

FOR IMMEDIATE RELEASE

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Honolulu, Hawaii—The Native Hawaiian Bar Association calls on Governor Lingle and Attorney General Bennett to immediately withdraw the State’s appeal to the United States Supreme Court in the OHA/Aluli ceded lands case. The Hawaii Supreme Court, in a landmark decision, correctly ruled that the Apology Resolution of 1993 and related state legislation, gave rise to the State's fiduciary duty to preserve the corpus of the public lands trust, specifically, the ceded lands, until such time as the unrelinquished claims of the native Hawaiian people are resolved. This decision was an important step in the reconciliation process involving the Native Hawaiian people and in addressing the historic wrongs that were acknowledged in the Apology Resolution.

Attorney General Bennett, with the approval of Governor Lingle, appealed this significant decision to the United States Supreme Court and argued, in its petition for certiorari, that the Apology Resolution was “merely symbolic” and of no legal effect. The reference to the Apology Resolution by the Lingle Administration as being “merely symbolic” is a direct affront to the Native Hawaiian people.

Previously, directors of the Native Hawaiian Bar Association met with Attorney General Bennett after a request to meet with the Governor was denied. During that meeting, Mr. Bennett stood by the State’s decision to appeal the moratorium. The NHBA advised the Attorney General that the State’s decision to challenge the moratorium would overshadow all efforts that the Governor has made during her tenure in addressing Native Hawaiian issues and concerns.

The Native Hawaiian Bar Association joins Kupu’aina and the rest of the Native Hawaiian community in calling for the State’s immediate withdrawal of its appeal.

The Native Hawaiian Bar Association is an association of lawyers, judges and other legal professionals of Hawaiian ancestry which seeks to provide advocacy, programs, and legal scholarship for the Native Hawaiian community.

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