (PKO) protested against the U.S. military for its bombing Kanaloa, also known as Kohemalamalamamaokanaloa, the island of Kahoolawe for many years. PKO questioned U.S. authority in order to save its sacred aina by disrupting the political power flow of the colonizer which resulted in the return of Kanaloa to the Hawaiian people. This is a David and Goliath story we must always remember. We the people can bring about change if we all work together.

The 1970s was a decade in our history when Hawaiians stood divided. I remember my mother, who is Hawaiian, being embarrassed by what she called, “those radical Hawaiians.” The reaction to PKO by my mother and others like her was the result of a lifetime of colonial influence not only in school but throughout our society. Again we can turn to Gramsci to explain their reaction. The way in which many people perceive the world is often confused and contradictory, containing ideas absorbed from a variety of sources and from the past, which tend to make them accept inequality and oppression as natural and unchangeable. I believe this holds true for many Hawaiians.

Museums as Educational Institutions

Like schools, museums are very powerful educational institutions, established and created by the dominant colonial culture in many cases. When we study the history of the public
museum in Europe we learn that it acquired its modern form during the late eighteenth and early
nineteenth centuries.79 During this time governments sought to transform the character,
manners, morals or attitudes of their populations by using museums and cultural institutions.
Museums were used to “civilize” the middle and working classes by giving people an alternative
place to spend their time other than in taverns and brothels.80 Tony Bennett writes,
“Governmental power typically works through detailed calculations and strategies which,
embodied in the programmes of specific technologies of government, aim at manipulating
behaviour in specific desired directions.”81 Museums were also regarded as evidence of political
virtue, indicative of a government that provided the right things for its people. Art museums
could demonstrate the goodness of a state or municipality or show the civic-mindedness of its
leading citizens by putting objects on display.82

Many people today feel uncomfortable in museums. Historically, they were a place for
the social elite to congregate. This elitist attitude comes from a time when princely collections
were restricted and the general public was excluded from seeing these valuable objects. When
these princely collections became accessible to the general public some people were attracted to
them while others were not interested. Bennett writes, “rather than functioning as institutions of
homogenization, museums have continued to play a significant role in differentiating elite from
popular social classes.”83 Nevertheless, museums became very popular. Carol Duncan writes,
“By the middle of the nineteenth century, almost every Western nation would boast a national
museum or art gallery.”84 Museums became symbols of modernity. Having a bigger and better
art museum was a sign of political virtue and national identity, of being recognizably a member
of the civilized community of modern, liberal nations.85
Museums in Hawaii

Missionaries who colonized Hawaii brought with them western ideas about museums. The earliest record of a museum in Hawaii was the Seamen’s Bethel established by Reverend John Diell in 1833. He organized a library and a small museum in two rooms beneath the chapel. Theodore-Adolphe Barrot describes his visit, “adjoining the reading room is the cabinet of natural history, all the specimens of which are confined to some shells of the country and the coast of California, and to a dozen bows and arrows from the Fiji Islands.” In 1837, the library and museum were formally incorporated into the Sandwich Islands Institute. The museum remained inconspicuous and eventually vanished without a trace.

In 1840 a second museum came into existence. Punahou School had the idea of keeping a “cabinet of curiosities” containing a miscellaneous assortment of shells, minerals, fossils, ferns and ethnological specimens for the purpose of edification of its students. This collection was used by the faculty and students until it was dismantled piecemeal in the 1890s because nobody took responsibility for its growth and care.

In 1872 the Hawaiian Legislature, which was largely influenced by ex-missionaries and mission-schooled Hawaiians, introduced “An Act to Establish a National Museum of Archaeology, Literature, Botany, Geology, and Natural History.” It was signed into law by Kamehameha V. In the terms of this bill the Bureau of Public Instruction was to be responsible for the museum. This meant that Charles Reed Bishop, the President of the Bureau’s Board of Education, was in charge. The bill noted the need to preserve the Kingdom’s rapidly disappearing material heritage.
The Hawaiian National Museum opened without ceremony in 1875 in one of the upstairs rooms of the new government building, Aliiolani Hale.\textsuperscript{91} From 1882 to 1887 the museum experienced substantial growth due to a change in administration. Walter Murray Gibson was appointed minister of foreign affairs by Kalakaua.\textsuperscript{92} Gibson took charge of the museum and shifted the function of the museum to focus on international relations rather than domestic education.\textsuperscript{93} Gibson appointed Chiefess Emma Metcalf Beckley, daughter of Theophilus Metcalf (sugar planter and government surveyor) and Chiefess Kailikapuolono, as his curator.\textsuperscript{94} Beckley was well educated in Hawaii and California and was a noted authority on Hawaiian culture and law producing several publications.\textsuperscript{95} Beckley and members of Kalakaua’s administration pursued the interests of the museum with earnest and concerted effort.\textsuperscript{96} In 1887 the Reform Government came into power with the Bayonet Constitution, and all of the current and future appropriations for the museum were dismissed bringing further development of the Hawaiian National Museum to a halt.\textsuperscript{97} The gradual but forceful erasure of Native Hawaiian art, culture, and history ensued.\textsuperscript{98}

Soon after the Kamehameha School for Boys was completed in 1887, Charles Bishop, the husband of the late Bernice Pauahi Bishop, commenced with plans to build and develop a museum to house an extensive and very valuable Hawaiian ethnographic collection bequeathed to him by his wife. This collection was handed down to her by second cousin Princess Ruth Keelikolani who inherited it from Princess Victoria Kamamalu and Governor Mataio.\textsuperscript{99} Later the trustees of Queen Emma’s Hospital consented to convey her collection to Bishop for the purpose of incorporating it with Princess Pauahi’s collection to be placed in an institution or museum for preservation.\textsuperscript{100} Bishop built this museum in memory of his late wife by calling it the Bernice Pauahi Bishop Museum. Similar to European museums where collections originated
from the personal holdings of the aristocracy, Bishop Museum’s collections originated from the alii or chiefly lines of the Hawaiian Kingdom.

Reverend William Brewster Oleson, Principal of the Kamehameha School, was very supportive of building a museum and using Hawaiian antiquities as instructional materials for Hawaiian youth. For this reason Bishop felt that a site near the school would be most appropriate. In 1886 Oleson emphasized the pedagogical value of “curiosity cabinets” in an essay entitled “Hawaiian Antiquities.” He wrote:

It is well that the school emphasize the essential nobility of the privileges that civilization has conferred on Hawaiian youth. But to do this there must be an acquaintance with what was characteristic of the pagan past. The teacher should have at hand such accessories as can be found in almost any ordinary collection of Hawaiian antiquities. In the hands of private individuals here on the islands are numerous relics of the past that serve little better purpose than to occasionally satisfy the curiosity of English or American tourists. What a wise disposition could be made of the collection, not only by contributing them to Oahu College, but to the higher schools for Hawaiians on the various islands. Let the native boys and girls of today see with their own eyes what the past has bequeathed that they may intelligently realize how inestimable are the blessings of the present.  

In other words, the purpose of this missionary-built museum was to validate and glorify Christian teachings and lifestyles and to denigrate Hawaiian culture by using the artifacts left behind by Hawaiian ancestors to symbolize an “Era of Darkness.” The Hawaiian artifacts were used to change Hawaiian’s perceptions of their own culture by juxtaposing the Christian/Western lifestyle with the traditional Hawaiian lifestyle and privilege the former.

Another important person who contributed to the development of the character, administration and function of this new museum was Dr. Charles McEwen Hyde. Hyde came to Hawaii in 1877 at the request of the ABCFM to oversee development of the North Pacific Missionary Institute, a theological school for training Hawaiian reinforcements to the
Micronesian missions. He played a leading role in nearly every significant educational and religious movement in Honolulu. Hyde spoke at a Founders Day gathering on December 19, 1894. These were his words:

“It was Mr. Bishop’s desire, in locating the Museum on these premises, to perpetuate what of public interest, of national interest, of personal interest, there is in this extensive and unique collection of Hawaiian antiquities and relics. Heredity and environment are two potent factors in the development of races and individuals. It is Mr. Bishop’s desire that these memorials of the past shall furnish suitable instruction and intensify patriotic enthusiasm in the Hawaiian youth of both sexes brought into these buildings, under these influences, for education and training, and, as such, they properly form a part of the equipment of these schools.”

The patriotic enthusiasm Hyde is speaking of is the new Christian way of life that the Hawaiian youth were being immersed within. They wanted youth to feel good and patriotic about this new Christian lifestyle. In these passages, the intentions of these men were very clear. Items exhibited by the museum were to be used as educational tools to promote and privilege Christian concepts. This is a good example of the power of representation in museum collections and the interpretations they encouraged.

**The Modern Museum and the Post-Museum**

Eileen Hooper-Greenhill’s analysis of museums identifies two tropes, the modernist museum and the post-museum. She explains that in a modernist museum, “communication and learning theory on which nineteenth-century museums were premised positioned the visitor/learner as passive, understood knowledge to be objective and information-based, and saw authoritative linear communication as one of the main purposes of museums.” They are places of Western philosophical “enlightenment.” Exhibits are arranged to educate visitors—
increase their knowledge of a culture while asserting the museum as a place of authority. The ways in which objects are exhibited and interpreted are thus accepted as unquestioned “truths.”

The modernist museum model is exactly what the Bishop Museum was to the Hawaiian youth in the 1890s. Charles Bishop and William Tufts Brigham, the newly hired director and curator of the museum, did everything they could to transform the museum into “a permanent source of instruction, not only to this people, but all others interested in Polynesian Ethnology and Natural History.”

By using Hawaiian artifacts exhibited in the museum as examples of a “pagan past,” Kamehameha School imposed Christian ideologies on these young impressionable Hawaiians hoping that each of them would adopt these ideologies as truths. I believe the museum together with the school was successful.

Hawaiian Hall at the Bishop Museum prior to the renovation in 2009 was the legacy of Bishop and Brigham and represented the structure of the modernist museum. My impression of Hawaiian Hall was that the exhibits were set up like trophy cases. Hawaiian antiquities were exhibited in glass cases like “prized trophies.” The interpretive signage was very minimal. In essence, these cultural items were prizes won or captured by the missionaries who came and conquered the Hawaiian people. When they first established the museum, the missionaries were in the process of asserting their domination over the traditional Hawaiian culture and all these valuable ethnographic collections were exhibited and used to change the Hawaiians’ perception of their own culture. These spoils of colonization were prized by the missionaries and were proudly exhibited in the halls of Bishop Museum for over a hundred years. The old Hawaiian Hall left me feeling empty; it was as if the Hawaiian culture no longer existed and all they had left were the cultural objects in the cases. For some Hawaiians these objects were all that was
left of what they perceived to be their culture. This makes it very important for some Hawaiians to keep these cultural items in the museum for them to see.

**Visual Statements as Perception**

Museum collections have the power of representation. Groups of objects, brought together in one place to form a collection and then displayed, make visual statements. These visual statements can affect peoples’ perceptions. The moment that these items are placed behind glass cases the function of each item changes from what it represented within the living culture. They become something to come and see, “cherished prizes or beautifully sculpted art pieces” to preserve and protect for future generations. They are no longer sacred and powerful kii (images) that captured spirits, and they are no longer kahili (feather standards) used to signify the presence of a high ranking alii. Placing these things behind glass or within a museum display sends a very strong visual statement that the traditional uses of these objects are no longer recognized and that they are now the only things left of a dying culture.

This is a common master narrative used by many modernist museums. Hooper-Greenhill defines master narrative as, “grand narratives, universal stories that were intended to stand as valid outside the context of the site for which they were spoken.” Today, after over a hundred years of Bishop Museum’s existence, many Hawaiians have accepted this master narrative that the Hawaiian culture is dying. They have come to depend on museums to be the keepers of their culture. Other Hawaiians who did not grow up around museums may not feel this dependency on these cultural institutions.
A few years ago I attended a Hawaii Island Burial Council meeting where mea kapu from the Kawaihae cave were being discussed. One burial council member was expressing how she attended Kamehameha School for Girls and how her classes frequently visited the Bishop Museum. She reminisced about how important it was for her to see the beautifully carved female image exhibited, in order for her to better appreciate the masterful craftsmanship of her ancestors. She explained that living in Honolulu, her kupuna (elders) were always too busy to explain the things of her culture to her, and if it weren’t for Bishop Museum she wouldn’t know anything. She wanted the mea kapu to remain at Bishop Museum for future generations to experience. Someone sitting in the audience from Kau, the southernmost district of Hawaii Island, interrupted and explained that the mea kapu were part of a burial and should be returned to the burial cave. This second person said that she learned from her kupuna never to disturb burials. She added that it’s not their (the items) fault that your kupuna didn’t make time to teach you.

The Kau district of Hawaii Island does not have a museum. The people of Kau have a number of heiau in public places and the kupuna of Kau actively share their knowledge with younger generations not only about the many heiau found in the surrounding area, but also their knowledge of the mountains and the ocean.

Listening to this conversation helped me better understand this feeling of dependency some people have on museums. For this woman who attended the Kamehameha School for Girls, the Bishop Museum was her only connection to her culture and this is why she will fight to keep these mea kapu in the museum. To rebury them would mean that she will be losing a piece of her culture forever. She wants to preserve them in a museum for future generations to have an
opportunity to experience. The mea kapu have very different meanings to each of these women because they came from very different backgrounds. The woman from Kau is concerned about the disturbance of the burial site. She was taught by her kupuna that taking anything from a burial cave was wrong. She feels the need to rectify the wrong done by putting these mea kapu back in the cave. She doesn’t have that feeling of dependency on museums because where she lives she doesn’t have a museum to keep and preserve her culture. It is her responsibility to preserve the culture by sharing her knowledge with the younger generation.

Today young Hawaiians experience their culture in many different ways. When my oldest son first moved to Oahu to attend the University of Hawaii at Manoa he was surprised to learn that the university offered a class in taro farming where students learned how to work in a loi (taro patch) and cook food in an imu (underground oven). My son was fortunate to have been exposed to working in a loi and cooking in an imu at a young age. I have a friend who is a taro farmer in Waipio Valley. Whenever we need luau (taro leaves) we take our family to Waipio and trade work for luau. We weed and plant new huli (taro cuttings) and at the end of the day we could take home some luau.

When my children graduated from high school they had to raise their own pig, help harvest the luau, and help prepare the pig and imu for cooking. They had to go to the ocean with their uncles to help gather the sea food needed for the paina (party). Planning and preparing for a large paina is a lot of work and it takes the help of many people. The most important part of a paina is not the party, it is the work of preparation and family coming together; that is what is most important.
My son was very happy that he already had these skills, and felt sad that his new friends had to go to college to learn these things. When he asked me how they (his friends) did their paina, I told him they probably had it catered because they don’t have the time or resources to do it themselves.

These examples again support McGregor’s idea of the “cultural kipuka” discussed in chapter one. She argues that Hawaiians who live in more rural areas are better able to carry on traditional practices than Hawaiians who live in the city. Big cities are full of distractions for Hawaiian families. Kids would rather go to the movies than visit and spend time with their kupuna. Kids growing up in the country don’t have theaters and shopping malls nearby. Instead, they fish and hunt with their families or spend the weekend with kupuna. Big cities also have options like caterers that prepare all the traditional foods for a paina, while small communities don’t have caterers and depend on family and friends to help with the preparations for a big paina. The surrounding environment and educational practices play a big part in shaping peoples’ lifestyles. The difference of opinion expressed by the two women at the Hawaii Island Burial Council meeting was partially a result of their exposure to two very different lifestyles.

The Post-Museum Model

The second museum model Hooper-Greenhill writes about is the post-museum model. This model emerged during the last twenty-five years and continues to develop. She writes, “Constructivist learning theory plays together with post-structuralist epistemologies and post-colonial cultural politics to position the visitor/learner as both active and politicized in the construction of their own relevant viewpoints.”¹⁰⁹ Some people in charge of museum exhibitions and some museum visitors are changing. They are beginning to learn from post-colonial politics.
and/or criticisms raised by minority communities. This knowledge is empowering; communication in museums can no longer be authoritative and one-sided. The post-museum model allows the visitor to draw his or her own conclusions based upon the information that is presented in the exhibit and the prior knowledge of the visitor before entering the museum. For Native peoples this is an exciting paradigm shift because it gives them an opportunity to share their history from a Native perspective and present their culture as a living culture. Amanda Cobb writes,

Since the repatriation movement of the 1980s and 1990s museums have begun to acknowledge their power as institutional colonizers; as a result, museums theory and practice have made significant strides in revising the relationship between museums and Native Americans, particularly as Native individuals have entered the arena as curators. Significantly, the years since the passage of the NAGPRA have seen the emergence of the “new museology” as well as the development of a number of tribal museums and cultural centers. Based on actually incorporating criticisms of museums into exhibitions, the new museology throws the authority of museums into question, thus subtracting some, but by no means all, of their power.\textsuperscript{110}

The National Museum of the American Indian (NMAI) is an example of a post-museum model, located on the Washington Mall within walking distance of the nation’s Capitol. In 1989, Congress passed Public Law 105-189 establishing this museum as part of the Smithsonian. The bill was introduced by Senator Dan Inouye of Hawaii and Representative Ben Nighthorse Campbell (Northern Cheyenne) of Colorado. It embodied the cultural resurgence that had been growing in Indian country for a number of years.\textsuperscript{111} Richard West (Southern Cheyenne) was appointed director in 1990. He worked with NMAI staff and Native communities across the country to make this museum a Native place. Those involved in developing the NMAI’s guiding principles believed the museum should celebrate, protect, and support the living Native cultures of the Americas, not study, classify, or objectify them.\textsuperscript{112} It opened on September 21, 2004 with more than twenty-five thousand Native Americans (including Native Hawaiians) in
attendance. In all of the museum’s activities it acknowledges the diversity of cultures and the continuity of cultural knowledge among indigenous people in the Western hemisphere and Hawaii, incorporating Native methodologies for the handling, documentation, care and presentation of collections. This is very different from the modernist museum model.

A Pohaku Tale: When Natives Meet

Hawaii has a special connection with the NMAI. While the museum’s outdoor exhibit was still in the planning stages, six staff members from the NMAI, all Native Americans from different tribes, came to Hawaii to find a special stone that would represent the western most part of the Americas and be included in the landscape plans around their new museum. They came to talk to the Kupuna Consultation group at Hawaii Volcanoes National Park about this new museum. They explained that this new museum will be built by and for Native Americans. This museum will give Native Peoples an opportunity to tell their stories. They wanted to consult with the kupuna about the Cardinal Directional Marker Project they were planning for the landscaping outside the museum. They explained that they were in the process of consulting with Native Peoples from the north, south, east and west to find large stones to represent each of the cardinal directional points and the Native people who live there. They explained that they had already met with Native peoples from the north and south and had secured those cardinal stones.

At first the kupuna were not sure if they wanted to participate in the project saying, “geographically we are not part of America, and we didn’t voluntarily become part of America.” The staff members from the NMAI immediately understood and were willing to accept that they may not get a stone from Hawaii. The kupuna explained that they appreciated
that the NMAI group came to the Hawaiian community to ask permission and by doing that it became a responsibility for the Kupuna group to respond to their request. The NMAI group explained that the museum is all about involving and empowering native communities.

At the meeting, the kupuna took the time to explain the importance of stones from a Hawaiian perspective. The stones are like family members and we would be sending it far away. The kupuna asked if it would be possible to bring the stone back at a certain time and select another one to take its place. The people from the museum liked the idea and were very supportive. The kupuna asked for more time to think about it. At a later meeting the kupuna decided they would agree to loan a stone to the NMAI to represent the western cardinal marker. A sub-committee of three kupuna was formed to select a stone. They started the search at South Point and ended at Keaukaha, Hilo. They eventually chose a round stone that was located inside the Hawaii Volcanoes National Park along the highway in the Kau desert.

Figure 2.1. Kupuna Pele Hanoa and Selected Pohaku.

A loan agreement was drawn up and signed by the Director of NMAI, the Superintendent of Hawaii Volcanoes National Park and a representative of the Kupuna Consultation Group. The
loan agreement stipulates that the stone will stay at the NMAI for twenty years after which it will return to the exact spot it was taken from and a new stone will be selected by the Kupuna Consultation Group. The new stone will take the place of the old stone and will remain at the museum for twenty years when a new stone will be selected, to continue the cycle. The western cardinal stone is the only one that is on loan to NMAI.

In June 2004, four representatives from the park’s Kupuna Consultation group journeyed to Washington, D.C. for the ceremony to initiate the four cardinal stones on the grounds of the museum. When we arrived, the first thing the kupuna wanted to do was to see the stone. The NMAI staff person that picked us up at the airport took us straight to the stone. The kupuna were happy to see that the stone arrived safely but they were disappointed because the stone was

![Image](image_url)

Figure 2.2. Kupuna checking on placement of the stone, June 2004.
sitting in a hollow spot filled with water. They told the staff member that the stone needed to be
lifted, the hole filled in and the stone must sit on top of the surface. The staff member assured
the kupuna that the problem would be corrected before our return home.

The day of the initiation ceremony was very auspicious. This event was private, by
invitation only, and only those involved in the project attended. As we all gathered inside the
museum a thunder storm was brewing outside. It was as if the thunder and lightning were
announcing a very special and important event. A spokesman for the museum introduced
representatives from each of the cardinal directional points where the special stones had
originated. Each group was given a chance to present the story of their stone to all who were
present, physically and spiritually. After the formal program was over the clouds in the sky
parted and a few of us from Hawaii, and Donna House, the Navajo ethno-botanist in charge of
landscaping at the NMAI, went outside to take care of our own protocol. Awa, a ceremonial
drink, was prepared and offered to the stone and to those of us who gathered. Kupuna brought
lei (wreaths) from home and draped them over the stone with great respect. The kupuna brought
three other lei for the other cardinal stones so we went to each stone and draped a lei over it. At
a separate dinner engagement we got to spend more time with the other Native people from the
north, south and east involved in the Cardinal Directional Marker Project. It was at that time the
kupuna realized how much care and effort went into this project. The NMAI respectfully
followed all the necessary cultural protocols of each of the native communities. The museum put
together a power point presentation to show all the consultation work that went into bringing
each of the cardinal stones to Washington D.C. Each stone had a special story.
Figure 2.3. Awa Ceremony, NMAI, June 22, 2004, Kekuhi Keliikanakaole (preparing awa) Pele Hanoa, Ululani Sherlock, Lehua Yim, Desiree Awong, Keola Awong, Donna House and Cindy Orlando.

Figure 2.4. Northern Stone from a peninsula of Acasta Lake, Northwest Territory Canada, NMAI, June 22, 2004, John Zoe and Donna House.
The day before we returned home we were taken to the museum to assist in resetting the stone correctly. When we arrived at the museum at about 11:00 a.m., the construction crew was
already there trying to move the stone. The crew told us that they were trying to lift it all morning but the straps kept slipping out from under the stone. I asked the crew if we could have a little bit of time with the stone. I took our eldest kupuna and we went to talk to the stone to explain what was going on. Then we called to our aumakua (ancestral gods) for help. As we prayed, the crew secured the straps around the rock so that it could be lifted. This time the straps stayed in place and the rock was easily moved. The crew could not believe what had happened after trying unsuccessfully all morning. The stone was lifted and properly installed and the kupuna were pleased. The museum staff and the construction crew were very helpful, and easy to work with. The kupuna knew that this was a special museum, a museum that truly cared about the Native voice. We left Washington knowing that our stone, as well as the other cardinal stones, were left in good hands.

Figure 2.7 and 2.8. Correctly Installing the Pohaku, NMAI, June 24, 2004.

In September 2004 I returned to Washington with four different kupuna from our consultation group to attend the grand opening of the NMAI. Again, the first thing the kupuna wanted to do when we arrived was to see the stone, so we stopped there on our way to the hotel. They were very happy to see the stone, although some kupuna were a little apprehensive about sending the stone so far away. I reminded them that the stone is on a twenty-year loan and that
when the time came, it would be returning home. They felt good about their decision to put the stone on loan rather than making it a permanent transaction. In some of our consultations, they explained that the stone is like a family member and whenever someone moves away from home there is always a longing to return. The kupuna did not want to send the stone away without the hope of some day returning home. All of the people we worked with at the NMAI were very understanding, which is why they agreed to the loan.

While we were there, we participated in the Native Nations procession. Many Native People from across the Americas came to celebrate this new museum, a museum made by Native people for Native people. Over 200 different Indian tribes/Indigenous peoples were represented, with over 25,000 native peoples dressed in their regalia. It took two and a half hours for everyone in the procession to make their way to the stage where they held the grand opening ceremony in front of the Capitol building.

Figure 2.9. NMAI Native Nation Procession, Washington, DC, September 21, 2004.
I felt an overwhelming feeling of great pride as we walked in the procession. It felt so good to be a Hawaiian marching together with other Native peoples at the Nation’s capitol. I realized that many of us are survivors of western colonization. Despite the colonizers’ attempt to erase our ancestral memory, we are still here stronger than ever. It was a celebration of resilient people who are finally getting a chance to set the historic record straight. The National Museum of the American Indian will be a place where the living cultures of the Native peoples will shine. There were several stages set up along the mall that featured Native dancers and musicians from the four cardinal directions. There were various Native artisans proudly demonstrating their skillful work, including canoe builders from Hawaii. You could see the pride in everyone’s face; it was amazing. After the ceremony the kupuna wanted to see the stone again so we walked over to the NMAI and gathered around the stone. Many non-native people passing by asked us where

Figure 2.10. Hawaiian Delegates, Ululani Sherlock, Fred Park, David Kawauchi, Kaulani Almeida, Keola Awong, John Kaiwe and Jamie Kawauchi, Washington D.C., September 21, 2004.
we were from. The kupuna proudly answered “Hawaii” and proceeded to educate people about the western cardinal stone. They even interacted with the press as I stood back to watch with great pride. After that I took them into the museum to look around. They were very impressed by the exhibits and how everything was presented from a native perspective. In the museum’s 2009-2010 Programs and Service Guide it states:

The Smithsonian’s National Museum of the American Indian works in collaboration with the indigenous peoples of America to protect and foster indigenous cultures, reaffirm traditional beliefs, encourage contemporary artistic expression, and provides a forum for indigenous voice.117

Based on our experience this statement is true. The staff from the NMAI that we worked with were excellent; we so enjoyed working with all of them. Every step of the way as we practiced our protocols based on traditional beliefs, the staff respectfully participated with us with positive attitudes even if they did not fully understand what we were doing.

Back Home in Hawaii-nei

Throughout Hawaii’s history, schools and museums have served as primary sites of colonization, changing the way Native Hawaiians think and feel about not only their culture but more importantly, about themselves. The degree to which native ideologies changed depended on the environment in which people lived. Some Hawaiians who frequented museums became dependent on them as keepers of their culture while others had no interaction or connection with museums. This is why the repatriation process has been so difficult in Hawaii. The multiple groups involved in repatriation claims all come with different backgrounds and belief systems resulting in disagreements among themselves on the final disposition of the mea kapu under dispute.
Hooper-Greenhill’s analysis of the differences between the modern museum and the post-museum identifies the beginning of a paradigm shift in the way museums operate. But these paradigms shifts are very slow. Most museums are stuck in the modernist museum mode for example, Iolani Palace. The palace has such great potential to educate everyone about the overthrow of the Hawaiian government. Interpretive programs should focus on the events that lead up to the overthrow and the imprisonment of the Queen in her own palace. The overthrow is such an important part of Hawaii’s history. I visited the Iolani Palace in 2005, when the interpretive theme was “a garden party.” Some docents talked about the overthrow but not all of them were comfortable with the subject matter. Representing the complex and contentious history of the Hawaiian people and the United States in Museums can be challenging, but the story should be told.

As more modern museums transition into post-museums, the shift will transform the museum from an instrument of Native dispossession into an instrument of Native self-definition. The NMAI and the Bishop Museum’s renovation of Hawaiian Hall are two excellent examples of post-museums. As things change in the museum world and native people become more involved with museums, I believe the final disposition of sensitive cultural material can be resolved if museums are willing to take the lead in facilitating and encouraging positive discussion between all claimants. This means that museums must be committed to holding regular meetings with all claimants to get to the root of disagreements and work together to find compromises that will benefit all claimants. I truly believe this is attainable if museums become actively involved and respect the diverse native perspectives.
CHAPTER 3: APPLYING NAGPRA IN HAWAII

Some Problems and a Case Study

What are These Mea Kapu?

Applying NAGPRA in Hawaii can be very difficult. As I work on processing NAGPRA claims for the National Park Service at Hawaii Volcanoes National Park, I have been able to identify some problems with the law. One of the first challenges we faced was to determine which NAGPRA category accurately described the mea kapu. There are four official categories:

- unassociated funerary object
- associated funerary object
- objects of cultural patrimony
- sacred object

In order to gain a better understanding of what these mea kapu are we solicited information from the Native Hawaiian community as well as all potential claimants. In our letters we first asked if the mea kapu should even be considered under NAGPRA. The letter also cited sections of the Act that defined the four NAGPRA categories and asked them to choose which category the mea kapu we’re holding fell under. We asked that they include evidence they had to support their statements. The park also contracted independent researcher Roger Rose to write a thorough report on the Honokoa cave and its mea kapu. The purpose of this report was to assist the park in its understanding of the cultural context of the five mea kapu that came out of the cave. The report includes information on the cave and the three men who entered and removed the mea kapu. It includes a sketch plan of the cave and David Forbes’ detailed descriptions of how they entered the cave and what they saw. A historical overview of Kawaihae was included to give cultural context to the mea kapu found in the cave. This report was shared with the claimants.
The park was and is faced with three different scenarios. First, some believe the mea kapu are funerary objects because according to an article written by David Forbes, himself, the objects were found in close proximity to human remains. Others believe they should be categorized as sacred objects. Third, there are those who think the mea kapu are chiefly items temporarily hidden in a cave to protect them from being destroyed due to the political and religious changes in the Hawaiian society in the 19th century. If the latter is true, they are not subject to NAGPRA legislation. This claimant explained that after Kamehameha’s death, Kaahumanu abolished the old religious system and ordered all temples and old images destroyed. Some people hid their sacred images in caves such as the Honokoa cave. But after receiving responses from the Native Hawaiian community and careful review and consideration of the NAGPRA definitions, the Superintendent determined that the items were unassociated funerary objects.

Determining the Most Appropriate Claimant

Another more significant problem lies with the person or organization making the claim. Unlike Native American tribes, Native Hawaiians do not have a governing body that can make decisions for all Hawaiians as a single political entity. Instead, NAGPRA gives priority to lineal descendants, which in most cases is almost impossible to establish. The definition of a lineal descendant as stated in the act is:

An individual tracing his or her ancestry directly and without interruption by means of the traditional kinship system of the appropriate Indian tribe or Native Hawaiian organization or by the American common law system of descent to a known Native American individual whose remains, funerary objects or sacred objects are being requested.118
This very narrow definition of a direct lineal descendant is problematic because it does not reflect traditional Hawaiian burial practices. Many early burials in Hawaii were unmarked and lack the written documentation identifying who is buried in a specific location. When a chief died his kahu or superior retainer was responsible for the huna kele, secret burial.119 The chief’s closest friends and confidants who were sworn to secrecy also helped to protect the name of the buried person.120 Information on other burials was usually held by family members and passed down through the generations. It was not necessarily held by a direct lineal descendant. Anyone close to the family, including someone that may have been hanai or adopted, could be privileged with this burial information. Yet, according to the NAGPRA definition of a lineal descendant provided above, these individuals with close family ties would not be able to make a claim as lineal descendants because they are not direct lineal descendants, and, despite the fact they can identify the person in the burial. This non-lineal descendant could very well be the closest relative to the ancestor whose remains or funerary objects are in question.

“Lineal descendant” is a western term that has little relevance in Hawaiian burial practices. Under NAGPRA guidelines, if there are no direct lineal descendents, then Native Hawaiian organizations are allowed to submit claims, but non-lineal family members cannot. A Native Hawaiian organization (NHO) is defined as:

Any organization that (1) serves and represents the interest of Native Hawaiians, (2) has as a primary and stated purpose the provision of services to Native Hawaiians, and (3) has expertise in Native Hawaiian affairs. The statute specifically identifies the Office of Hawaiian Affairs and Hui Malama I Na Kupuna O Hawaii Nei as being Native Hawaiian organizations.121
In 1994, the Marine Corps Base Hawaii (MCBH) and Bishop Museum began working on a large repatriation of 1,582 individual sets of human remains originating from Mokapu Burial Area located at MCBH. June Cleghorn, Cultural Resource Program Manager at MCBH wrote, MCBH realized that all the lineal descendant claims would have to be denied and excluded from the process based on NAGPRA regulations that did not take into the account the specific tradition of Native Hawaiian burials. Instead of denying lineal descendants, MCBH allowed these families to resubmit their claims as NHOs claiming cultural affiliation. Because of the broad definition of NHO, MCBH was able to use the NAGPRA regulation to allow for equality among all claimants who wanted to be part of the Mokapu Collection repatriation. It was the only thing MCBH could do at the time to include all the families involved.

The lack of recognition of non-lineal descendants or family groups in the legislation has forced families to reorganize themselves into NHOs to meet NAGPRA requirements for claimant status. To further complicate matters, family groups who have a familial relationship to the human remains and/or mea kapu (but who are not lineal descendants) must compete with NHOs who are merely claiming a cultural affiliation based on their knowledge of cultural practices; therefore making it possible for a NHO to be awarded a claim over a family group. In my opinion family groups should not be lumped together with NHOs. The priority of custody should go to the family group if it is determined that there are no direct lineal descendants and the family is able to establish a familial relationship to the remains. Genealogies, land records, Boundary Commission testimonies, etc., can all be used to establish a familial relationship. Family groups have a closer affiliation to burials or burial items than a Native Hawaiian organization which may have only a cultural affiliation. Familial affiliation should always supersede cultural affiliation. I feel that NHOs should only make claims if there are no lineal descendants or family groups willing to make a claim.
At Hawaii Volcanoes National Park (HAVO) seven different families submitted lineal descent claims for the Honokoa cave mea kapu. They submitted impressive family genealogies going back several generations which established a relationship with ali`i or kahuna who once lived and managed the adjacent lands of Kawaihae. Some claimants also submitted land records which documented that their ancestors once lived in the Kawaihae area. The only thing they could not produce was evidence proving that the cave contained their ancestor’s remains and mea kapu. Two claimants provided a copy of a Boundary Commission Testimony documenting the name of an ancestor who was buried in a Honokoa cave. Their lineal descent claims were denied because the information wasn’t specific to the location of the cave and Honokoa gulch contains multiple burial caves. HAVO staff concluded that there were no direct lineal descendants based on the NAGPRA definition. As in the MCBH case, the seven families had to resubmit their claims as Native Hawaiian organizations in order to participate in the repatriation process. In my opinion this is not a fair process. How can an NHO like the Office of Hawaiian Affairs or Hui Malama i na Kupuna O Hawaii Nei honestly say it has a closer affiliation to the items in question than family groups who have produced comprehensive genealogical documents and land records as evidence that their ancestors once lived in the area? These family groups should be recognized on their own merit and they should not be forced to compete with NHOs. If families have to be lumped together with NHOs then there needs to be a way to somehow give preference to those who have a familial affiliation to the burials and give secondary status to those who are merely culturally affiliated. Unfortunately, NAGPRA does not offer any guidance on this situation, but it does identify exceptions where requirements for repatriation do not apply to:
Circumstances where there are multiple requests for repatriation of human remains, funerary objects, sacred objects, or objects of cultural patrimony and the museum or Federal agency, after complying with these regulations, cannot determine by a preponderance of the evidence which requesting party is the most appropriate claimant. In such circumstances, the museum or Federal agency may retain the human remains, funerary objects, sacred objects, or objects of cultural patrimony until such time as the requesting parties mutually agree upon the appropriate recipient or the dispute is otherwise resolved pursuant to these regulations or as ordered by a court of competent jurisdiction.\textsuperscript{123}

This regulation could then work in favor of a museum or Federal agency that doesn’t really want to see their precious collections repatriated. As long as there are multiple competing claims the museum can retain the items until the requesting parties mutually agree on the appropriate recipient or the dispute is resolved in court. It is quite possible that the museum or Federal agency could be holding the items for a very long time. This can also work in favor of a NHO or family who disagrees with repatriation plans that call for reburying associated or unassociated funerary objects with human remains. As long as they continue to disagree with other NHO’s, the museum or federal agency will retain the items. This regulation could be used to stall the repatriation process indefinitely, and hold the case in a stalemate. The federal agency or museum does not have an obligation to facilitate any further meetings between the competing multiple claimants in order to help them work towards a final disposition; they can simple say they took the process as far as they could. However, what is the point of NAGPRA if the time-consuming process ends in a stalemate?

**Inadequate NHO Definition**

The NAGPRA definition of NHO is not without its own problems. According to the definition, as long as an organization serves and represents Native Hawaiian interests, and has expertise in Hawaiian issues, then the group can call itself a Native Hawaiian organization. The
definition is so broad; almost anyone can qualify to become an NHO. On June 30, 2004 the NAGPRA definition of NHO was challenged by the Bernice Pauahi Bishop Museum when it released, “Bishop Museum Interim and Proposed Final Guidance Native American Graves Protection and Repatriation Act.” After carefully reviewing key NAGPRA terms, William Brown, President and Chief Executive Officer of the Bishop Museum at the time, concluded that Bishop Museum could legally qualify as a Native Hawaiian organization. He pointed out that NAGPRA does not require traditional history or native membership in order to be a NHO.\(^{124}\) The proposed Guidance stated:

> Bishop Museum clearly meets NAGPRA’s definition of an NHO, and Bishop Museum here recognizes itself to be a Native Hawaiian organization. The Museum’s Articles of Incorporation were amended in 2003 to state that the purposes of the Corporation shall include “as a primary purpose providing services to and in general serving and representing the interest of Native Hawaiians…”\(^{125}\)

Based on the way the law is written Brown could argue that Bishop Museum legally qualifies as a Native Hawaiian organization. But I do not believe that NAGPRA intended for museums to recognize themselves as NHOs, with the possibility of submitting a NAGPRA claims to themselves or another institution for the return of human remains/mea kapu. This is counter to the original intent of NAGPRA. The “Bishop Museum Interim and Proposed Final Guidance Native American Graves Protection and Repatriation Act” created quite a commotion among other NHOs. The Museum welcomed comments from the public on the proposed Guidance and considered all comments submitted in writing by September 1, 2004 before issuing the final guidance.\(^{126}\)

On October 7, 2004, the “Bishop Museum Final Guidance Native American Graves Protection and Repatriation Act” was issued. The public responded to the proposed Guidance
with 27 comments, one submitted in the form of a petition which was signed by 361 individuals.\textsuperscript{127} The Final Guidance states:

Ten comments supported recognition of the Bishop Museum as an NHO, 15 comments including the petition opposed. Those who opposed questioned whether the museum meets the definition of NHO under NAGPRA and whether the potential for conflict in judging claims and making claims on items in its own collection should preclude claimant status by the museum under NAGPRA. The Museum acknowledged concerns over potential conflict and decided not to recognize itself as an NHO in the Final Guidance.\textsuperscript{128}

Brown’s bold challenge to NAGPRA’s definition of a Native Hawaiian organization was instructive because it brought attention to the fact that there are problems with the current definition of NHO.

Two months after Bishop Museum’s Final Guidance was released in October 2004, the United States Senate Committee on Indian Affairs held an oversight hearing in Honolulu in order to hear testimony on the application of NAGPRA in the State of Hawaii. Concerns were expressed to the committee that the Act’s definition of NHO may warrant further consideration and possible refinement.\textsuperscript{129} There were two panels made up of representatives from various NHOs and each had a chance to testify. After everyone on the panel gave their testimony, Senator Inouye followed up with questions directed toward specific individuals on the panel. On the first panel was Ronald Mun, Deputy Administrator of the Office of Hawaiian Affairs (OHA), Edward Ayau representing Hui Malama i na Kupuna o Hawaii Nei, Melanie Chinen, Administrator for the State Historic Preservation Office, and Anthony Sang, Chairman of the State Council of Hawaiian Homesteads. The second panel consisted of Van Horn Diamond from the Van Horn Diamond Ohana, Lani Maa Lapilio formerly the legal counsel for Native Hawaiian Historic Preservation Council, Laakea Suganuma of the Royal Hawaiian Academy of Traditional
Arts, Cy Kamuela Harris from the Kekumano Ohana and Melvin Kalahiki representing Na Papa Kanaka O Puukohola Heiau.

The hearing sought to address problems regarding the definition of a “Native Hawaiian Organization” but the issue of “families” and “non-lineal” descendants dominated the discussion. Apparent in almost everyone’s testimony was the question of where do families (or non-lineal descendants) fit into the NAGPRA process. Ronald Mun referred to the State of Hawaii Law, Chapter 6E of the Hawaii Revised Statues which has a more relaxed standard for the recognition of claimants in ancestral burial matters. He stated that, “there is more emphasis on the individual and family claimants rather than NHOs, in recognition of the important role the family maintains in the disposition and treatment of the deceased.”^130 Mun ended his testimony by saying that OHA had yet to take a formal position on any proposed change to NAGPRA.\(^\text{131}\) Anthony Sang pointed out that the ohana, or present-day descendants and their families, are unable to fulfill their kuleana (responsibility) to their iwi kupuna (ancestors bones) because NAGPRA gives first priority to lineal descendants, and second priority to NHOs, while completely omits recognition of the ohana.\(^\text{132}\) He recommended that the Committee rank the ohana after the lineal descendant, and before the Native Hawaiian organization.\(^\text{133}\) He also recommended the definition of NHO include expertise in cultural and burial matters and be comprised of Native Hawaiians.\(^\text{134}\) Melanie Chinen limited her testimony to the State’s experience in burial matters and was not prepared to formally recommend any amendments to NAGPRA. Senator Inouye welcomed the opportunity to compare the NAGPRA process with the state’s process. Edward Ayau did not address families in his original testimony but when Inouye asked if he would give greater weight to claimants of lineal descendants or family members vs. NHO, Ayau agreed with this preference, as long as the descendents or members are able to establish that the remains are
indeed their kupuna (ancestor). Ayau’s prepared statement was more focused on his amendments to the current definition of NHO:

“Native Hawaiian organization” means any organization which (A) has a primary and stated purpose, the practice of Native Hawaiian cultural values; (B) has a governing board comprised of a majority of Native Hawaiians, and (C) has demonstrable expertise in Native Hawaiian cultural practices related to the care of human remains, Funerary objects, sacred objects and cultural patrimony, and shall not include any federally-funded museum or Federal Agency.  

He added that it is not important that Hui Malama be specifically mentioned in the definition. The final amendment proposed by Ayau was to seek civil penalties against Federal Agencies that were not complying with NAGPRA.  

The second panel had similar concerns regarding family. Cy Harris said “the idea of family most of all is lacking and is the root of Hawaiian thinking. The definition needs to include this perspective in the rules...” He would like to see NAGPRA regulations changed to reflect Hawaiian burial customs and practices. Harris also requested that Hui Malama and OHA be removed from the current NAGPRA legislation because it makes them an authority by association and gives them an unfair advantage. Lani Lapilio believes that “families should be accorded a proper place, perhaps even have priority over Native Hawaiian organizations, in the hierarchy of claimants with standing.” Van Diamond testified that, “Family kuleana is an essential principle for Native Hawaiians...[A]ccordingly, the law needs to focus on how to continue to advance the family taking its rightful responsibility with regards to artifacts.” Melvin Kalahiki feels that the concerns of kupuna from Kawaihae, Kohala and Waimea who attended a meeting hosted by the Department of Hawaiian Home Land in Waimea in 2000 were ignored. He believes that the old time residents of the area were left out of the process and NAGPRA needs to be amended to address this type of concern.
One of the Kupuna who testified at the Waimea meeting was Henry “Papa” Auwe. He claimed to be a lineal descendant and submitted claims with both the Bishop Museum and Hawaii Volcanoes National Park. He has since died and there is no one to carry on his claim. What happens to his words which are remembered so clearly by those who attended that Waimea meeting? Laakea Suganuma did not address the issue of the family in his original testimony, but when Inouye asked the second panel if families should have a superior standing over NHOs, everyone agreed including Suganuma. Interestingly, all nine families and NHOs who presented testimony that day agreed that the family should have a higher standing than NHOs as long as they are able to establish their relationship through genealogical records, land records, etc. Suganuma agreed with Harris, that the two organizations mentioned in the act should be removed to eliminate any further appearance of favoritism. He also requested a recall of all previously repatriated objects from Hawaii, excluding iwi, to be held in trust until matters are resolved. Lastly, Suganuma expressed his desire to see a museum controlled by Native Hawaiians where Hawaiian treasures would be housed, protected, cherished and loved with pride in the accomplishments of his ancestors.

Eleven other NHOs and individuals submitted written testimony which was included in the appendix. Abigail Kawananakoa, founder of the NHO, titled Na Lei Alii Kawananakoa, wrote, “NAGPRA fails to properly recognize the interest of Hawaiian families. As written NAGPRA denigrates and denies Hawaiian families their proper role in repatriation.” There were two other family-based organizations which submitted written testimony urging for an amendment that would give family groups higher standing than Native Hawaiian organizations with no family ties. In all, there were a total of twenty NHOs and family groups who testified,
and twelve of them wanted to see family groups have priority over NHOs. The other eight did not address families in their written testimony.

I believe that if NAGPRA were amended to add a new category that recognizes families and ranks them second to direct lineal descendants, it would eliminate the need to change the definition of NHOs because families will have priority over NHOs. If implemented, the repatriation process would be similar to the way the State of Hawaii conducts its program where more importance is placed on families, and NHOs are considered a third option. A NAGPRA amendment of this sort would make the process far more equitable for everyone involved in the eyes of many Hawaiians and administrators in Hawaii. It would at least put everyone on a level playing field by separating groups that have a familial affiliation (lineal descendants and families) from groups that have merely a cultural affiliation (NHOs). Currently, families are at a disadvantage and must compete with culturally affiliated organizations.

In the early years of NAGPRA, NHOs played an important role because families were not organized and/or did not understand the repatriation process. With good intentions in mind, organizations such as Hui Malama and OHA took the lead in early repatriation claims. Lapilio confirmed OHA’s importance at the Senate hearing, “OHA’s primary role was that of place holder, whereby OHA would file claims as an NHO then allow families to be involved in the process without having to file as an NHO.”149 She further explained that, “OHA also acted to preserve the rights of families to come forward and claim their *kuleana* at a later time.”150 By the mid 1990s families began to submit claims, and were ready to be responsible for their family burials. Now that families are involved and understand the legislation and their cultural responsibilities, it seems that organizations are no longer necessary.
**Mokapu Case Study**

The Marine Corps Base Hawaii (MCBH) at Kaneohe Bay was one of the earliest repatriation cases in the state of Hawaii. Following the “Notice of Inventory Completion” published in the Federal Register in 1994, Native Hawaiian individuals and organizations filed competing claims. Initially, consultation began with written correspondence to all claimants, and by the end of the year the MCBH had their first face-to-face meeting.

June Cleghorn, Cultural Resources Program Manager at MCBH described the meeting as being very adversarial with the government representatives on one side facing the Native Hawaiian representatives on the other side. Early in the repatriation process MCBH faced their challenges head on by opting to partner with the claimants, and together worked on understanding the extensive procedures required for repatriation. MCBH sponsored NAGPRA training workshops for both the claimants and their own staff. This was a smart thing to do because it helped to build some much needed trust between the MCBH and all the claimants involved. Setting up these NAGPRA training sessions for claimants and MCBH staff demonstrated a good faith effort on the part of MCBH to make sure all parties involved understood the different NAGPRA regulations. I believe this was a major factor in the successful completion of the MCBH repatriation case. This training would eventually give some claimants the confidence to submit other NAGPRA claims.

During the process of determining the most appropriate claimant, MCBH struggled with NAGPRA’s strict definition of lineal descendant, which requires that human remains be a known individual and have a direct lineal relationship to the individual making the claim. MCBH knew the families who were claiming a lineal descent would be denied because they wouldn’t be able
to identify the remains, due to the Hawaiian custom of burying their loved ones in unmarked graves to avoid desecration. Cleghorn said, “rather than accept denial and exclusion of the lineal descent claims based on a definition that did not take into account the specific tradition of Hawaiian burial, MCBH allowed for these Hawaiian families to resubmit their claims as Native Hawaiian organizations claiming cultural affiliation. The broad definition of NHO offered families an opportunity to become involved, but it meant they would have to incorporate themselves into a legal “organization” and their status would be equal with NHOs. MCBH knew it wouldn’t have been fair to deny the families who submitted lineal descent claims their rights to care for their ancestral remains. In all fairness, MCBH felt that being inclusive of all claimants was the best thing to do.

Difficulties soon arose when claimants had disparate views on Native Hawaiian traditions regarding the treatment and care of their ancestral remains. The claimants wanted MCBH to judge each claim and keep the most appropriate claims. MCBH referred to the NAGPRA regulations for guidance on this situation and found there were none. To avoid being caught in the middle of multiple competing claimants, MCBH convinced the claimants that the only way to move forward with repatriation was to recognize all claimants.

On August 31, 1998 MCBH, published another “Notice of Inventory Completion” in the Federal Register. It recognized 21 families and NHOs culturally affiliated with the Mokapu Collection and repatriated the collection to all 21 claimants. Cleghorn credits the success of the repatriation to a lengthy consultation process. I would agree good consultation takes time.

First, a consistent point-of-contact of one civilian cultural resource specialist and one or two specific Marine Corps officers--was established. Next, scheduling regular face-to-face
meetings and modifying the process in ways that helped to support the integrity of the cultural traditions that formed the basis of these Native Hawaiian claimants was also crucial. But Cleghorn says that, “the most effective action accomplished in the consultation process was enforcing equality among the claimants by ensuring that all those who wished a voice in this process were guaranteed that voice.” While the MCBH was successful in identifying 21 claimants and deciding to repatriate to all of them, the iwi kupuna are still awaiting reinternment. The claimants have yet to settle on the details of reburial.

The case study illustrates the challenges of working with multiple competing claims. MCBH and the claimants have not buried the iwi kupuna because the claimants have yet to agree on the appropriate burial rituals. Working with multiple competing claims can be very difficult because it can foster disagreements and resentment. The NAGPRA regulations for evaluating multiple competing claims lack practical guidelines for reaching an equitable resolution. It is left up to the officials at the agency or institution (e.g., MCBH) to figure out how best to work with multiple claimants who have different perspectives on the final disposition of the repatriated items.

Over the years, there has been animosity building between certain NHOs and family groups. Claimants have formed alliances based on their preferred final disposition. There are claimants who want to see all items (human remains and mea kapu) reinterred where they were originally found, and there are those who want to reinter only the iwi and keep the mea kapu where they may be protected and shared with future generations. Hawaii Volcanoes National Park (HAVO) has learned a lot from the MCBH and the Bishop Museum repatriation cases.
HAVO is fortunate to have these cases to learn from as it moves forward in its consultation process. I remain hopeful that we at HAVO will find a satisfying resolution.
CHAPTER 4: REPATRIATION AND RESOLVING NATIVE DISPUTES

Since the Native American Graves Protection and Repatriation Act (NAGPRA) was passed in 1990, the Bishop Museum and Hawaii Volcanoes National Park have been working with multiple Native Hawaiian families and organizations to find a resolution. In the Bishop Museum case it has recovered all of the mea kapu from the Honokoa cave (previously reburied by Hui Malama) and has started the repatriation process again.

Hawaii Volcanoes National Park (HAVO) has agreed to house the five mea kapu from the Honokoa cave until the claimants agree on final disposition. The fourteen claimants involved in the HAVO case are as follows:

1. Keaweamahi Ohana
2. Kekumano Ohana
3. Ka Ohana Ayau
4. Laika-A-Manuia Ohana
5. Van Horn Diamond Ohana
6. William Hoohuli
7. Office of Hawaiian Affairs
8. Department of Hawaiian Home Lands
9. Hawaii Island Burial Council
10. Hui Malama i na Kupuna O Hawaii Nei (Hui Malama)
11. Na Lei Alii Kawanakanakoa
12. Royal Hawaiian Academy of Traditional Arts (RHATA)
13. Na Papa Kanaka O Puukohola Heiau
14. Hooulu Lahui

Three of the most vocal claimants in the HAVO repatriation case are Hui Malama i na Kupuna O Hawaii Nei, the Royal Hawaiian Academy of Traditional Arts and Na Lei Alii Kawanakanakoa. These organizations have been extremely vocal in the related case with Bishop Museum (see chapter one). I will describe all three organizations below and their different perspectives on the repatriation process.
Hui Malama i na Kupuna O Hawaii Nei (Hui Malama)

Hui Malama is one of two NHOs specifically mentioned in the NAGPRA legislation (the other is the Office of Hawaiian Affairs). Hui Malama is an organization dedicated to the proper treatment of ancestral Native Hawaiians.\(^{164}\) This group was formed in 1988 while some of its founding members protested the archeological disturbance of thousands of iwi kupuna (ancestral bones) in order to build the Ritz Carlton Hotel on the sands of Honokahua, Maui.\(^{165}\) Members of Hui Malama believe the relationship between themselves and their ancestors is one of interdependency. They believe those who are living have a kuleana (responsibility) to care for their kupuna (ancestors). In turn, the ancestors respond by providing spiritual protection; hence, one cannot exist without the other.\(^{166}\) Since the 1990s, Hui Malama has been very active in repatriation cases. They believe the five mea kapu housed at HAVO are moepu or funerary objects. Its position regarding the HAVO case is to reinter everything, including mea kapu and iwi kupuna into the Honokoa burial cave located in Kawaihae, from which they were taken.

For the members of Hui Malama, these NAGPRA cases are a form of resistance to colonialism. The members feel they are resisting the western museum practice of taking iwi kupuna and moepu for scientific study and keeping them in museums for exhibition purposes. Two members of Hui Malama explain, “The disturbance of our burials is intimately tied to colonialism – the complicated process by which Euro Americans appropriated our lands, exploited our resources, disenfranchised our people and transformed the very way we think about who we are.”\(^{167}\) Therefore, the organization believes that repatriation is intimately tied to the struggle of Hawaiians to reclaim collective mana (spiritual essence) as a people.\(^{168}\) For Hui Malama, this is ultimately part of the decolonization process.
Royal Hawaiian Academy of Traditional Arts (RHATA)

RHATA is a Native Hawaiian organization as defined by NAGPRA. According to their Articles of Incorporation their purpose is as follows:

a) facilitate the identification and development of culturally sound Hawaiian living habits, mental and emotional attitudes, personal health habits and physical skills necessary to the practice of lua, the traditional warrior art; b) to perform such research as may be necessary to recover the philosophies, religious practices, theoretical and applied sciences, social mores and physical movement that formed the entire system of the lua; c) to document and publish whatever research and whatever internal practices are considered necessary to educate the Native Hawaiian community in the philosophy of lua; d) to seek out indigenous peoples, especially in, but not limited to the Pacific Island region, and to work with them to recover their own ancient skills; e) to assist the Hawaiian community in recovering its former social stability by demonstrating Hawaiian living concepts, such as but not limited to, ohana (family), laulima (cooperation), aloha (love), lokahi (unity), haahaa (humbility); f) to advise, consult with, and otherwise work with community, state and national governments of the United States and other nations in recovery of indigenous societal pride and self sufficiency; g) to engage in any lawful activity which will advance the proposes of this Corporation.

Museum collections are very important and useful to this organization because of their need to research and publish their research as stated in the *Articles of Incorporation*.

The members of RHATA feel the mea kapu are not part of a burial but rather they were hidden in the cave during a time of political and religious change to protect them. Therefore it feels that the mea kapu are not subject to NAGPRA. RHATA strongly believes that any iwi found in the Honokoa cave should return to the cave. Until such time when all of claimants come to a consensus on the final disposition, RHATA would like to see the items remain under HAVO’s custody.
Na Lei Alii Kawananakoa (Na Lei)

Na Lei is a Native Hawaiian organization founded by a wealthy heiress and descendant of King Kalakaua, Abigail Kawananakoa. Kawananakoa created her organization to specifically meet the definition of NHO as written in the NAGPRA legislation so that it would be eligible for inclusion in the repatriation process. In its Articles of Incorporation states,

The Corporation has expertise in Native Hawaiian Affairs and serves and represents the interest of Native Hawaiians. Its primary and stated purpose is the provision of service to Native Hawaiians. The corporation will also engage in historical research, including correlation and coordination thereof, regarding native Hawaiian cultural treasures, including but not limited to, associated funerary objects, unassociated funerary objects, sacred objects, and items of cultural patrimony as those terms are used in NAGPRA and in collecting and documenting previously unknown or unrecognized details of authentic Native Hawaiian customs and traditions.

Na Lei’s position regarding iwi (bones) mea kapu is that they should be returned to the cave. Furthermore, the mea kapu should not be allowed to deteriorate in caves but should be protected in climate-controlled museums so that future generations can learn about them as part of their heritage. Na Lei and RHATA have worked together to support the preservation of the mea kapu. Kawananakoa provided the financial backing to pay for any legal fees incurred by RHATA.

In a statement released on December 5, 2004 Kawananakoa stated, “For a moment let me reflect upon the purpose of repatriation under NAGPRA. In my opinion it is to protect historical artifacts from looting and destruction.” She also states, “It is unfair in my personal view to call David Forbes and J.S. Emerson ‘grave robbers.’ They were men of honor whose work preserved Hawaiian culture from being lost.” Kawananakoa sees repatriation as a tool to protect and preserve historical artifacts. Her perception of repatriation is very different than that
of Hui Malama. Hui Malama sees repatriation as a tool to be used in its struggle for decolonization. Both these claimants have very different perspectives and make the Honokoa cave repatriation very difficult to settle.

It seems that perhaps RHATA and Na Lei have accepted the master (colonial) narratives of modernist museums discussed in chapter two--that the Hawaiian culture is dying and museums need to preserve and protect what is left. Western influence can be very strong, but it is now a hundred years after Forbes took the items out of the cave and Hawaiian have not lost our language or our culture. These items do not need to stay in or be returned to these colonial institutions; there are other options. Today, Native Hawaiians have the power to take control of these and other cultural items and use them, if appropriate, to establish their own cultural centers such as the Smithsonian’s National Museum of the American Indian in Washington, D.C., and other Native cultural centers and museums. Hawaiians have the opportunity to interpret history from a Hawaiian perspective.

Consultation

Part of the consultation process consists of face-to-face consultation meetings. On August 27, 2005, HAVO invited all potential claimants to Volcano, Hawaii for our first meeting. HAVO paid for two representatives from each NHO to travel to HAVO. Representatives from Hawaii Island Burial Council, Na Papa Kanaka O Puukohola Heiau (Na Papa), Royal Hawaiian Academy of Traditional Arts, Kekumano Ohana, Pukaana O Hawaii, Hui Malama, Keaweamahi Ohana, and the Office of Hawaiian Affairs (OHA) attended. The Department of Hawaiian Home Lands (DHHL), Van Horn Diamond Ohana and Na Lei did not attend.
Planning and organizing the logistics for this meeting was extremely challenging for me because these diverse groups could be highly contentious with one another and with HAVO. My supervisors and I did not know what to expect. To mentally prepare myself and the claimants for this meeting, I encouraged everyone to practice some basic Hawaiian values such as aloha (love), akahai (kindness), lokahi (harmony), oluolu (pleasant attitude), haahaa (humility) and ahonui (patience). These values are the same ones used in hooponopono, the traditional Hawaiian way of solving problems through a mediation process. After briefly reviewing these important values with the claimants, I started by asking if anyone in the group wanted to open our discussion with a pule (prayer). Charles Maxwell from Hui Malama offered to pule. This provided a good start to the meeting. All of the claimants were very respectful of one another. They allowed each person to speak and they all listened to what each had to say. I believe acknowledging the importance of aloha, akahai, lokahi, oluolu, haahaa and ahonui in the very beginning of the meeting brought everyone to a more peaceful state of mind. This meeting gave me hope that it is possible to resolve issues if we all work together to find solutions.

In an effort to improve relations between the Native Hawaiian Community and the Department of Interior and its bureaus, Congress authorized the establishment of the Office of Hawaiian Relations (OHR) in 2004. The office discharges the Secretary of the Interior’s responsibilities for matters related to Native Hawaiians, and serves as a conduit for the department’s field activities in Hawaii. In 2008, OHR worked on drafting NAGPRA Consultation, Custody and Disposition Protocols to help with implementation of the law. The purpose of the document is to provide greater guidance to land managers navigating the NAGPRA process in Hawaii. The plan is for the documents to be issued in a Secretarial Order,
placed in the “Departmental Manuel” and issued as guidance to other federal agencies. After reviewing the draft, I submitted the following written testimony:

My comments are based primarily on my experiences in consultation work. Some of the views I share come from conversations with a claimant who shared his consultation experience with Bishop Museum. He described to me the differences between the way they conduct consultation to the way we conduct consultation. Understanding that NAGPRA is a very complex regulation and confusing for all those that are going through the process, including the agency that administers this regulation. We have guidelines that we must follow, which are spelled out in the law, but what the law does not tell you is how to approach the lineal descendants and Native Hawaiian Organization in a culturally sensitive way. The following list of actions is directed at the liaison for the agency who is involved with consultation with Native Hawaiian lineal descendants, or representatives of Native Hawaiian Organizations. Some of these points may seem like common sense, but I have included them because it may not be common sense to everyone.

- Know and understand the history of Hawaii. The diverse perspectives of all the claimants are a result of more than a hundred years of colonialism and imperialism. Some of the claimants don’t trust government agencies. Some claimants who grew up around museums have grown accustomed to western ideologies. They rely on museums to be keepers of our culture. Other claimants who have not been introduced to museums in their lives have different ideas of how these cultural items should be treated.
- Be respectful to all claimants
- Be empathetic to all claimants
- Be humble
- Be patient
- Be sincere
- Take the time to build good rapport with each claimant. For claimants who have trust issues, the agency needs to work on building trust.
- Be honest, if you don’t know something tell them you don’t know but will find out and get back to them.
- In written correspondence, take the time to explain things. Don’t just cite sections of the law and assume that people understand it. Explain what it means; always give them the option to call someone if they have questions or comments.
- Return phone calls promptly
- Allow the group as a whole to meet. This can be intimidating and nerve racking because the agency never knows what will happen, but this gives the claimants the opportunity to listen to and discuss issues and hear other people’s manao (thoughts).
- To help ease the tension, we asked if someone in the group wanted to do a pule (prayer). After the pule we remind everyone to practice traditional Hawaiian values including:
Akahai – kindness to be expressed with a feeling of tenderness
Lokahi – unity to be expressed with a feeling of harmony
Oluolu – pleasant attitude
Haahaa – humility to be expressed with a feeling of modesty
Ahonui – patience to be expressed with a feeling of perseverance

- Do not exhibit cultural items without consideration of those who do not wish to view the items.
- Allow claimants to discuss issues without agency representative present if they request it.
- Respect the cultural differences and needs of the individuals and organizations

My comments were submitted via email to OHR on August 15, 2008. Subsequently, on August 21, I received an email from Kaiini Kaloi, Director of OHR informing me that he was working on a guidebook to accompany the Departmental Manual amendments and asked me if he could incorporate my thoughts into the guidebook. I was very encouraged, humbled and honored to see that the government took the time to read and consider my comments. I replied to his email saying, “I’m glad that you find it useful, by all means go ahead and use it.” The document is still in draft form and has not yet been released by OHR.

**Reflections and Potential Change**

As time passes, developments in the Bishop Museum, HAVO and other cases have the potential to change the way claimants think about repatriation and how they feel about each other. For example in 2004, the Kanupa burial cave was broken into. This cave is also located in the district of Kawaihae, Hawaii (near the Honokoa cave). Less than a year before the break-in, Hui Malama participated in reburying human remains and cultural items repatriated from the Peabody Essex Museum (Salem, Massachusetts) and the Bishop Museum in Kanupa cave. As a result of the break-in in 2004, Van Diamond one of the claimants in the Bishop Museum case raised concerns about the security of the artifacts buried in the nearby Honokoa cave. In the
Honolulu Star Bulletin Diamond said, “Hui Malama was supposed to be checking so that Kanupa wasn’t ravaged… Hui Malama’s integrity is at stake and their credibility is in question.”

This particular incident made me question whether it is better to rebury mea kapu or keep them in a more secure location. Some of the mea kapu are purportedly worth over a million dollars, and as time goes on the value will continue to increase. There will always be someone who views the mea kapu in caves as a way to make a lot of money. I believe that it is only a matter of time before there is another break-in. If Hui Malama considers their organization to be the kahu (guardian) of a burial and takes their kuleana (responsibility) to the iwi kupuna (ancestor’s bones) and moepu (burial items) seriously, they must be sure to address security issues. Members of Hui Malama must have felt terrible about the break-in at Kanupa cave. How can Hui Malama be sure that this does not happen to the Honokoa cave or any other burial? Does Hui Malama want to subject the iwi kupuna to yet another disturbance in the future? We were very fortunate that everything was recovered from Kanupa cave; we might not be so lucky next time. These are just a few of the difficult issues that have to be addressed by all claimants as we continue consultation in the future.

In 2006, not long after the Kanupa cave incident, the legal battle over the recovery of the cultural items previously reburied in the Honokoa cave by Hui Malama was at its peak. Hui Malama was ordered by Federal Judge David Ezra to disclose the specific location of the mea kapu buried in the cave. Its members refused to give any information saying it would violate their constitutional right to freedom of religion. This angered and frustrated other claimants, who began to doubt whether or not Hui Malama really reburied the items in the cave. Rumors
that Hui Malama sold the burial objects on the black market circulated. Some feared they would never see these items again. But when Bishop Museum finally recovered the mea kapu from the cave and everything was accounted for, it proved that Hui Malama was true to its word. Hui Malama did what they said they would do which was to reunite the mea kapu with the iwi and put them back where they were found. Therefore, its members not the monsters some local papers portrayed them to be. They were and are a group of Native Hawaiians with a strong conviction that a burial is sacred and should not be disturbed, and its contents should not be taken apart and separated.

I believe that both of these events have affected some of the claimants in a positive way. In general, all of the claimants, except perhaps Hui Malama, are happy that all of the mea kapu are accounted for. Now that the mea kapu are back at the Bishop Museum, claimants are ready to really listen to each other’s concerns and try to work towards a resolution. The experience of the Kanupa cave break-in has clearly demonstrated the great risk of reinterring the cultural objects with human remains. It helps Hui Malama understand the concerns of the other claimants who don’t want mea kapu reinterred with human remains because of the possibility of theft. At the same time, the recovery of all the cultural items from the Honokoa cave brought some credibility back to Hui Malama in light of earlier accusations that Hui Malama sold the items on the black market. It will be years, however, before Hui Malama is completely trusted, but the healing process has begun.

**Reclaiming a Native Process**

In 2006, while the mea kapu from the Honokoa cave were in litigation, Federal Judge David Ezra agreed with Native Hawaiians who believed the dispute between Bishop Museum,
Hui Malama and other Hawaiian organizations should not be resolved in a federal court. He therefore proposed that the parties involved participate in hooponopono or some other type of alternative resolution process. Ezra said the whole idea was to take the matter out of the courtroom and into the hands of Hawaiians. William Aila, a member of Hui Malama said, “I’m pleased that the judge has realized that there are alternate mediation methods, one of them being Hawaiians getting together and talking.” Ezra gave the claimants one last chance to try to settle the dispute among themselves. I admire Judge Ezra for his sensitivity and his willingness to think outside the judicial box. Unfortunately, after four months of hooponopono, Ezra ordered that the mea kapu be retrieved from the cave, because the claimants could not reach a resolution. According to a local newspaper Ezra said, “The Hawaiian mediation process had been worthwhile. I am of course disappointed that the matter was not resolved to a conclusion; it doesn’t mean I think the process was a failure. I do not believe that all chances for a resolution have been lost.” Ezra noted that the opposing parties were able to agree on some issues. Like Judge Ezra, I believe there is still a chance for resolutions regarding repatriation issues, and that hooponopono is still a viable option. Now that all the cultural items are back at Bishop Museum, the 14 claimants in the repatriation case who didn’t have a chance to see them can now see them if they wish. Consultation can resume, and all the claimants can decide if they would like to give hooponopono another try.

By allowing the consultation process to become a time for mutual learning, for both claimants and museum staff, and by making the museum consultation site a place for creatively thinking through disputes, I am hopeful that the Native Hawaiian community will be able to reach consensus and resolve their disagreements. As we continue the consultation process we need to be creative and sensitive in our search for ways to satisfy all parties.
Conclusion

The repatriation work at Hawaii Volcanoes National Park is an ongoing process. The last consultation meeting in September 2009 ended with all claimants agreeing that the five items under review should remain at HAVO until further notice. All of the claimants who attended the meeting were mindful and respectful of each other. I believe their respectful interaction indicates a way forward and hence I stand by my proposal to include hooponopono as a model for future claimant meetings at HAVO.

NAGPRA is a very complex and confusing process and the Native Hawaiian community is even more complex in its diversity and views. But this very complexity should not be cause for alarm. One commonality expressed among NHOs who attended our face-to-face meetings was a concern for the appropriate treatment of the mea kapu under review. Everyone involved wanted to do what was right, but they cannot agree on the procedure. I believe there is a way to work things out, if all NHOs are willing to work hard to find compromises that will work for all. It will take a lot of time and commitment to work towards a final disposition. It is in the spirit of laulima (cooperation) that I feel these Hawaiian organizations will work closer together. Like the example of the family paina (party), it is not the party that is important, rather it is the gathering and working together that makes a family strong. I have learned through my participation in the repatriation process that it is not the final disposition that is important. Rather, it is the coming together of Hawaiian minds that build a stronger and more unified nation that is important. I see NAGPRA as a lesson for the Hawaiian people, a lesson that teaches them/us/me how to work together towards a common goal.
I feel privileged to have had this opportunity to work with the claimants involved in this case. Thus far, I have learned so much from this experience and look forward to continuing our consultation work as we work through the NAGPRA process. In my experiences, I feel that it is important and beneficial for HAVO to have someone on staff who understands the colonial history of Hawaii, and who can be empathetic to the diverse perspectives of the various Native Hawaiian organizations. An important part of my job is to help the superintendent and others from the regional office understand Hawaiian ways of thinking. I strongly feel that being Native Hawaiian should be a requirement for the position of Liaison to the Native Hawaiian Community because it is important for a liaison to be knowledgeable about the local families in the community. It is also important the liaison is familiar with local Hawaiian customs and knows how to behave appropriately while facilitating consultation meetings. Being Hawaiian has definitely helped me build trusting relationships between HAVO and the Native Hawaiian organizations. Although there are times when I feel awkward around some of my own people, who think that I’m a “sell out,” I try not to let that bother me and strive for the betterment of the Hawaiian community.

As a student in the American Studies and Museum Studies program at the University of Hawaii at Manoa, I have been given the opportunity to better understand the affects of colonization on Native Hawaiians of today. Writing this thesis has made me reflect on my own life and helped me to better understand how colonization has affected me and how it has shaped my views of the mea kapu and repatriation. Subsequently, I understand why there is such diversity in the way Native Hawaiian organizations feel about the mea kapu in these NAGPRA cases, and I am able to respect each of their positions. Understanding Hawaii’s colonial history and the struggle of decolonization is key to understanding the diverse perspectives of each
claimant. It is my hope that museums, universities, government agencies and even Native Hawaiians will come away from reading this paper with a greater respect and a better understanding of each other which may enable them to work together to find resolutions.
APPENDIX

Outline of Key Events

400 AD – Polynesians first arrived in Hawaii.

1778 – Captain James Cook first arrived in Hawaii.

1819 – Kamehameha I dies, kapu system abolished, change in political system.

1820 – American Calvinist Missionaries first arrive in Hawaii.

1825 – Kaahumanu and other ali`i accept Christianity.

1831 – Lahainaluna Seminary was established, colonial education begins.

1875 – Hawaii National Museum opens.

1887 – Kamehameha School for Boys opens.

1887 – Bayonet Constitution.

1888 – Construction of Bernice Pauahi Bishop Museum begins.

1893 – Hawaiian monarchy overthrown by America.


1956 – Blodwyn Forbes Edmundson, daughter of David Forbes, donates five mea kapu taken from Kawaihae cave by her father to Hawaii National Park.

1970s – Hawaiian cultural renaissance, start to see signs of decolonization.

1988 – Hui Malama i na Kupuna O Hawaii Nei is formed.
1989 – Congress passed Public Law 105-189 establishing the National Museum of the American Indian (NMAI) as part of the Smithsonian.

1990 – Congress passed the Native American Graves Protection and Repatriation Act.


1994 – Marine Corps Base Hawaii (MCBH) and Bishop Museum begin process to repatriate 1582 individual sets of human remains from Mokapu Burial Area. (June Cleghorn, Cultural Resource Program Manager, MCGH)

1998 – MCBH published “Notice of Inventory Completion” in the Federal Register recognizing 21 families and Native Hawaiian organizations (NHO).

2000 – Bishop Museum loaned 83 mea kapu to Hui Malama. Hui Malama reburies the mea kapu in Kawaihae cave where they were originally taken, and seals the entrance.

2004 – Kanupa cave broken into, cultural items previously reinterred were stolen, but later recovered.


October 7, 2004 – “Bishop Museum Final Guidance NAGPRA” was released. Director withdraws museum’s proposal to submit an application to be considered a NHO.

December 8, 2004 – Senate Committee on Indian Affairs holds oversight meeting in Honolulu to hear testimony on NAGPRA process in Hawaii.

2008 – Congress authorized the establishment of the Office of Hawaiian Relations (OHR).

2005 – Hawaii Volcanoes National Parks first consultation meeting with all potential claimants to discuss which NAGPRA category is most appropriate for the cultural items.

2008 – OHR began working on Draft NAGPRA Consultation, Custody and Disposition Protocols.

2009 – Hawaii Volcanoes National Park (HAVO) filed a “Notice of Intent to Repatriate Cultural Items” in the Federal Register, identifying 14 claimants.

2009 – HAVO held a consultation meeting in Honolulu for all claimants to discuss final Disposition
NOTES

1 Of, or relating to, a tribe, people, or culture indigenous to the United States, including Alaska and Hawaii. [43 CFR 10.2 (d)]

2 Throughout my thesis I will refer to the cultural object as mea kapu (forbidden things) because this is what I believe them to be. I believe they were once exclusively use by a knowledgeable kahuna (specialist), and were not used by common people. The claimants involved in the HAVO repatriation may not agree with me and that’s alright, each claimant is entitled to their own opinion. Currently, access to the mea kapu is restricted by the claimants, only those involved in the case are allowed to see them. Ironically, the mea kapu continue to be exclusive to a group of people hence it seems fitting to call them mea kapu.

3 I have elected not to use diacritical marks because mana leo (native speakers) feel that it is not necessary. The use of diacritical marks is a fairly recent convention which started when language was being taught in school. I feel that students of Hawaiian language should sharpen their listening skills in order to pick up the subtleties of the language instead of depending on diacritical marks. I work closely with mana leo and want to honor their insight.


5 Hawaii National Park in now known as Hawaii Volcanoes National Park.

6 Burl Burlingame, “Museum: We were misled on artifacts by Hawaiian group, Bishop Museum says Hui Malama claimed it had the consent of other groups”, Honolulu Star-Bulletin, 4 April 2000, http://archives.starbulletin.com/2000/04/04/news/story2.html.


13 Ibid.


15 Ibid.


17 Ibid.


19 Ibid., xiv.


21 Bethwick. The Kumulipo, 7.


24 Ibid., 121.

25 David Malo, Hawaiian Antiquities (Moolelo Hawaii) (Honolulu, Hawaii: Bernice P. Bishop Museum, 1951), 16

34 Ibid.
35 Trask, *From a Native Daughter*, 144.
41 Ibid.
42 Ibid.
43 Kamakau, *Ruling Chiefs*, 204.
44 Merry, *Colonizing Hawaii*, 40.
45 Kameeleihiwa, *Native Land and Foreign Desires*, 73.
46 Dawes, *Shoal of Time*, 56.
47 Ibid., 57.
49 Dawes, *Shoal of Time*, 64.
53 Ibid.
55 Ibid., 8.
60 Ibid.
64 Ibid.
95

Aimee Benedict, “About The National Museum of the American Indian,”

www.nmai.si.edu/subpage.cfm?subpage=about

The definition of Native American as written in the act to establish the National Museum of the American Indian includes Native Hawaiians, Alaska Natives, Canadian First Nation, Native Peoples of the Caribbean and the Indigenous People of Central and South America.


43 CFR 10.2(b)(1)

Te Rangi Hiroa (Peter H. Buck), Arts and Crafts of Hawaii: Death and Burial (Honolulu: Bishop Museum Press, 2003), 569.

43 CFR 10.2(b)(3).

43 CFR 10.10(c)(2)


In the definition on Native Hawaiian Organization, both Hui Malama and OHA are included in the current NAGPRA legislation as Native Hawaiian Organizations.
141 Ibid., 18
150 Ibid.
152 Ibid.
153 Ibid.
154 Ibid
155 Ibid.
157 Ibid.
158 Ibid.
159 Federal Register/Vol. 63, No. 168/Monday August 31, 1998/Notice 46237
161 Ibid.
162 Ibid.
163 Ibid.
165 Ibid.
166 Ibid.
168 Ibid.
169 The Royal Hawaiian Academy of Traditional Arts, Articles of Incorporation, 1996.
171 Na Lei Alii Kawananakoa, Articles of Incorporation, 2002
172 Ibid.
173 Ibid.
174 Ibid.
175 Vicki Viotti, “Heiress says 2 were not “grave robbers””, Honolulu Advertiser, 5 Dec 2004.
176 Ibid.
177 Keola Awong 2008
179 Ibid.
180 Ibid.
182 Ibid.
184 Ibid.
185 Ibid.
188 Ibid
189 Ibid.
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National Park Service (NPS). Notice of Inventory Completion for Native American Human Remains, Associated Funerary Objects in the Control of the United States Marine Corp, Department of Navy, Honolulu, HI; and the possession of the Bernice Pauahi Bishop Museum, Honolulu, HI. *Federal Register* 63, no. 168 (31 August 1998): 46237.


Viotti, Vicki. “Heiress says 2 were not “grave robbers””, Honolulu Advertiser, 5 Dec 2004.