

HAWAI‘I CIVIL RIGHTS COMMISSION

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

February 10, 2021

Videoconference, Room 329, 10:00 a.m.

To: The Honorable Cedric Asuega Gates, Chair
The Honorable Matthew S. LoPresti, Chair Vice Chair
Members of the House Committee on Culture, Arts & International Affairs

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

Re: H.B. No. 1357

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

H.B. No. 1357 would amend the HRS § 5-6.5 to require the governor, lieutenant governor, state legislators, and heads of principal departments to prominently display a Hawaiian translation of the name of their office or department at least once on the main page of their official website and in the letterhead of their stationery. It allows the Office of Hawaiian Affairs to be consulted regarding translation.

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

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

Article 13

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

We note that this bill is similar to S.B. No. 711, which requires all letterheads, documents, symbols, and emblems of the State and other political subdivisions that include Hawaiian words or names to include accurate and appropriate Hawaiian names, spelling, and punctuation, and establishes references for accurate, appropriate, and authentic Hawaiian names and words, including proper Hawaiian spelling and punctuation. That bill also establishes references for accurate, appropriate, and authentic Hawaiian names and words, including proper Hawaiian spelling and punctuation, which we suggest could be incorporated in H.B. No. 1357; or, in the alternative, the bill could provide for one entity with authoritative expertise to provide the required accurate, appropriate, and authentic translations.

It is important and appropriate that the State of Hawai'i take action to respect and promote the use of the Hawaiian language as required in this bill. **The HCRC supports H.B. No. 1357.**

HB-1357

Submitted on: 2/9/2021 5:47:32 PM

Testimony for CAI on 2/10/2021 10:00:00 AM

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

Comments:

Support

As in everything, who will enforce and ensure that this is done.

Hawaiian language is the first language of these islands. It should be in the forefront always.

STRONG SUPPORT FOR HB1357

Daniel Lee

Chair Cedric Gates
Committee on Culture, Arts, and International Affairs
Hawaii State Capitol
Room 311

Chair Gates, members,

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

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

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

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

I humbly thank you for your consideration.

Warm regards,

Daniel Lee

TESTIMONY IN STRONG SUPPORT of HB1357 Relating to the HAWAIIAN LANGUAGE

Chair Cedric Gates
Committee on Culture, Arts, and Intl. Affairs
415 S. Beretania Street
Honolulu, HI 96813

Mahalo piha Chair Gates and Committee Members for hearing this bill.

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

As the 'ōlelo noeau goes:

“I ka 'ōlelo nō ke ola, i ka 'ōlelo nō ka make”

Pukai #1191

In words there is life, in words there is death

In language there is life, in language there is death


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

“1. Indigenous peoples have the right to revitalize, use, develop and transmit to future generations their histories, languages, oral traditions, philosophies, writing systems and literatures, and to designate and retain their own names for communities, places and persons.

and

2. States shall take effective measures to ensure that these rights are protected and also to ensure that indigenous peoples can understand and be understood in political, legal and administrative proceedings, where necessary through the provision of interpretation or by other appropriate means.”¹

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



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

Thank you for your consideration.

With Aloha,

Rikako Ishiki

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

