

# Forcing lease sales will rob Hawaii's children

**F**OR many years I had a misconception about leasehold land. My parents, friends and just about everyone I knew lived on leased land, mostly Bishop Estate property. Not being knowledgeable about the history of Hawaii and land distribution, I naturally favored the possibility of changing leased property to fee simple. After all, owning your own property is the fulfillment of the American dream.

However, after investigating the history of Hawaii, I've come to learn some disturbing facts about the plight of the Hawaiians, their land, culture, government, and most recently, their children's hope for education taken from them in one form or another.

Bernice Pauahi Bishop saw her people struggling to adapt to a new culture that was coming faster than their ability to cope. She felt that only by educating her people in the new white man's ways would they be able to survive. She then benevolently and generously gave her entire estate to a worthy cause, the funding of The Kamehameha Schools for Hawaiian children. Her will was then made in perpetuity to finance the education of her Hawaiian people.

She was one of the few Hawaiians able to understand the real value of land and what this land could mean for her people's survival. Her tremendous



## VIEW POINT

By Robert K. Burns

quantity of land was to be used to produce income indefinitely to fund the schools. This land base must be preserved for that reason.

Her trustees, as stated in her will, were to derive income by leasing her land; only selling it if necessary. The trustees are not a group of venture capitalists arriving in Hawaii to cash in on land shortages. They are also not the ones to blame for the skyrocketing price of housing.

In fact, had the estate not opened lands for housing of residential and condo dwellers, this problem we're facing now would have surfaced 30 years ago.

If the Bishop Estate didn't drive up the price of housing, who did? Only the government can open up land by rezoning for residential development. The "Big Five" acquired thousands of acres in less than honest ways and hoarded them under agriculture zoning.

Why isn't anyone screaming at them for tying up good usable lands? After all, they are a corporation, not a trust. Rarely do they sell or lease lands for development.

And last, but surely not least, is the biggest culprit in this housing caper. The speculators, real estate agents and lessees themselves. These are the people who not only drove up the price of housing, but are the ones who have made all the big money in the process. They screamed to the powers that be that they would be homeless and thrown into the streets had they not the opportunity to own the land that they willfully signed leases for just 30 years prior.

The land leased to them has always been below fair market value, and most recently, grossly below.

Before the ink was dry on the conversions, many of these properties were sold at astronomical profits. The Bishop Estate was forced to sell far below the real values and thus left millions of dollars on the table for lessees, speculators and real estate agents to scoop up, (and it was scooped up indeed, in places like Kahala).

Now, the lawmakers are adding insult to injury by going one step further into the condo arena. Once again the estate, a benevolent princess and the keiki o ka aina (children of the land) are

betrayed by a system that Bernice Pauahi Bishop once thought her people needed. Now that these condo owners, most of whom were not even born in Hawaii, are crying about high lease rent increases.

If one was to offer to the lessees the property at a modest cost of living increase for the entire term of the lease, they would scream "No!" What they really want is to sell, now or later, for fair market prices, but of course, buy at deflated prices.

It's time we quit capitalizing on the misfortunes of the Hawaiians through these unlawful — or at least unscrupulous — acts. What are these lessees going to do for the education of Hawaiian youths? Why should these children be penalized for the foresight Bernice Pauahi Bishop had and for the lack of foresight of the lessees?

Would these same people like us to change their personal wills and rob their children of their rightful inheritance? Let her will do as it was intended. Let the Hawaiians remain. And for those who can't handle the outrageous housing costs of Hawaii; do as many Hawaiians have done . . . move to the mainland.

*Robert Kalikolehua Burns is president of the Hawaii Surfing Industry Association and founder of Local Motion, Inc.*

## 'No' vote on resort helps preserve nature of Kau

*S-B 2/25/91*  
As a party to Land Use Commission proceedings on the proposed Hawaiian Riviera fantasy resort in Kau, I noticed that about 95 percent of the 100 or so resort supporters attending the final hearings were Realtors and older Caucasians, presumably retirees from the Ocean View subdivisions. In my opinion, this certainly lends credence to the following observations made by LUC Chairman Renton Nip during the course of the hearings:

"Before there was sugar in Kau, the entire landscape of Kau was very different from what it is today. With the sugar industry and its impact, it changed everything. It changed the land tenure. It changed the nature of life, who was the resident population. All of a sudden you had oriental immigrants, as opposed to Hawaiian families. It changed the diet. It changed the transportation systems. It changed everything."

"And when this kind of development occurs in Kau with its magnitude, I see a change in the land tenure, the rhythms, the very nature of the place. I see it being completely transformed."

"The nature of the population will be different. It's likely that all the immigrants or most of the in-migrants will be from the continental U.S., that the racial composition of the population will have changed."

"I don't see how it won't. If you look at our history, that will occur."

Based on this, I believe it's crystal clear that the Office of State Planning has acted responsibly and in the best interests of long-time Kau residents by recommending denial of this massive development.

Glen M. Winterbottom  
Naalehu

# Hawaiians criticize bill to form claims panel

■ Capitol Calendar

A-11

By Becky Ashizawa

Star-Bulletin

Several Hawaiian groups and individuals want to take their grievances to court rather than go through an alternative claims commission as proposed by the governor's office.

A bill that would establish a claims board to handle disputes brought by individual Hawaiians against the Hawaiian Homestead program, was soundly criticized yesterday by those who prefer "the right to sue."

"The creation of a claims board will remove Hawaiians from the proper arena for which to file legal

action," said Kaleimomiolani Decker with Makee Pono Labui Hawaii, a Hawaiian student group at the University of Hawaii.

Sen. Mike Crozier, chairman of the Hawaiian Programs Committee, will decide later whether to approve the bill.

Other testifiers questioned the makeup of the commission.

Under the bill, board members would be appointed by the governor after receiving nominations from different Hawaiian groups.

The bill is part of a package Gov. John Waihee put together to resolve past grievances stemming from the state's management of two land trusts that affect native Hawaiians.

Waihee's plan attempts to take care of the longstanding problems

outside of the costly and time-consuming judicial process.

A five-member claims commission would be able to resolve disputes in a more affordable, rapid and flexible manner than the courtroom, said Norma Wong, who put the proposal together for Waihee.

Wong is with the Office of State Planning.

The Office of Hawaiian Affairs and the Department of Hawaiian Home Lands urged approval of the bill but with specific changes such as giving the commission authority to directly compensate people up to a certain amount.

Wong indicated that she is willing to incorporate those amendments, which include setting up an appeal process; consolidating simi-

lar claims; and exempting the state attorney general's office from being the commission's legal adviser.

OHA also said it could not endorse the governor's overall plan unless more specific steps are drawn up to take care of longstanding problems.

In other business, the committee approved bills that would:

■ Give OHA a source of funding for Hawaiians with less than 50 percent native blood.

■ Study the feasibility of a Hawaiian Constitutional Convention and the possible formation of new government for Hawaiian people.

■ Compensate OHA and the Department of Hawaiian Home Lands whenever sugar lands are sold, developed or transferred.

## Course on internment of AJAs urged

By Richard Borreca

Star-Bulletin

Worried that Hawaii's schoolchildren will never understand the danger of institutional ethnic prejudice, a civil rights group wants a special course about the internment of Japanese-Americans during World War II.

The Japanese American Citizens League is calling on the state House and Senate Education committees to earmark \$75,000 to develop a curriculum on civil rights including the internment of Japanese-Americans.

"It is important for Hawaii's children to be aware of their historical struggles and basic rights to ensure greater awareness and understanding of our Constitution," William Kaneko, president of the Honolulu chapter of the league, said in a letter to Rep. Rod Tam.

Tam, chairman of the House Education Committee, however, said his committee doesn't have enough money.

"I have reached my limit; if I go over the limit, I will get a spanking from Joe Souki," the House Finance Committee chairman, Tam said.

Instead of an appropriation, Tam urged the league to lobby the Board of Education and the administration to include the struggle of Japanese-Americans in regular course studies on civil rights.

"I agree they should be taught about the history of Hawaii and also the current history because history repeats itself many times," he said.

The league, however, wants an appropriation to "contract an agency or hire a curriculum writer to develop the program with supplementary materials," for teachers to use in public schools.

"There are already windows of opportunity for Hawaii's teachers to talk about the internment, but there are no resources or textbooks so the teachers can't teach it," Kaneko said.

"Sixty-one percent of the people who reside here are Asian-Americans," he added, "and their histories are relatively untold in American textbooks, so we are asking for the opportunity to be heard."