

Historic Preservation in Hawai'i An Archeological Perspective

As in the rest of the United States, historic preservation in Hawai'i has become an increasingly important component of land-use planning and resource management. Its importance in Hawai'i has grown for several reasons, including the following:

- Land is viewed as relatively scarce here in the only island state in the nation. Thus, decisions about its use take on wider significance, often involving commitments of additional resources and limitations on access. This scarcity is compounded by the fact that much of the land ownership in Hawai'i remains concentrated among relatively few entities, both private and public (state and federal governments). Together, the state and federal governments control the largest share, with over 1.75 million acres in Hawai'i. The large private land holding units represent lands held by former Hawaiian monarchs (e.g., the Bishop Estate) as well as early Euro-American commercial interests (i.e., sugar plantations, cattle ranches).

- There is an incredible density of archeological properties associated with Native Hawaiians, and these exhibit a remarkable diversity of forms and associated functions. The nature of the Native Hawaiian archeological record is a result of the relatively late date at which contact with Europeans occurred (toward the end of the 18th century) at which point the numbers of Hawaiians were large and distributed widely both along the coast and inland. This population was dense; and in all of the main islands of the archipelago much of the land had been at least partly converted to human use or was periodically visited. It is difficult, therefore, to undertake any kind of development in any part of Hawai'i without encountering archeological properties. Ironically, in a state noted for its ethnic diversity, historic preservation for archeologists has generally meant properties associated with Native Hawaiians, both prior to and after their encounter with Euro-Americans.*

Historic preservation in Hawai'i, of course, was greatly affected by the passage of a series of federal laws [e.g., the National Historic Preservation Act (NHPA), the National Environmental Policy Act (NEPA), etc.]. At the

same time, the state of Hawai'i has enacted its own legislation, much of it mirroring federal statutes. This legislation provides protection to historic properties or provides that their significance be assessed prior to an undertaking. Private contract archeology firms have become established and grown within the state over the past 20 years, in order to fulfill both state and federal historic preservation compliance procedures. Such firms, as elsewhere in the United States, now provide through their surveys and excavations most of the primary archeological data that is used to interpret Hawaiian history prior to European contact. The State Historic Preservation Division (SHPD) must review all state and federal projects (and the archeological reports that follow) in which historic properties are likely to be found. Additionally, the SHPD reviews virtually all of the land-use changes proposed at the city and county levels, thus providing this agency with an opportunity to comment on all important land-use developments in the state. This level of vertical and geographic integration in historic preservation is virtually unknown elsewhere in the United States.

There are other important differences in Hawai'i that serve to distinguish the approach to historic preservation here. First, despite being the original human colonizers of Hawai'i, Native Hawaiians do not yet have a sovereign or legal entity to represent their interests as do most Native American groups. Nor do Native Hawaiians have or occupy a designated land base, although there are lands devoted to Native Hawaiian housing needs. There is a state agency, [the Office of Hawaiian Affairs (OHA)] devoted to the concerns of Native Hawaiians; and much of its funding is now provided for by the state from the sale or rental of lands that were formerly part of the Hawaiian nation (what are called ceded lands). Second, many Hawaiians are well-organized and acquainted with their rights under federal and state laws with respect to historic preservation. Hawaiians have been relatively quick to appreciate what historic preservation statutes offer them as individuals and as groups. Both state and federal laws have increasingly recognized the special role and rights of Native Hawaiians in matters such as historic preservation. OHA or other Hawaiian groups are now more routinely con-

sulted as part of the historic preservation review process. As important, Native Hawaiians understand the strong moral position they occupy with respect to the historic properties associated with their ancestors.

The modern judicial system in Hawai'i has recognized the special rights of Native Hawaiians and has sometimes sought to mix or bridge English common law jurisprudence with the cultural principles and customs derived from Hawaiians. This approach is especially significant for historic preservation in that it constrains the notion, increasing common elsewhere in the United States today, that land ownership implies some monopoly or exclusivity of rights. Native Hawaiians have rights to some lands and resources which predate the arrival of Europeans.

Consequently, despite the lack of a formal land base or recognized sovereignty, Native Hawaiians, because of their prior occupation of the archipelago and through their various organizations and state judicial recognition, have a considerable role to play in historic preservation. To Hawaiians such properties are not simply a resource or a part of planning, but they are integrally tied to their tradition and history. Preserving these properties helps to preserve tangible and intangible aspects of a changing Hawaiian culture and at the same time Hawaiians view the preservation of such sites as a means to develop and practice aspects of their re-emerging or continuing cultural heritage. More generally, historic properties, especially those associated with Hawaiians, represent one of the components that we must adjudge in making determinations about what constitutes wise stewardship of the finite land resources of the state.

With this said, let us also acknowledge that in Hawai'i, as elsewhere in the U.S., there are powerful economic forces for development of lands. Over the past 50 years, the state has become increasingly urbanized, especially on O'ahu (where Honolulu is located) but also on the neighbor islands. Coastal lands have been targeted for development (for resorts and other commercial needs) and virtually all of these areas were occupied by Hawaiians at one time. Lands used formerly for commercial sugar and pineapple production are slated to be redeveloped for new purposes (golf courses, housing developments). Although it is often assumed that historic properties have been destroyed in such areas, their archeological potential remains unresolved. Unfortunately, we have seen development projects placed in localities where there will be considerable impact to Hawaiian historic properties. The construction of a new leg of the federal interstate highway system on O'ahu (H-3), in one of the last

remaining valleys where archeological sites were relatively undisturbed, is a sign of such forces at work.

Nonetheless, Hawai'i has played an important role in the recent history of historic preservation that is worth noting. In the case of *Aluli vs Brown* (and the U.S. Department of Defense) the federal courts established in the early 1970s that the Navy was responsible under NEPA for the survey of the island of Kaho'olawe (see Rowland Reeve's article for more information on the island of Kaho'olawe), despite the fact that the island had been controlled by the Navy for a number of years, and that the Navy's activities on the island had predated the passage of NEPA. This case was brought by a Hawaiian organization, the Protect Kaho'olawe 'Ohana (PKO), and the court ruled that the Navy had to undertake an archeological survey of historic properties on Kaho'olawe to comply with federal law. Although archeologists now think of archeological surveys as an implicit part of the inventory process, at the time this case was argued many federal agencies were not prepared to assume this responsibility on lands they managed or for their undertakings on land under their jurisdictions. Recently, the Navy has terminated its use of the island for target practice and military exercises and now the federal government has ceded control and ownership of Kaho'olawe back to the State of Hawai'i. These actions were due, in part, to the continuing concerns expressed by the PKO regarding the impacts of the Navy on the significant historic properties documented on the island as part of the original survey.

Native Hawaiian groups and organizations were among the first in the nation to petition the federal government and museums to repatriate human remains and other forms of Hawaiian patrimony as allowed under the Native American Graves Protection and Repatriation Act (NAGPRA). These groups were also among the first to call upon the NAGPRA Review Committee to resolve a dispute concerning the repatriation of two sets of human remains from the Hearst Museum of the University of California, Berkeley. In so doing, they have shown Native American groups how the provisions of NAGPRA can be successfully implemented now without necessarily waiting for all the inventories to be completed by museums.

Historic preservation has also played an equally important role at the state level. Stemming from the excavation of a large Hawaiian burial site in the late 1980s on the island of Maui, a number of changes have now been made in state law with respect to unmarked burials. There are now procedures which guide inadvertent discoveries of human burials and which limit impacts to human

burials during inventory and data recovery projects. The state has established a series of Burial Councils (on which Native Hawaiians and other citizens of the state sit) to assist in making decisions when human burials are discovered. Through consensus the Councils guide the process of recovery and recommend appropriate levels of osteological analysis and plans for reinterment.

Since the island of Kaho`olawe was returned to the state, a land-use plan has been developed in which historic properties play an important role, both for their potential value to inform on the island's history and to serve as a medium for the reaffirmation of Hawaiian culture. Selected areas of the island have been set aside for the long-term preservation of historic properties. Other areas of the island where historic properties occur may be developed for educational purposes or for adaptive reuse of the sites where Hawaiians formerly lived, farmed, and prayed.

New amendments to the state's historic preservation review process ensure the right of the public, especially local communities, to be directly involved in proposed land developments. These amendments stipulate that Native Hawaiians must be consulted not only in the review process, but also when developing ethnohistorical and oral historical inventories and descriptions. In a recent decision, the state's supreme court, upheld that access to important resources (ocean, forested areas) and to important kinds of sites (trails and possibly religious sites) by Native Hawaiians must continue to be provided. These actions give individuals and groups a recognized role in all aspects of the historic preservation process, and they accord special roles for those who may have information about historic properties that is not available through archeological sources.

Many archeologists in the state are discomfited by the developments reported here for they undermine the exclusive authority that archeologists have formerly had to make determinations about site significance. Yet, as I have tried to show, these developments provide new avenues to the preservation of Hawaiian historic properties and open the process to interested parties and the public. In my view, the strength of historic preservation ultimately derives from the manner and extent to which the general public is involved in the decision-making process. What makes historic preservation in Hawai'i of such great interest and potential is the seemingly contradiction we face between the need for continuing economic (and hence, land) development and the recognition that this state's resources are ultimately finite and somewhat fragile (given our isolation and size). Prehistoric and historic properties are part of those resources (and increasingly are tied to eco-

nomic development) and thus the decisions we make about preserving them have far reaching implications. In Hawai'i, as perhaps nowhere else, how we go about this and the results we achieve tie all of us together in a manner that may ultimately determine how well we inhabit these special islands.

Note

* Although historic properties associated with other ethnic groups are recognized, the focus of this essay will be on aspects of Hawaiian sites, given their ubiquity, historical significance, and cultural role for Native Hawaiians today.

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Historic Preservation in Southeast Asia **A Conference on Cultural Resource Management**

The University of Hawai'i's Historic Preservation Program in the Department of American Studies, together with the Center for Southeast Asian Studies, East-West Center, and the Department of Anthropology, will be sponsoring a three-day conference on historic preservation issues in Southeast Asia on March 6-8, 1997. Speakers from the U.S., Europe, and Southeast Asia will be featured. Conference organizers are William Chapman of the Historic Preservation Program, and Professors Miriam Stark and Bion Griffin of the Department of Anthropology. Anyone interested in participating or receiving more information about the conference should contact the Historic Preservation Program at 800-993-7737 or email <angell@hawaii.edu>.