

Native Hawaiians and International Law: Exploring a Complex Relationship

The relationship between Native Hawaiians and international law is a complex and multifaceted one, marked by a long history of colonization, resistance, and ongoing struggles for self-determination. This comprehensive guide delves into the legal and political issues that have shaped this relationship, providing a deep understanding of the challenges and opportunities that Native Hawaiians face in the international arena.



Native Hawaiian Law - A Treatise, Chapter 6: Native Hawaiians and International Law

★★★★★ 5 out of 5

Language : English
File size : 1754 KB
Text-to-Speech : Enabled
Enhanced typesetting : Enabled
Word Wise : Enabled
Print length : 74 pages
Lending : Enabled



Historical Context

The history of Native Hawaiians is intertwined with the history of colonization and imperialism. The arrival of Europeans in the 18th century led to the gradual erosion of Hawaiian sovereignty and the eventual overthrow of the Hawaiian monarchy in 1893. Hawaii was subsequently annexed by the United States in 1898 and became a territory in 1900.

The annexation of Hawaii was a controversial event that has had lasting legal and political implications. Native Hawaiians argue that the annexation was illegal and that they remain a sovereign nation under international law. The United States, on the other hand, maintains that Hawaii is a legitimate part of the United States and that Native Hawaiians are US citizens.

International Law and Native Hawaiians

International law plays a significant role in the relationship between Native Hawaiians and the United States. The United States has ratified a number of international treaties and conventions that protect the rights of indigenous peoples, including the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social, and Cultural Rights (ICESCR). These treaties recognize the right of indigenous peoples to self-determination, cultural autonomy, and the protection of their traditional lands and resources.

Native Hawaiians have invoked international law in their efforts to achieve self-determination. In 1993, the Native Hawaiian Legal Corporation filed a petition with the United Nations Human Rights Committee (HRC) alleging that the United States had violated the ICCPR by denying Native Hawaiians the right to self-determination. The HRC ruled in favor of Native Hawaiians, finding that the United States had violated their rights under the treaty.

Contemporary Issues

The relationship between Native Hawaiians and international law continues to evolve today. Native Hawaiians are actively engaged in a number of legal and political initiatives to advance their rights and achieve self-determination. These initiatives include:

- **The Akaka Bill:** This bill would recognize Native Hawaiians as a distinct indigenous nation and establish a government-to-government relationship with the United States.
- **The Native American Graves Protection and Repatriation Act (NAGPRA):** This law requires museums and other institutions to return the remains and funerary objects of Native Americans to their tribes.
- **The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP):** This declaration sets out a comprehensive set of rights for indigenous peoples, including the right to self-determination, cultural autonomy, and the protection of their traditional lands and resources.

The relationship between Native Hawaiians and international law is a complex and ongoing one. Native Hawaiians have a long history of resistance to colonialism and imperialism, and they continue to struggle for their rights and self-determination today. International law plays a significant role in this struggle, providing a framework for the protection of indigenous rights and the promotion of self-determination.

As the world becomes increasingly interconnected, it is essential to understand the legal and political issues that affect indigenous peoples. This guide provides a comprehensive overview of the relationship between Native Hawaiians and international law, and it will be a valuable resource for anyone interested in this complex and fascinating topic.

Image Credits





Native Hawaiian Law - A Treatise, Chapter 6: Native Hawaiians and International Law

★★★★★ 5 out of 5

Language : English
File size : 1754 KB
Text-to-Speech : Enabled
Enhanced typesetting : Enabled
Word Wise : Enabled
Print length : 74 pages
Lending : Enabled

FREE

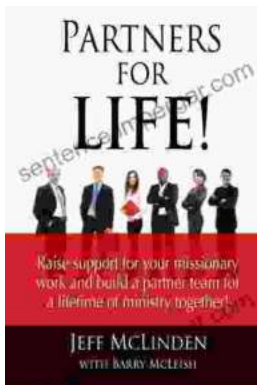
DOWNLOAD E-BOOK





Principles and Persons: The Legacy of Derek Parfit

Derek Parfit's 1984 book, *Principles and Persons*, is a seminal work in contemporary philosophy. It has had a profound impact on our understanding of ethics...



Partners For Life: Raise Support For Your Missionary Work And Build Partner Team

Are you a missionary or ministry leader struggling to raise support? Do you find yourself spending countless hours on the phone or writing emails, only to come up short? If...