



0. THE PRINCESS and HER SCHOOLS - Story Preface

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The Kamehameha Schools, established via the Last Will and Testament of Princess Bernice Pauahi Paki, provide for the education of native-Hawaiian school children. The image depicts the school logo.

Princess Bernice Pauahi Paki had a new last name when she married an American (against the wishes of her parents). By all accounts, she and her husband - Charles Reed Bishop - had a good relationship.

Offered the throne of Hawaii, in 1872, the Princess declined Kamehameha V's repeated requests for her to succeed him. No one knows the reason. Historians speculate she may have told her husband, but their letters were destroyed during the fire which followed the Great San Francisco Earthquake of 1906. (Bishop had moved to San Francisco after his wife's death.)

In 1883, the Princess inherited a great deal of land from her cousin, Princess Ruth. She was, in fact, her cousin's sole heir. Included in the gifts she received - as set forth in Ruth Keelikolani's Will - were about 353,000 acres of land, making Princess Pauahi the largest landowner in the Kingdom of Hawaii.

Soon after her cousin's death, the Princess also became ill. Before she died of breast cancer, in 1884, she wrote a Will specifically designating how all of her lands would be managed.

She wanted her trustees to establish a school for boys and to improve an existing school for girls. Students of Hawaiian ancestry would be given first priority for places in both, and the schools would be called "Kamahameha" in honor of her great-grandfather. A significant part of her wealth would fund the K-12 academic institutions.

In creating these schools, the Princess wanted to right the wrongs which had caused so many Hawaiians to have reduced standing in their own country. She believed that if her wealth provided an excellent education for native children, those students could develop the skills needed to avoid the plight of their parents and grandparents.

In The Descendants, Kauai Hart Hemmings tells us that Kamehameha's last survivor *wanted* to establish schools, but since she only gave *verbal* instructions, her wishes were not followed. That part of the story is also fictional.

The following is an extract from the Thirteenth Paragraph of Princess Pauahi's handwritten Will:

*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 ...*

*I direct my trustees to invest the remainder of my estate in such manner as they may think best, and to expend the annual income in the maintenance of said schools; meaning thereby the salaries of teachers, the repairing of buildings and other incidental expenses; and to devote a portion of each year's income to the support and education of orphans, and others in indigent circumstances, giving the preference to Hawaiians of pure or part aboriginal blood ...*

Following the Princess' direction, the schools were built and still exist. The Bishop Estate, as the Princess' legacy is now called, began with 375,500 acres of land of which 365,800 remain in trust.

The trust assets have soared in value, during the years since her death, making the Kamehameha Schools' endowment worth billions of dollars.

Some of the estate's trustees, however, abused their positions - paying themselves millions of dollars (among other things). Their actions were exposed (by Samuel P. King and Randall W. Roth), and a Hawaiian court

replaced them with new trustees.

During the recent past, non-native Hawaiian plaintiffs (in *Doe v. Kamehameha Schools*) have questioned whether it is appropriate for the well-endowed Kamehameha Schools to provide preferential treatment for native Hawaiians. As a result, a federal court of appeals - for the 9th Circuit - has examined whether the Princess' bequest discriminates against non-Hawaiians.

Many other individuals are surprised that such a question has even arisen. They are appalled that judges of a federal court could potentially tamper with the clear direction of the Princess' Will which was executed before the U.S. government had anything to do with Hawaiian matters. (Hawaii became America's 50th State on August 21, 1959.)

While that debate goes on, with people lining-up on both sides of the issue, it seems fair to step back and think about the dilemma Matt King faces. Should he, and the other royal descendants, sell the land (to make room for more property development) - or - should they keep the land (for the benefit of future generations)?

There is no question how Princess Pauahi would advise Matt, were she still alive. And there is no doubt how firmly she would support the decisions he ultimately made.

See [Alignments to State and Common Core standards for this story online at:](http://www.awesomestories.com/asset/AcademicAlignment/THE-PRINCESS-and-HER-SCHOOLS-The-Descendants)

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See [Learning Tasks for this story online at:](http://www.awesomestories.com/asset/AcademicActivities/THE-PRINCESS-and-HER-SCHOOLS-The-Descendants)

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## Questions 2 Ponder

### Is It Morally Acceptable for a Gift-Giver to Discriminate?

Princess Bernice Pauahi Paki Bishop was Hawaii's biggest landowner when she created her Last Will and Testament in 1884. At the time of her Will, the Princess knew she had breast cancer. Also, at the time of her Will, Hawaii was not part of the United States.

Worried about native Hawaiians, and concerned that native-Hawaiian children should receive an excellent education, the Princess willed her fortune to a trust which would benefit those children. Schools would be expanded or created for both boys and girls.

In the ensuing years, the Princess' trust has increased in value and has provided the funds for native-Hawaiian children to be educated. Today non-native Hawaiians assert that the Princess' trust discriminates in favor of the children she wanted to protect and, because it is discriminatory, it should be changed.

Do you think that the government should tamper with the Princess' bequest to native-Hawaiian children? Explain your answer.

Do you think that the Princess' wishes, which were legally set forth in her Will at a time when Hawaii was not part of the United States, are subject to a federal court's analysis? Why, or why not?

Should any court of law, federal or otherwise, ever have the power to set aside part of the Princess' Will, which was written more than 130 years ago, to determine whether her actions were discriminatory (within the meaning of how that term is used today)? Explain your answer.

## Media Stream



### Princess Bernice Pauahi Paki Bishop - 1875

Photo of "Charles R. and Bernice P. Bishop," 1875. Photographer: Bradley & Rulofson, San Francisco. Image online, courtesy Bishop Museum.

View this asset at:

<http://www.awesomestories.com/asset/view/Princess-Bernice-Pauahi-Paki-Bishop-1875>



### Princess Ruth Keelikolani - Hawaiian Landowner

Image of Princes Ruth online, courtesy National Anthropological Archives (Smithsonian Institution Research Information System).

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<http://www.awesomestories.com/asset/view/Princess-Ruth-Keelikolani-Hawaiian-Landowner>



### THE PRINCESS and HER SCHOOLS

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### The Descendants - Behind the Scenes

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