



## 2022: New Year, New Resolutions

Merry Christmas  
to you & your  
family!



What's your  
New Year's  
Resolution  
for 2022?

*From: the Aloha 'Āina Party to you,  
We wish everyone a peaceful holiday filled with  
hope for a better future.*



## News on O'ahu

Formerly known as Lalowaia



### Shut Down Red Hill

The Navy has absolutely no excuse.  
This is called Crimes Against Humanity.



The Navy had years to correct this problem and the issue has been brought up for at least a decade now.

At this point in development, the Voice of the People has united to make the statement clear:

### Shut down Red Hill

### Save Homaikaia

Homaikaia is a part of a place that was known as Kaihuopala'ai and sits along the western shoreline of Waipio Peninsula. The 195 acre *Loko Hanaloa* once sat on Homaikaia's north shore and has since then been filled in.

### Contamination at Homaikaia



Today Homaikaia is known as Walker Bay and has a dioxin concentration 1500x above the residential remediation level (300x above the industrial remediation level). Dioxin is the most hazardous manmade pollutant.

For more information on the history and conditions of this sacred space, please visit [www.lifeoftheland.org](http://www.lifeoftheland.org) and join the effort to restore the environment that our families live in.

Another resource for more information on the environment concerns, please visit:

<https://www.environment-hawaii.org/?p=13528>

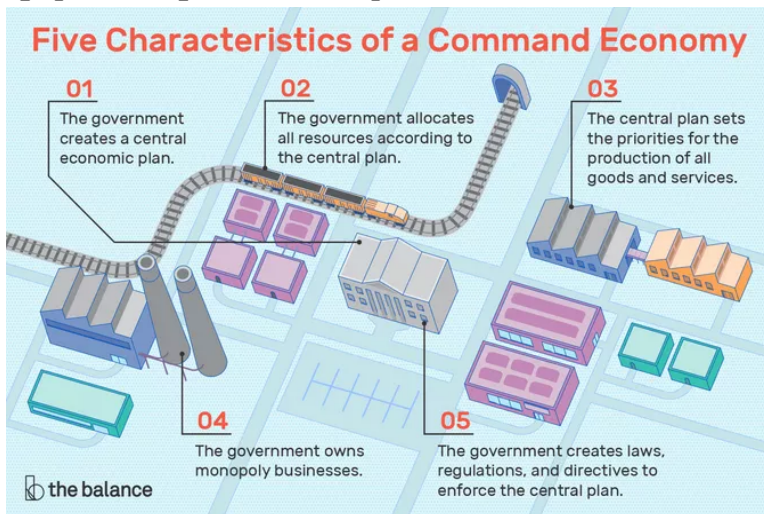


## Economy

### Kālaiho‘okele waiwai

#### Command economy ~ Ho‘okele waiwai mana kahi

A Command Economy is one that is controlled by a central authority but is manufactured by publicly-owned companies.



To learn more about command economies, please visit [The Balance](https://www.thebalance.com/command-economy) website.

A healthy economy does not guarantee that each person will have a job or business because each person is responsible for their own choices, such as preparing themselves for the job that they want,

#### Unions: What economists think

According to economists, the union provides more overall benefits than setbacks and has a very lengthy pros and cons list.

Most unions have monopoly power and are capable of raising wages above competitive levels, which can severely damage the workforce and economy.

Raising wages too high reduces the amount of jobs and distorts income distribution. What this means is that the one worker who gets paid, just cuts off jobs for the other four job applicants who also need to provide for their families.

Without union support, wages might be too low,

# Nūpepa ‘o Hui Aloha ‘Āina

Volume 13

Kalikimaka 2021



applying for that job, and working within the guidelines of that position.

Owning a business is a bit more work, but the business will always succeed if the owner is committed to seeing their goals into fruition.

A healthy economy indicates that there is a balance between supply and demand.

forcing people to choose their method of metaphoric slavery, to feed their families.

With checks and balances intact, unions are more beneficial than harmful to society.

## Opportunities

### CNA Training Program Class

During Covid, we needed you.  
Now with the new Delta variant, we need you more than ever.

#### CNA Hawai'i Institute

provides a wealth of assistance in starting your own career in the medical field.

New classes are forming now.  
Scholarships are available through various organizations and the school can help you get that.

<http://cnahawaiiinstitutellc.com/>

## Our Communities

Times are getting harder with each approaching bill cycle, and there is no clear vision under Democratic leadership that indicates any end to the agony that *We the People* feel each day.

It is time to take matters concerning our futures into our own hands - meaning that we have to prepare for our own futures, as well as that of our children, grandchildren, and descendents in general. Global threats are forcing people everywhere to live in a constant state of fear, thus breaking down humanity at its seams.

You don't have to join any action group to make a difference, however you do have to take action. In recent years, more people are cleaning the environment than in recent history. Thanks to statistical evidence and scientific awareness, we have





## HANA CAREER PATHWAYS

### LEADING TO INDUSTRY CREDENTIALS AND IN-DEMAND OCCUPATIONS

UH Campuses across the state are offering FREE online training to eligible unemployed or low income participants to provide career advancement opportunities. Training includes opportunities to earn industry-recognized credentials, jumpstart into related degree programs, and connect with on-the-job training and in-demand jobs. Visit the [Hana Career Pathways](#)

references to notice the amount of damage that mankind has done to the environment.

But what can just one person do? Plant a tree, reduce spending, and share awareness. Donate to tax deductible organizations because that is who is investing into our communities. Get involved with community organizations that assist your cause.



MAY 2022 BRING YOUR FAMILY BLESSINGS  
OF HEALING, ADVANCEMENT, & PROSPERITY  
REMEMBER YOUR ANCESTORS  
LIVE IN THE MOMENT  
THINK ABOUT FUTURE GENERATIONS



## Classifieds

### Na mea kūkulu papa



Double Portion Supply is a locally owned business that has made many hats, banners, decals, and other products for a number of years, for the Hawaiian community. Check out their latest styles and order yours today at:  
[www.doubleportionsupply.com](http://www.doubleportionsupply.com)

**All Kaina Grindz**  
Makawao, Maui

Featuring  
Maui's Original Pork  
Belly Platter



<https://www.foodtruckonmaui.com/>



Do the right thing:

Organize a small group clean up today, in your ahupua'a or neighborhood. Send us your pictures at: [aap.hawaii2022@gmail.com](mailto:aap.hawaii2022@gmail.com) to be featured on our website and in our Aloha 'Āina Get Action! Column.

Visit us at [www.alohaainaparty.info](http://www.alohaainaparty.info) to see which ones were our favorites!



Pūlama Long is committed to creating a sustainable business that is driven by community investment and to teach ulana lauhala in ways that immerse participants within the wisdoms of kūpuna, transforming new insights into woven art pieces.

Please visit Honi Hala's website  
[honihala.bigcartel.com](http://honihala.bigcartel.com)

# Nūpepa ‘o Hui Aloha ‘Āina

Volume 13

Kalikimaka 2021



◇◇◇HANA,  
MAUI◇◇◇◇

Resources for residents,  
locals, travelers,  
and tourists.

[WWW.HANAMAUI.COM](http://WWW.HANAMAUI.COM)

Planning to expand your  
Food Production?

Not sure where to start?

Need Support and Guidance?

**Join the Maui Family  
Farmer Network!**

Now Offering Navigational  
Coaching for Farmers  
and opening a Tool Lending  
Library in Spring 2022.

[mauitimeisright@gmail.com](mailto:mauitimeisright@gmail.com)

△△ Hana △△

**Business Council**

Add your business  
to our directory

[www.hanabusinesscouncil.com](http://www.hanabusinesscouncil.com)

Get ‘ohana on  
Molokai?

Stay up to date on the news

[www.themolokaidispatch.com](http://www.themolokaidispatch.com)

## Native Stories

Native Stories is a virtual tour guide that you can tap into from a mobile app. You can listen to the stories or take a tour with the app, and it aims to educate tourists about the history of the land of their dream vacation. For more information on the platform created in O‘ahu, see: <https://nativestories.org/>



[www.alohaaainaparty.info](http://www.alohaaainaparty.info)

## The Wakiu CDC

The mission of the Wakiu Corp is one of empowerment, Hawaiian led DHHL development, assistance for those of Hawaiian ancestry, and to advocate on behalf

**‘Ōlelo Hawai‘i**

*the official language  
of the State of Hawai‘i*

**KKCR: Living  
Sovereign**

How do you live

## The Voice of the People

We want to hear from you. Your voice is very necessary in terms of unity, strength, and the future of Hawai‘i.

If you have mana`o to share from your community, please email us at:





of those without a voice, in the East Maui Community. If you would like more information or to see how you can help, please visit their website today and be sure to contact them.

[www.wakiu.org](http://www.wakiu.org)

sovereignly? What is a living sovereign? These questions and many more can be answered if you tune into Living Sovereign with Auntie Puanani Rogers on the first Monday of every month at KKCR Radio, Kaua'i.

Tune in here, at this link:

<https://www.kkcr.org/onair/genre/hawaiian-sovereignty/>

[secretary@alohaainaparty.info](mailto:secretary@alohaainaparty.info)



THANK YOU  
NATIONAL SOCIETY OF LEADERSHIP & SUCCESS  
FOR PROVIDING ME WITH OPPORTUNITIES TO REFINE MY LEADERSHIP  
#theNSLS

**Congratulations  
to J Kahala Chrupalyk  
for continuing education  
and achieving your  
goals!**

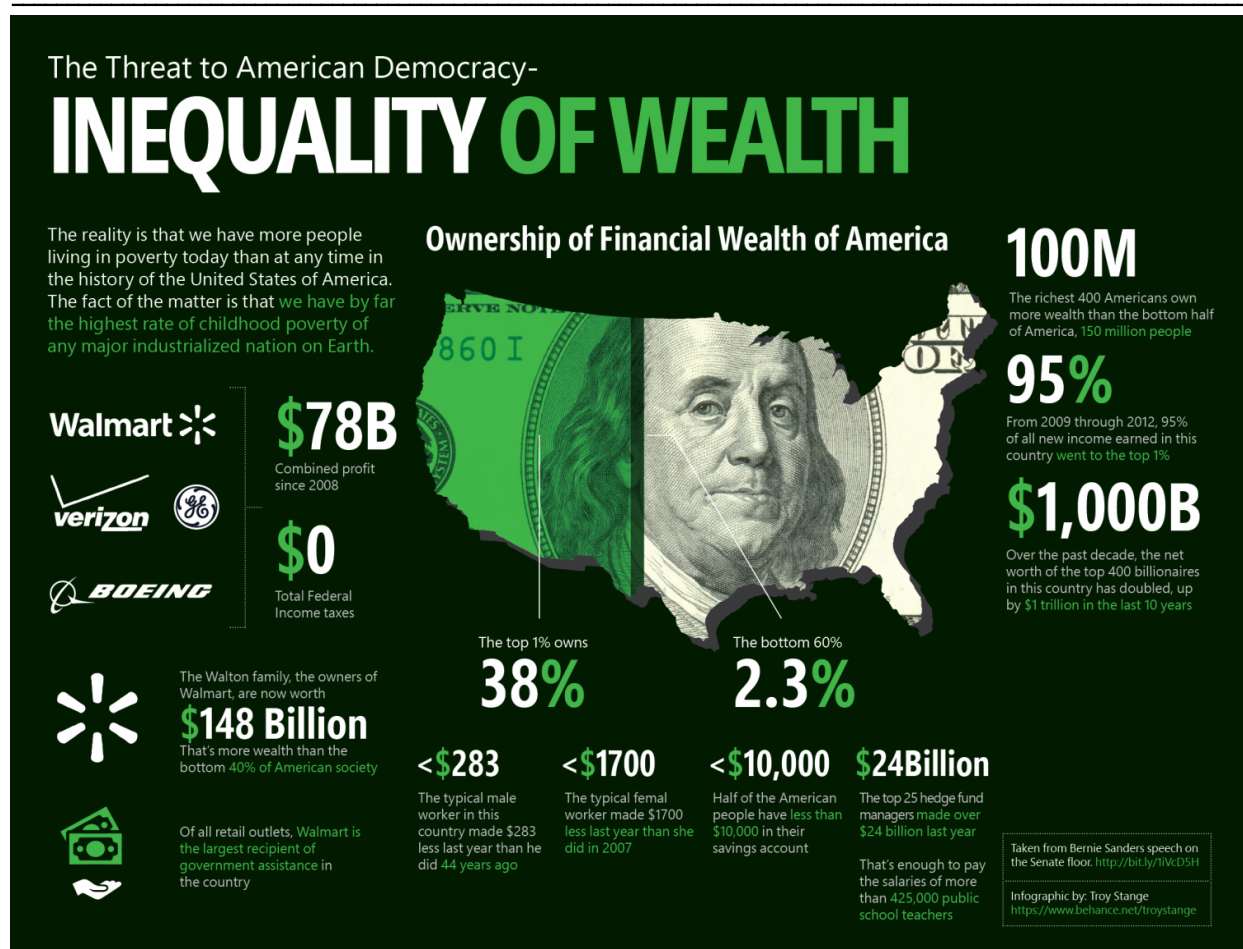
Junya cares about your family  
like Junya cares about his family.  
That's a Mayor you can count on.



**LEONARD JUNYA  
NAKOA**

*a Mayor that Maui can count on*





We are not just being priced out of our own homes, we are being priced out of life, altogether. Just like everything else that we do, the time has come to think differently about how we handle our money, especially for adults and single parents with little to no support. Children have no choice but to live with whatever they have.

Here is a list of steps that we can take in our own lives, to reduce the impact of poverty within our own households:

# Nūpepa ‘o Hui Aloha ‘Āina

Volume 13

Kalikimaka 2021



- Grow a garden
- Spend less on items that you don't need
- Consider donating and taking the tax write-off
- Remember Common+Unity because we are all in this together, unless you are one of the 1% who own over 50% of the world's monetary wealth and power, which in that case you are happy to see the information shared above because it indicates that you alone, are not the one suffering. 99% of the population is suffering economic stress.

## Real Estate Watch: Maui

**For those of you who are looking to buy a house, occupy your allodial-title land, or keeping track - here are the latest trends with home sales on Maui.**

**These trends affect our taxes, our neighborhood, rent prices, and ultimately our lives.**

**Let us be diligent in keeping our homes during this time.**

**96708** Typical Home Value: **\$1.2 million**  
Typical Value 1 year ago: **\$900K**  
Forecasted Value increase: **15%**

**96713** Typical Home Value: **\$900K**  
Typical Value 1 year ago: **\$773K**  
Forecasted Value increase: **10.2%**

**96732** Typical Home Value: **\$826K**  
Typical Value 1 year ago: **\$694K**  
Forecasted Value increase: **12.5%**

**96768** Typical Home Value: **\$1 million**  
Typical Value 1 year ago: **\$783K**  
Forecasted Value increase: **12.8%**

**96793** Typical Home Value: **\$782K**  
Typical Value 1 year ago: **\$668K**  
Forecasted Value increase: **12.5%**

**\*\*Information cited from the Zillow website current updates**



Ernest  
CARAVALHO  
for  
House  
District 27



Mahiku A'o Mai  
Food Security Services

“EMPOWERMENT OF COMMON UNITY IS MY BOTTOM LINE AS  
A FARMER, EDUCATOR, ENTREPRENEUR, AND ADVOCATE.”

~ J KAHALA CHRUPALYK





## Blue Planet Foundation

Free:

In-Person Student Energy Summit

The [Student Energy Summit](#) is back and in person! This year's Summit will be held at the Alohilani Hotel on January 16th, 2022. High school attendees will learn the latest in climate science & policy (from the Honolulu Resiliency Office & Blue Planet), youth organizing strategies, and engage in a CO2 impact simulation. Travel stipends are available for neighbor island students and can be found on the registration page.

[Registration](#) is now open!



Photo & Ad Credit: Blue Planet Foundation  
Shared from an email invite.

Mele Kalikimaka  
iā kākou & ko  
kākou mau 'ohana!







## The Significant History of Mō'ili'ili

### The Significant History of Mō'ili'ili

January 7, 1895:

Sanford Dole declared martial law after a humiliating defeat from the Kingdom of Hawai'i Royalists who were defending Hawai'i from the illegal occupation of America, which is ongoing today. Led by Sam Nowlein and Robert Wilcox, the three day rebellion against the unlawful Republic, caused a great deal of stress to the treasonous Committee of Thirteen.

Dole sent troops toward Kaimuki and Mō'ili'ili to confront the Royalists before they could reach Punchbowl. Both armies were gridlocked; unable to commence in battle. Nowlein's squad chose to surrender for the welfare near Mau'umae.

Meanwhile, Wilcox led his troops through the mountains and began to close in on Mō'ili'ili. Without cell phones, Wilcox's troops did not receive the memo that Nowlein's squad had surrendered. At this point, Wilcox's forces were weakened against the Republic who had exhausted the nation's finances to purchase enough weapons to commit genocide against the people of Hawai'i, if needed. More interested in protecting the lives of the people, the Royalists gave in after three



Photo Credit: [www.moiliili.info](http://www.moiliili.info)



Photo Credit: [www.moiliili.info](http://www.moiliili.info)

### Artifact found in Mō'ili'ili



# Nūpepa ‘o Hui Aloha ‘Āina

Volume 13

Kalikimaka 2021



days. As history recounts the story, forty Royalists surrendered and were held as prisoners for this rebellion against the criminals.

After that, Mō'ili'ili was an agricultural district inhabited by a strong Japanese population until about the 1930s. The development of the H-1 Freeway took away much of the traffic that held Mō'ili'ili in business. Since then, the area has been known for its diversity and landscape.

1940: Kawaihae Church officials removed burials from the church to build Likelike Hall, moving the bodies to Mō'ili'ili for a period of twenty-eight years until 1968 when the bones were again dug up and returned to be cremated after the fourth time the burials were dug up and moved. Only some of the names were put on a plaque.

1968: A total of 466 burials at Mō'ili'ili were disinterred, to be relocated to other cemeteries.

Recent activity: Lineal descendants are leading organized efforts to restore burial conditions across Hawai'i Nei.

Photo Credit: [www.moiliili.info](http://www.moiliili.info)



Photo Credit: [www.moiliili.info](http://www.moiliili.info)

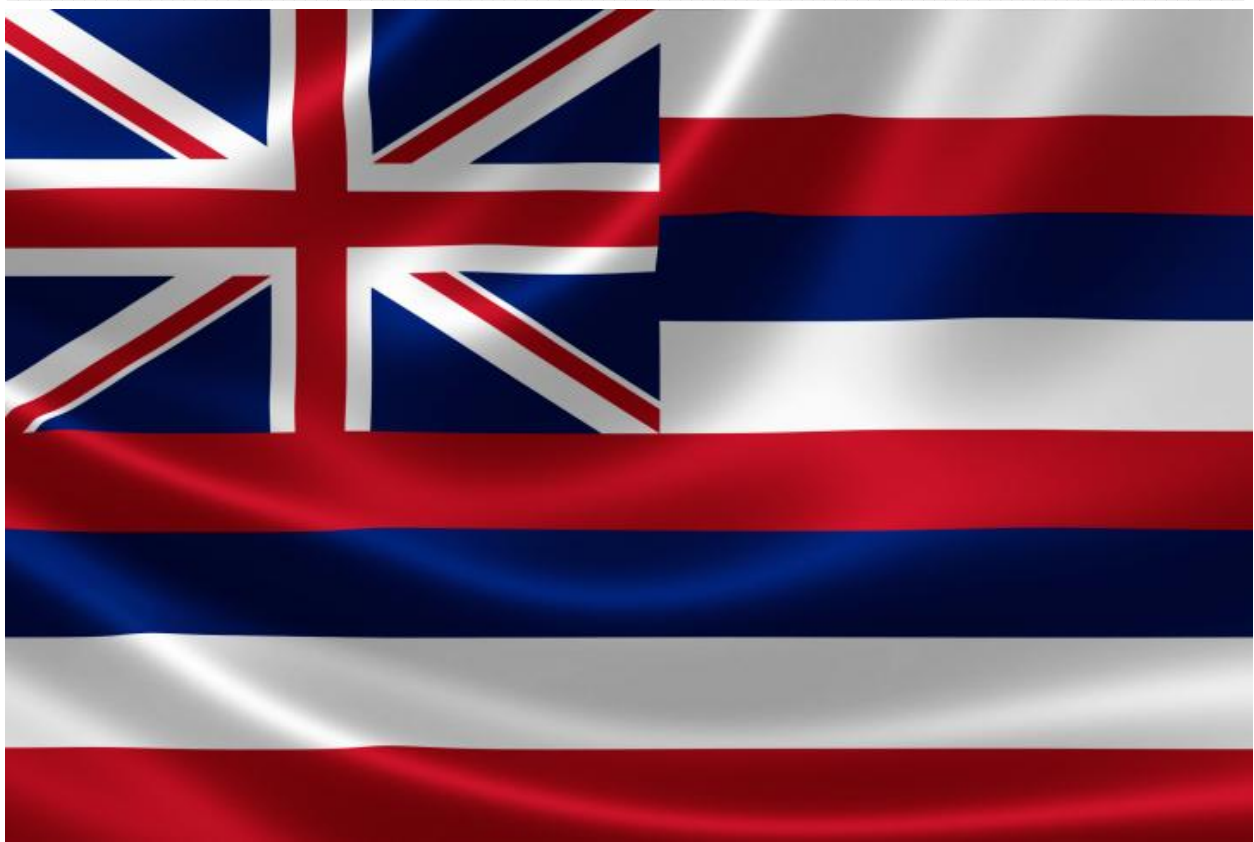
## Kamō'ili'ili Church Rice Memorial Chapel



Photo Credit: [www.moiliili.info](http://www.moiliili.info)



Photo Credit: [www.moiliili.info](http://www.moiliili.info)



## Hawaiian Kingdom Files Supplemental Response to U.S. Statement of Interest in Hawaiian Kingdom v. Biden

An excerpt from the [Hawaiian Kingdom blog](#)

From the work of Keanu Sai





The day after celebrating [Hawaiian Independence Day](#) (Lā Kū‘oko‘a), the Hawaiian Kingdom filed a [Supplemental Response](#) to the United States [Statement of Interest](#) that the Department of Justice filed on November 5, 2021.

In its Supplemental Response, the Hawaiian Kingdom opened with:

*The Plaintiff would like to expand on what it stated in its conclusion that the “jurisdiction of the Court as an Article II Court is consequential to the existence of the Hawaiian Kingdom as a State,” by drawing the Court’s attention to the consequences of the United States and those States whose Consulates are Defendants in this case that did not object to the Permanent Court of Arbitration (“PCA”), by its International Bureau, of its juridical act of acknowledging the Hawaiian Kingdom’s existence as a non-Contracting State, is a reflection of [customary international law](#) and the practice of States—opinio juris, thereby precluding the United States and Defendant foreign Consulates from denying otherwise.*

*The Plaintiff hereafter explains the significance of the PCA’s juridical act by tying it directly to the continuity of the Hawaiian Kingdom as a juridical fact through the application of the civil law, as opposed to the common law, in international proceedings.*

Throughout the world there are different legal systems. The predominant legal system is called citizens law or [civil law](#), which draws from Roman law and spread throughout continental Europe. It developed over time on the basis of general principles that derived from a book titled [Corpus Iuris Civilis](#) (Body of Civil Law) and





a set of universities. Great Britain, however, operates under a [common law](#) system derived from centuries of judge made law. The underlying difference is civil law is made by citizens and common law is made by judges. There are nearly 150 countries that have a civil law legal system.

The Hawaiian Kingdom also stated in its Supplemental Response the impact that the civil law had and continues to have in international law and international institutions such as the PCA.

*According to Professor Picker, “[t]here is a wide degree of support for the proposition that civil law has served as the most significant influence on international law.” He goes on to state that “some would even argue that international law is essentially a civil law system.” And Professor Nagle explains, “[i]t is the civil-law traditions that have most widely influenced international law [and] international organizations.” Furthermore, as stated by Professors Merryman and Clark, “[t]he civil law was the legal tradition familiar to the Western European scholar-politicians who were the fathers of international law. The basic charters and the continuing legal development and operation of the European Communities are the work of people trained in the civil law tradition.”*

*Of the 44 Contracting States to the 1907 Convention that established the PCA at the Hague Conference in 1907, the United States and Great Britain, as common law States, were the only States that were not from a civil law tradition. The other 42 States were represented by men who were “trained in the civil law*



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*tradition.” This includes the Netherlands where the PCA is situated in its city The Hague. The current number of Contracting States to the 1907 Convention is 122, the majority of which are based on the civil law tradition.*

*Therefore, it stands to reason that the action taken by the PCA in acknowledging the continuity of the Hawaiian Kingdom as a State for purposes of its institutional jurisdiction should be viewed through the reasonings of the civil law tradition as opposed to the common law.*

The two legal systems deal with evidence differently mainly because there are no juries in the civil law system. [Jury trials](#) originated in England. In the common law system, the judge determines the law and its effect, but the jury determines the facts. In the civil law system, because there is no jury, certain facts can create a juridical or legal effect. Juridical is another word for legal.

In the civil law system, the opposing parties argue points of law and the judge controls the gathering of evidence or facts. While in the common law system, the parties to the conflict gathers evidence to support their side of the argument. The judge does not get involved with evidence except to ensure the introduction of evidence is according to certain rules. In its Supplemental Response, the Hawaiian Kingdom explains how facts work in a civil law system:

*In the civil law tradition, a fact is juridical or legal when it produces a legal effect, by virtue of a legal rule. In Schexnider v. McDermott Int’l Inc., the federal court in Louisiana stated juridical facts are defined as “events having prescribed legal effects.” According to the German tradition of the civil law, a juridical act,*



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*which is triggered by a juridical fact, “sets the law in motion and produces legal consequences.” Under American jurisprudence, the equivalent of a juridical act in the civil law tradition is judicial notice of a fact or facts.*

*The Hawaiian Kingdom, as an independent and sovereign State in continuity, is a juridical fact according to the civilian law. Both rights and powers held by a subject of international law may arise from a juridical fact, which is precisely what occurred when arbitral proceedings were initiated in Larsen v. Hawaiian Kingdom at the PCA, being a subject of international law. An arbitration agreement was entered into between Larsen and the Hawaiian Kingdom on October 30, 1999, and a notice of arbitration was filed by the claimant on November 8, 1999, with the PCA’s International Bureau. Access to the institutional jurisdiction of the PCA would only be triggered by the juridical fact of the Hawaiian Kingdom being a non-Contracting “State,” and not by Larsen as a “private party.” This juridical fact set in motion and produced legal consequences, which was the convening of the ad hoc arbitral tribunal on June 9, 2000.*

*Prior to the formation of the tribunal under the auspices of the PCA, as an intergovernmental organization and subject of international law, it required that the international dispute conform to the provisions of the 1907 Hague Convention on the Pacific Settlement of International Disputes (1907 Convention) as a matter of international law. Access*



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*to the auspices of the PCA are for Contracting and non-Contracting States, and the Hawaiian Kingdom is a non-Contracting State to the 1907 Convention. Private parties do not have access to the PCA unless sponsored by their State. In this case, the Plaintiff did not sponsor Larsen in its suit, but rather waived its sovereign immunity by consenting to submit their dispute to the PCA for resolution of the dispute by virtue of Article 47, which is a legal rule that provides for non-Contracting States to have access to the jurisdiction of the PCA.*

*The juridical fact of the Hawaiian State and its continuity produced a legal effect for the International Bureau of the PCA to do a juridical act of accepting the dispute under the auspices of the PCA by virtue of Article 47, being a legal rule. The international dispute between Larsen and the Hawaiian Kingdom was not created by the juridical fact, but rather the juridical fact determined the legal conditions for the PCA's acceptance of the dispute, which is the juridical act by which the dispute is established in order to have access to the jurisdiction of the PCA.*

*The significance of the juridical act taken by the International Bureau acknowledging the Hawaiian Kingdom's continued existence, is that the United States, as a member of the PCA Administrative Council, was fully aware of the Larsen case and did not object to the juridical act by the International Bureau. In fact, the United States entered into an agreement with the Council of Regency to access all records and pleadings of the case.*





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*State continuity of the Hawaiian Kingdom is determined by the rules of customary international law. And while State members of the Administrative Council furnishes to all Contracting States “with an annual Report” in accordance with Article 49, it does represent “State practice [that] covers an act or statement by...State[s] from which views can be inferred about international law,” and it “can also include omissions and silence on the part of States.” The fact that the United States, to include all member States of the Administrative Council and those States whose consulates are Defendants in this case, did not object to the International Bureau’s juridical act of acknowledging the Hawaiian Kingdom’s existence as a non-Contracting State, is a reflection of the practice of States—[opinio juris](#). Furthermore, the Administrative Council is a treaty-based component of an intergovernmental organization comprised of representatives of States, and “their practice is best regarded as the practice of States.”*

In other words, the member States of the Administrative Council, by their failure to protest the International Bureau’s *juridical* act of acknowledging the Hawaiian Kingdom as a State, is considered the practice of States, which is a part of customary international law. By their silence they admit that according to the rules of customary international law, the Hawaiian Kingdom continues to exist. It also acknowledges that the continued existence of the Hawaiian Kingdom is a *juridical fact*, and not just a fact.

In the civil law system not every fact produces legal consequences. A chair in the kitchen is a fact, but it doesn’t produce legal consequences. But the existence of a State, which is a subject of international law, is a *juridical fact* because it does

# Nūpepa ‘o Hui Aloha ‘Āina

Volume 13

Kalikimaka 2021



produce legal consequences. The PCA's *juridical act* is an acknowledgment that the existence of the Hawaiian Kingdom as a State is a *juridical fact* in the civil law system. The nearly 150 countries in the world that have a civil law legal system would have to accept that the Hawaiian Kingdom is a *juridical fact* by virtue of the *juridical act* done by the PCA. *Juridical facts create juridical acts. A juridical act does not operate on its own. It has to stem from a juridical fact.*

In common law States, like the United States, facts can produce legal consequences but the facts need to be recognized by a judge, which is called judicial notice. According to the [Legal Information Institute](#), when “a court takes judicial notice of an indisputable fact in a civil case, the fact is considered conclusive.” When one of the parties in a federal lawsuit does not recognize the status of a country as an independent State, the court could, on its own, reach out to the U.S. State Department to see whether that country in question is a State, and take judicial notice of the determination by the State Department that it is a State for purposes of international law. Rule 201(b)(2) of the [Federal Rules of Evidence](#) provides that the “court may judicially notice a fact that is not subject to reasonable dispute because it...can be accurately and readily determined from sources whose accuracy cannot be reasonably questioned.”

In *Hawaiian Kingdom v. Biden*, the Magistrate Judge or the District Court Judge can, by judicial notice, recognize the continued existence of the Hawaiian Kingdom by virtue of the actions taken by the PCA because the PCA is a source “whose accuracy cannot reasonably be questioned.” This would then allow the federal court to transform itself into an Article II Court. In its conclusion, the Hawaiian Kingdom stated:

*This Court is in the same situation as the PCA regarding jurisdiction as an institution. Where the PCA’s juridical act stems from the juridical fact of the Hawaiian State’s continued existence whereby the PCA established the arbitral tribunal pursuant to Article 47*



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*of the 1907 Convention regarding jurisdiction, this Court, as a matter of jurisdiction, is capable of an Order taking judicial notice of the fact of the Hawaiian State’s continued existence that would grant this Court subject matter and personal jurisdiction pursuant to Article 43 of the 1907 Hague Regulations, where “[t]he authority of the legitimate power having in fact passed into the hands of the occupant, the latter shall take all the measures in his power to restore, and ensure, as far as possible, public order and safety, while respecting, unless absolutely prevented, the laws in force in the country.”*