Racist or Righteous: The Kamehameha Schools Admissions Policy

by Vance Tomasu

Racism is ugly. Racism is an attack upon the very core of one’s identity and character. To be more specific, racism targets the biological aspect of a person and makes the blind assumption that a person’s race determines their behavior and attitudes. Racism isn’t just black and white anymore. Racism has been further complicated by many grey areas. An example of this is the Kamehameha admissions policy which gives preference to students of Native Hawaiian ancestry over all other students. Is it racist or righteous? Is their policy intended to promote the superiority of a certain ethnicity and create imbalances, or is it intended to correct injustices and promote harmony amongst society? Much debate has been sparked over this policy, the latest and most important case being John Doe vs. Kamehameha Schools. John Doe had argued that Kamehameha’s policy violated federal laws because it discriminated entrance to the schools based upon race. I personally feel that the Kamehameha admissions policy is justified, in that it was created to correct past injustices and help an oppressed people that have been marginalized in our society, with no intentions of being racist.

The history of Hawaii, before it had become part of America, is very important in understanding the unique circumstances that Kamehameha Schools is facing right now. Pre-contact statistics of Native Hawaiians are estimated to be about 800,000 (Paulsen). After the arrival of Captain James Cook in 1778 (Paulsen, par 11), the introduction of common colds and diseases decimated the indigenous population. A missionary census of the native population shown that from 1778-1832, Native Hawaiian population was cut in half (Schmitt). At the time of Princess Bernice Pauahi Bishop’s birth in 1831, there were approximately 124,000 Native Hawaiians (ksbe.edu). By the time she wrote her will in 1883, there were only 44,000 Native Hawaiians left (ksbe.edu). Today, according to the United States Census Bureau, there are about 400,000 people of part Hawaiian ancestry. However, in 1984 there were only 8,000 pure Hawaiians, according to the Office of Hawaiian Affairs. Accompanied with the sudden decline of people came the decline of an ancient culture. Western culture and laws imposed upon the natives nearly annihilated the traditional Hawaiian culture. The hula, the Hawaiian language, and other customs were all outlawed. Parts of traditional Hawaiian culture have been forever lost because of this, never to be seen again. The biggest hit to Hawaii occurred when the kingdom of Hawaii fell, being forcefully handed over as a territory to the United States. Princess Bernice Pauahi Bishop was the great grand-daughter and last direct descendant of King Kamehameha I. Throughout her life, she witnessed the decimation of the Hawaiian people. Seeing a tragedy unfold right in front of her eyes, and very little being done to help the Native Hawaiian people, Princess Bernice Pauahi Bishop felt that she needed to aid her people and, more importantly, aid the survival of a culture. She was in, perhaps, the best position to assist her people, since she had both the authority and the resources to do so. As quoted from the 13th article of the 1st codicil, Bernice Pauahi Bishop wrote:

I give, devise and bequeath all of the rest, residue and remainder of my estate real and personal, wherever situated unto the trustees below named, their heirs and assigns forever, to hold upon the following trusts, namely: to erect and maintain in the Hawaiian Islands two schools, each for boarding and day scholars, one for boys and one for girls, to be known as, and called the Kamehameha Schools. (ksbe.edu)

Pauahi had the desire to remedy a growing problem, and thus founded, as stated above, the Kamehameha Schools. The schools were intended to “…create good and industrious men and women…” (ksbe.edu). She felt the key to success was education and a solid foundation in Christian values. To this day, Princess Pauahi’s vision is still integrated into the curriculum of the Kamehameha Schools. Over 700 men and women from Kamehameha’s 3 campuses graduate each year. However, Pauahi’s vision of a vibrant future for Hawaiians is not without controversy.

An anonymous person, simply known as
John Doe, filed a lawsuit against Kamehameha Schools, citing section 1981 of the Civil Rights Act of 1866 (Paulsen), that guarantees the same rights for every person, regardless of skin color. Kamehameha Schools is fighting one of the most important cases, in that the results could mean the removal of its long standing policy of admitting Hawaiian children first. Equal admittance of Hawaiian children and those of all other ethnicities would turn Kamehameha into just another private school. John Doe, a person with no Hawaiian blood, was suing Kamehameha for the admittance to any of the campuses (he graduated from high school already), abolishment of the Hawaiian preference policy, and the payment for unspecified monetary damages (Paulsen).

John Doe is relying on previously decided cases, which include: Runyon v. McCrary (1976), McDonald v. Santa Fe Trail Transportation (1976), and Rice v. Cayetano (2000) (Paulsen). In the Runyon v. McCrary case, the court decided that attending a private school constitutes a contract, for the purposes of Section 1981, between the student and the school (Paulsen). In McDonald v. Santa Fe Trail Transportation, the court upheld the decision that Section 1981 protected everyone, including whites. In Rice v. Cayetano, the court basically decided that the public could decide on the appointees of the board of Office of Hawaiian Affairs, and that Native Hawaiians constituted a race-based classification. John Doe argues that the Kamehameha Schools is using its preference policy to segregate the Native Hawaiians from everyone else, by creating an absolute bar (the admissions policy). While John Doe met the scholastic and test requirements, the only basis for his denial was because he had no Hawaiian ancestry. From the point of the plaintiff, what it comes down to is that the admissions policy is racist.

In Kamehameha’s defense it was stated that Kamehameha is a private, non-profit school that receives no federal funding whatsoever. This means that none of the taxpayers’ moneys goes directly to Kamehameha Schools. Kamehameha Schools’ income is generated by its residential, commercial and resort leases, and diverse investments (ksbe.edu).

Secondly, Kamehameha was not created to oppress people of non-Hawaiian descent; rather, on the contrary, it was designed to educate Native Hawaiians in order to compete and be fully integrated into today’s society. Statistically, Native Hawaiians are still underprivileged and struggling. Congress even apologized for the illegal overthrow and annexation of Hawaii, as stated in the United States Public Law 103-150, 103d Congress Joint Resolution 19 November 23, 1993. In this apology the senate publicly apologized for the overthrow of the Hawaiian Kingdom and acknowledged their inherent sovereignty (Harvard Law Review).

The joint resolution outlined the history of the overthrow of the Hawaiian government, and recognized the illegal oppression and injustices done unto the Hawaiian people. There are over 85 federal statutes (Paulsen) that provide programs to aid Hawaiians exclusively, meaning that Congress has supported preference policies before. Also, the fact that the will was written before America annexed Hawaii brings up the question: Does American law have jurisdiction over an article that was written prior to the illegal annexation?

From a moral standpoint, Kamehameha Schools is completely justified in helping a marginalized community. They are simply on a mission to elevate and integrate Hawaiian people into today’s society. Is it so wrong to help an oppressed people that still feel the effects of injustices and inequalities from over a century ago? The intentions of Kamehameha are clearly to help people rather than show racism and discrimination against others. The admissions policy itself is also a preference toward Native Hawaiians, meaning that once all qualified applicants with aboriginal blood have been accepted, anyone else may be accepted, regardless of ethnicity. This point has been enforced on the Maui campus, in which a non-Hawaiian applicant was accepted because all the qualified Hawaiians had been accepted already. Kamehameha Schools is a very diverse school, in that they accept every ethnic background. There are many people of mixed ethnic backgrounds, meaning that Kamehameha does not discriminate simply on the basis that a person is Caucasian.

Kamehameha is a privately owned school funded by a trust and is used for the education of the indigenous Hawaiian people, who are still very much in poverty. Kamehameha compensates many students, about 60-65% (Paulsen), with financial aid of some sort, while the other students not qualified for financial assistance already pay a low tuition fare. This illustrates how much Kamehameha and its board of trustees care not for the money, but for the fulfillment of moral values set down by Bernice Pauahi Bishop. The values taught throughout the school are to be humble, seek knowledge, and help others. These values are clearly not racist. From my point of view, many people simply want money, and with Kamehameha’s endowment valued at more than $7 billion and a budget of over $200 million annually spent on education (Kamehameha Schools Annual Report), Kamehameha makes for a large target. If Kamehameha had no money to offer, John Doe would
likely not seek monetary damages, and probably not even care about being admitted.

Another thing that critics tend to forget about is that there were many injustices done to Hawaii, as outlined briefly before. These past injustices may have been committed by a generation that has passed on, but the aftermath can still be seen in Hawaii. Kamehameha Schools and Hawaiian Homelands act are simply ways of giving back to the Hawaiian community what was originally theirs. It’s all too often that foreigners overpower the indigenous population and take control of the land and the people. The United States of America even acknowledges its own wrong-doing in the assistance of overthrowing a thriving nation. The Hawaiian people aren’t asking for the reparations, they are simply asking for the things that were stolen from them. By taking away the education of Hawaiians first, the court will be taking away the future of Hawaiians.

Overall, this is a very touchy subject, and may not be fully resolved, even when the courts make a final decision. Only time will tell what is next for Kamehameha, with the John Doe lawsuit being a very important and defining factor as to how long Kamehameha will keep its preference for Native Hawaiians. I personally feel that one day, Kamehameha will accept people of other ancestry once the social-economical injustices on Hawaiians have been corrected, but until that day, I say just leave ‘em. There are no intentions of segregating people, but they have every intention of serving righteousness, so why bother to put a stop to something good?