

1 KA 'AHAHUI HAWAI'I ALOHA 'ĀINA - HAWAIIAN PATRIOTIC LEAGUE

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3 'ŌLELO HO'OHŌLO - RESOLUTION NO. 16 - 01

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5 'ŌLELO HO'OHŌLO KŪ'Ē I KA HO'OIA PILINA PEKELALA 'AMELIKA
6 RESOLUTION AGAINST U.S. FEDERAL RECOGNITION
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8 Whereas, The Hawaiian Kingdom and the United States maintained a government-to-government
9 relationship between nation-states from November 28th, 1843 through January 17th, 1893;

10 Whereas, The United States has never had a government-to-government relationship with
11 aboriginal Hawaiians exclusive of other ethnicities in the Hawaiian Kingdom;

12 Whereas, The illegal takeover of the Hawaiian Kingdom government, beginning on January 17th,
13 1893, relied on support of U.S. Marines landed unlawfully under the pretext of public safety for
14 Americans;

15 Whereas, The insurgent regime installed by the U.S. in 1893 unlawfully seized the buildings,
16 infrastructure, institutions, flag, and anthem of the Hawaiian Kingdom;

17 Whereas, The United States does not have a treaty of annexation to claim the territory of the
18 Hawaiian Islands;

19 Whereas, The U.S. Senate entertained two failed attempts to ratify an annexation treaty in 1893
20 and 1897;

21 Whereas, A congressional joint resolution is domestic legislation incapable of unilaterally
22 acquiring the sovereignty and territory of a foreign country under international law;

23 Whereas, The enumerated powers of the U.S. Constitution reserve foreign affairs to the President
24 and Senate, while limiting joint enactments of Congress to domestic affairs;

25 Whereas, The power of U.S. Congress to admit new states is constitutionally restricted to territory
26 already incorporated by the United States;

27 Whereas, The unilateral annexation of a foreign country and incorporation of its territory by a
28 joint resolution of U.S. Congress has no historical precedent;

29 Whereas, The U.S. Congress adopted a joint resolution in 1898 to unilaterally seize the Hawaiian
30 Islands for strategic advantage during the Spanish-American war, albeit in violation of the status of the
31 Hawaiian Islands as a neutral country;

32 Whereas, The joint resolution of 1898 claims annexation of Hawai'i as a U.S. territory, and not
33 admission as a U.S. state;

34 Whereas, The U.S. Department of Justice stated in a 1988 legal opinion to President Reagan that
35 "It is therefore unclear which constitutional power Congress exercised when it acquired Hawai'i by joint
36 resolution.";

37 Whereas, The statehood admission act of U.S. Congress in 1959 is not an instrument of territorial
38 annexation, nor does it claim to be;

39 Whereas, The 45% turnout and 35% approval of eligible voters for the 1959 statehood admission
40 vote do not constitute a mandate for a plebiscite under customary international law;

41 Whereas, The exclusion of independence options from the 1959 statehood admission vote
42 invalidates it from being considered a plebiscite under international law;

43 Whereas, The abundant history of protest in the Hawaiian Islands against takeover by the United
44 States precludes territorial acquisition by acquiescence or prescription; and

45 Whereas, The vast majority of testimony delivered during the U.S. Department of Interior
46 meetings in 2014 was opposed to federal recognition; now, therefore, be it

47 *Resolved*, That the United States, through its Department of Interior, immediately cease and desist
48 from referring to the re-establishment of an exclusive government-to-government relationship with
49 aboriginal Hawaiians which has never existed;

50 *Resolved*, That the United States dismiss the Department of Interior from interfering with the
51 issue of Hawaiian sovereignty;

52 *Resolved*, That the United States assign to the Department of State the re-establishment of a
53 government-to-government relationship with the Hawaiian Kingdom;

54 *Resolved*, That the United States never enter into a government-to-government relationship with
55 any governing entity arising from legislation enacted by the United States or its government in the
56 Hawaiian Islands;

57 *Resolved*, That the United States formally acknowledge that unilateral territorial annexation by
58 congressional joint resolution is unconstitutional, unlawful, illogical, and without historical precedent;

59 *Resolved*, That the United States formally acknowledge the continued existence of the Hawaiian
60 Kingdom as an independent sovereign State;

61 *Resolved*, That the United States begin the process of revising its communications which
62 erroneously refer to Hawai'i being annexed as an unincorporated U.S. territory by joint resolution in
63 1898, and subsequently admitted as a U.S. state in 1959; and

64 *Resolved*, That the United States immediately initiate a transition period to end its prolonged
65 illegal occupation of the Hawaiian Kingdom since August 12th, 1898.

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67 Adopted, Ka Hui Kūwaena (Central Body), this 8th day of October, 2016.

68 Adopted, Hui Aloha 'Āina o Hilo, this 10th day of October, 2016.

69 Adopted, Hui Aloha 'Āina o Las Vegas, this 12th day of October, 2016.

70 Adopted, Hui Aloha 'Āina o Anahola, this 28th day of October, 2016.

71 Adopted, Hui Aloha 'Āina o Honolulu, this 5th day of November, 2016.

72 Adopted, Hui Aloha 'Āina o Waimea, Hawai'i, this 24th day of January, 2017.

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75 *Pelekikena Nui* – League President:


Leilani Lindsey-Ka'apuni

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79 *Kākau 'Ōlelo Nui* – League Recording Secretary:


Keokani Kipona Marciel

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