

Mililani Trask - 19 May 2006 (Transcript from audio tape by Anne-Marie Gribnau)

*I have two written papers, but I will turn them over to our host, and I am sure they can copy it and distribute it, because we are short of time.*

I am here for Kealoha Pisciotta, who is our president of Mauna Kea Anaina Hou, of which I am a member. Our organization has been involved for about fifteen years, seeking the protection of Mauna Kea, which is a mountain at 14,000 feet elevation on the island of Hawaii. It is considered one of the most sacred places of our peoples and it is the place of our headquarters of our islands. Generally speaking environmental headquarters are places where rivers and streams begin, but on island environments that is not necessarily the case. It usually is the summit of mountain, where water precipitation would come to Hawaiian islands and is leaking down. Mauna means mountain and Kea means sphere. In the Hawaiian culture, things that are sacred are not spoken of openly.

Many years ago because of the altitude, the elevation of Mauna Kea, it was decided by the US military of the United States and several of their allies to do astrological research. That they would take Mauna Kea for construction of telescopes. In addition we have all kinds of uses up there, we have tourists going up there in vans, we have hunters shooting live ammunition, hunting at the lower elevation. We have all kinds of hikers, we even have a small ski roof for the four days per year that the snow falls for skiers that run up there. And we never really had a management plan that provided for the rights of our peoples to worship.

Several years ago we decided that we would form an alliance with others who also had concern for the protection of Mauna Kea. And joining with the Sierra Club, Mauna Kea Anaina Hou and the World Order of ...?..., a traditional group that protects the protocols. We went through five years of negotiation, to try to get them to be more responsible and when that failed we went to the federal court. Bringing a case against NASA because they are the primary parties. A case that we won, forcing them to do Environmental Impact Statements that should have been done in the early '60s. All federal laws have been set aside, because of the military priority for the island. As a result of our case we found that there was 500,000 gallons of raw sewage pumped into the headwaters of the summit on an annual basis, seven major spills of mercury, and now we have the evidence of uranium as a result of military activities. So we have a significant problem there.

Many of our traditional worship areas lie on the lower slopes, because in Hawaiian culture, the summit is considered to be a place that belong to the creator. Such places that are inappropriate for human use, even worship. You will find in the Hawaiian practice, that places that are environmentally critical and significant have been designated as such. Because any type of human activity there, is likely to have a environmentally significant impact. Our areas of traditional worship on the North part of the slopes were all taken, for the NARS, the Natural Area Resource Designation under the US system for conservation. And because they are in the NARS, we were not allowed to go there to worship. So when we tried to go there to worship, they came with the feds and tried to arrest us. Because we were violating the federal law. So we then said, alright, we will respect the environment, and we will rebuilt the stone worship places, we brought them out, so that we were not in the NARS. When we were there to worship, there was no protection for them. In our litigation, we are coming in under the Native American Freedom of Religion Act, we are not federally recognized Indians. We are not Indians. We don't have anything to do with Indians. We don't have anything to do with America, we are 5000 miles away, and our history is such as with Puerto Rico, or Alaska. We are under the UN list of not self governing territories, we are not considered as part of the US, until America overthrew our government. We were not able to work anything out with these folks, even using the American Freedom of Religion Act, because there is a tendency in the US to say that you have to be site specific. So when you are dealing with the Black Hills of the Dakota's or Mauna Kea, when you are dealing with a geographical feature, or a geographical area, your right to worship is often trampled upon. Because the western mind is looking for a church. And they cannot understand mountain, lake, river and stream. They keep saying where are you exactly worshipping, and we're saying, this is a sacred mountain. Our position with the right to worship with the United States, and we wear this on our shirts when we worship, and also demonstrate, is that we have a right to worship in the environment of our belief. We cannot be limited to this or that stone or this or that feature because the environment itself is sacred.

Our tactic has been to work together with others such as Sierra Club, they are good people, they might not be native people but it does not really matter to us. After we beat NASA, the court ordered that they create a plan to really look at the use. When the state went out and hired groups that needed this commercial development

planning, and we said no, and we fought them in the court and we insisted that we have an integrated natural and cultural resource management plan, we pretty much blew their mind. I am raising these things, we are out of time, but when talking about the struggle that we are in for sacred places and the relationship between sacred places and critical environmental habitats. We need to look at the capacity of the mountain itself, and we have to have, what we call it, an integrated natural and cultural resource management plan. So that the environmental resources are adequately assessed and the cultural uses as well. And in that way we will look at all integrated uses. We would rather that they leave, but that is not generally the option that we have. So they are always talking about joint use. We let you worship at these three stone areas while we expand the telescopes from 13 to 56. And limit the tour busses, it was pretty busy and unregulated, there were as many as 300 a day, now they are offering 50 a day. One of the things that we did when we saw that there was a budget crunch coming because of Mr. President Bush's desire to wage war globally, the US budget is stretched, so we decided to fight them even harder. And we are going to raise all these issues including natural and cultural resources management plan, in the court. Now they have run out of money. Two weeks ago we got the good word that four of the NASA new telescopes have been cancelled because of funding. This has been diverted to the war effort. We celebrated, and in the following week all of the native worship areas on the slopes were smashed. This is the fourth time that this has happened. We have actually gone to court with evidence that the National Institute for Astronomy has conducted a campaign to destroy sacred places. And we learned this because the sacred stones where we went to worship were gone. And then we got a call from the city and county dump, and they said that we think that we have your sacred stones down here, and we went down there and sure enough. And we asked them, how did you get them, and they said well, the Institute for Astronomy truck came down and they threw the stones out. And we got pictures of it, so the Hawaiians went to the dump site and saved the rock, we took them back up. The next time when they were taken we did not find them again. After the NASA telescopes were cancelled, the sacred sites from the lower slopes were destroyed, they were all smashed.

Now we have the veterans coming in to help us, because one of the sites we had designated for the Hawaiian boys killed in Afghanistan and Iraq. And when Hawaiian boys were killed up there, their personal things were taken to the volcano. When they went to smash that site, they were not respectful of their things. So the things that belong to the boys that were killed were all destroyed. So now we have a new ally, that comes to join us, we would never think that veterans of US wars, because they believe in wars and we do generally do not, but now they come to help us. When they see what we are up against. In closing some things I want to point out, we are no longer in the position as native peoples to think that our right to worship will be respected. That simply is not going to be the case, especially with the Freedom of Religion Act. We know that there is a relationship between critical habitat and indigenous sacred places. So we have to work to build bridges with allies that are environmental. And we have to learn from them. In ancient times we could say our prayers and beat the drums and depend on the creator to keep balance. But now we have things like mercury, toxic spills, we have competing uses, and we need to acquaint ourselves with the tools for natural resources. We have to know how to measure water, gates, streams, identify toxic substances. And that is why we have to build these allies with others who are not native. The US courts are in evidence for us but you can never get justice there. And I say this as a Native Hawaiian attorney. When Bush comes to shop, we have to stand up for what is ours. And I say this as an attorney and a member of the Permanent Forum myself. My job is to keep my people out of jail. But I have gone to jail. I have been arrested and taken to jail. It is not the kind of thing you are proud of. And it is not where you want your people to go. But when it comes to desecration of sacred places, that is where we draw the line. And that is basically what happened to me on the island of Oahu, where sacred burial sites were being disrupted, you know, your own family burial sites, you try everything you can, but when Bush comes to shop, we have to go back and remember what we learned from Martin Luther King and Ghandi. And that is that civil disobedience to stop this type of desecration is a tool that we need to avail ourselves of. And there is a need, as much as possible to avoid violence, but the thing is that at some point, our native people have to realize that the time comes, you have to put your body down and say no. And if you have to go in as a criminal, that is what you have to do. But we can't leave a stone unturned. And more and more we are beginning to realize that those who stand with us and struggle, will not just be native peoples. Use the courts where you can, when you can. Every possible horrible thing has happened to us in Mauna Kea. If you saw the movie that was shown yesterday, you know. We do have the video. Mauna Kea is so beautiful.

What the creator has given is sacred to all the children of the earth.

All the sacred places on the earth are sacred to all our children. Our cultures are a gift that distinguishes one from the other, but when it comes to sacred things, we have all this in common.