



Posted on: Thursday, May 1, 2003

LAW WEEK

## Why be a judge? A little history

*This is the last of several articles written by state judges commemorating Law Day in Hawai'i. Law Day is today.*

By Fay M. Koyanagi  
Nominee to the District Court of the First Judicial Circuit

So you want to boss people around, or is it because you think you look good in black? These are some of the not-so-serious queries about why I wanted to become a judge.

In actuality, there are a number of reasons. Two of the most important are my deep respect for our system of justice and the desire to maintain the harmony in our community.

While an anthropology major at UCLA, I had the opportunity to study how societies, both past and present, resolved their disputes. In hunting and gathering societies, "might was right," and the strongest of the clan or extended family was the dispute resolver based on pure physical strength.

As some societies moved toward an agrarian lifestyle, religion became more institutionalized, and oftentimes it was the religious leader who became the judge based on divine intervention.

In some societies that allowed "trials," these trials were by combat, fire, drowning or torture. The one who was "right" was the one who survived the ordeal. Today in the 21st century, these methods of justice may not be commonplace; however, even in some of the more advanced countries, tyranny still reigns.

Our system has its origins in the English system of jurisprudence and with the added protections under the U.S. Constitution. There is a separation of church and state and the separation of powers among the three branches of our government. And although the system may not be flawless, I am looking forward to being a dispute resolver in this system, which in my opinion is the best in the world.

Our community in Hawai'i is unique. Despite of its diversity, it is amazingly functional and homogeneous. In order to promote and maintain this harmony, all of our citizens should be entitled to the protections under the Constitution. However, at the same time, the laws that are enacted need to be abided by and enforced to assure this smooth functioning.

The state District Court is where most of our citizenry will appear with respect to their rights and obligations under the law. The judges there touch more individual lives on a daily basis than on any other level of the courts. I look forward to this challenge.